



ANGUILLA

**REVISED STATUTES OF ANGUILLA**

**CHAPTER T40**

**TRADES, BUSINESSES, OCCUPATIONS  
AND PROFESSIONS LICENSING ACT**

Showing the Law as at 15 December 2008

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates—

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R.A. 18/2001, in force 1 January 2001  
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**TRADES, BUSINESSES, OCCUPATIONS  
AND PROFESSIONS LICENSING ACT**

## TABLE OF CONTENTS

## SECTION

1. Interpretation
  2. Exemptions
  3. Obligation to obtain licence to carry on certain trades, businesses, occupations and professions
  4. Each place of business chargeable
  5. Form of application
  6. Duration of licences and fees
  7. Grant of licence
  8. Licences not transferable
  9. Notification of change of address
  10. Certificate of licence to be displayed
  11. Exchange of information
  12. Forfeiture of licence
  13. Permitting premises to be used for drug offences
  14. Power to alter Schedule
  15. Regulations
  16. Offences and penalties
  17. Citation
- SCHEDULE: Trades, Businesses, Occupations and Professions



**TRADES, BUSINESSES, OCCUPATIONS  
AND PROFESSIONS LICENSING ACT**

**Interpretation**

1. (1) In this Act—

“accountant” includes a certified or chartered accountant, auditor, actuary, professional bookkeeper and statistician;

“agent” includes travel agent, estate agent, insurance agent, general commission agent, salesman, auctioneer or any other professional agent;

“building contractor” means an independent contractor and includes any person carrying on the business of builder, mason, carpenter, joiner, plasterer, painter, glazier, plumber, sanitary engineer or structural engineer;

“doctor” includes medical doctor, dentist and veterinary surgeon;

“lawyer” includes a barrister and a solicitor;

“merchant” includes a person who imports, manufactures, purchases or holds goods for sale or resale, either by wholesale or retail, and who carries an average stock exceeding \$5,000;

“mobile restaurant” includes any van, caravan and other vehicle and any premises, capable of being moved to and from any site or location, and *bona fide* used or intended to be used for the purpose of habitually providing for reward food for persons frequenting such site, location or premises;

*(Act 7/2007, s. 1)*

“Permanent Secretary” means the Permanent Secretary in the Ministry of Finance;

“printer” includes a person engaged in the printing or publishing business, including the printing of newspapers;

“restaurant” means any premises *bona fide* used or intended to be used for the purpose of habitually providing for reward food for persons frequenting such premises;

*(Act 7/2007, s. 1)*

“surveyor” means a licensed land surveyor.

(2) For the purposes of this Act, 2 or more business activities of a person carrying on a trade, business, occupation or profession set out in the Schedule are interrelated if the business activities are conducted in the same operational field or sector of industry or commerce and share the use of the same plant, equipment, facilities, management services or staff in the same premises or place.

*(Act 9/2006, s. 1)*

(3) For the purposes of this Act, a trade, business, occupation or profession is carried on—

- (a) by a believer, if the trade, business, occupation or profession is at least 51% owned by one or more believers; and
- (b) by a non-believer, if the trade, business, occupation or profession is at least 51% owned by one or more non-believers.

*(Act 9/2006, s. 1)*

### **Exemptions**

2. This Act shall not apply to—

- (a) any trade, business, occupation or profession licensed to be carried on as such under any other law without reference to this Act for the carrying on of which an annual licence fee is paid or payable under such other law;
- (b) persons who do not carry on a trade, business, occupation or profession on their own account but are employed by some other person;
- (c) the sale of fish, milk, meat, fruit or agricultural products by the producers thereof; or
- (d) any corporation or body certified by the Permanent Secretary as having been formed for the purposes of social or public welfare, education, religion, charity, art or science and which applies its income or profits solely for promoting such purposes.

### **Obligation to obtain licence to carry on certain trades, businesses, occupations and professions**

3. Every person carrying on any trade, business, occupation or profession set out in the Schedule shall take out an annual licence in accordance with the provisions of this Act in respect of each premises or place where such trade, business, occupation or profession is carried on, and shall only carry on such trade, business, occupation or profession from such premises or place.

