



Ministerie van Toerisme, Economische Zaken, Verkeer en Telecommunicatie
Ministry of Tourism, Economic Affairs, Traffic and Telecommunication

POLICY: MORATORIUM ON BUSINESS & OPERATIONAL LICENSES ON SUPERMARKETS

1. PURPOSE

This policy establishes the parameters on the issuance of business and operational licenses for supermarkets of all classifications.

2. APPLICATION

This policy applies to all new applications/requests for business and operational licenses for supermarkets. Applications/requests made prior to the establishment of the moratorium will be governed by the rules/policies prior to the moratorium.

3. GOALS & PRINCIPLES

The Ministry of Tourism, Economic Affairs, Traffic and Telecommunication (TEATT) in the general interest of the economic development of the market, establishes policies and rules in order to preserve and promote the economy.

4. LEGAL AUTHORITY

The legal authority is based on the 'Vestigingsregeling voor bedrijven' and 'Vergunningslandsverordening'.

5. POLICY

The Minister of Tourism, Economic Affairs, Traffic and Telecommunication, in his capacity, has seen the need in the general interest to amend the existing established moratorium on the issuance of business and operational licenses for supermarkets.

Implementation of this amendment to the moratorium was decided after consideration of:

- i. The fact that the government acknowledges the need for high traffic tourist areas (i.e. hotels with a minimum of 200 rooms, the Airport and Harbor) to always have a supermarket on premises as a convenience to our visitors and guests.

The amended policy goes into effect as of July 3, 2015 and replaces the Policy/Moratorium of 18 February 2014.

Allowing or issuing additional new business and operational licenses for supermarkets, could entail consequences that create harm to the existing supermarkets and their investments, with the end result of providing inadequate quality and service that will not benefit the economy of St. Maarten. The Government has the task to prevent such a negative impact on the supermarket industry and therefore establishes this moratorium.

- i. The moratorium established as of the 18 February, 2014 on the issuance of business and operational licenses remains in force, but has been amended as follows:
 - a. Replacement licenses are allowed, but are limited to establishments operating on the premises of hotels with a minimum of 200 rooms, the Airport and the Harbor. A new license



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may be granted to replace an already existing license in that same location. However, the old or existing license must be cancelled, or withdrawn in order for the new license to be approved. Furthermore, any new licenses granted to operate from the aforementioned locations are restricted to those locations. No branch license or change of location, outside of the aforementioned areas will be granted.

- b. *Holders of both an operational and business license for a supermarket may change locations, **with the exception of those operating on the premises of hotels with a minimum of 200 rooms, the Airport and the Harbor.***
- c. *Business Expansion is allowed. Therefore a person who is already operating with a business license and wishes to expand to sell Alcohol can request an operational license.*
- ii. The aforementioned amendments to the moratorium policy on supermarkets do not increase the total number of licenses.
- iii. Each Applicant will receive a letter informing of the moratorium;
- iv. The department of economic licenses and the control department are responsible for the monitoring of this moratorium;
- v. The public will be notified of any changes via the local media and the government website www.sintmaartengov.org and National Gazette.



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