

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE MARINE CONSERVATION
LAW (2007 REVISION) TO MAKE CERTAIN CHANGES IN RELATION
TO RAYS; TO LIMIT THE TENURE OF OFFICE OF MEMBERS OF
THE MARINE CONSERVATION BOARD TO THREE YEARS; AND
FOR INCIDENTAL AND CONNECTED PURPOSES**

THE MARINE CONSERVATION (AMENDMENT) BILL, 2013

MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to amend the Marine Conservation Law (2007 Revision).

Clause 1 contains the short title.

Clause 2 inserts a definition of “ray”. This is with a view to including those rays as species that are subject to the prohibition in section 6(5) of the principal Law, to which the rays are added under clause 4.

Clauses 3 introduces certain changes in relation to the tenure of members of the Marine Conservation Board. Under the existing Law, members are appointed by the Governor in Cabinet and hold office at the pleasure of the appointing authority. This clause creates a term limit of three years but subject to earlier termination in the circumstances set out in that clause.

Clause 4 makes the addition referred to in relation to rays.

THE MARINE CONSERVATION (AMENDMENT) BILL, 2013

ARRANGEMENT OF CLAUSES

1. Short title
2. Amendment of section 2 of the Marine Conservation Law (2007 Revision) - definitions
3. Amendment of section 3 of section 3 of the principal Law - Marine Conservation Board
4. Amendment of section 6 - closed seasons and bans - lobsters, conch and Nassau groupers

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A BILL FOR A LAW TO AMEND THE MARINE CONSERVATION LAW (2007 REVISION) TO MAKE CERTAIN CHANGES IN RELATION TO RAYS; TO LIMIT THE TENURE OF OFFICE OF MEMBERS OF THE MARINE CONSERVATION BOARD TO THREE YEARS; AND FOR INCIDENTAL AND CONNECTED PURPOSES

Enacted by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the Marine Conservation (Amendment) Law, 2013.

Amendment of section 2 of the Marine Conservation Law (2007 Revision) - definitions

2. The Marine Conservation Law (2007 Revision), in this Law referred to as the “principal Law”, is amended in section 2 by inserting, in the appropriate alphabetical sequence, the following definition -

“ “ray” means -

- (a) the Southern Stingray (*Dasyatis americana*);
- (b) Eagle Ray (*Aetobatus narinari*); or
- (c) Manta Ray (*Manta birostris*),

in the order of *Myliobatiformes*”.

Amendment of section 3 of the principal Law - Marine Conservation Board

3. The principal Law is amended in section 3 as follows -

- (a) in subsection (1) by deleting the words “at the pleasure of the Governor” and substituting the words “for three years”; and
- (b) by inserting after subsection (1) the following subsections -

“ (1A) A member of the Board may at any time, by notice in writing addressed to the Governor, resign his membership.

(1B) The Governor may, in his discretion, terminate the appointment of any member of the Board and shall terminate the appointment of any member of the Board if he is satisfied that -

- (a) the member has been absent from any three out of five consecutive meetings of the Board without the prior written consent of the Chairman;
- (b) the member has been adjudged bankrupt;
- (c) the member is incapacitated by reason of physical or mental illness;
- (d) the member is otherwise unable or unfit to discharge the functions of member; or
- (e) such termination is in the public interest.

(1C) Where a member of a Board ceases to be a member before the normal expiration of his office, the Governor may appoint another person qualifying for that appointment to hold that office until the time that member’s office would have expired.

(1D) As soon as practicable after the entry into force of the Marine Conservation (Amendment) Law, 2013, the Governor shall, notwithstanding any terms and conditions of appointment of any member of the Board, dissolve the Board existing at that time and appoint a new Board under this section and may re-appoint any member of the old Board.”.

4. The principal Law is amended in section 6 by repealing subsection (5) and substituting the following subsection -

Amendment of section 6
- closed seasons and
bans - lobsters, conch
and Nassau groupers

“(5) Whoever, in Cayman waters, takes, injures or has in his possession -

- (a) chitons;
- (b) periwinkles
- (c) bleeding teeth; or
- (d) rays,

taken from Cayman waters is guilty of an offence.”.

Passed by the Legislative Assembly the day of , 2013.

Speaker.

Clerk of the Legislative Assembly.