### **Each place of business chargeable**

4. (1) Where different places of business, stores, shops or other premises are operated in the name of one person or firm, a separate licence shall be obtained for each place of business, store, shop or other premises, but a store or place of reception of goods at which no sales are effected shall be deemed not to come within the meaning of this section.

(2) Where different trades, businesses, occupations or professions are carried on by the same person in one premises, a separate licence shall be obtained for each trade, business, occupation or profession carried on.

### **Form of application**

5. Every application for a licence under this Act or a renewal thereof shall be in the prescribed form and submitted in duplicate to the Permanent Secretary.

### **Duration of licences and fees**

6. (1) An application for a new licence shall be accompanied by  $\frac{1}{4}$  of the fee specified in subsection (3) for the licence multiplied by the number of calendar quarters from the day the licence is granted until the end of the year, a part of a calendar quarter being calculated as a whole quarter.

*(Act 9/2006, s. 2)*



(2) An application for the renewal of a licence shall be made on or before the 7<sup>th</sup> day of December of the preceding year and shall be accompanied by the fee specified in subsection (3) for the renewal of the licence.

*(Act 9/2006, s. 2)*

(3) The fee for an application for a new licence or the renewal of a licence is as follows—

- (a) when a trade, business, occupation or profession is carried on by a belonger, the fee for the trade, business, occupation or profession is the base annual fee as set out in the Schedule;
- (b) when a belonger carries on 2 or more trades, businesses, occupations or professions as interrelated business activities, the fee—
  - (i) for the principal interrelated business activity is the base annual fee for the trade, business, occupation or profession as set out in the Schedule, and
  - (ii) for each additional interrelated business activity is an amount equal to  $\frac{1}{2}$  the base annual fee for the trade, business, occupation or profession as set out in the Schedule;
- (c) when the trade, business, occupation or profession is carried on by a non-belonger, the fee is an amount equal to  $1\frac{1}{2}$  times the base annual fee for the trade, business, occupation or profession as set out in the Schedule; and
- (d) when a non-belonger carries on 2 or more trades, businesses, occupations or professions as interrelated business activities, the fee—
  - (i) for the principal interrelated business activity is an amount equal to  $1\frac{1}{2}$  times the base annual fee for the trade, business, occupation or profession as set out in the Schedule, and
  - (ii) for each additional interrelated business activity by the equal to equal to  $\frac{3}{4}$  times the base annual fee for the trade, business, occupation or profession as set out in the Schedule.

*(Act 9/2006, s. 2)*

(4) All licences, unless renewed, shall expire on the 31st day of December in each year.

(5) If in any case the Permanent Secretary is not satisfied that the applicant's trade, business, occupation or profession has been correctly described or that the appropriate fee has been tendered, he shall so inform the applicant in writing and shall allow the applicant an opportunity to justify the description of the trade, business, occupation or profession or the fee tendered; and thereafter the decision of the Permanent Secretary shall be subject to appeal to the Magistrate by notice of appeal in writing within 30 days of the decision of the Permanent Secretary.

(6) In the event of the Permanent Secretary refusing to grant a licence, the fee tendered shall be returned to the applicant. Refusal by the Permanent Secretary to grant a licence shall be subject to appeal to the Magistrate by notice of appeal in writing within 30 days of such refusal.

**Grant of licence**

7. (1) On being satisfied that an application under section 5 has been properly made and the correct fee tendered, the Permanent Secretary shall within 15 days of any application, whether for a new licence or a renewal, grant such licence unless—

- (a) the applicant is a non-belonger who is not the holder of a work permit under the Immigration and Passport Act; or
- (b) the applicant is, under the provisions of this or any other law, disqualified from holding the licence sought.

(2) The Permanent Secretary may attach such conditions or restrictions to a licence as he may deem necessary to conform with the purposes of this Act. Any such conditions or restrictions imposed by the Permanent Secretary shall be subject to appeal to the Magistrate by notice of appeal in writing made within 30 days of the imposition.

