

**CONSULTATION DRAFT**

**[NOT FOR SUBMISSION TO CABINET OR CAUCUS]**

**CAYMAN ISLANDS**



# **DIRECTORS REGISTRATION AND LICENSING (AMENDMENT) BILL, 2022**

**A BILL FOR AN ACT TO AMEND THE DIRECTORS REGISTRATION AND LICENSING ACT, 2014 TO PROVIDE FOR THE LIABILITY OF PARTNERSHIPS, EXEMPTED LIMITED PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, PARTNERS, UNINCORPORATED ASSOCIATIONS AND PERSONS CONCERNED IN THE MANAGEMENT OR CONTROL OF UNINCORPORATED ASSOCIATIONS FOR OFFENCES; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

## PUBLISHING DETAILS

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**Sponsoring Ministry/Portfolio:** Ministry of Financial Services and Commerce (FSC)

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ENACTED by the Legislature of the Cayman Islands.

## Short title

1. This Act may be cited as the Directors Registration and Licensing (Amendment) Act, 2022.

## Amendment of section 2 of the Directors Registration and Licensing Act, 2014 - interpretation

2. The *Directors Registration and Licensing Act, 2014* is amended in section 2 by inserting, in the appropriate alphabetical sequence, the following definitions —  
“**exempted limited partnership**” has the meaning assigned by section 2 of the *Exempted Limited Partnership Act (2021 Revision)*;

**“limited liability partnership”** means a limited liability partnership registered under section 18(4) or 33(4) of the *Limited Liability Partnership Act (2021 Revision)*; and

**“partnership”** has the meaning assigned by section 3 of the *Partnership Act (2013 Revision)*.”.

### **Amendment of section 28 of the Directors Registration and Licensing Act, 2014 - offences by corporations**

3. The *Directors Registration and Licensing Act, 2014* is amended in section 28 as follows —

- (a) by repealing the section heading and substituting the following section heading —

**“Offences by corporations, partnerships, limited liability partnerships, etc.”;** and

- (b) by inserting after subsection (2) the following subsections —

“(3) Where an offence under this Act is committed by a partnership, a limited liability partnership or an exempted limited partnership and it is proved that the offence —

- (a) was committed with the consent or connivance of; or  
(b) is attributable to any neglect on the part of,

a partner, that partner, as well as the partnership, the limited liability partnership or the exempted limited partnership, as applicable, commits the offence and is liable to be proceeded against and punished accordingly.



- (4) Where an offence under this Act is committed by an unincorporated association other than a partnership, a limited liability partnership or an exempted limited partnership and it is proved that the offence —
- (a) was committed with the consent or connivance of; or
  - (b) is attributable to neglect on the part of,
- a person concerned in the management or control of the unincorporated association, that person, as well as the unincorporated association, is liable to be proceeded against and punished accordingly.”.

**Passed by the Parliament the                      day of                      , 2022.**

*Speaker*

*Clerk of the Parliament*

