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THE AGE OF MAJORITY LAW, 1977
(Law 27 of 1977)

Date of operation: 19th December, 1977
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CAYMAN ISLANDS

MEMORANDUM OF OBJECTS AND REASONS

Under the Constitution of the Cayman Islands the franchise extends to persons of the age of 18.

In the United Kingdom and many Commonwealth countries the age of majority has been reduced from the age of 21 years to the age of 18 years, and for the sake of comity and consistency in legal matters it is considered desirable that the Cayman Islands should conform to this pattern.

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Age of majority reduced to 18 years, etc.
3. Amendment of section 10 of the Adoption of Children Law, 1967
4. Maintenance for children under Guardianship and Custody of Children Law (Revised) may continue to age of 21
5. Maintenance for wards of court
6. Amendment of the Firearms Regulations (Revised)
7. Amendment of section 20 of Liquor Licensing Law, 1974 (No. 11 of 1974)
8. Provisions relating to wills and intestacy
9. Persons under full age may be described as minors instead of as infants
10. Time at which a person attains a particular age

First Schedule

Second Schedule

CAYMAN ISLANDS

Law 27 of 1977

I assent

T. RUSSELL

Governor

L.S.

15th December, 1977

A LAW to amend the law relating to the age of majority and to provide for matters connected therewith and incidental thereto.

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Age of Majority Law, 1977.

Age of majority
reduced to 18 years,
etc.

2. (1) As from the date on which this section comes into force a person shall attain full age on attaining the age of eighteen instead of on attaining the age of twenty-one; and a person shall attain full age on that date if he has then already attained the age of eighteen but not the age of twenty-one.

(2) Subsection (1) applies for the purpose of any rule of law, and, in the absence of a definition or of any indication of contrary intention, for the construction of "full age", "infant", "infancy", "minor", "minority" and similar expressions in —

- (a) any statutory provision, whether passed or made before, on or after the date on which this section comes into force; and
- (b) any deed, will or other instrument of whatever nature (not being a statutory provision) made on or after that date.

First Schedule.

(3) In the statutory provisions specified in the First Schedule to this Law for any reference to the age of twenty-one years there shall be substituted a reference to the age of eighteen years.

Second Schedule.

(4) The transitional provisions and savings contained in the Second Schedule to this Law shall have effect in relation to this section.

(5) In this section "statutory provision" means any enactment (including,

except where the context otherwise requires, this Law) and any order, rule, regulation, bye-law or other instrument made in the exercise of a power conferred by any enactment.

(6) Notwithstanding any rule of law, a will or codicil executed before the date on which this section comes into force shall not be treated for the purposes of this section as made on or after that date by reason only that the will or codicil is confirmed by a codicil executed on or after that date.

Amendment of section 10 of the Adoption of Children Law, 1967. (No. 42 of 1967).

3. Subsection (1) of section 10 of the Adoption of Children Law, 1967, is hereby amended by substituting, for the words "twenty-five" where they occur in paragraph (a) thereof, the words "twenty-one."

Maintenance for children under Guardianship and Custody of Children Law (Revised) may continue to age of 21.

4. (1) An order under section 7 or 8 of the Guardianship and Custody of Children Law for the payment of sums towards the maintenance or education of a minor may require such sums to continue to be paid in respect of any period after the date on which he ceased to be a minor but not extending beyond the date on which he attains the age of twenty-one; any order which is made as aforesaid may provide that any sum which is payable thereunder for the benefit of a person who has ceased to be a minor shall be paid to that person himself.

(2) Subject to the provisions of subsections (3) and (4) where a person who has ceased to be a minor but has not attained the age of twenty-one years has, while a minor, been the subject of an order under any of the provisions of the Guardianship and Custody of Children Law, the Grand Court may, on the application of either parent of that person or of that person himself, make an order requiring either parent to pay to the other parent, to anyone else for the benefit of that person or to that person himself, in respect of any period not extending beyond the date when he attains the said age, such weekly or periodical sums towards his maintenance or education as the Court thinks reasonable having regard to the means of the person on whom the requirement in question is imposed.

