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SUPPORT. PROMOTE. PROTECT.

The Cayman Islands Chamber of Commerce was established in 1965 and is a non-profit organisation that exists to Support, Promote and Protect Cayman business and the wider community. We proudly represent nearly 700 businesses and associations from every major industry sector.

POSITION STATEMENT

SUNDAY TRADING IN THE CAYMAN ISLANDS

1. INTRODUCTION

The Cayman Islands Chamber of Commerce has conducted two surveys of our membership in 2005 and 2013 respectively, which indicates strong support for a policy change in the Cayman Islands that provides all businesses with the choice of opening on a Sunday. This paper provides a summary of the Chamber's current position on Sunday Trading in the Cayman Islands and outlines a proposal to make amendments to the existing policy along with our rationale. The Chamber's position is based on five principles:

- 1.1 Consumers in the Cayman Islands should have the option to shop or have access to services on a Sunday if market conditions present this opportunity to them.
- 1.2 Businesses in the Cayman Islands should be allowed the choice to open on a Sunday if they feel this presents an economic opportunity to them.
- 1.3 Employees who do not wish to work on a Sunday should be provided with protection against discrimination by employers via appropriate legislative changes.
- 1.4 Employees who wish to work on a Sunday to improve their economic situation should be given the option to choose to do so.
- 1.5 All businesses in the Cayman Islands should have an equal opportunity to offer their goods and services to potential consumers on a Sunday and this opportunity should not be restricted to a select few.

2. THE STATUS QUO ON SUNDAY TRADING IN THE CAYMAN ISLANDS

The current policy framework in the Cayman Islands prohibits businesses from opening on a Sunday with the exception of certain selected categories such as hotels and other key businesses such as restaurant and bars, gas stations and emergency services. It should be noted that in practice a few other small businesses, which do not appear to fit into the above categories, open on a Sunday in some districts and there does not appear to be effective enforcement in this area.



3. A BRIEF SUMMARY OF SUNDAY TRADING AROUND THE WORLD

Sunday Trading is a commonly implemented policy across various economies. The countries which currently implement Sunday Trading vary in size from small to large economies and are also spread geographically across Europe, the Caribbean, Asia and North America.

In many countries Sunday Trading is implemented with certain limitations on the number of hours. In others Sunday Trading has become more liberalized after starting with a limited number of hours. Countries that allow Sunday Trading with more liberal hours and across a wider range of businesses than currently exist in the Cayman Islands include, among others: The United Kingdom, Canada, United States, Sweden, South Africa, China, all South American countries, and throughout Australia. In addition several Caribbean countries allow Sunday trading where many of the large retail outlets and supermarkets, among other businesses, are open on Sundays.

4. WHY A CHANGE TO THE STATUS QUO IS NECESSARY

- 4.1 The lack of choice faced by Cayman's consumers results in high prices for goods and services purchased on Sundays. The price differential between purchasing such goods on a Sunday compared to another day can be considerable. The cost of purchasing everyday consumer goods and necessities at the gas stations is the most widely known example of this inequity.
- 4.2 The existing policy stifles employment on a Sunday and this puts potential employees who may wish to earn additional wages at a disadvantage.
- 4.3 The existing policy restricts economic opportunity, which is valuable to all businesses. Any additional economic activity would result in increased imports and a corresponding increase in customs duty revenues to the Government.
- 4.4 If Sunday trading were allowed more widely there would be an increase in employment in the Cayman Islands. This may be in the form of:
 - a. Increased man-hours by existing employees,
 - b. Part time work afforded to students or new employees,
 - c. Part time work afforded to semi-retired or retired workers who may be interested in working for economic or other reasons
 - d. New full time employees.
- 4.5 The lack of freedom to choose to participate in a law-abiding activity that presents additional convenience to all residents does not fit well with the country's democratic and multicultural society.





5. COUNTER ARGUMENTS TO LIBERALISING SUNDAY TRADING

The Chamber recognises that any proposed change, which liberalises Sunday trading activity, would be met with some opposition. We also respect and fully understand the rationale behind such opposition, particularly those based on the following principles:

- 5.1 That society must be concerned about negatively impacting the Christian tradition of the Cayman Islands where Sunday is regarded as a day of rest and worship.
- 5.2 That there is a risk that working on a Sunday may negatively impact families' way of life.

6. THE PROPOSED POLICY CHANGE

While the Chamber understands the views emanating from the two principles outlined in Section 5, we believe that Sunday Trading in the Cayman Islands can be liberalised without negatively impacting families or the proud Christian heritage valued by many in this country.

In that respect the Chamber feels that any liberalisation of Sunday trading hours should also reflect the key principles outlined in Section 1 of this paper.

In particular we reiterate that the choice to work on a Sunday must be given to employees and fully respected by employers. Further, this can be addressed via Sunday Trading regulations or by making the necessary changes in the existing employment legislation.

We recommend the following policy changes:

- 6.1 That the Government liberalises Sunday trading hours by allowing all businesses the option to legally operate on a Sunday if they wish.
- 6.2 That the necessary changes are made in the laws to protect Caymanian employees from discrimination if they choose to NOT work on a Sunday.
- 6.3 That the liberalisation of Sunday Trading activity is limited to a certain number of hours on a Sunday as is the common practice in many other countries. We propose that businesses be allowed to open for a maximum of 5 hours on a Sunday.

7. In conclusion the Chamber of Commerce believes that Sunday Trading laws should be amended to provide better choice and lower prices to consumers, additional economic opportunities to businesses, and additional employment. We firmly believe that our proposed policy change would not pose any negative harm to our society or traditions.

Approved and released by Council: April 2014

