

CAYMAN ISLANDS



HEALTH PRACTICE (AMENDMENT AND VALIDATION) LAW, 2020

(Law 8 of 2020)

Supplement No. 3 published with Legislation Gazette No. 11 dated 18th February, 2020.



CAYMAN ISLANDS

HEALTH PRACTICE (AMENDMENT AND VALIDATION) LAW, 2020

(Law 8 of 2020)

Arrangement of Sections

Section	Page
1. Short title	5
2. Interpretation	6
3. Amendment of the Health Practice Law (2017 Revision) - deletion of "chairman" and substitution with "chairperson"	6
4. Amendment of section 24A - institutional registration	6
5. Amendment of section 27A - practising licence	6
6. Validation	7
7. Immunity	7

CAYMAN ISLANDS

(Law 8 of 2020)

I Assent,



Martyn Roper
Governor

Date: 10th day of February, 2020

HEALTH PRACTICE (AMENDMENT AND VALIDATION) LAW, 2020

(Law 8 of 2020)

A LAW TO AMEND THE HEALTH PRACTICE LAW (2017 REVISION) TO DISTINGUISH BETWEEN PRACTISING LICENCES ISSUED TO FULLY REGISTERED PRACTITIONERS AND PRACTISING LICENCES ISSUED TO INSTITUTIONALLY AND PROVISIONALLY REGISTERED PRACTITIONERS; TO VALIDATE REGULATION 9 OF THE HEALTH PRACTICE REGISTRATION (AMENDMENT) REGULATIONS, 2013 AND THE PRACTISING LICENCES ISSUED UNDER THE REGULATIONS; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the Health Practice (Amendment and Validation) Law, 2020.

Interpretation

2. In this Law, “**specified period**” means the period commencing on 1st July, 2013, which is the date of the commencement of the *Health Practice (Amendment) Law, 2013*, and ending on the commencement of this Law.

Amendment of the Health Practice Law (2017 Revision) - deletion of “chairman” and substitution with “chairperson”

3. The *Health Practice Law (2017 Revision)*, in this Law referred to as the “principal Law”, is amended by deleting the word “chairman” wherever it appears and substituting the word “chairperson”.

Amendment of section 24A - institutional registration

4. The principal Law is amended in section 24A by repealing subsection (4) and substituting the following subsections —
- “(4) Registration under this section shall be for an initial period of two years and may be renewed for consecutive periods not exceeding two years in any period.
- (4A) A registered practitioner on the institutional registration list who wishes to renew that registered practitioner’s registration shall apply for the renewal not less than sixty days prior to the expiration of the registration.”.

Amendment of section 27A - practising licence

5. The principal Law is amended in section 27A by repealing subsection (2) and substituting the following subsections —
- “(2) A practising licence issued to a registered practitioner on the principal list shall, unless renewed, revoked or surrendered, expire on the second anniversary of the birth of the licensee following the date of the first issue or re-issue of the practising licence.
- (2A) A practising licence issued to a registered practitioner on the institutional registration list or the provisional list shall, unless renewed, revoked or surrendered, be valid for a period not exceeding two years.
- (2B) Where an application for the renewal of a practising licence under subsection (2) or (2A) is made before the expiry of the practising licence but has not been dealt with by the relevant Council at the time the practising licence is due to expire, the practising licence continues in force until the application for renewal is dealt with; and any renewal in such a case shall be taken to have commenced from the day on which the practising licence would have expired but for the renewal.”.



Validation

6. (1) The purpose of this section is to remedy a defect in regulation 9 of the *Health Practice Registration (Amendment) Regulations, 2013*, which was purported to be made in accordance with the *Health Practice Law (2005 Revision)*, the effect of which was to reduce, in some instances, the two-year period for a practising licence provided for under the *Health Practice Law (2005 Revision)*.
- (2) The defect under subsection (1) made regulation 9 of the *Health Practice Registration (Amendment) Regulations, 2013* inconsistent with the *Health Practice Law (2005 Revision)*.
- (3) Notwithstanding the inconsistency referred to under subsection (2), practising licences issued to institutionally registered practitioners during the specified period are validated and deemed to have been issued and expired, in accordance with the *Health Practice Law (2005 Revision)* and any amendments to that Law prior to the commencement of this Law.

Immunity

7. (1) Notwithstanding any law to the contrary, an act done by an institutionally registered practitioner during the specified period is deemed to be lawful and valid if the act would have been lawful and valid had the practising licence been issued in accordance with —
- (a) the *Health Practice Law (2005 Revision)*; and
- (b) any amendments to the *Health Practice Law (2005 Revision)* prior to the commencement of this Law.
- (2) For the purposes of subsection (1), an act done by an institutionally registered practitioner during the specified period is not lawful or valid if the act was negligent or done in bad faith.

Passed by the Legislative Assembly the 31st day of January, 2020.

Hon. W. McKeeva Bush
Speaker

Zena Merren-Chin
Clerk of the Legislative Assembly

