

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE ELECTRICITY LAW (2005
REVISION) TO EFFECT VARIOUS AMENDMENTS AS A
CONSEQUENCE OF THE ENACTMENT OF THE ELECTRICITY
REGULATORY AUTHORITY (AMENDMENT) LAW, 2008; AND FOR
INCIDENTAL AND CONNECTED PURPOSES**

THE ELECTRICITY (AMENDMENT) BILL, 2008

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Electricity Law (2005 Revision) to effect various amendments as a consequence of the enactment of the Electricity Regulatory Authority (Amendment) Law, 2008.

Clause 1 of the Bill provides the short title and makes provision for the legislation to commence immediately after the coming into force of the Electricity Regulatory Authority (Amendment) Law, 2008.

Clause 2 of the Bill amends section 2 of the Electricity Law (2005 Revision) (which is the definition section) to delete references to the Electricity Regulatory Authority.

Clauses 3 and 4 of the Bill repeal and replace the provisions of sections 9, 10, 11, 33 and 34(l) of the principal Law. Those provisions are superfluous, since the Electricity Regulatory Authority (Amendment) Law, 2008 -

- (a) enables the grant and renewal of a licence which permits a licensee to purchase, transmit and distribute electricity for delivery to consumers for reward; and
- (b) makes provision in respect of the taking over of a licensee's assets in specified circumstances.

In addition, the repeal of section 11(2) of the Electricity Law removes a conflict with the Electricity Regulatory Authority Law to make it clear that self-supply of electricity will not require licensing.

Clause 5 of the Bill amends section 36 of the principal Law to insert a savings provision enabling licences granted prior to the date of commencement of the legislation, to continue in operation on and after that date, as if they had been made under the legislation.

THE ELECTRICITY (AMENDMENT) BILL, 2008

ARRANGEMENT OF CLAUSES

1. Short title and commencement.
2. Amendment of section 2 of the Electricity Law (2005 Revision) - definitions.
3. Repeal of sections 9, 10, 11 and 33 – licensees; limitation of right of supply to the public; private plants to be licensed; power to take possession of electric works in certain cases.
4. Amendment of section 34 - regulations.
5. Amendment of section 36 - savings.

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A BILL FOR A LAW TO AMEND THE ELECTRICITY LAW (2005 REVISION) TO EFFECT VARIOUS AMENDMENTS AS A CONSEQUENCE OF THE ENACTMENT OF THE ELECTRICITY REGULATORY AUTHORITY (AMENDMENT) LAW, 2008; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Electricity (Amendment) Law, 2008.

Short title and commencement

(2) This Law shall come into force immediately after the coming into force of the Electricity Regulatory Authority (Amendment) Law, 2008.

2. The Electricity Law (2005 Revision), in this Law referred to as the “principal Law”, is amended in section 2 by repealing the definitions of the terms “licensed” and “mains engineer” and substituting the following definitions -

Amendment of section 2 of the Electricity Law (2005 Revision) - definitions

“ “licensed”, unless the context otherwise requires, means licensed under this Law;

“mains engineer” means a contractor licensed to install, maintain, repair and supervise the installation, maintenance and repairs of mains;”.

The Electricity (Amendment) Bill, 2008

Repeal of sections 9, 10, 11 and 33 – licensees; limitation of right of supply to the public; private plants to be licensed; power to take possession of electric works in certain cases

3. The principal Law is amended by repealing sections 9, 10, 11 and 33.

Amendment of section 34 - regulations

4. The principal Law is amended by repealing section 34(1).

Amendment of section 36 - savings

5. The principal Law is amended in section 36 by re-numbering the section as subsection (1) of section 36 and inserting after subsection (1) the following subsection -

“ (2) Any licence -

(a) granted by virtue of the Electricity Law in force immediately before the date of commencement of the Electricity (Amendment) Law, 2008; and

(b) remaining in effect immediately before that date,

shall, on and after that date, continue in operation as if it had been granted under the authority of the Electricity Law as amended by the Electricity (Amendment) Law, 2008, until terminated or until the date of its expiry, whichever is sooner.”.

Passed by the Legislative Assembly the day of , 2008.

Speaker.

Clerk of the Legislative Assembly.