

CAYMAN ISLANDS



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**THE ELECTRICITY REGULATORY AUTHORITY (AMENDMENT)  
LAW, 2009**

**(LAW 15 OF 2009)**

**THE ELECTRICITY REGULATORY AUTHORITY (AMENDMENT)  
LAW, 2009**

**ARRANGEMENT OF SECTIONS**

1. Short title
2. Amendment of section 4 of the Electricity Regulatory Authority Law (2008 Revision) - Board of directors
3. Amendment of section 5 - appointment of directors
4. Amendment of section 6 - managing director of Authority
5. Amendment of section 7 - resignation of directors and termination of office
6. Amendment of First Schedule – procedure of Board
7. Savings and transitional provisions

CAYMAN ISLANDS

Law 15 of 2009.

I Assent

Donovan Ebanks

Acting Governor.

11<sup>th</sup> August, 2009

**A LAW TO AMEND THE ELECTRICITY REGULATORY AUTHORITY  
LAW (2008 REVISION) TO MAKE FURTHER PROVISION IN  
RESPECT OF THE COMPOSITION OF THE BOARD OF DIRECTORS  
OF THE ELECTRICITY REGULATORY AUTHORITY; AND TO MAKE  
PROVISION FOR RELATED MATTERS**

Enacted by the Legislature of the Cayman Islands.

1. This Law may be cited as the Electricity Regulatory Authority (Amendment) Law, 2009. Short title
  
2. The Electricity Regulatory Authority Law (2008 Revision), in this Law referred to as the “principal Law”, is amended in section 4(1) by deleting the words “four and not more than six” and substituting the words “eight and not more than ten”. Amendment of section 4 of the Electricity Regulatory Authority Law (2008 Revision) - Board of directors
  
3. The principal Law is amended in section 5 as follows - Amendment of section 5 - appointment of directors
  - (a) by repealing subsection (3);
  - (b) in subsection (6) by inserting after the word “Governor” the words “; but directors shall hold office at the pleasure of the Governor”; and
  - (c) in subsection (9) by deleting the words “and subsections (2), (3) and (4)” and substituting the words “and subsections (2) and (4)”.
  
4. The principal Law is amended in section 6 by repealing subsection (1) and substituting the following subsection - Amendment of section 6 - managing director of Authority

“ (1) The Governor shall appoint any individual to be the managing director; but, if a managing director is appointed from among individuals other than the directors appointed under section 5, he shall by virtue of his office be deemed to be a director appointed under section 5.”.

Amendment of section 7 - resignation of directors and termination of office

5. The principal Law is amended in section 7 as follows -

- (a) by re-numbering section 7 as section 7(1); and
- (b) by inserting after section 7(1) as re-numbered the following subsection -

“ (2) Without prejudice to the provisions of subsection (1), the Governor acting in his discretion may terminate the appointment of any director, whether the director was appointed before, on or after the date of commencement of the Electricity Regulatory Authority (Amendment) Law, 2009.”.

Amendment of First Schedule – procedure of Board

6. The principal Law is amended in paragraph 6(1) of the First Schedule by deleting the words “a quorum shall consist of three directors” and substituting the words “a quorum shall consist of a majority of the appointed directors”.

Savings and transitional provisions

7. (1) Every matter commenced under the former Law and partly dealt with by the former Board when the new Law comes into force, is to be continued and dealt with in all respects under the new Law and the provisions of the new Law are to apply accordingly.

(2) Every matter commenced under the former Law and not wholly or partly dealt with by the former Board when the new Law comes into force, is to be taken to be a matter commenced under the new Law and the provisions of the new Law are to apply accordingly.

(3) In this section -

“former Board” means the Board of directors of the Electricity Regulatory Authority established under section 4 of the former Law;

“former Law” means the principal Law in force immediately before the date of commencement of this Law; and

“new Law” means the principal Law as amended by this Law.

Passed by the Legislative Assembly the 22<sup>nd</sup> day of July, 2009.

Mary J. Lawrence, JP

Speaker.

Sharon Smith

Acting Clerk of the Legislative Assembly.