(3) No order shall be made under subsection (2) and no liability under such an order shall accrue, at a time when the parents of the person in question are residing together, and if they so reside for a period of three months after such an order has been made it shall cease to have effect.

(4) No order shall be made under subsection (2) requiring any person to pay any sum towards the maintenance or education of an illegitimate child of that person.

Maintenance for wards of Court.

5. (1) Subject to the provisions of this section, the Grand Court may make an order —

- (a) requiring either parent of a ward of court to pay to the other parent;
- or
- (b) requiring either parent or both parents of a ward of court to pay to any person having care and control of the ward,

such weekly or other periodical sums towards the maintenance and education of the ward as the Court thinks reasonable having regard to the means of the person or persons on whom the requirement is imposed.

(2) An order under subsection (1) may require such sums as are mentioned in that subsection to continue to be paid in respect of any period after the date on which the person for whose benefit the payments are to be made ceased to be a minor but not beyond the date on which he attains the age of twenty-one, and any order made as aforesaid may provide that any sum which is payable thereunder for the benefit of that person after he has ceased to be a minor shall

be paid to that person himself.

(3) Subject to the provisions of this section, where a person who has ceased to be a minor but has not attained the age of twenty-one has at any time been the subject of an order making him a ward of court, the Court may, on the application of either parent of that person or of that person himself, make an order requiring either parent to pay to the other parent, to anyone else for the benefit of that person or to that person himself, in respect of any period not extending beyond the date when he attains the said age, such weekly or other periodical sums towards his maintenance or education as the Court thinks reasonable having regard to the means of the person on whom the requirement in question is imposed.

(4) No order shall be made under this section, and no liability under such order shall accrue, at a time when the parents of the ward or former ward, as the case may be, are residing together, and if they so reside for a period of three months after such an order has been made it shall cease to have effect; but the provisions of this subsection shall not apply to any order made by virtue of subsection 1(b).

(5) No order shall be made under this section requiring any person to pay any sum towards the maintenance or education of an illegitimate child of that person.

Amendment of the
Firearms
Regulations
(Revised).

6. (1) The Firearms Regulations are hereby amended by substituting for the words "17 years" where they appear in regulation 5(iii)(a) thereof the words "18 years".

(2) Nothing in this section contained shall affect the validity of any Firearm Users Permit in force at the time when this section comes into operation.

(3) The amendment contained in subsection (1) shall be without prejudice to any power of amending or revoking the provisions of the said Firearms Regulations.

Amendment of
section 20 of Liquor
Licensing Law,
1974. (No. 11 of
1974.)

7. Subsection (1) of section 20 of the Liquor Licensing Law is hereby repealed and replaced as follows —

"(1) Whoever, not having attained the age of eighteen years —

- (a) disposes of;
- (b) obtains in any licensed premises; or
- (c) in any licensed premises or public place, consumes,

any intoxicating liquor is guilty of an offence."

Provisions relating
to wills and in-
testacy. Cap. 186.

8. In its application to wills made after the coming into force of this section, section 5 of the Wills Law is amended by the substitution of the words "eighteen years" for the words "twenty-one years".

Persons under full
age may be
described as minors
instead of as in-
fants.

9. A person who is not of full age may be described as a minor instead of as an infant and accordingly in this Law "minor" means such a person.

Time at which a
person attains a
particular age.

10. (1) The time at which a person attains a particular age expressed in years shall be the commencement of the relevant anniversary of the date of his birth.

(2) This section applies only where the relevant anniversary falls on a

date after that on which this section comes into force, and, in relation to any statutory provision, deed, will or other instrument, has effect subject to any provision therein. In this subsection, "statutory provision" bears the meaning ascribed to that expression in section 2(5).

