

CAYMAN ISLANDS



**PUBLIC LANDS (AMENDMENT) BILL,
2019**

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A BILL FOR A LAW TO AMEND THE PUBLIC LANDS LAW, 2017 TO PROVIDE FOR A CHANGE IN THE COMPOSITION OF THE MEMBERSHIP OF THE PUBLIC LANDS COMMISSION TO ALLOW MEMBERS OF THE PUBLIC LANDS COMMISSION WHO ARE NOT CIVIL SERVANTS TO BE CHAIRPERSONS OF THE COMMISSION; AND FOR INCIDENTAL AND CONNECTED PURPOSES

PUBLISHING DETAILS



Memorandum of
OBJECTS AND REASONS

This Bill amends the Public Lands Law, 2017 to provide for a change in the composition of the membership of the Public Lands Commission to allow members of the Commission who are not civil servants to be chairpersons and for incidental and connected purposes.

Clause 1 provides the short title of the legislation.

Clause 2 provides that the words “Caymanian” and “permanent resident” are to be given the meaning assigned to them in the Immigration (Transition) Law, 2018.

Clause 3 provides that the word “Chairman” or “chairman” be changed to the word “chairperson” throughout the Law, providing for a more gender neutral usage of the word.

Clause 4 provides for a change in the composition and appointments of the membership of the Public Lands Commission to allow members of the Commission who are not civil servants to be appointed chairperson and deputy chairperson.

Clause 5 provides that the deputy chairperson shall, in the absence of the chairperson, be the acting chairperson at a meeting, and in the absence of both the chairperson and the deputy chairperson, the members present at a meeting may elect another member to be acting chairperson at that meeting.

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Arrangement of Clauses

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ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the Public Lands (Amendment) Law, 2019.

Amendment of the Public Lands Law, 2017 - interpretation

2. The *Public Lands Law, 2017*, in this Law referred to as the “principal Law”, is amended by inserting in the appropriate alphabetical sequence, the following definitions —

“**Caymanian**” has the meaning assigned to it in section 2 of the *Immigration (Transition) Law, 2018*; and

“**permanent resident**” has the meaning assigned to it in section 2 of the *Immigration (Transition) Law, 2018*.”

Amendment of the principal Law - general deletions and substitutions

3. The principal Law is amended by deleting the word “Chairman” or “chairman” wherever it appears and substituting the word “chairperson”.

Amendment of section 6 - membership of the Commission

4. The principal Law is amended in section 6 by repealing subsection (1) and substituting the following subsections —

“(1) The Commission shall consist of —

- (a) five members of the public, among whom —
 - (i) one member shall be a Caymanian or permanent resident who resides on Cayman Brac or Little Cayman; and
 - (ii) one member shall have a background and knowledge of Cayman Islands heritage and culture;
- (b) the Director of Lands and Survey or the Director’s designate;
- (c) the Chief Officer of the Ministry of Lands or the Chief Officer’s designate;
- (d) the Chief Officer of the Ministry of Tourism or the Chief Officer’s designate; and
- (e) the Chief Officer of the Ministry of Commerce or the Chief Officer’s designate.

(1A) The Cabinet, on the recommendation of the Minister, shall appoint the chairperson and the deputy chairperson of the Commission, from among the five members of the public named in subsection (1)(a) who are not civil servants.

(1B) The secretary to the Commission shall be a civil servant appointed by the Chief Officer of the Ministry presided over by the Minister, in accordance with section 11(1) of the principal Law and shall carry out the duties of secretary to the Commission in accordance with section 11(2).”.



Amendment of section 7 of the principal Law - meetings

5. The principal Law is amended in section 7 by repealing subsection (3) and substituting the following subsection —

“(3) The chairperson shall preside over the meetings of the Commission and, in the absence of the chairperson, the deputy chairperson shall be the acting chairperson, and in the absence of both, the members at the meeting shall elect a member among those members present, to be the acting chairperson and to preside over the meeting.”.

Passed by the Legislative Assembly the day of , 2019.

Speaker

Clerk of the Legislative Assembly