**Licences not transferable**

8. No licence issued under this Act to any person may be transferred to any other person.

**Notification of change of address**

9. Every licensee under this Act shall forthwith give notice to the Permanent Secretary of any change of address or of any circumstances affecting his licence.

**Certificate of licence to be displayed**

10. A licence granted under this Act shall be evidenced by a certificate in the prescribed form and such certificate shall be framed by the licensee and shall be publicly and prominently displayed on the premises to which it relates.

**Exchange of information**

11. Nothing in the Confidential Relationships Act shall prevent the disclosure, between the Comptroller of Inland Revenue and the Chief Immigration Officer, the Registrar of Companies or the Comptroller of Customs and Excise, of information in their possession which in their view would assist in the due administration, control and enforcement of this Act.

*(Act 9/2006, s.3)*

**Forfeiture of licence**

12. In the event of a licensee under this Act being convicted of any offence in connection with the conduct of the trade, business, occupation or profession licensed, the Court may order the licence to be forfeited and that the licensee be disqualified from applying for a new licence for a period not exceeding 3 years. In any such event the Court shall notify the Permanent Secretary and no licence fee which may have been paid shall be refundable.

**Permitting premises to be used for drug offences**

13. (1) Any person holding a licence under this Act who permits the premises the subject of the licence to be used for the commission of any offence under the Drugs (Prevention of Misuse) Act is guilty of an offence and is liable on summary conviction to a fine of \$2,000 and to imprisonment for 12 months and, notwithstanding any other provision of this Act, in addition thereto the court may

order that the licence be revoked forthwith and that the licensed person be disqualified from holding any licence under this Act for such period not exceeding 5 years as the court may determine.

(2) For the purposes of subsection (1), if the holder is a body corporate, then if any director, manager, secretary or other officer of the body corporate or any manager or person in charge of the premises permits the commission of an offence under the Drugs (Prevention of Misuse) Act on such premises, then both such person and the body corporate are guilty of an offence under subsection (1) and are liable to the penalties (including disqualification) thereunder.

### **Power to alter Schedule**

**14.** The Governor in Council may by regulation revoke, amend, add to or alter in any manner the Schedule to this Act and the fees prescribed.

### **Regulations**

**15.** The Governor in Council may make regulations prescribing anything required to be prescribed by this Act and generally for the better carrying out of the provisions thereof.

### **Offences and penalties**

**16.** Whoever—

- (a) wilfully makes a false or inaccurate representation to the Permanent Secretary;
- (b) carries on or attempts to carry on without a licence a trade, business, occupation or profession which is required to be licensed under this Act; or
- (c) carries on or attempts to carry on any trade, business, occupation or profession for which a licence has been granted in contravention of any condition or restriction contained in such licence;

is guilty of an offence and is liable on summary conviction to a fine of \$2,500 or to imprisonment for a term of 3 months, and in the case of a continuing offence a further fine of \$250 in respect of each day the offence continues.

### **Citation**

**17.** This Act may be cited as the Trades, Businesses, Occupations and Professions Licensing Act, Revised Statutes of Anguilla, Chapter T40.

**SCHEDULE**

(Sections 3 and 6)

