

CAYMAN ISLANDS



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**THE MARINE CONSERVATION (AMENDMENT) LAW, 2013**

**(LAW 9 OF 2013)**

**THE MARINE CONSERVATION (AMENDMENT) LAW, 2013**

**ARRANGEMENT OF SECTIONS**

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2. Amendment of section 2 of the Marine Conservation Law (2007 Revision) - definitions
3. Amendment of section 3 - Marine Conservation Board
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5. Amendment of section 7 - restriction on taking and receiving conch
6. Amendment of section 17- restriction on use of fish pots

CAYMAN ISLANDS

Law 9 of 2013.

I Assent

Franz Manderson

Acting Governor.

16<sup>th</sup> May, 2013

**A LAW TO AMEND THE MARINE CONSERVATION LAW (2007) TO  
MAKE CERTAIN CHANGES IN RELATION TO RAYS; TO LIMIT THE  
TENURE OF OFFICE OF MEMBERS OF THE MARINE  
CONSERVATION BOARD TO THREE YEARS; AND FOR INCIDENTAL  
AND CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Marine Conservation (Amendment) Law, 2013.

Short title

2. The Marine Conservation Law (2007 Revision), in this Law referred to as the “principal Law”, is amended in section 2 by inserting, in the appropriate alphabetical sequence, the following definition -

Amendment of section 2  
of the Marine  
Conservation Law (2007  
Revision) - definitions

“ “ray” means -

- (a) the Southern Stingray (*Dasyatis Americana*);
- (b) Eagle Ray (*Aetobatus narinari*); or
- (c) Manta Ray (*Manta birostris*),

in the order of *Myliobatiformes*;”.

3. The principal Law is amended in section 3 as follows -

Amendment of section 3  
- Marine Conservation  
Board

- (a) in subsection (1) by deleting the words “at the pleasure of the Governor” and substituting the words “for every three years”; and
- (b) by inserting after subsection (1) the following subsections -

“ (1A) A member of the Board may at any time, by notice in writing addressed to the Governor, resign his membership.

(1B) The Governor may, in his discretion, terminate the appointment of any member of the Board, and shall terminate the appointment of any member of the Board if he is satisfied that -

- (a) the member has been absent from any three out of five consecutive meetings of the Board without the prior written consent of the Chairman;
- (b) the member has been adjudged bankrupt;
- (c) the member is incapacitated by reason of physical or mental illness;
- (d) the member is otherwise unfit to discharge the functions of member; or
- (e) such termination is in the public interest.

(1C) Where a member of a Board ceases to be a member before the normal expiration of his office, the Governor may appoint another person qualifying for that appointment to hold that office until the time that the members’ office would have expired.

(1D) As soon as practicable after the entry into force of the Marine Conservation (Amendment) Law, 2013, the Governor shall, notwithstanding any terms and conditions of appointment of any member of the Board, dissolve the Board existing at that time and appoint a new Board under this section and may reappoint any member of the old Board.”; and

- (c) by repealing subsection (8) and substituting the following subsection -

“ (8) The Governor may issue such general directives to the Board as he considers necessary or expedient for the operation of this Law or regulations made thereunder.”.

4. The principal Law is amended in section 6 -

Amendment of section 6  
- closed seasons and  
bans – lobsters, conch  
and Nassau groupers

- (a) by repealing subsection (5) and substituting the following subsection -

“ (5) Whoever, in Cayman waters, takes, injures or has in his possession -

- (a) chitons;
- (b) periwinkles;
- (c) bleeding teeth; or
- (d) rays,

taken from Cayman waters is guilty of an offence.”; and

- (b) by repealing subsection (8) and substituting the following subsection -

“ (8) The Governor may, by regulation, suspend or change the operation of subsection (7) in such area or areas as it may specify in the regulation.”.

5. The principal Law is amended in section 7 by repealing subsection (2) and substituting the following subsection -

Amendment of section 7  
- restriction on taking  
and receiving conch

“ (2) The Governor may, by regulation, suspend or change the operation of subsection (1) in such area or areas as it may specify in the regulation.”.

6. The principal Law is amended in section 17 by repealing subsection (3) and substituting the following subsection -

Amendment of section  
17 - restriction on use of  
fish pots

“ (3) The Governor may by regulation specify the types of fish pots which may be used in accordance with subsection (1) and such regulation may provide for any matter incidental to the licensing, issue and use of fish pots.”.

Passed by the Legislative Assembly the 25<sup>th</sup> day of March , 2013.

Mary J. Lawrence

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.