

BUSINESS LICENCE GUIDANCE ON LIQUOR ESTABLISHMENTS

Introduction

This Guide is intended to provide information about the requirements for Liquor Establishments within the context of business licencing. It should be read in conjunction with the Business Licence Act, 2023 (“BL Act”), the Business Licence (Amendment) Act, 2025 (“BL Amendment Act”) and the Business Licence Regulations, 2023 (“BL Regulations”), which can be found on the website of the Department of Inland Revenue (“DIR”). If there is a discrepancy between this Guide and the BL Act, BL Amendment Act and the BL, the law will prevail.

Current changes

The BL (Amendment) Act has introduced a pre-certification process for all liquor establishments that must be completed prior to the grant of an annual Business Licence.

The new requirements for Liquor Establishments are set out in this Guide.

What is a Liquor Establishment?

For the purposes of the BL Act, the term ‘liquor establishment’ applies generally to any business that sells, exposes or offers liquor for sale.

Liquor is defined in the BL Act as meaning “every description of alcoholic spirits, wines, ale, beer, porter, stout, cider, perry and other malt liquor, and any fermented or distilled liquor”

Liquor establishments therefore include but are not limited to the following:

- Liquor Stores
- Bars
- Restaurants that serve alcohol
- Hotels that serve alcohol
- Members clubs that serve alcohol
- Nightclubs that serve alcohol

Obtaining or renewing an annual business licence – Registration Process

A business licence is required to operate any liquor establishment in The Bahamas.

In order to obtain or renew an annual business licence, applicants must complete a registration process by submitting the prescribed application form, **Registration Application Form** together with the supporting documents, and then obtain a Certificate of Registration.

Upon receipt of an application for a Certificate of Registration and payment of the applicable fee, the DIR shall make a thorough investigation to determine whether the applicant and the premises out of which the liquor business will operate, qualify for a license. The registration process aims to protect public safety and uphold moral standards and to prevent unregulated and unsuitable methods of distribution.

An application for a Certificate of Registration will be denied if either the applicant or the premises for which a license has been applied, do not qualify for a license.

REGISTRATION PROCESS

Phase 1 – Application for registration as a liquor establishment

A. Time to apply

New businesses are required to submit a registration application at least 90 days before applying for the annual business licence.

Applicants for renewals of annual business licences for existing businesses must submit their registration renewal application by 31st December each year.

B. Requirements to be met before applying

Applicants must ensure that they have the following approvals before beginning the registration process

1. An approved trading name. The application for an approved trading name can be found at on the DIR website at [XXXXX].
2. Necessary agency approvals from the agencies listed below. Approval from agencies must be dated and/or issued no later than 3 months prior to the date of application for the Certificate of Registration.

C. Applications linked to specific premises

Each Certificate of Registration is attached to a specific liquor establishment at a particular location ('the registered premises'). An applicant must therefore submit a separate application in relation to each of the registered premises where the applicant operates or intends to carry on a liquor business.

D. Registration Fee

Registration Fees must be paid in order to complete your application for a Certificate of Registration and are as set forth in the Table below. Fees are payable with respect each of the registered premises being certified.

After submitting your registration application, you will receive an invoice stating the total amount of fees to be paid. Payment should be made through the Portal at [XXXXXXX]

Type of Establishment	Registration Fee
Liquor Store	\$100.00
Bar, Restaurant or other	\$50.00

E. Procedure for applying

Applications for registration or the renewal of a registration should be in the prescribed form, Registration Application Form, which can be found on the DIR website at <https://inlandrevenue.finance.gov.bs>

Forms for renewals of an existing Certificate of Registration or first time applications for a Certificate of Registration must be accompanied by the following documents, where applicable-

- Lease or rental agreement for the business location or Proof of ownership eg. Copy of conveyance.
- Certificate of Incorporation
- Beneficial ownership declaration
- Personal or Business NIB Information (for applicant)
- Approved trading name
- Required regulatory and departmental approvals
 - Department of Environmental Health Services (Sanitation/Waste Removal)
 - Certification from Bahamas Agricultural Health & Food Safety (BAHFSA)
 - Ministry of Works/Building Control (Inspection)
 - RBPF (Fire Inspection Report)
 - Inspection Report from Royal Bahamas Police Force/Business Inspection and Licencing Section (Criminal activity, criminal background)
 - Department of Physical Planning (Zoning, Parking)

Persons who have an existing Business Licence but are applying for Certificate of Registration for the first time must re-submit the above documents.

