

CAYMAN ISLANDS



Supplement No. 2 published with Extraordinary
Gazette No. 23 dated 15 March, 2011.

**A BILL FOR A LAW TO AMEND THE PROPERTY (MISCELLANEOUS
PROVISIONS) LAW (2001 REVISION) TO PROVIDE FOR THE
MANNER OF SIGNING OF A DEED OR INSTRUMENT UNDER SEAL;
AND TO PROVIDE FOR INCIDENTAL AND CONNECTED PURPOSES**

**THE PROPERTY (MISCELLANEOUS PROVISIONS) (AMENDMENT)
BILL, 2011**

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Property (Miscellaneous Provisions) Law (2001 Revision) to provide for the manner of signing of deeds or instruments.

Clause 1 of the Bill provides the short title.

Clause 2 of the Bill repeals and replaces section 8(3) of the Property (Miscellaneous Provisions) Law (2001 Revision) to clarify the procedure for the execution of deeds and instruments under seal.

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ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Property (Miscellaneous Provisions) (Amendment) Law, 2011.

Short title

2. The Property (Miscellaneous Provisions) Law (2001 Revision) is amended in section 8 by repealing subsection (3) and substituting the following subsections -

Repeal of section 8(3) of the Property (Miscellaneous Provisions) Law (2001 Revision) - deeds and certain other instruments no longer required to be executed under seal

“ (3) For the purpose of this section, a deed or instrument under seal may be signed in any manner contemplated by the parties thereto, including, without limitation -

- (a) by a signature on the complete deed or instrument; or
- (b) by a signature on any signature page or execution page to the deed or instrument (whether or not the deed or instrument is at such time in final form) which is attached by the individual to (or at the direction of, or on behalf of, the individual, or otherwise with the individual's authority to) the deed or instrument,

if the deed or instrument is (or the signature page or execution page, as the case may be, is) signed either -

- (i) by the individual in the presence of a witness who attests his signature; or
- (ii) at the direction of the individual and in his presence and the presence of two witnesses who each attest the signature of the person signing on behalf of the individual and that the individual so directed such person to sign.

(3A) Subsection (3) shall apply to deeds or instruments under seal regardless of whether they are made before, on or after the commencement of subsection (3) provided that no deed or instrument made before the commencement of subsection (3) shall be invalid by reason only of any provision of subsection (3).”.

Passed by the Legislative Assembly the day of , 2011.

Speaker.

Clerk of the Legislative Assembly.