

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE WATER (PRODUCTION AND
SUPPLY) 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 WATER (PRODUCTION AND SUPPLY) (AMENDMENT) BILL,
2017**

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Water (Production and Supply) Law, 2011, Law 2 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" for the purposes of the legislation as the Utility Regulation and Competition Office established under section 4 of the Utility Regulation and Competition Law, 2016.

Clauses 3, 5 and 6 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 WATER (PRODUCTION AND SUPPLY) (AMENDMENT) BILL,
2017**

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Amendment of section 2 of the Water (Production and Supply) Law, 2011,
Law 2 of 2011 - interpretation
3. Amendment of section 4 - Governor in Cabinet may grant concessions
4. Amendment of section 5 - application of certain other Laws
5. Amendment of section 15 - offences and penalties
6. 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 WATER (PRODUCTION AND SUPPLY) 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 Water (Production and Supply) (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 Water (Production and Supply) Law, 2011, in this Law referred to as the "principal Law", is amended in section 2 as follows - Amendment of section 2 of the Water (Production and Supply) Law, 2011, Law 2 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 words “non-potable water”, 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 such advisory powers as may be conferred on the Office by any Law.”; and

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

Amendment of section 5
- application of certain
other Laws

- 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 section 15
- offences and
penalties

- 5. The principal Law is amended in section 15(2) as follows -

- (a) in paragraph (g) by deleting the words “Law (1996 Revision)” and substituting the words “Law (2011 Revision)”;
- (b) in paragraph (h) by deleting the words “Governor in”.

6. The principal Law is amended in sections 3, 12(3) and 14, by deleting the words “Governor in” wherever they appear.

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

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

Speaker.

Clerk of the Legislative Assembly.