Phase 2 – Public Consultation

A. New registrations;

Prior to approving a new application for registration, the DIR will publish a Notice of Public Consultation inviting comments from the general public and interested parties. The notice will specify the date, location and manner in which the public consultative process will take place. The notice will also request written comments which must be submitted using the form provided on the DIR website at [XXXXXX]

The notice may be posted via:

- Local newspaper
- DIR website
- Signage at the business location

B. Renewal of registration:

Before the renewal of registration, the DIR will invite public comments for consideration via its website or other approved channels. Public comments must be submitted in the form provided on the DIR website at [XXXXXXXX]

Phase 3 – Factors taken into account in determining approval of registration

In making a decision to register an establishment, any of the following factors may be taken into account:

- Criminal background check of the applicant, officers or directors of the applicant
- Suitability of the premises – The sale of liquor requires premises that meet specific standards to ensure a safe, controlled, and responsible environment for both customers and the surrounding community. The suitability depends on the classification of the liquor establishment and the methods of distribution.

On-premise consumption - See Specific Requirements

- Compliance with fire, safety, health and building regulations
- Size and capacity – Must be appropriate based on use of the premises
- Physical layout and design –
 - Must support responsible alcohol service and customer safety
 - Clearly defined areas for dining, bar service, seating areas, bathrooms, kitchen and storage areas.
 - Adequate restroom facilities based on occupancy
 - Maximum occupancy limit

Off-premise consumption – See Specific Requirements

- Compliance with fire, safety, health and building regulations
- Size and capacity – Must be appropriate based on use of premises and volume of liquor sales/stored
- Physical layout and design –
 - Clear entry/exit points
 - Avoid obstructed sight lines of all areas where alcohol is served.

Drive-Through Sales

No liquor establishment will be certified which sells, dispenses, or delivers alcoholic beverages to customers through a drive-through service, including but not limited to:

- Any service that allows a customer to remain in a motor vehicle while completing the transaction.
- Any window or portal designed or used to serve customers in vehicles.

Window Sales

The sale of alcohol through any exterior-facing window, sliding hatch, or other architectural opening that allows alcohol to be handed to a customer located outside the registered premises is strictly prohibited. No Take A-way (window) Liquor sales will be permitted.

Cages or Bars

The sale of liquor must not be conducted through any cage, bar or physical barrier that physically separates staff from patrons and prevents direct, open interaction during liquor sales. Cages, bars or physical barriers are considered any structure resembling a security cage, pass-through window or reinforced partition that restricts visibility, communication or accessibility. Cages, bars and physical barriers signal that the establishment is in high-risk location not suitable for public liquor sales.

A limited exception may be granted where

- A legitimate safety concern has been demonstrated due to the area's elevated risk level, however it is determined that the location is not so high-risk as to render it unsuitable for liquor sales **and**
- Alternative security measures have been deemed insufficient **and**
- The applicant has met all other requirements for the type of licence applied for.

Separate Entrances

To ensure controlled access all liquor retail establishments shall be required to have clearly designated and physically separate entrances and exits from those of any adjoining or neighboring businesses.

The entrances and exits must be clearly marked, accessible, and designed to promote the safe and orderly flow of customers exclusively to and from the liquor sales area. Shared access points are strictly prohibited to uphold these standards.

Example, no other business can operate from the premises registered to sell liquor. If there is an adjoining business, that business cannot share the same entry and exit as the liquor establishment.

