

CAYMAN ISLANDS



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**THE PLANTS (IMPORTATION AND EXPORTATION) (AMENDMENT)
LAW, 2014**

(LAW 13 OF 2014)

**THE PLANTS (IMPORTATION AND EXPORTATION) (AMENDMENT)
LAW, 2104**

ARRANGEMENT OF SECTIONS

1. Short title and commencement
2. Amendment of section 2 of the Plants (Importation and Exportation) Law (1997 Revision) - definitions
3. Amendment of the principal Law - deletion of the word “C.A.V.O.” and substitution
4. Amendment of section 4 - power to prescribe conditions
5. Amendment of section 6 - restriction or prohibition of inter-island movement
6. Amendment of section 9 - penalty
7. Amendment of section 10 - regulations
8. Transitional provisions

CAYMAN ISLANDS

Law 13 of 2014.

I Assent

Franz Manderson

Acting Governor.

Date: 22 July, 2014

A LAW TO AMEND THE PLANTS (IMPORTATION AND EXPORTATION) LAW (1997 REVISION) AS A CONSEQUENCE OF THE ENACTMENT OF THE NATIONAL CONSERVATION LAW, 2013; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Plants (Importation and Exportation) (Amendment) Law, 2014.

Short title and commencement

(2) This Law comes into force immediately after the commencement of the National Conservation Law, 2013.

2. The Plants (Importation and Exportation) Law (1997 Revision), in this Law referred to as the “principal Law”, is amended in section 2 as follows-

Amendment of section 2 of the Plants (Importation and Exportation) Law (1997 Revision)- definitions

(a) by deleting the word “C.A.V.O” and its definition and by substituting the following word and definition-

“Director” means the Director of the Department of Agriculture and any person authorised by him;”;

(b) by inserting after the definition of the word “Director” the following definition-

“National Conservation Council” means the National Conservation Council established under section 3 of the National Conservation Law, 2013.”.

The Plants (Importation and Exportation) (Amendment) Law, 2014

Amendment of the principal Law- deletion of the word “C.A.V.O.” and substitution

3. The principal Law is amended by deleting the word “C.A.V.O.” wherever it appears and by substituting the word “Director”.

Amendment of section 4- power to prescribe conditions

4. The principal Law is amended in section 4 as follows-

- (a) by renumbering section 4 as section 4(1);
- (b) by amending section 4(1) as renumbered by inserting at the beginning of the subsection the words, “Subject to subsection (2),”; and
- (c) by inserting after section 4(1) as renumbered, the following subsection-

“(2) When considering an application for a licence to import a live or viable specimen of an alien or genetically altered plant, the Director, in accordance with any directives issued by the National Conservation Council, shall consult with that Council and take into account any views of the Council before granting any such licence.”.

Amendment of section 6- restriction or prohibition of inter-island movement

5. The principal Law is amended in section 6 by deleting the words “Governor in Council” and by substituting the word “Cabinet”.

Amendment of section 9- penalty

6. The principal Law is amended in section 9 as follows-

- (a) by renumbering section 9 as section 9(1);
- (b) by amending section 9(1) as renumbered by inserting at the beginning of the subsection the words, “Subject to subsection (2),”; and
- (c) by inserting after section 9(1) as renumbered, the following subsection-

“(2) A person who imports a live or viable specimen of an alien or genetically altered plant without a licence commits an offence and is liable on conviction to a fine of five hundred thousand dollars or to imprisonment for a term of four years or to both.”.

Amendment of section 10- regulations

7. The principal Law is amended in section 10 as follows-

- (a) by deleting the words “Governor in Council” and by substituting the word “Cabinet”; and
- (b) by inserting after the word “effect” the words “and, where the regulations relate to live or viable specimen of alien or genetically altered plants, shall consult with the National Conservation Council prior to making such regulations”.

8. (1) After the commencement of the National Conservation Law, 2013 and this amending Law all proceedings in respect of offences committed or alleged to have been committed against the principal Law prior to the date of the commencement of the National Conservation Law, 2013 and this amending Law shall be dealt with as if the National Conservation Law, 2013 and this amending Law had not come into force. Transitional provisions

(2) Where anything done under or for the purposes of the principal Law would cease to have effect by virtue of this amending Law it shall have effect as if it had been done under and for the purposes of the corresponding provisions of the National Conservation Law, 2013.

Passed by the Legislative Assembly this 26th day of June, 2014

Juliana O'Connor-Connolly

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.