

**CAYMAN ISLANDS**



**Customs and Border Control Act  
(2024 Revision)**

**CUSTOMS AND BORDER CONTROL  
(PROHIBITED GOODS) (AMENDMENT)  
ORDER, 2024**

**(SL 31 of 2024)**

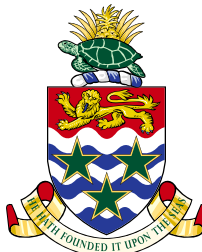
Supplement No. 1 published with Legislation Gazette No. 29 dated 4th September, 2024.

## PUBLISHING DETAILS

---



**CAYMAN ISLANDS**



**Customs and Border Control Act  
(2024 Revision)**

**CUSTOMS AND BORDER CONTROL  
(PROHIBITED GOODS) (AMENDMENT) ORDER,  
2024**

**(SL 31 of 2024)**

**Arrangement of Paragraphs**

Paragraph	Page
1. Citation .....	5
2. Insertion of paragraph 1A in the Customs and Border Control (Prohibited Goods) Order (2024 Revision) - definitions.....	5
3. Repeal and substitution of paragraph 4 - import of omnibuses.....	7
4. Amendment of paragraph 8 - transitional provision .....	10



**CAYMAN ISLANDS**



**Customs and Border Control Act  
(2024 Revision)**

**CUSTOMS AND BORDER CONTROL  
(PROHIBITED GOODS) (AMENDMENT) ORDER,  
2024  
(SL 31 of 2024)**

In exercise of the powers conferred by sections 12 and 133 of the Customs and Border Control Act (2024 Revision), the Cabinet makes the following Order —

**Citation**

1. This Order may be cited as the Customs and Border Control (Prohibited Goods) (Amendment) Order, 2024.

**Insertion of paragraph 1A in the Customs and Border Control (Prohibited Goods) Order (2024 Revision) - definitions**

2. The *Customs and Border Control (Prohibited Goods) Order (2024 Revision)*, in this Order referred to as the “principal Order”, is amended by inserting after paragraph 1 the following paragraph —

**“Definitions**

**1A.** In this Order —

“**Director of Licensing**” means the person appointed to that position under section 3 of the *Traffic Act (2023 Revision)*;

“**door**” includes a door giving access to a luggage compartment;



“**educational institution**” means —

- (a) a school; or
- (b) an institution that provides part-time or full-time —
  - (i) early childhood care and education;
  - (ii) compulsory education;
  - (iii) post-compulsory education and training;
  - (iv) technical and vocational education and training;
  - (v) education to prepare for the award of any degree, qualification or certification; or
  - (vi) education for persons with special education needs and disabilities;

“**exhibition vehicle**” means —

- (a) a classic, vintage, antique, replica or kit car; or
- (b) any other vehicle,

which is at least thirty years old and used for exhibitions, club activities, parades and other functions of public interest but not for general transportation;

“**motorcycle**” means a vehicle, other than a mechanically or electrically propelled vehicle designed exclusively for personal use on a road by a person under physical disability, with three wheels or less, which is used for the transportation of people, and includes a motor scooter and moped, but does not include an all-terrain cycle;

“**omnibus**” means a vehicle constructed or capable of being used for the carriage of ten or more persons, excluding the driver, which is licensed to carry passengers on a fare-paying basis or by private arrangement on a designated route approved by the Public Transport Board established by section 45 of the *Traffic Act (2023 Revision)*;

“**road**” means a public place where a vehicle may be driven or parked and such areas adjacent to that place as may be prescribed by the *Traffic Act (2023 Revision)* or regulations made under that Act;

“**trailer**” means a vehicle, other than a caravan designed or adapted for human habitation, having no motive power, which is designed to be drawn by a vehicle; and

“**vehicle**” means a wheeled or tracked vehicle capable of being driven or towed on a road, and includes an electrically powered vehicle, agricultural and earthmoving vehicle, motorcycle, scooter and wheeled trailer, but does not include a hand cart, barrow, baby carriage.”

### **Repeal and substitution of paragraph 4 - import of omnibuses**

3. The principal Order is amended by repealing paragraph 4 and substituting the following paragraphs —

#### **“Import of omnibuses**

4. The import of an omnibus is prohibited unless the following conditions are satisfied in respect of the omnibus —
- (a) doors for passenger use are located on the near-side of the omnibus;
  - (b) no door for passenger use, other than one door for the exclusive use of the driver, is located on the off-side of the omnibus;
  - (c) an adequate number of emergency exits is provided;
  - (d) doors and emergency exits are clearly marked on the inside and outside and are capable of being readily opened from the outside of the omnibus;
  - (e) doors for passenger use are so contrived as to be incapable of opening accidentally while the omnibus is in motion; and
  - (f) doors for passenger use are equipped with handrails, steps and lighting of a strength and design sufficient to ensure the safety of passengers making use of them.