- Proximity to schools or places of worship

- No Liquor Establishment should be certified unless it is 700 feet away from places of worship, schools, residences and other liquor establishments. This requirement does not apply to full-service restaurants.
- Applicants with pre-existing Liquor Establishments may, however, by formal written request at the time of submitting their application, show compelling and satisfactory reasons as to why a Certificate of Registration should be granted notwithstanding non-compliance with the distance requirement. Such applications will only be approved in exceptional circumstances.
- Specifically, such applicants must provide clear and documented evidence demonstrating that they satisfy all of the following criteria -
 - The liquor establishment has been in continuous operation for more than 10 years prior to the application date or it was established before any school, place of worship or residential community in the designated area came into existence.
 - The liquor establishment has a proven track record of compliance with all relevant laws and regulations.
 - No formal complaints regarding public disturbances have been filed against the establishment by community groups, including schools, place of worship, or local residents, within the past 3 years eg. Loitering, noise, public altercations.
 - The establishment has obtained letters of support from authorized representatives of affected schools, places of worship, community leaders within the designated area.
 - The establishment has adequate security and safety measures in place to ensure that minors cannot access alcohol eg. Surveillance systems, trained staff, ID checks.
 - The establishment is operating within a legally designated commercial zone.
 - The establishment operates during different hours than school or place of worship events and there is no evidence of interference with the educational or religious activities nearby.
 - Signage is discreet and establishment does not display advertisements that target minors or are visible from schools or places of worship.
- Community saturation (i.e. whether the area is already adequately serviced).

A community will be considered to be 'adequately serviced' where the existing number and distribution of liquor establishments in a designated area already sufficiently meet the needs and demands of the community and after consideration of the factors below it has been determined that no new establishment is necessary or justifiable.

- Population size and density
- Number and proximity of existing licensed premises;
 - Number and type of liquor establishments in a geographic area
 - Number and type of liquor establishments per square mile/km
- Number of establishments compared to the size of the population

- Ratio of liquor establishments to population in a geographic area
 - Consumption patterns;
 - Community concerns or objections;
 - Impact on public health, safety, and order.
- Past tax and regulation compliance history
 - Applicants must provide evidence of compliance with tax legislation and other regulatory requirements.
- Any other reasonable ground
 - Liquor Establishment located in high crime district.
 - History of noise complaints or police involvement

If approval is granted, a Certificate of Registration will be issued. The Certificate of Registration does not grant any authority for persons to operate a liquor establishment. Obtaining a Certificate of Registration is merely a mandatory requirement before applying for or renewing an annual business licence.

The Certificate of Registration must be conspicuously displayed at the registered premises to which it relates and must be produced upon request by officials.

Phase 4 – Application for Business Licence

After an applicant obtains a Certificate of Registration, the applicant must still apply for and be granted an annual business licence in order to operate a liquor establishment.

Applicants are required to complete and submit their application for a Business Licence through www.vat.revenue.gov.bs.

Applicants are only required to upload the Certificate of Registration. Applicants will not be required to upload any forms previously submitted during the registration process.

Types of annual business licences granted

Business licences may be granted in the following categories –

- Liquor Stores – sale by wholesale and retail of liquor for off-premise consumption. No consumption permitted onsite.
- Wholesale Liquor – sale by wholesale of liquor in sealed containers for off-premise consumption. No consumption permitted onsite.
- Breweries, Wineries and Distilleries – sale by wholesale and retail of liquor for on-premise or off-premise consumption.
- Bar or Lounge – sale by retail of liquor for on-premise consumption. No food service.
- Proprietary or Members Clubs – sale by retail to club members and their guests for on-premise consumption. Premises include Club grounds.
- Nightclub – sale by retail of liquor for on-premise consumption
- Restaurant and Bar – sale by retail of liquor for on-premise and only if served with food – casual dining

- Full Service Restaurant - sale by retail of liquor for on-premise and only if served with food

A Proprietary Club or Members Club must comply with the following

- a. The rules of the club shall be in writing and shall
 - i. provide for an elected management committee or governing body
 - ii. regulate who can be a member and provide a genuine selection process for members.
 - iii. Provide that no guest can be supplied with liquor unless on the invitation of and in the company of a member
- b. The Club must require a subscription fee payable by members.
- c. The Club must have no less than 25 members.
- d. The Club must not be open to members of the public simply by paying an entry fee.
- e. The Club must not be a trade organization.

