

THE AERIAL SPRAYING PROTECTION LAW, 1974
LAW 9 OF 1974

MEMORANDUM OF OBJECTS AND REASONS

Spraying from the air for the control of mosquitoes is a hazardous operation since, in order that it may be effective and reasonably economic, it must be carried out in a dim light at very low level. Radio masts, crane jibs and other obstructions appearing sporadically all over the Islands have greatly added to the dangers and it is sought to control this by ensuring that certain obstructions are so marked as to give proper warning to the pilots of aircraft engaged in this dangerous work.

LAW 9 of 1974

I assent,

K.R. CROOK

Governor

6th June, 1974

A LAW TO PROTECT THE AERIAL SPRAYING OPERATIONS
OF THE MOSQUITO RESEARCH AND CONTROL UNIT.

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Aerial Spraying Protection Law, 1974 and shall come into operation on a day to be appointed by the Governor by Government Notice published in the Cayman Islands.

Short title
and commence-
ment.

2. In this Law unless the context otherwise requires -

Interpreta-
tion.

“Governor” means the Governor in Council;

“obstruction” means any steeple, mast, antenna, crane jib, dragline, flagpole or other structure the presence of which is capable of being a danger to low flying aircraft;

“profile level” means in relation to the location at which any obstruction contacts the ground -

- (a) a height of forty feet above ground level, or
- (b) the height above ground level of the tallest tree, natural feature or building within a radius of one hundred yards measured from

the relevant location,
whichever is the greater.

Obstructions
above profile
level to be
illuminated.

3. Every obstruction the total height of which above the ground on which it is located exceeds the profile level shall at all times have affixed within one foot of its highest point two electric lamps enclosed in red weather-proofed translucent housings, so positioned that one or other lamp is visible from all sides of and above the horizontal plane, such lamps to have a consumption of seven watts or more each, to be connected in parallel and controlled from the ground from independent fused switches and to be and remain illuminated from half an hour before sunset until half an hour after sunrise except on occasions when repairs require to be effected thereto or electric power is not generally available in the Islands:

Provided that where the top part of the obstruction is not suitable for load bearing, the lights shall be located within one foot of the top of the load bearing part of the structure, but so that the lights so located shall themselves be above the profile level.

Notification
in the case
of temporary
non-
compliance.

4. Whenever by reason of damage, mishap or the necessity to effect repairs it is at any time not possible to maintain at least one of the lights required by section 3 to be maintained, the person responsible in that behalf shall immediately notify the person for the time being in charge of the Mosquito Research and Control Unit of the circumstances.

Offences
and
penalties.

5. Whoever erects, maintains or having authority in that behalf, permits to remain any obstruction to which section 3 applies otherwise than in compliance with that section or who being the person responsible for the purpose of section 4 fails to comply with that section is guilty of an offence and punishable on summary conviction with a fine not exceeding \$1000 for every day the offence continues and whoever aids, abets, procures or, having authority in that behalf, permits any other person so to do is equally guilty with that offender and punishable accordingly.

6. The question of who is in authority or who is responsible for the purposes of any non-compliance with this law rests upon the decision of the court before which any case of non-compliance is brought for trial.

Responsi-
bility.

7. The Governor may make regulations specifying any mechanical and technical details and procedures to be complied with by persons coming within the ambit of this Law.

Regulations.

Passed the Legislative Assembly this 18th day of March, 1974

K.R. CROOK
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly.

Government Notice No. 104 of 1974

Date of Operation: 11th June, 1974