#### **Import of vehicles whose model year is eight years or older**

- 4A. (1) Subject to subparagraph (2), the import of a vehicle whose model year is eight years or older is prohibited.
- (2) Subparagraph (1) does not apply —
- (a) to an ambulance;
  - (b) to a fire engine;
  - (c) to a vehicle imported by the Royal Cayman Islands Police Service for use in the performance of the functions of the Royal Cayman Islands Police Service;
  - (d) to a vehicle that is —
    - (i) designed for personal use on a road by a person with a physical disability, where, in accordance with the provisions of the *Traffic Act (2023 Revision)*, that disability does not render the person unable to drive the vehicle safely; or
    - (ii) constructed or adapted to transport a person with a physical disability;
  - (e) subject to the conditions in paragraph 4, to an omnibus;

- (f) to an exhibition vehicle;
- (g) subject to the conditions in subparagraph (3), to a vehicle that is manufactured and assembled in North America or Europe and that is —
  - (i) a classic, vintage, antique, replica or kit car or any other vehicle that is at least twenty years old; and
  - (ii) used for exhibitions, club activities, parades and other functions of public interest but not for general transportation;
- (h) to a vehicle that is not constructed or adapted for use on roads;
- (i) to a vehicle used for construction, road maintenance, engineering, agricultural or earthmoving work or the transportation of heavy goods or equipment including —
  - (i) a backhoe;
  - (ii) a bulldozer;
  - (iii) a crane truck or boom truck;
  - (iv) an excavator;
  - (v) a forklift;
  - (vi) a front end loader;
  - (vii) a lorry;
  - (viii) a mechanical shovel;
  - (ix) a tractor;
  - (x) a track-laying or wheeled vehicle; and
  - (xi) a truck head or trailer head;
- (j) to a trailer;
- (k) to a vehicle that is constructed or adapted for the delivery of goods or mail to consumers or addresses;
- (l) to a motorcycle;
- (m) to a scooter; and
- (n) subject to the conditions in subparagraph (4), to a vehicle that —
  - (i) for at least one year before the date of the intended importation, is owned and used by a Caymanian residing abroad for at least one year, including a Caymanian residing abroad for at least one year for the purposes of education; and



- (ii) is to be imported by the Caymanian for personal use because the Caymanian is returning to the Islands to take up residence.
- (3) The import of a vehicle referred to in subparagraph (2)(g) is subject to the following conditions —
  - (a) that the vehicle is treated as an exhibition vehicle;
  - (b) that the owner of the vehicle applies to the Director of Licensing for exhibition registration plates in accordance with section 19 of the *Traffic Act (2023 Revision)* and any other applicable law; and
  - (c) that the owner of the vehicle complies with any Act or other law relating to exhibition vehicles in respect of that vehicle.
- (4) A Caymanian who intends to import a vehicle pursuant to subparagraph (2)(n) shall provide to the Customs and Border Control —
  - (a) proof of residence outside of the Islands for the period specified in that subparagraph, to the satisfaction of the Customs and Border Control, including proof in the form of —
    - (i) a work permit;
    - (ii) a letter of employment indicating the period of employment;
    - (iii) receipts showing payment of taxes;
    - (iv) receipts showing payment of social security contributions or any other similar contributions;
    - (v) a student visa; and
    - (vi) a certificate, a degree or other qualification from an educational institution or a letter from an educational institution indicating the period of study;
  - (b) a bill of sale or any other relevant written documentation that proves to the satisfaction of the Customs and Border Control the date of the purchase of the vehicle;
  - (c) proof of registration of the vehicle in the jurisdiction outside of the Islands; and
  - (d) any other proof that demonstrates to the satisfaction of the Customs and Border Control that the vehicle was being used by the Caymanian for the period of at least one year prior to the date of the intended importation, including proof in the form of —
    - (i) vehicle insurance in the name of the Caymanian; and
    - (ii) vehicle maintenance receipts.

- (5) The exemption under subparagraph (2)(n) is limited to one vehicle in respect of each Caymanian who meets the specified criteria and who satisfies the conditions referred to in subparagraph (4).”.

#### **Amendment of paragraph 8 - transitional provision**

4. The principal Order is amended in paragraph 8 as follows —

- (a) in subparagraph (1), by deleting the words “this amending Order” wherever they appear and substituting the words “the *Customs and Border Control (Prohibited Goods) (Amendment) Order, 2023*”; and
- (b) by inserting after subparagraph (3) the following subparagraphs —
- “(4) Where, on the date of commencement of the *Customs and Border Control (Prohibited Goods) (Amendment) Order, 2024*, a vehicle under paragraph 4A(2)(a), (b), (c), (d), (e), (g), (j), (k), (l), (m) or (n) is landed in the Islands, the vehicle shall be dealt with under the amended Order.
- (5) In this paragraph, “**amended Order**” means the *Customs and Border Control (Prohibited Goods) Order (2024 Revision)* as amended by the *Customs and Border Control (Prohibited Goods) (Amendment) Order, 2024*.”.

**Made in Cabinet the 3rd day of September, 2024.**

**Kim Bullings**  
*Clerk of the Cabinet*

