

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE EXPLOSIVES LAW (1997
REVISION) TO TRANSFER, FROM THE CHIEF ENGINEER TO THE
MANAGING DIRECTOR OF THE NATIONAL ROADS AUTHORITY,
VARIOUS FUNCTIONS RELATING TO BLASTING; AND TO MAKE
PROVISION FOR INCIDENTAL AND CONNECTED MATTERS**

THE EXPLOSIVES (AMENDMENT) BILL, 2007

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Explosives Law (1997 Revision).

Under the principal Law, the Chief Engineer of the Public Works Department is responsible for a number of functions, including the issuing of blasting permits. Following the enactment of the National Roads Authority Law in 2004, however, the office of Chief Engineer became defunct.

This Bill seeks to amend the Law to transfer, from the Chief Engineer to the Managing Director of the National Roads Authority, various functions relating to blasting.

The Bill also validates any unauthorised acts that may have been carried out by the Managing Director in purported exercise of powers conferred by the principal Law prior to the enactment of the legislation.

THE EXPLOSIVES (AMENDMENT) BILL, 2007

ARRANGEMENT OF CLAUSES

1. Short title.
2. Amendment of section 2 of the Explosives Law (1997 Revision) - definitions.
3. Amendment of section 4 - offences and penalties.
4. Amendment of section 6 – regulations.
5. Validation.

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A BILL FOR A LAW TO AMEND THE EXPLOSIVES LAW (1997 REVISION) TO TRANSFER, FROM THE CHIEF ENGINEER TO THE MANAGING DIRECTOR OF THE NATIONAL ROADS AUTHORITY, VARIOUS FUNCTIONS RELATING TO BLASTING; AND TO MAKE PROVISION FOR INCIDENTAL AND CONNECTED MATTERS

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Explosives (Amendment) Law, 2007. Short title
2. The Explosives 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 Explosives Law (1997 Revision) - definitions
 - (a) by deleting the definition of the term “Chief Engineer”; and
 - (b) by inserting, after the definition of the term “Governor”, the following definition -

“ “Managing Director” means the person appointed as such under section 11(1) of the National Roads Authority Law (2006 Revision) and includes any person acting under his authority;”.
3. The principal Law is amended in section 4 by deleting the words “Chief Engineer” and substituting the words “Managing Director”. Amendment of section 4 - offences and penalties
4. The principal Law is amended in section 6(g) by deleting the words “Chief Engineer” and substituting the words “Managing Director”. Amendment of section 6 - regulations

Validation

5. (1) Any function, duty or act performed, exercised or carried out by the Managing Director of the National Roads Authority, on or after 1 July, 2004, in purported exercise of powers conferred by the Explosives Law (1997 Revision) or any regulations made thereunder, is validated and is to be taken to have been lawfully performed, exercised and carried out.

(2) This Law does not affect any order or determination made by a court prior to the date of commencement of this Law.

(3) If any legal proceeding has been commenced prior to the date of commencement of this Law but is not finally determined before that date, the proceeding shall be dealt with and determined as if this Law had not been enacted.

Passed by the Legislative Assembly the day of , 2007.

Speaker.

Clerk of the Legislative Assembly.