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Cayman Islands
Legislative Assembly

Parliamentary Question

Date for Answer 10th September 2014
(For Official Use Only)

Name **Mr. Ezzard Miller, MLA**
(Member of the Legislative Assembly)

Constituency **North Side**

To Ask **Honourable Wayne Panton, JP, MLA**
(Elected Member)

Financial Services, Commerce and Environment
(Responsible for)

Questions

(Questions to be typewritten and submitted to the Clerk in Quadruplicate)

1. **Can the Hon. Minister provide a progress report on the new spear gun licensing regime and a date when citizens can expect the new regime to be effective?**

Chief Officer/ FSC&E
Head of Department

Please assist by supplying information for answer to above.

Clerk of the Legislative Assembly

Date: AUG 29 2014

LEGISLATIVE DEPARTMENT
Cayman Islands

Mr. Ezzard Miller, MLA
Signed: _____
(M.L.A.)

Admissible

MINISTRY OF
FINANCIAL SERVICES,
COMMERCE & ENVIRONMENT
CAYMAN ISLANDS GOVERNMENT

Government Administration Building
133 Elgin Avenue, Box 126
Grand Cayman KY1-9000
CAYMAN ISLANDS
www.caymanfinance.gov.ky

ANSWER TO A PARLIAMENTARY QUESTION FROM NORTH SIDE MLA, D. EZZARD MILLER TO MINISTER OF ENVIRONMENT, HON. WAYNE PANTON

Monday, 15 September 2014 | Cayman Islands Legislative Assembly

QUESTION:

Can the Hon. Minister provide a progress report on the new spear gun licensing regime and a date when citizens can expect the new regime to be effective?

ANSWER:

Madam Speaker the answer -

As I reminded Members in a previous answer, the National Conservation Law (NCL) is not yet fully in effect and the Marine Conservation Law (MCL) has not yet been repealed. Section 22 (2) of the NCL will provide an allowance for the purchase of new and replacement parts for any equipment used to fulfil the purpose of a licence under the NCL however this section of the NCL is not yet in effect. The spear gun licensing regime that exists under the MCL is therefore still in effect.

Madam Speaker, careful consideration is needed to resolve the how the provisions of the NCL will work in light of the long-established policy of phasing out the use of spear guns for recreational fishing in Cayman waters. My Ministry in conjunction with the National Conservation Council and the Department of Environment will conduct a careful review to

determine how best to phase in the new spear gun licensing regime, taking account of the existing framework that currently remains in effect.

Madam Speaker, I will endeavour to elaborate further.

Members may be aware from previous contributions from myself in this Honourable House that shortly after the passage of the Marine Parks Regulations in 1986, the Government of the day took a policy decision to phase out spearfishing in the Cayman Islands (as opposed to an outright ban) by prohibiting the importation of any more new spear guns or parts of guns. This was achieved by amending the Marine Conservation Law to prohibit the possession of a spear gun or its use in Cayman Waters unless the person had a licence issued by the Marine Conservation Board. That Board was empowered, in granting licences, to specify whatever conditions they deemed fit.

As required under the law, the Marine Conservation Board gazetted Spear gun Licencing Directives (1986) which detailed the licence condition which included a condition prohibiting the licence holder from importing or causing to be imported any spear guns or component parts. The idea was that as existing spear guns became inoperable, the numbers of guns in use would gradually reduce to zero. Over time several amendments have been made to these Directives in order to tighten up on the illegal importation of guns and parts, but history has shown that, for various reasons, this policy did not work and today there are still some 405 licenced spear guns and of course there remains unlicenced guns in use as well.

Madam Speaker, taking account of these directives and the provisions of the NCL to be brought into force, there is therefore clearly a case to be made for a thorough review of the existing regime and how best to introduce the new regime.

Madam Speaker, all of this notwithstanding, there are many reasons why Government would wish to approach any decision to move away from the current policy with extreme caution, not least of which is the threat to the tremendous economic assets which large fish

on our reefs represent. While large fish are increasingly rare throughout the Caribbean, they represent one of the most important aspects of visitor satisfaction and enjoyment.

Protecting Cayman's remaining populations of large fish is therefore of critical importance to our tourism product and to maintaining our position in relation to our regional competitors. Under our current Marine Parks scheme (where the protections currently stop at the 80 ft. contour) these large species are not sufficiently protected from spear fishers due to the large home ranges and behavioural traits e.g. migration runs during spawning periods of target species.

The largest fish are important as predators in maintaining a balanced and complete ecosystem and their selective removal causes ecological imbalance and research has shown significantly reduced populations of large predatory species such as snapper and grouper where spearfishing occurs. Unlike many island groups in the Caribbean such as the Bahamas, Turks and Caicos Islands and the British Virgin Islands which have vast areas of productive, shallow coastal water, the coastal shelf is extremely narrow in the Cayman Islands. This means that the actual area supporting coral reef fish productivity is extremely limited and we need to be extremely careful in order to avoid overfishing our resources to the detriment of not only our valuable marine environment but also our economy and our people.

Madam Speaker, in a prior meeting in April of this year I indicated the Government was willing to consider having areas in which limited spear fishing could be allowed in the context of enhanced Marine Parks. We have the evidence that our system of Marine parks have served us well and have made a real difference in our marine environment relative to the disastrous condition of those of many of our neighbours in the region. However, we also have the clear empirical evidence that we are still not yet on a path of sustainability and more work needs to be done and more protections need to be put in place. Failure to do so Madam Speaker will rob our country of these valuable assets for the future.

So Madam Speaker to round out the answer to the Member from North Side, the spear gun licensing regime remains in existence and unchanged for the present time under the Marine Conservation Law and the earliest point in time in which there may be changes is when the remainder of the National Conservation Law is brought into effect which is anticipated to be several months away.

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