

CAYMAN ISLANDS



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**THE DEVELOPMENT AND PLANNING (AMENDMENT) (NO. 3) LAW,  
2002  
(LAW 19 OF 2002)**

ARRANGEMENT OF SECTIONS

- 1. Short title, commencement and expiry.
- 2. Amendment of section 41 of the Development and Planning Law (1999 Revision)- infrastructure fund.
- 3. Amendment of section 45 of the Development and Planning Law (1999 Revision) - regulations.
- 4. Amendment of section 2 of the Development and Planning (Amendment) (No. 2) Law, 2002 – provisions for development; appeals.
- 5. Validation.

CAYMAN ISLANDS

Law 19 of 2002.

I Assent

B. H. Dinwiddy

Governor.

29 January, 2003

A LAW TO MAKE FURTHER PROVISION IN RESPECT OF THE CHARGING OF FEES UNDER THE DEVELOPMENT AND PLANNING LAW (1999 REVISION); TO EXTEND THE TEMPORARY REDUCTION OF AMOUNTS PAYABLE AS CONTRIBUTIONS TO THE INFRASTRUCTURE FUND; TO RECTIFY THE DEVELOPMENT AND PLANNING (AMENDMENT) (NO. 2) LAW, 2002; AND TO MAKE PROVISION FOR RELATED MATTERS

ENACTED by the Legislature of the Cayman Islands.

- 1. (1) This Law may be cited as the Development and Planning (Amendment) (No. 3) Law, 2002.
- (2) The provisions of this Law come into operation as follows -
  - (a) notwithstanding section 1(3) of the Development and Planning (Amendment) (Temporary Provisions) Law, 2001, section 2 of this Law shall come into operation upon the expiration of the said section 1(3);
  - (b) section 4 shall be deemed to have come into operation immediately after the coming into operation of the Development and Planning (Amendment) (No. 2) Law, 2002; and
  - (c) the other provisions of this Law come into operation on the date on which this Law is published in the Gazette.

Short title,  
commencement and  
expiry

(3) Section 2 of this Law shall cease to have effect upon the expiration of a period of six months.

(4) Upon the expiration of section 2 of this Law, the Law in force immediately prior to the coming into operation of the Development and Planning (Amendment) (Temporary Provisions) Law, 2001 shall, so far as it is amended by section 2, again operate as though this Law had not been passed and the said amendments had not been enacted.

Amendment of section 41 of the Development and Planning Law (1999 Revision)- infrastructure fund

2. The Development and Planning Law (1999 Revision), in this Law referred to as the "principal Law", is amended in section 41 by repealing subsection (4) and substituting the following -

"(4) A person to whom planning permission for development of-

- (a) an industrial building;
- (b) a commercial building;
- (c) an hotel;
- (d) an apartment;
- (e) a strata lot;
- (f) a house over four thousand square feet in area; or
- (g) an extension to a house which would make that house over four thousand square feet in area,

is granted on or after the date on which the Development and Planning (Amendment) (Temporary Provisions) Law, 2001 is passed by the Legislative Assembly shall, at the date such person applies for a building permit, contribute to the infrastructure fund as follows-

- (i) in Area A, \$1.25 per square foot of the gross floor area of the development;
- (ii) in Area B, \$0.75 per square foot of the gross floor area of the development; or
- (iii) in Area C, \$0.25 per square foot of the gross floor area of the development."

Amendment of section 45 of the Development and Planning Law (1999 Revision) - regulations

3. The principal Law is amended in section 45(1), by inserting after paragraph (f) the following paragraph -

"(fa) without prejudice to any other provision of this Law, for prescribing fees, tariffs or charges for any service provided under this Law;"

Amendment of section 2 of the Development and Planning (Amendment) (No. 2) Law, 2002 - provisions for development; appeals

4. The Development and Planning (Amendment) (No. 2) Law, 2002 is amended in section 2, by repealing "51(1)(a)" and substituting "51(1)(b)(ii)".

5. (1) The charging and collection of fees prior to the commencement of section 3 of this Law, in purported exercise of powers conferred by the principal Law, is validated and is to be taken to have been lawfully charged and collected. Validation

(2) This Law does not affect any order or determination made by a court prior to the commencement of section 3 of this Law.

Passed by the Legislative Assembly the 5<sup>th</sup> day of December, 2002.

JULIANNA O'CONNOR-CONNOLLY

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.

(Price \$1.60 Cents)