FIRST SCHEDULE

(Section 2 (3))

STATUTORY PROVISIONS AMENDED BY SUBSTITUTING 18 FOR 21 YEARS

LAW	SECTION
Adoption of Children Law, 1967 (No. 42 of 1967)	Section 2: definition of the expression "child" Section 10(1) (b);
Building Societies Law (Chapter 15)	Section 14;
Guardianship and Custody Law (Revised)	Section 2: definition of the expression "child"
Marriage Law (Cap. 92)	Section 23 (1) Section 23 (2) Section 36 (3)
Registered Land Law (Revised)	Section 110
Traffic Law	Section 43 (1) (a)
The Traffic Regulations	Regulation 7(c) The Schedule: Form T. (pages 1 and 9).
Trust Law (Revised)	Section 29

SECOND SCHEDULE

(Section 2(4))

TRANSITIONAL PROVISIONS AND SAVINGS

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|-----------------|---|
| Interpretation. | <p>1. (1) In this Schedule the principal section means section 2 of this Law and "the commencement date" means the date on which that section comes into force.</p> <p>(2) Subsection (6) of the principal section shall apply for the purposes of this Schedule as it applies for the purposes of that section.</p> |
| Funds in Court. | <p>2. Any order or directions in force immediately before the commencement date by virtue of any rules of court or other statutory provisions relating to the control of money recovered or otherwise payable to an infant in any proceedings shall have effect as if any reference therein to the attaining by the</p> |

infant of the age of twenty-one were a reference to his attaining the age of eighteen or, in relation to a person who by virtue of the principal section attains full age on the commencement date, of that age.

Wardship orders.

The Guardianship and Custody of Children Law (Revised) Law 9 of 1976.

3. (1) Any order in force immediately before the commencement date —
 - (a) making a person a ward of court; or
 - (b) under the Guardianship and Custody of Children Law or the Matrimonial Causes Law, or any enactment repealed by that Law, for the custody of, or access to, any person,

which is expressed to continue in force until the person who is the subject of the order attains the age of twenty-one, or any age between eighteen and twenty-one, shall have effect as if the reference to his attaining that age were a reference to his attaining the age of eighteen or, in relation to a person who by virtue of the principal section attains full age of the commencement date, to that date.

- (2) This paragraph is without prejudice to so much of any order as makes provisions for the maintenance or education of a person after he has attained the age of eighteen.

Adoption orders.
Law 42 of 1967.

4. The principal section shall not prevent the making of an adoption order or interim order under the Adoption of Children Law, 1967, in respect of a person who has attained the age of eighteen years if the application for the order was made before the commencement date, and in relation to any such case that Law shall have effect as if the principal section had not been enacted.

Power of trustees to apply income for maintenance of minor. The Trusts Law (Revised).
Law 18 of 1975.

5. (1) The principal section shall not affect section 29 of the Trusts Law —
 - (a) in its application to any interest under an instrument made before the commencement date; or
 - (b) in its application, by virtue of section 30 of the Succession Law, 1975, to the estate of an intestate dying before that date.

(2) In any case in which (whether by virtue of this paragraph or paragraph 9 of this Schedule) trustees have power under subsection (1) (i) of the said section 29 to pay income to the parent or guardian of any person who has attained the age of eighteen, or to apply it for or towards the maintenance, education or benefit of any such person, they shall have power to pay it to that person himself.

Powers of personal representatives during minority of beneficiary. The Trusts Law (Revised).

6. The principal section shall not affect the meaning of the expression "infancy" and "minority" in section 29(1) of the Trusts Law in the case of a beneficiary whose interest arises under a will or codicil made before the commencement date or on the death before that date of an intestate (within the meaning of that Law).

Accumulation periods.

7. The change, by virtue of the principal section, in the construction of any rule of law which lays down permissible periods for the accumulation of income under settlements and other dispositions shall not invalidate any direction for accumulation in a settlement or other disposition made by a deed, will or other instrument which was made before the commencement date.

Limitation of actions. Cap. 86.

8. The change, by virtue of the principal section, in the construction of section 17 of the Limitation of Actions Law shall not affect the time for bringing proceedings in respect of a cause of action which arose before the commencement date.

Statutory provisions

9. The principal section shall not affect the construction of any statutory

incorporated in provision where it is incorporated in and has effect as part of any deed, will or
deeds, wills, etc other instrument the construction of which is not affected by that section.

Passed the Legislative Assembly this 5th day of December, 1977

T. RUSSELL
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly