

CAYMAN ISLANDS



Supplement No. 2 published with Gazette No. 16
dated 11 August, 2014.

THE ANIMALS (AMENDMENT) LAW, 2014

(LAW 14 OF 2014)

THE ANIMALS (AMENDMENT) LAW, 2014

ARRANGEMENT OF SECTIONS

1. Short title and commencement
2. Amendment of section 2 of the Animals Law (2013 Revision) - definitions
3. Amendment of the principal Law - deletion of the words “C.A.V.O.” and “Governor” and substitution
4. Amendment of section 3 - restriction on importation of animals
5. Amendment of section 5 - no live animal or biological product to be imported save under licence
6. Repeal of section 9 and substitution - application for licence to import an animal, etc.
7. Repeal of section 10 and substitution- C.A.V.O. may grant or refuse licence
8. Amendment of section 11- Governor may make regulations
9. Amendment of section 13 - offences: Part II
10. Repeal of section 78 - hunting protected animals
11. Repeal of section 79 - hunting game birds
12. Repeal of section 80 - protected animals
13. Repeal of section 81 - game birds
14. Repeal of section 82 - animal sanctuaries
15. Repeal of section 83 - hunting, etc., in animal sanctuary prohibited
16. Amendment of section 86 - regulations
17. Amendment of the National Conservation Law, 2013
18. Transitional provisions

CAYMAN ISLANDS

Law 14 of 2014.

I Assent

Franz Manderson

Acting Governor.

Date: 22 July, 2014

A LAW TO AMEND THE ANIMALS LAW (2013 REVISION) AS A CONSEQUENCE OF THE ENACTMENT OF THE NATIONAL CONSERVATION LAW, 2013; TO AMEND THE LICENSING REGIME UNDER THE LAW; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Animals (Amendment) Law, 2014.
(2) This Law comes into force immediately after the commencement of the National Conservation Law, 2013.
2. The Animals Law (2013 Revision), in this Law referred to as the “principal Law”, is amended in section 2 as follows-
 - (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 deleting the definition of “Governor”;
 - (c) by deleting the word “Governor” wherever it appears in the definitions of “notifiable disease” and “specified town” and by substituting the word “Cabinet”; and
 - (d) by inserting after the definition of the word “Minister” the following definition-

Short title and commencement

Amendment of section 2 of the Animals Law (2013 Revision)- definitions

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

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

3. The principal Law is amended as follows-
- (a) by deleting the word “C.A.V.O.” wherever it appears and by substituting the word “Director”; and
 - (b) by deleting the word “Governor” wherever it appears in sections 11, 12, 17, 18, 19, 21, 28, 32, 45, 50, 64, 65, 84, 88, 91 and 93 and by substituting the word “Cabinet”.

Amendment of section 3- restriction on importation of animals

4. The principal Law is amended in section 3 as follows-
- (a) by repealing the marginal note and substituting the following-
“Restriction on importation and exportation of animals;”;
 - (b) by renumbering section 3 as section 3(1); and
 - (c) by inserting after section 3(1) as renumbered the following subsection-
“(2) No animal of any description may be exported from the Islands to any country or from one of the Islands to another of the Islands otherwise than in accordance with this Law.”.

Amendment of section 5- no live animal or biological product to be imported save under licence

5. The principal Law is amended in section 5 as follows-
- (a) by repealing the marginal note and substituting the following-
“No live animal or biological product to be imported or exported save under licence”;
 - (b) in subsection (1), by inserting after the word “into” the words “or exported from”; and
 - (c) in subsection (2), by inserting after the word “imported” the words “or exported”.

Repeal of section 9 and substitution- application for licence to import an animal, etc.

6. The principal Law is amended by repealing section 9 and substituting the following-

“Application for a licence to import or export an animal, etc.

9. (1) An application for a licence to import or export an animal, carcass or biological product of any animal may be made in writing to the Director giving particulars of the animal and of its present whereabouts and the means of transport by which it is proposed to be imported or exported.

(2) An application for a licence under subsection (1) shall be accompanied by the prescribed application fee.”.

7. The principal Law is amended by repealing section 10 and substituting the following-

Repeal of section 10 and substitution- C.A.V.O. may grant or refuse licence

“Director may grant or refuse licence

10. (1) Subject to subsection (2), on the receipt of an application for a licence to import or export any animal, carcass or biological product and the prescribed application fee, the Director shall consider the application and either-

- (a) may reject the application and notify the applicant accordingly; or
- (b) on payment by the applicant of the prescribed licence fee, issue a licence in the prescribed form subject to such conditions, including quarantine, health and husbandry conditions, as he may consider desirable.

(2) When considering an application for a licence to import a live or viable specimen of an alien or genetically altered animal, 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.

(3) Prescribed application and licence fees paid in accordance with this section and section 9 are not refundable.”.

8. The principal Law is amended in section 11 as follows-

Amendment of section 11- Governor may make regulations

- (a) by renumbering section 11 as section 11(1); and
- (b) by inserting after section 11(1) as renumbered the following subsection-

“(2) Where the regulations under subsection (1) relate to the importation of a live or viable specimen of alien or genetically altered animals the Cabinet shall consult with the National Conservation Council prior to making such regulations.”.

The Animals (Amendment) Law, 2014

- Amendment of section 13- offences: Part II
9. The principal Law is amended in section 13 as follows-
- (a) by renumbering section 13 as section 13(1);
 - (b) by amending section 13(1) as renumbered by inserting at the beginning of the subsection the words, “Subject to subsection (2),”; and
 - (c) by inserting after section 13(1) as renumbered the following subsection-
“(2) A person who imports a live or viable specimen of an alien or genetically altered animal 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.”.
- Repeal of section 78- hunting protected animals
10. The principal Law is amended by repealing section 78.
- Repeal of section 79- hunting game birds
11. The principal Law is amended by repealing section 79.
- Repeal of section 80- protected animals
12. The principal Law is amended by repealing section 80.
- Repeal of section 81- game birds
13. The principal Law is amended by repealing section 81.
- Repeal of section 82- animal sanctuaries
14. The principal Law is amended by repealing section 82.
- Repeal of section 83- hunting, etc., in animal sanctuary prohibited
15. The principal Law is amended by repealing section 83.
- Amendment of section 86- regulations
16. The principal law is amended in section 86 by repealing paragraphs (a), (b), (d) and (f).
- Amendment of the National Conservation Law, 2013
17. The National Conservation Law, 2013 is amended in section 35 as follows-
- (a) in subsection (1), by deleting the word “C.A.V.O.” and by substituting the words “Director of the Department of Agriculture”; and
 - (b) in subsection (4), by deleting the word “C.A.V.O.” and its definition.
- Transitional provisions
18. (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.

(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.

(3) Until regulations are made under the National Conservation Law, 2013 to provide for a matter that may be prescribed by regulations under that Law the regulations made under the principal Law that are in force immediately before the commencement of the National Conservation Law, 2013 or this amending Law shall have effect until expressly repealed by the National Conservation Law, 2013 or by regulations made under that Law.

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

Juliana O'Connor-Connolly

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.