**TRADES, BUSINESSES, OCCUPATIONS AND PROFESSIONS**

<i>Trade, Business, Occupation or Profession</i>	<i>Base Annual Fee</i>
	<b>\$</b>
1. Accounting Firms .....	6,000.00
2. Accountant (Degree, not professionally certified) .....	1,800.00
3. Accountant (Sole Practitioner, not professionally certified) .....	2,400.00
4. Accountant (Technician) .....	1,200.00
5. Agent—	
Debt Collection .....	2,400.00
Insurance .....	6,000.00
Shipping A-International .....	6,000.00
B-Local .....	1,200.00
C-Regional .....	2,400.00
6. Air Ambulance Operator/Pilot .....	1,800.00
7. Air Charter Service/ Airline .....	1,800.00
8. Air Condition Services .....	1,200.00
9. Architectural Firms .....	6,000.00
10. Architect .....	2,400.00
11. Architect (Sole practitioner, professionally certified) .....	3,600.00
12. Architect (Degree, not professionally certified) .....	2,400.00
13. Art Gallery (Located at hotel) .....	6,000.00
14. Art Gallery (Not located at hotel) .....	3,000.00
15. Art Gallery/ Studio .....	3,000.00
16. Artist (Studio) .....	3,000.00
17. Asphalt Plant .....	6,000.00
18. Auctioneer .....	2,400.00
19. Auto Garage .....	1,200.00
20. Actuarial Firm .....	6,000.00
21. Baker (Self-employed) .....	500.00
22. Bakery .....	800.00
23. Barber Shop .....	400.00
24. Beautician/ Cosmetologist .....	800.00
25. Beach Vendors .....	400.00
26. Blasting and Demolition Services .....	1,800.00
27. Boat Builder .....	800.00
28. Bottling Plants (excluding water) .....	2,400.00
29. Broker—	
Customs .....	1,200.00
Stock/Securities Firm .....	6,000.00
30. Building Contractor (with under 10 employees) .....	2,400.00
31. Building Contractor (with 10 – 20 employees) .....	3,600.00
32. Building Contractor (with 20+ employees) .....	6,000.00
33. Boat Manufacturer .....	6,000.00
34. Bulk Station gas—	
Fuel Importer .....	6,000.00
Retailer .....	3,000.00
35. Business Advisory/Consulting Firms .....	6,000.00
36. Business Advisor (Sole Practitioner) .....	2,400.00
37. Carpenter, where an Employer .....	1,200.00
38. Carpenter, where not an Employer .....	600.00
39. Carpet Laying and Cleaning Services .....	600.00

40.	Car Wash Operator .....	600.00
41.	Caterer .....	600.00
42.	Chemist and Druggist .....	1,800.00
43.	Cinema House .....	1,200.00
44.	Cleaning Contractors .....	1,200.00
45.	Coffee Shop and Ice-cream Parlour .....	500.00
46.	Commercial Boat Rentals .....	1,000.00
47.	Commercial Warehousing .....	1,200.00
48.	Computer Services—	
	Technologist .....	1,800.00
	Technology Firm/Company .....	6,000.00
49.	Consultant/Arbitrator .....	1,800.00
50.	Courier Service .....	1,000.00
51.	Day Care Centres (10+ clients) .....	450.00
52.	Day Care Centres (under 10+ clients) .....	250.00
53.	Dermatologist .....	1,800.00
54.	Dispenser .....	1,800.00
55.	Dive Operator .....	1,000.00
56.	Doctor/Dentist—	
	Firm .....	6,000.00
	Sole Practitioner .....	2,400.00
57.	Draughtsman .....	1,800.00
58.	Driving School .....	800.00
59.	Duty Free Shop .....	3,600.00
60.	E-Commerce Business .....	3,000.00
61.	Electrician .....	1,200.00
62.	Electrician, where not an Employer .....	1,000.00
63.	Electronic Repair .....	800.00
64.	Engineering Firm .....	6,000.00
65.	Engineer/Engineering Consultant (Sole Practitioner) .....	2,400.00
66.	Engineer .....	1,800.00
67.	Event Promoter (Annual fee) .....	1,200.00
68.	Event Promoter (per event/show) .....	300.00
69.	Fax Machine, Copiers, T V Rentals .....	1,200.00
70.	Fencing Company .....	1,000.00
71.	Ferry Boat Operator—	
	Licenced Passenger Ferry .....	6,000.00
	Charter Boat Operator (per boat) .....	1,200.00
	Cargo Boat Operator (per boat) .....	1,000.00
72.	First Aid Services.....	600.00
73.	Fisherman (other than an Anguillian) .....	1,800.00
74.	Fisherman (Charter) .....	1,000.00
75.	Fitness Centre/Gym (Located at hotel) .....	3,000.00
76.	Fitness Centre/Gym (Not located at hotel) .....	1,800.00
77.	Flea Market .....	800.00
78.	Flower Shop Operator/Florist .....	800.00
79.	Foreign Farmers .....	1,200.00
80.	Gaming Machines .....	1,000.00
81.	Garbage Disposal Services (Government contracts) .....	5,000.00
82.	Garbage Disposal Services (other contracts) .....	1,000.00
83.	Gas Dealer/Cooking Gas .....	600.00
84.	Ground Services .....	1,200.00
85.	Guest House Operators (per room) .....	60.00
86.	Hairdresser .....	800.00
87.	Heavy Equipment Rental .....	1,000.00
88.	Herbalist .....	1,000.00
89.	Horse Stables for trail tours .....	800.00

