

CAYMAN ISLANDS



DEVELOPMENT AND PLANNING (AMENDMENT) BILL, 2020

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A BILL FOR A LAW TO AMEND THE DEVELOPMENT AND PLANNING LAW (2017 REVISION) TO ENHANCE THE EFFICIENCY OF THE AUTHORITY AND TO SUPPORT DEVELOPMENT IN THE ISLANDS; AND FOR INCIDENTAL AND CONNECTED PURPOSES

PUBLISHING DETAILS

Sponsoring Ministry/Portfolio: Ministry of Commerce, Planning and Infrastructure
(CPI)



**Memorandum of
OBJECTS AND REASONS**

This Bill seeks to amend the Development and Planning Law (2017 Revision) (the “principal Law”) to enhance the efficiency of the Authority and to support development in the Islands. The Bill would also provide for incidental and connected purposes.

Clause 1 provides the short title of the legislation.

Clause 2 seeks to amend section 13 of the principal Law by inserting a new paragraph under subsection (3) which would exempt the construction of a fuel liquefied petroleum gas storage tank not exceeding an aggregate total of one thousand gallons in size from the list of types of development that require planning permission under the Law.

Clause 3 seeks to repeal and substitute section 15(4) of the principal Law in order to provide new requirements in relation to the submission and assessment of a notice of an application for planning permission.

Clause 4 seeks to amend section 40 to the principal Law include delivery of a notice by certified mail among the appropriate methods for the service of such notices.

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ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the Development and Planning (Amendment) Law, 2020.

Amendment of section 13 of the Development and Planning Law (2017 Revision) - provisions for development

2. The *Development and Planning Law (2017 Revision)*, in this Law referred to as the “principal Law”, is amended in section 13(3) by inserting after paragraph (ab) the following paragraph —
 - “(ac) the construction of a fuel liquefied petroleum gas storage tank not exceeding an aggregate total of one thousand gallons in size;”.

Amendment of section 15 - application for planning permission

3. The principal Law is amended in section 15 by repealing subsection (4) and substituting the following subsection —

“(4) Where a person makes an application for planning permission to the Authority (other than an application for permission in relation to a detached house, duplex or any temporary development), the person shall provide notice of the application which shall —

- (a) contain an invitation for the person to whom the notice is addressed to inspect the requisite drawings related to an application for planning permission in person at the Department of Planning or via a website authorised by the Director for such purpose, and
- (b) be served in accordance with any regulations made under this Law,

and the Authority shall not consider the application —

- (i) in the absence of evidence of the service, or publication in accordance with any regulations made under this Law, as the case may be, of such notice; and
- (ii) unless twenty-one days have elapsed since the service or publication, as the case may be, of the last of such notice.”.

Amendment of section 40 - service of notices

4. The principal Law is amended in section 40 as follows —

- (a) in subsection (1), by inserting after the words “prepaid registered letter” wherever they appear the words “or by certified mail”;
- (b) in subsection (2), by inserting after the words “prepaid registered letter” wherever they appear the words “or by certified mail”; and



- (c) by inserting after subsection (3) the following subsection —
- “(4) For the purposes of this section, **“certified mail”** means mail delivered by a postal or courier service by which the person who delivers the mail obtains the signature of the recipient of the mail on a form as proof of delivery to the specified addressee and if the addressee is not found the mail is returned to the sender.”.

Passed by the Legislative Assembly the day of , 2020.

Speaker

Clerk of the Legislative Assembly

