

CAYMAN ISLANDS



**PUBLIC LANDS (AMENDMENT AND
VALIDATION) ACT, 2023**

(Act 9 of 2023)

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PUBLISHING DETAILS



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(Act 9 of 2023)

I Assent,



Jane Owen
Governor

Date: 6th October, 2023

**PUBLIC LANDS (AMENDMENT AND
VALIDATION) ACT, 2023**
(Act 9 of 2023)

AN ACT TO AMEND THE PUBLIC LANDS ACT (2020 REVISION) AS IT RELATES TO, AMONG OTHER THINGS, THE COMPOSITION AND TERMS OF APPOINTMENT OF THE MEMBERS OF THE PUBLIC LANDS COMMISSION; TO VALIDATE THE APPOINTMENTS OF COMMISSION MEMBERS AND THE CONSTITUTION OF THE COMMISSION; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Act may be cited as the Public Lands (Amendment and Validation) Act, 2023.

Repeal and substitution of section 6 of the Public Lands Act (2020 Revision) - membership of the Commission

2. The *Public Lands Act (2020 Revision)*, in this Act referred to as the “principal Act”, is amended by repealing section 6 and substituting the following section —

“Membership of the Commission

6. (1) The Commission shall consist of —
 - (a) a chairperson who is Caymanian;

- (b) six other Caymanian members of the public among whom there shall be at least one person from each of the following districts —
 - (i) West Bay;
 - (ii) George Town;
 - (iii) Bodden Town;
 - (iv) North Side;
 - (v) East End; and
 - (vi) Cayman Brac or Little Cayman;
 - (c) the Director of Lands and Survey or the Director's designate;
 - (d) the chief officer of the Ministry with responsibility for lands or the chief officer's designate;
 - (e) the chief officer of the Ministry with responsibility for tourism or the chief officer's designate;
 - (f) the chief officer of the Ministry with responsibility for commerce or the chief officer's designate; and
 - (g) the chief officer of the Ministry with responsibility for planning or the chief officer's designate.
- (2) The civil servant members of the Commission named in subsection (1)(c) to (g) are *ex-officio* members of the Commission.
- (3) The Cabinet, on the recommendation of the Minister, shall appoint —
- (a) the chairperson of the Commission, who shall not be from among the six Caymanian members of the public named in subsection (1)(b);
 - (b) the deputy chairperson of the Commission, who shall be from among the six Caymanian members of the public named in subsection (1)(b); and
 - (c) the other five Caymanian members of the public named in subsection (1)(b).
- (4) The members of the Commission appointed by Cabinet under subsection (3) shall hold office for a term of two years and are eligible for re-appointment on the expiry of their two-year term for additional two-year terms.
- (5) The secretary to the Commission shall be a civil servant appointed by the chief officer of the Ministry in accordance with section 11(1) and shall carry out the duties of secretary to the Commission in accordance with section 11(2).



- (6) The Commission shall be considered as being properly constituted notwithstanding a vacancy in the office of chairperson, deputy chairperson or one of the other members of the Commission.”.

Miscellaneous amendments - deletions and substitutions of various words throughout the principal Act

3. The principal Act is amended as follows —

- (a) in sections 7(4)(a), 7(5) and 7(6), by deleting the word “Chairperson” and substituting the word “chairperson”; and
- (b) in sections 5(e), 8(2), 11(1), 11(3), 12(2)(a) and 13(1)(a), by deleting the words “Chief Officer” and substituting the words “chief officer”.

Validation

4. (1) Where, before the commencement of this amending and validating Act, members of the Commission were re-appointed under section 6 of the principal Act as members of the Commission for a period going beyond the term permitted under the principal Act, the re-appointments are declared to be valid as they would have been if this amending and validating Act had been in force at that date.
- (2) The acts or omissions of the Commission members referred to in subsection (1) in relation to the Commission shall not be regarded as invalid by reason only that their re-appointments were for a period beyond the term permitted under the principal Act.
- (3) The Commission shall not be regarded as improperly constituted during any period up to the commencement of this amending and validating Act because of the re-appointment of the Commission members referred to in subsection (1) beyond the period of expiry of their second two-year term.

Passed by the Parliament the 20th day of September, 2023.

Hon. Katherine Ebanks-Wilks
Speaker

Zena Merren-Chin
Clerk of the Parliament