90.	Hotels—	
	US\$300 or less per night .....	120.00
	Over US\$300 per night .....	300.00
	<b>Minimum Annual Licence Fee</b> .....	500.00
	Villas and Apartments—	
	US\$300 or less per night .....	120.00
	Over US\$300 per night .....	300.00
	<b>Minimum Annual Licence Fee</b> .....	500.00
	Inns—	
	US\$100 or less per night .....	60.00
	Over US\$100 per night .....	120.00
	<b>Minimum Annual Licence Fee</b> .....	300.00
	Guest Houses—	
	per room .....	60.00
	<b>Minimum Annual Licence Fee</b> .....	300.00
	<i>Licence fee is charged as per room based on room rate for each of the above category</i>	
91.	Hotel Management Company .....	6,000.00
92.	Hydroponic Farm .....	1,000.00
93.	Import and Export Services .....	1,800.00
94.	Importers of Security Equipment for Resale .....	1,200.00
95.	Information Systems Operator .....	1,800.00
96.	Information Technology Consulting Firm .....	3,000.00
97.	Interior Decorator/Landscaper .....	1,200.00
98.	International Trader .....	1,800.00
99.	Internet Service .....	1,800.00
100.	Itinerant Trader .....	1,200.00
101.	Jeweler or Watch Repair .....	1,000.00
102.	Joiner, where an Employer .....	1,200.00
103.	Joiner, where not an Employer .....	600.00
104.	Journalist .....	1,000.00
105.	Landlord (Commercial Space)—	
	Under 600 sq. ft. per building .....	300.00
	From 600 to 1,000 sq. ft. per building .....	450.00
	Over 1,000 sq. ft per building — for the first 1,000 sq. ft .....	450.00
	— for each additional sq. ft .....	1.00
106.	Landlord (residential tenancy over 3 months)—	
	Residential Apartment per unit .....	300.00
	Apartment/Cottages with 2 bedrooms or less .....	300.00
	Apartment/Cottages with more than 2 bedrooms .....	500.00
	Villas .....	1,500.00
107.	Launderer .....	800.00
108.	Law Firm .....	6,000.00
109.	Lawyer/Solicitor/Barrister (Sole Practitioner) .....	2,400.00
110.	Locksmith .....	500.00
111.	Lottery Agent .....	1,000.00
112.	Management Consultant (Sole Practitioner) .....	2,400.00
113.	Management Services Firm .....	6,000.00
114.	Manufacture of Concrete Products .....	3,600.00
115.	Manufacturer of Aerated/Purified Water .....	2,400.00
116.	Marketing and Sales Agent (Firm) .....	3,600.00
117.	Marketing and Sales Agent (Individual) .....	2,400.00
118.	Mason, where an Employer .....	1,000.00
119.	Mason, where not an Employer .....	600.00

