

CAYMAN ISLANDS



HEALTH PRACTICE (AMENDMENT) (NO. 2) BILL, 2026

Supplement No. 1 published with Legislation Gazette No. 42 dated 28th August, 2026.

A BILL FOR AN ACT TO AMEND THE HEALTH PRACTICE ACT (2026 REVISION) TO EMPOWER THE COUNCILS TO DELEGATE ANY OF THEIR DUTIES OR FUNCTIONS TO SUB-COMMITTEES; TO PROVIDE FOR THE DEFINITION OF “DEPARTMENT”; AND FOR INCIDENTAL AND CONNECTED PURPOSES

PUBLISHING DETAILS

Sponsoring Ministry/Portfolio: Ministry of Health, Environment and Sustainability



Memorandum of OBJECTS AND REASONS

This Bill provides for the amendment of the Health Practice Act (2026 Revision) to empower each Council to carry out its duties and functions by delegation to sub-committees of the respective Council. The sub-committees may be comprised of members of a Council, the staff or agents of the Department of Health Regulatory Services in the Ministry, persons co-opted in accordance with the Act or any other persons as a Council may decide.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 provides for the amendment of the section heading and the insertion of the definition of “Department” in section 2.

Clause 3 provides for the amendment of section 21 of the principal Act by the insertion of subsections (3A) through (3D). The amendments empower each Council to act by sub-committee and to delegate its functions and duties to —

- (a) a sub-committee of its own number; or
- (b) a sub-committee comprised of the staff or agents of the Department of Health Regulatory Services, a person co-opted in accordance with Schedule 3, or any other persons as the Council may decide to include.

The clause provides that the delegation of a Council’s duties or functions does not preclude the respective Council from exercising any of the duties or functions delegated. Where a Council delegates in accordance with the new subsection (3A), the delegation may be conditional, qualified, limited in such manner as the Council thinks appropriate or may be amended at any time by the respective Council.

The clause provides further that the Council delegating any of its functions and duties shall provide in writing for the constitution and procedure of the sub-committee and that the decision of a sub-committee shall be considered as a decision of the Council that delegated the respective functions or duties.

Clause 4 provides for the immunity of each sub-committee and the individual members of a sub-committee. The members of a sub-committee shall not be liable in damages for acts or omissions in the discharge of their functions and duties unless it is shown that the acts or omissions were done in bad faith.

CAYMAN ISLANDS



HEALTH PRACTICE (AMENDMENT) (NO. 2)
BILL, 2026

Arrangement of Clauses

Clause	Page
1. Short title and commencement	5
2. Amendment of section 2 of the Health Practice Act (2026 Revision) - definitions	5
3. Amendment of section 21 of the Health Practice Act (2026 Revision) - councils	6
4. Amendment of section 40A- immunity	6



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ENACTED by the Legislature of the Cayman Islands.

Short title and commencement

1. (1) This Act may be cited as the Health Practice (Amendment) (No. 2) Act, 2026.
- (2) This Act shall come into force on such date as may be appointed by Order made by the Cabinet.

Amendment of section 2 of the Health Practice Act (2026 Revision) - definitions

2. *The Health Practice Act (2026 Revision)*, in this Act referred to as the “principal Act”, is amended in section 2 as follows —
 - (a) by deleting the section heading and inserting the following section heading —
“Interpretation”; and

- (b) by inserting after the definition of “Council” the following definition —
- “Department”** means the Department of Health Regulatory Services;”.

Amendment of section 21 of the Health Practice Act (2026 Revision) - councils

3. The principal Act is amended in section 21 by inserting after subsection (3), the following subsection —

“(3A) In carrying out its functions under this Act, each Council is empowered to act by sub-committee and may delegate, in writing, any of its functions and duties to —

- (a) a sub-committee comprised of its own number; or
- (b) a sub-committee comprised of any of the staff or agents of the Department, a person co-opted in accordance with paragraph 5(2) of Schedule 3 or such other persons as the Council may decide,

except that where the Council establishes a sub-committee which consists of members other than the members of the Council appointed in accordance with this Act, it may only delegate its functions or duties to the sub-committee with the approval of the Cabinet.

(3B) The delegation by a Council under subsection (3A)(b) —

- (a) shall not preclude the respective Council from exercising or performing at any time any of the functions or duties so delegated;
- (b) may be conditional, qualified or limited in such manner as the Council thinks fit; and
- (c) may be amended at any time by the respective Council.

(3C) The Council delegating any of its functions and duties to a sub-committee shall provide in writing for the constitution and procedure of the sub-committee.

(3D) A decision of a sub-committee under subsection (3A)(b) shall be considered as a decision of the Council that delegated the respective functions or duties.”.

Amendment of section 40A- immunity

4. The principal Act is amended in section 40A(1) as follows —

- (a) in paragraph (e), by deleting the word “and”;
- (b) by inserting after paragraph (e) the following paragraph —



- “(ea) a sub-committee of a Council; and”;
- (c) in paragraph (f), by deleting the words “or a Council” and substituting the words “, a Council or a sub-committee of a Council”.

Passed by the Parliament the _____ day of _____, 2026.

Speaker

Clerk of the Parliament

