

CAYMAN ISLANDS



Supplement No. 12 published with Gazette No. 17
dated 13th August, 2018.

THE WATER AUTHORITY (AMENDMENT) LAW, 2018

(LAW 14 OF 2018)

THE WATER AUTHORITY (AMENDMENT) LAW, 2018

ARRANGEMENT OF SECTIONS

1. Short title and commencement
2. Amendment of section 3 - establishment and constitution of Water Authority
3. Amendment of section 4 - appointment of staff
4. Amendment of the Schedule - constitution and procedure of the Authority
5. Validity and continuation of appointments
6. Validity of acts

CAYMAN ISLANDS

Law 14 of 2018

I Assent

Franz Manderson

Acting Governor.

1st August, 2018

**A LAW TO AMEND THE WATER AUTHORITY LAW (2018 REVISION)
TO MAKE CERTAIN PROVISIONS CONSISTENT WITH THE PUBLIC
AUTHORITIES LAW, 2017; AND FOR INCIDENTAL AND
CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Water Authority (Amendment) Law, 2018.

Short title and
commencement

(2) This Law shall come into force on such date as may be appointed by Order made by the Cabinet.

2. The Water Authority Law (2018 Revision), in this Law referred to as the “principal Law” is amended in section 3 as follows -

Amendment of section 3
- establishment and
constitution of Water
Authority

(a) by repealing subsection (2)(b) and substituting the following subsection -

“(b) not less than eight and not more than ten other members appointed by the Cabinet for a period not exceeding two years, and three other public officers as defined in the Public Service Management Law (2018 Revision).”; and

- (b) by inserting after subsection (2) the following subsections -
 - “(2A) The Director shall be one of the three public officers appointed under subsection (2).
 - (2B) The public officers under subsection (2) shall not be entitled to vote.”.

Amendment of section 4
- appointment of staff

3. The principal Law is amended in section 4(1) by deleting the words “The Cabinet shall appoint a Director to be the Chief Executive Officer of the Authority” and substituting the words “The Board shall appoint the Director to be the Chief Executive Officer of the Authority after consultation with the responsible Minister or Official Member”.

Amendment of the
Schedule - constitution
and procedure of the
Authority

4. The principal Law is amended in the Schedule as follows -

(a) in paragraph 4, by deleting the words “the Cabinet” wherever it appears and substituting the words “the relevant Minister or Official Member” in each instance.

(b) by deleting paragraph 5 and substituting the following paragraph-
“ 5. The Cabinet may terminate the appointment as a member of the Authority at any time if it is satisfied that -

- (a) the member is not fulfilling the mandate of the Authority set by Cabinet;
- (b) the member has, in the opinion of the Cabinet, an unacceptable conflict of interest;
- (c) the member’s conduct is detrimental to the effective governance of the Board;
- (d) the member has been absent from three consecutive meetings of the Board without the consent of the Chairman of the Board;
- (e) the member’s conduct brings the Authority into disrepute;
- (f) the member becomes bankrupt; or
- (g) the member is convicted of an offence for which the member is sentenced by a court to a term of imprisonment.”;

(c) by deleting paragraph 8 and substituting the following paragraph-
“ 8. The quorum of the Board shall be a simple majority of the board members who are entitled to vote.”; and

(d) by deleting paragraph 9 and substituting the following paragraph-
“ 9. The decisions of the Board shall be determined by a simple majority of those board members who are entitled to vote and who are present at the board meeting, except that in the case

of an equality of votes at any meeting, the Chairman at that meeting shall have a second or casting vote.”.

5. Notwithstanding the commencement of the Public Authorities Law, 2017, the appointment of the Director under section 4(1) prior to the commencement of this Law shall be valid and shall continue. Validity and continuation of appointments

6. Any acts, decisions or proceedings of the Board that were carried out prior to the commencement of this Law shall not be invalid by reason only of those acts, decisions or proceedings being inconsistent with the Public Authorities Law, 2017. Validity of acts

Passed by the Legislative Assembly the 29th day of June, 2018.

Dr. Hon. W. McKeeva Bush

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.