120.	Massage Centre (Located at hotel) .....	3,600.00
121.	Massage Centre (Not located at hotel) .....	2,400.00
122.	Masseuse, where not an Employer .....	1,200.00
123.	Mechanic .....	1,000.00
124.	Medical Firm .....	6,000.00
125.	Medical School .....	6,000.00
126.	Medical Laboratory Technologist .....	2,400.00
127.	Merchant—	
	average stock less than \$5,000 .....	NIL
	average stock exceeding \$5,000 but not exceeding \$25,000 .....	800.00
	average stock exceeding \$25,000 but not exceeding \$100,000 .....	1,200.00
	average stock exceeding \$100,000 but not exceeding \$250,000 .....	2,400.00
	average stock exceeding \$250,000 but not exceeding \$500,000 .....	6,000.00
	average stock exceeding \$500,000 but not exceeding \$1,000,000 .....	9,600.00
	average stock exceeding \$1,000,000 .....	14,400.00
128.	Mining/Quarrying Operation .....	6,000.00
129.	Mobile Restaurant .....	1,000.00
130.	Mobile Trader .....	1,000.00
131.	Money Transfer Service .....	1,800.00
132.	Museum Operator .....	600.00
133.	Music Teacher .....	600.00
134.	Nail Care Salon .....	800.00
135.	Newspaper Operator .....	800.00
136.	Night Club/Disco Operator .....	1,200.00
137.	Nurse/Masseur .....	1,200.00
138.	Ophthalmic Dispenser .....	1,200.00
139.	Optician/Optomtrist .....	2,400.00
140.	Painter (Self-employed) .....	600.00
141.	Painting Contractor, where an Employer .....	1,200.00
142.	Pest Control Services .....	800.00
143.	Photographer .....	1,000.00
144.	Plastic Laminating Services .....	800.00
145.	Plumber, where an Employer .....	1,200.00
146.	Plumber, where not an Employer .....	600.00
147.	Preschool .....	600.00
148.	Primary School .....	800.00
149.	Printer .....	1,000.00
150.	Product Agent and Distributor .....	1,200.00
151.	Psychologist .....	2,400.00
152.	Radio and Broadcasting Equipment Rental .....	1,200.00
153.	Real Estate Agency .....	2,400.00
154.	Real Estate Agent .....	3,000.00
155.	Real Estate Developer .....	6,000.00
156.	Recording Studio .....	1,200.00
157.	Reflexologist .....	1,200.00
158.	Refrigeration Services .....	1,200.00
159.	Restaurant (located at hotel, villa or guest house) .....	3,600.00
160.	Restaurant (not located at hotel, villa or guest house)—	
	Offering local cuisines .....	1,200.00
	Offering cuisines other than local cuisines .....	2,400.00
161.	Road Construction Contractor .....	2,400.00
162.	Rum Manufacturer .....	3,600.00
163.	Screen Making .....	800.00
164.	Seamstress .....	800.00

165.	Secondary School .....	1,200.00
166.	Secretarial Services .....	800.00
167.	Security Service .....	1,000.00
168.	Shoemaker .....	500.00
169.	Sign Shop .....	1,200.00
170.	Silk Screen Operator/Printer .....	1,200.00
171.	Solar heating Contractors .....	1,200.00
172.	Spa (Located at hotel) .....	6,000.00
173.	Spa (Not located at hotel) .....	3,000.00
174.	Sports and Entertainment Promoters .....	1,800.00
175.	Surveyor .....	2,400.00
176.	Tailor .....	800.00
177.	Teacher/Tutor .....	600.00
178.	Telecommunications Contractor (Firm) .....	3,000.00
179.	Telecommunications Expert .....	2,400.00
180.	Telecommunications Technician (Sole Practitioner) .....	1,200.00
181.	Tertiary Institute (Learning) .....	2,000.00
182.	Therapist .....	1,200.00
183.	Tiler, where an Employer .....	1,200.00
184.	Tiler, where not an Employer .....	600.00
185.	Tour Guides/Tourism Rentals .....	800.00
186.	Tour Operator .....	800.00
187.	Trades Licence .....	1,000.00
188.	Travel Agent .....	1,200.00
189.	Trucking Service .....	1,000.00
190.	Tyre Repair Shop .....	500.00
191.	Undertaker .....	1,500.00
192.	Upholsterer .....	800.00
193.	Vehicle Dealer .....	1,800.00
194.	Vendor's Licence .....	500.00
195.	Veterinary Doctor .....	1,200.00
196.	Video/Movie Rental Operator .....	1,200.00
197.	Villa Agent—	
	General Agent .....	3,600.00
	Specific Agent .....	1,800.00
198.	Water Sports Operator .....	1,000.00
199.	Welding Services .....	1,000.00
200.	Business other than those specified .....	1,000.00

(R.A. 7/2006 s.1, R.A. 10/2006 s.1 and R.A. 24/2007, s. 1)



