

CAYMAN ISLANDS



Supplement No. 5 published with Gazette No. 26
dated 27 December, 2006

THE CUSTOMS (AMENDMENT) LAW, 2006

(LAW 34 OF 2006)

THE CUSTOMS (AMENDMENT) LAW, 2006

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 7 of the Customs Law (2006 Revision) – powers of Collector.
3. Insertion of section 9A – issuance of equipment, etc.
4. Insertion of section 9B – law enforcement.

CAYMAN ISLANDS

Law 34 of 2006.

I Assent

Stuart Jack

Governor.

7 December, 2006

**A LAW TO AMEND THE CUSTOMS LAW (2006 REVISION) TO
ALLOW CUSTOMS OFFICERS TO CARRY AND USE CERTAIN
EQUIPMENT AND MATERIALS IN THE DISCHARGE OF THEIR
DUTIES; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Customs (Amendment) Law, 2006.
2. The Customs Law (2006 Revision), in this Law referred to as “the principal Law”, is amended in section 7 as follows -
 - (a) by renumbering the existing section as subsection (1);
 - (b) by inserting the following subsection -

Short title.

Amendment of section 7
of the Customs Law
(2006 Revision) -
powers of Collector.

“(2) In addition to the powers stated in subsection (1), the Collector may from time to time make standing orders or other provision in relation to the governance of officers and, without limiting the generality of this power, may do so in relation to -

- (a) training, clothing, equipment and other appointments; and
- (b) the designation of officers to perform particular types of work within the Customs Department;
- (c) the prevention of neglect and for promoting efficiency and discipline.”.

Insertion of section 9A -
issuance of equipment,
etc

3. The principal Law is amended by inserting section 9A -

“Issuance of equipment,
etc.

9A. (1) The Collector shall have power to provide officers with equipment, clothing, appointments, cleaning materials, insecticides and such other things as may be necessary or expedient for the performance of their duties and, to this end, may issue to customs officers a double-lock handcuff, 22” to 24” expandable baton and defence spray.

(2) The things issued to officers under subsection (1) are to be used only for customs and related purposes.

(3) Officers who cease to hold office shall forthwith deliver up to the officer in charge of the Customs Store or any other officer designated by the Collector all things referred to in subsection (1) and all other Government and Customs property supplied, issued to or entrusted to them, including identity cards:

Provided that the Collector may, in his discretion, permit a long serving officer to retain any article of equipment, clothing or appointment, by way of a memento of his service.

(4) The Collector may, from such public funds as may be approved for that purpose, provide for the use of officers the things referred to in subsection (1).

(5) Nothing in subsection (1) shall be construed as permitting the Collector to issue firearms to customs officers.”.

Insertion of section 9B -
Law enforcement

4. The principal Law is amended by inserting section 9B -

“Law enforcement

9B. (1) In relation to customs matters, the Customs Department shall employ customs officers in the Islands for

the maintenance and enforcement of law and order, the preservation of the peace, the protection of life and property, the prevention and detection of crime, and the apprehension of offenders.

(2) The Customs Department shall also perform the functions referred to in subsection (1) where it assists another law enforcement agency in performing that agency's duties.

(3) An officer performing duties directly relating to customs has, when on duty, the same powers and privileges as are conferred on a constable by the Police Law (2006 Revision) but shall not carry a firearm.”.

Passed by the Legislative Assembly the 10th day of November, 2006.

Edna Moyle

Speaker.

Wendy Lauer Ebanks

Clerk of the Legislative Assembly.