

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE PRESCRIPTION LAW (1997
REVISION); TO PERMIT A STATUTORY AUTHORITY, DEPARTMENT
OF GOVERNMENT OR AGENCY CHARGED WITH RESPONSIBILITY
FOR ENSURING ACCESS TO PUBLIC BEACHES TO MAKE AN
APPLICATION UNDER THE LAW TO HAVE A DISPUTE SETTLED
REGARDING ACCESS TO A PUBLIC BEACH; AND FOR INCIDENTAL
AND CONNECTED PURPOSES**

THE PRESCRIPTION (AMENDMENT) BILL, 2017

MEMORANDUM OF OBJECTS AND REASONS

This Bill would permit an application to be made to have a dispute settled regarding access to a public beach other than by a person who is a party to the dispute; and to provide for incidental and connected purposes.

Clause 1 of the Bill would set out the short title.

Clause 2 of the Bill would amend section 9 of the Prescription Law (1997 Revision) so that a statutory authority, department of Government or agency charged with responsibility for ensuring access to public beaches would be able to make an application to the Grand Court to have a dispute settled regarding access to a public beach.

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A BILL FOR A LAW TO AMEND THE PRESCRIPTION LAW (1997 REVISION); TO PERMIT A STATUTORY AUTHORITY, DEPARTMENT OF GOVERNMENT OR AGENCY CHARGED WITH RESPONSIBILITY FOR ENSURING ACCESS TO PUBLIC BEACHES TO MAKE AN APPLICATION UNDER THE LAW TO HAVE A DISPUTE SETTLED REGARDING ACCESS TO A PUBLIC BEACH; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Prescription (Amendment) Law, 2017.

Short title

2. The Prescription Law (1997 Revision) is amended in section 9 by deleting the words “such user is disputed, any person concerned in the dispute may lodge a plaint in the Grand Court under the Judicature Law (1995 Revision), and the said Law shall apply to the matter in dispute” and substituting the following words -

Amendment of section 9 of the Prescription Law (1997 Revision) - procedure for establishing right under section 4

“such user is disputed, an application may be made to the Grand Court for settlement of the dispute by -

- (a) any person concerned in the dispute; or
- (b) the statutory authority, department of Government or agency designated by Cabinet by Order, charged with responsibility for

ensuring access to public beaches, on behalf of the public or any class of the public”.

Passed by the Legislative Assembly the day of , 2017.

Speaker.

Clerk of the Legislative Assembly.