

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE WASTEWATER COLLECTION
AND TREATMENT LAW, 2011, AS A CONSEQUENCE OF THE
ESTABLISHMENT OF THE UTILITY REGULATION AND
COMPETITION OFFICE; TO TRANSFER THE WATER AUTHORITY'S
LICENSING RESPONSIBILITIES TO THE UTILITY REGULATION
AND COMPETITION OFFICE; AND FOR INCIDENTAL AND
CONNECTED PURPOSES**

**THE WASTEWATER COLLECTION AND TREATMENT
(AMENDMENT) BILL, 2017**

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Wastewater Collection and Treatment Law, 2011, Law 3 of 2011, as a consequence of the establishment of the Utility Regulation and Competition Office. The Water Authority's licensing responsibilities would be transferred to that Office.

Clause 1 of the Bill provides for the short title and commencement of the legislation.

Clause 2 amends section 2 of the principal Law to define the term "Office" as the Utility Regulation and Competition Office established under section 4 of the Utility Regulation and Competition Law, 2016.

Clauses 3 and 5 delete references to the "Governor in Cabinet" and substitute references to the "Cabinet" in order to comply with Constitutional requirements.

Clause 4 updates the references to the Local Companies (Control) Law and the Trade and Business Licensing Law.

**THE WASTEWATER COLLECTION AND TREATMENT
(AMENDMENT) BILL, 2017**

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Amendment of section 2 of the Wastewater Collection and Treatment Law, 2011, Law 3 of 2011 - interpretation
3. Amendment of section 4 - Governor in Cabinet may grant concessions
4. Amendment of section 5 - application of other licensing legislation
5. Amendment of miscellaneous sections - substitution of the word “Cabinet” for the words “Governor in Cabinet”

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A BILL FOR A LAW TO AMEND THE WASTEWATER COLLECTION AND TREATMENT LAW, 2011, AS A CONSEQUENCE OF THE ESTABLISHMENT OF THE UTILITY REGULATION AND COMPETITION OFFICE; TO TRANSFER THE WATER AUTHORITY'S LICENSING RESPONSIBILITIES TO THE UTILITY REGULATION AND COMPETITION OFFICE; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Wastewater Collection and Treatment (Amendment) Law, 2017.

Short title and commencement

(2) This Law comes into force immediately after the coming into force of the Water Authority (Amendment) Law, 2017.

2. The Wastewater Collection and Treatment Law, 2011, in this Law referred to as the "principal Law", is amended in section 2 as follows -

Amendment of section 2 of the Wastewater Collection and Treatment Law, 2011, Law 3 of 2011 - interpretation

- (a) in the definition of the word "concession" by deleting the words "Governor in";
- (b) in the definition of the word "licence" by deleting the word "Authority" and substituting the word "Office"; and
- (c) by inserting, after the definition of the word "licence", the following definition -

“Office” means the Utility Regulation and Competition Office established under section 4 of the Utility Regulation and Competition Law, 2016;”.

Amendment of section 4
- Governor in Cabinet
may grant concessions

3. The principal Law is amended in section 4 as follows -

- (a) in the marginal note and in subsection (1) by deleting the words “Governor in”;
- (b) by repealing subsection (2) and substituting the following subsection -

“ (2) Before the Cabinet may grant any concession under subsection (1), the Cabinet shall consult the Authority and may consult the Office which shall advise the Cabinet pursuant to all the powers for the time being in force in relation to advice relating to wastewater.”; and

- (c) in subsection (3) by deleting the word “Authority” wherever it appears and substituting the word “Office”.

Amendment of section 5
- application of other
licensing legislation

4. The principal Law is amended in section 5 as follows -

- (a) by deleting the words “(Control) Law (2007 Revision)” and substituting the words “(Control) Law (2015 Revision)”;
- (b) by deleting the words “Law (2007 Revision).” and substituting the words “Law, 2014.”;

Amendment of
miscellaneous sections -
substitution of the word
“Cabinet” for the words
“Governor in Cabinet”

5. The principal Law is amended in sections 3, 12(3), 15 and 16(2)(d) by deleting the words “Governor in” wherever they appear.

Passed by the Legislative Assembly the _____ day of _____, 2017.

Speaker.

Clerk of the Legislative Assembly.