

CAYMAN ISLANDS



Supplement No. 2 published with Gazette No. 9
dated 26 April 2010.

A BILL FOR A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE CAYMAN ISLANDS NATIONAL WEATHER SERVICE; AND TO PROVIDE FOR INCIDENTAL AND CONNECTED PURPOSES

THE NATIONAL WEATHER SERVICE BILL, 2010

MEMORANDUM OF OBJECTS AND REASONS

This Bill makes provision for the establishment of the Cayman Islands National Weather Service.

Clause 1 provides the short title and commencement.

Clause 2 contains the definitions.

Clause 3 establishes the Cayman Islands National Weather Service as a department of Government under the general direction and control of the Minister responsible for national weather services. The Service is to be recognised as the authority for all weather, climate, seismic and meteorological matters in the Islands and the expenses of the Service are to be paid out of the general revenue of the Islands.

Clause 4 provides for the functions of the Service which include the establishment and maintenance of a national network of meteorological and seismic stations, the forecasting of weather and climate conditions, the provision of meteorological services and the issuing of tsunami warnings. The functions of the Service are to be exercised in the public interest.

Clause 5 makes provision for the staff of the Service to comprise a Director General and other public officers.

Clause 6(1) of the Bill charges the Director General with the duty to manage, supervise and control the Service and to administer and implement the legislation. Clause 6(2) confers on the Director General such powers as are necessary to enable the Director General to perform his duties.

Clause 7 requires a meteorological officer to carry out the duties assigned by the Director General in addition to any other duties conferred on the meteorological officer by any Law.

Clause 8 permits the Service to charge fees for weather forecasts, information, advice, publications and other services. The fees payable for such services are to be paid into the general revenue of the Islands.

Clause 9 creates an offence where a person interferes with or obstructs the Director General or a meteorological officer in the exercise of his functions.

Clause 10 gives the Governor in Cabinet the discretion to make Regulations.

THE NATIONAL WEATHER SERVICE BILL, 2010

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Interpretation
3. Cayman Islands National Weather Service
4. Functions of the Service
5. Director General and staff
6. Duties and powers of the Director General
7. Duties of meteorological officer
8. Charge for services
9. Offences
10. Regulations

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**A BILL FOR A LAW TO PROVIDE FOR THE ESTABLISHMENT OF
THE CAYMAN ISLANDS NATIONAL WEATHER SERVICE; AND TO
PROVIDE FOR INCIDENTAL AND CONNECTED PURPOSES**

Enacted by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the National Weather Service Law, 2010. Short title and
commencement
- (2) This Law shall come into force on such date as may be appointed by Order made by the Governor in Cabinet.
2. In this Law - Interpretation
- “Constitution” means the Constitution of the Cayman Islands set out in Schedule 2 to the Cayman Islands Constitution Order 2009; S.I. 2009/1379
- “meteorological officer” means a public officer appointed under section 5(b);
- “Minister” means the Minister to whom responsibility for national weather services is assigned;
- “public officer” means a public officer as defined in section 124 of the Constitution; and

“Service” means the department of Government, called the Cayman Islands National Weather Service, established under section 3.

Cayman Islands
National Weather
Service

3. (1) There is established a department of Government called the Cayman Islands National Weather Service which shall be recognized as the authority for all weather, climate, seismic and other meteorological matters in the Islands.

(2) The Minister shall exercise general direction and control over the Service.

(3) The expenses of establishing the Service and all expenses arising out of or incidental to the performance of its functions shall be paid out of the general revenue of the Islands.

Functions of the Service

4. (1) The functions of the Service are to -
- (a) establish and maintain a national network of meteorological and seismic stations as necessary;
 - (b) forecast weather conditions and the state of the atmosphere;
 - (c) provide information and advice on meteorological and climate matters;
 - (d) provide information and advice to the Governor in Cabinet of severe weather conditions likely to affect the safety of human life or property in the Islands;
 - (e) issue tsunami warnings;
 - (f) provide meteorological services in order to ensure the safety and efficiency of aviation and marine services;
 - (g) provide meteorological data and advice for weather sensitive national development projects and other important weather sensitive economic activities;
 - (h) collect, collate, compile, record, archive and make available meteorological reports and information;
 - (i) arrange means of communication for the transmission and reception of meteorological reports and information in the Islands or outside the Islands;
 - (j) operate at the international standards required for observations used for general, aviation, maritime and other forecasts;
 - (k) participate in the work of the appropriate regional and international organizations, in particular, the Caribbean Meteorological Organisation, the World Meteorological Organisation and the International Civil Aviation Organisation;
 - (l) promote the advancement of meteorological science by means of meteorological research and investigation or otherwise;

- (m) conduct or make arrangements for the training of persons in meteorology; and
- (n) advise the Governor in Cabinet on all matters relating to meteorology, climate, hydrology and seismic activity.

(2) The Service shall perform its functions under this Law in the public interest generally and, in particular, for the purpose of -

- (a) navigation, shipping and civil aviation; and
- (b) assisting persons and authorities engaged in policy development, industry, trade and commerce.

5. The staff of the Service comprises -

Director General and staff

- (a) the Director General who shall be a public officer; and
- (b) such other public officers as may be necessary for the proper functioning of the Service.

6. (1) In addition to any duties conferred on the Director General by or under any other Law and subject to section 3(2), the Director General is responsible for -

Duties and powers of the Director General

- (a) the management, supervision and control of the Service; and
- (b) the administration and implementation of this Law.

(2) The Director General has such powers as are necessary to enable him to perform his duties under subsection (1).

7. A meteorological officer shall carry out the duties assigned by the Director General in addition to any duties imposed on the meteorological officer by this Law or any other Law.

Duties of meteorological officer

8. (1) Subject to subsection (2), regulations made under section 10(a) and any directions of the Minister, the Service may charge fees for weather forecasts, information, advice, publications and other services supplied pursuant to this Law.

Charge for services

(2) Fees payable under this Law shall be paid into the general revenue of the Islands.

9. (1) A person shall not interfere with or obstruct the Director General or a meteorological officer in the exercise of any function under this Law.

Offences

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year, or to both.

Regulations

10. The Governor in Cabinet may make regulations -

- (a) providing for fees to be charged under section 8; and
- (b) generally for the purpose of carrying into effect the provisions of this Law.

Passed by the Legislative Assembly the day of , 2010.

Speaker.

Clerk of the Legislative Assembly.