Party buses (if liquor is sold or exposed or offered for sale)

- The vehicle must be certified for a Bar Licence or Restaurant and Bar Licence.
- No service of alcohol is allowed while vehicle is in motion.

Mobile Bars

- Only mobile bars with a permanent place of business can be certified.
- Must meet the requirements to obtain a Bar Licence or Restaurant and Bar Licence.

When is a Certificate of Registration not required?

- Complimentary Alcohol – Where liquor is offered for free without any direct or indirect charge, no certification is required. If, however, the business intends to receive money, goods or other benefits in exchange for the liquor, whether directly or indirectly, certification is required. Eg. Where an entry fee or bundled service includes free drinks as part of a package, certification is required.
- Aircraft operators – No Certificate is required to sell alcohol on board the aircraft while the aircraft is in The Bahamas
- Cruise ships – No certification is required to sell liquor on board any ship calling at The Bahamas
- Gift baskets and flowers – No Certification is required for a business that sells gift baskets or bouquets of flowers which are packaged for sale as such and includes no more than 2 litres of liquor in each gift.

- The Certificate of Registration is not a requirement for liquor establishments located in Freeport, Grand Bahama. Liquor establishments on all other private islands are required to comply with the certification process.

Types of establishment that will not be granted a Certificate of Registration

- Take Away Restaurants
- Liquor sold through walk-up windows
- Liquor sold through any cage, bar or physical barrier
- Drive-through Liquor Stores
- Supermarkets and gas stations

Enforcement and Compliance

The DIR is empowered under the BL Act to monitor, investigate, and enforce compliance with all business licensing requirements. For liquor establishments, this includes both the Business Licence and the required Certificate of Registration.

The Secretary may suspend, amend, cancel, or impose restrictions on a liquor establishment's Business Licence and/or Certificate of Registration if:

- The applicant/licensee is not compliant with tax laws, including VAT, Real Property Tax, Business Licence Tax, or National Insurance contributions
- The applicant/licensee breaches a condition of the licence or provides false or misleading information in their application
- The applicant/licensee fails to meet or maintain the requirements for registration as a liquor establishment (for example: unsuitable premises, community objections, criminal history)
- The liquor establishment contravenes public health, safety, or zoning regulations
- The business is operating in a disorderly or unsafe manner, including unsanitary conditions, fire hazards, or inadequate security or supervision
- The applicant/licencee has breached a payment arrangement or failed to meet obligations under a tax ruling or compliance agreement

The BL Act also provides for certain offences in relation to the sale of liquor, for example, selling liquor without a business licence, selling liquor to a person under the age of eighteen years.

Objections and Appeals

The BL Act provides for a person to formally object to a decision by the Secretary not to grant a licence and for an appeal to the Tax Appeal Commission against a decision by Secretary made after considering the objection.

Frequently Asked Questions

- 1. If I have several outlets, do I need a separate Certificate of Registration for each outlet?**
 - Yes, you must obtain a separate Certificate of Registration for each outlet.
- 2. If I change the location of my liquor establishment can my Certificate of Registration be transferred or do I have to apply for a new Certificate?**
 - Each Certificate of Registration is in relation to a specific location. Additional documents relating to the new location will have to be submitted.
- 3. After submitting my application for a Certificate of Registration, how long will the application take to be processed?**
 - An application for a new Certificate of Registration may take up to six weeks** to process after a completed application is submitted.
- 4. After receiving a Certificate of Registration and applying for a Business Licence, how long will the application for the Business Licence take to be processed?**
 - Once the application is submitted and the Certificate of Registration is uploaded, the application for a Business Licence should take 2 working days to process.
- 5. If I have an existing annual Business Licence, will I automatically be granted a Certificate of Registration?**
 - A new Certificate of Registration is not dependant on the existence of a business licence but will be determined based on whether the application meets the statutory requirements,
- 6. Can I operate a Liquor Establishment from my home?**
 - No, Liquor establishments cannot be operated from properties that are located in areas zoned for residential purposes by the Department of Physical Planning.