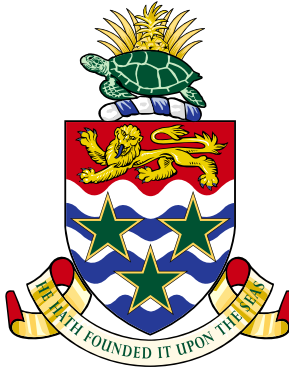


CAYMAN ISLANDS



LEGAL PRACTITIONERS (AMENDMENT) BILL, 2019

Supplement No. 1 published with Legislation Gazette No. 38 dated 10th October, 2019.

A BILL FOR A LAW TO AMEND THE LEGAL PRACTITIONERS LAW (2015 REVISION) IN ORDER TO PROVIDE FOR THE MEMBERSHIP OF ATTORNEYS-AT-LAW IN THE CAYMAN ISLANDS LEGAL PRACTITIONERS ASSOCIATION SOLELY FOR THE PURPOSE OF ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM SUPERVISION BY THE CAYMAN ISLANDS LEGAL PRACTITIONERS ASSOCIATION; AND FOR INCIDENTAL AND CONNECTED PURPOSES

PUBLISHING DETAILS



**Memorandum of
OBJECTS AND REASONS**

This Bill seeks to amend the Legal Practitioners Law (2015 Revision) (the “principal Law”) in order to provide for the compulsory membership of attorneys-at-law in the Cayman Islands Legal Practitioners Association (the “Association”) solely for the purpose of anti-money laundering and counter-terrorism supervision by that Association.

Clause 1 provides the short title to the legislation as well as a commencement provision.

Clause 2 amends the interpretation section, section 2 of the principal Law, in order to provide or change definitions for several words used in the Bill.

Clause 3 inserts a proposed new section 7A to provide that the Clerk of Court shall, in a specified time period, provide the secretary of the Association with the name of an attorney-at-law who has been added to the Roll in accordance with section 5 of the principal Law or who has been removed or struck from the Roll in accordance with sections 7 and 14 of the principal Law.

Clause 4 inserts a new section 12A to provide that that every attorney-at-law admitted to practise under section 3 of the principal Law and to whom a practising certificate has been issued, shall be deemed to be a member of the Association for the purpose of being supervised by the Association in its capacity as a Supervisory Authority.

Clause 5 makes a minor amendment to section 14 of the principal Law to provide for the use of the word “Caymanian” instead of the expression “possesses Caymanian status”.

CAYMAN ISLANDS



**LEGAL PRACTITIONERS (AMENDMENT) BILL,
2019**

Arrangement of Clauses

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A BILL FOR A LAW TO AMEND THE LEGAL PRACTITIONERS LAW (2015 REVISION) IN ORDER TO PROVIDE FOR THE MEMBERSHIP OF ATTORNEYS-AT-LAW IN THE CAYMAN ISLANDS LEGAL PRACTITIONERS ASSOCIATION SOLELY FOR THE PURPOSE OF ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM SUPERVISION BY THE CAYMAN ISLANDS LEGAL PRACTITIONERS ASSOCIATION; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title and commencement

1. (1) This Law may be cited as the Legal Practitioners (Amendment) Law, 2019.
- (2) This Law shall come into force on such date as may be appointed by Order made by the Cabinet.

Amendment of section 2 of the Legal Practitioners Law (2015 Revision) - definitions

2. The *Legal Practitioners Law (2015 Revision)*, in this Law referred to as the “principal Law”, is amended in section 2 as follows —
 - (a) in the definition of “Clerk of Court”, by deleting the words “section 9” and substituting the words “section 7”; and
 - (b) by inserting, in their appropriate alphabetical sequence, the following definitions —

“ **Association** ” means the Cayman Islands Legal Practitioners Association, a company limited by guarantee and designated as the Supervisory Authority for attorneys-at-law;

“ **Caymanian** ” means a person who possesses Caymanian status under the repealed *Immigration Law (2015 Revision)* or any earlier law providing for the same or similar rights, and includes a person who acquired that status under Part 5 of the *Immigration (Transition) Law, 2018*; and

“ **Supervisory Authority** ” means, in relation to attorneys-at-law, the “Supervisory Authority” as defined in the *Anti-Money Laundering Regulations (2018 Revision)*.”.

Insertion of section 7A - Clerk of Court to provide information on the Roll to the Association

3. The principal Law is amended by inserting after section 7 the following section —

“Clerk of Court to provide information on the Roll to the Association

- 7A.** (1) The Clerk of Court shall, in the time period specified in subsection (2), provide the secretary of the Association with the name of an attorney-at-law who has been added to the Roll in accordance with section 5 and who has been removed or struck from the Roll in accordance with sections 7 and 14.
- (2) The information to be provided by the Clerk of Court under subsection (1) shall be provided to the secretary of the Association —
- (a) no later than fourteen days after the addition to, striking from, or other removal from, the Roll, of the attorney-at-law; or
 - (b) upon the request of the Association, as soon as such addition, striking or other removal is made.”.

Insertion of section 12A - membership of the Association for anti-money laundering supervision

4. The principal Law is amended by inserting after section 12 the following section —

“Membership of the Association for anti-money laundering supervision

- 12A.** Every attorney-at-law admitted under section 3 and who holds a practising certificate issued under section 12(2) shall be deemed to be a member of the Association for the purpose of enabling the Association to carry out its duties as Supervisory Authority.”.



Amendment of section 14 - non-practising attorneys-at-law to be struck off Roll

5. The principal Law is amended in section 14 by deleting the words “possesses Caymanian status” and substituting the words “is Caymanian”.

Passed by the Legislative Assembly the day of , 2019.

Speaker

Clerk of the Legislative Assembly

