

SCHEDULE

PART 2

Modifications to the provisions of Part 1 of the 1988 Act applied by this Order

26. Section 107A(1) applies as modified and set out below—

“107A Enforcement by the Director of Commerce and Investment

(1) It is the duty of the Director of Commerce and Investment to take administrative measures that are necessary or expedient for the enforcement of copyright legislation, but this shall not be read as empowering the Director to prosecute criminal cases relating to infringement, which power remains with the Director of Public Prosecutions in accordance with the Constitution of the Cayman Islands.

(2) For the purposes of subsection (1), the Director of Commerce and Investment (and any officer generally or specifically authorised by him in writing) has the power—

(a) to make test purchases; and

(b) to enter premises and inspect and seize goods and documents.

(3) The Director of Commerce and Investment (and any officer generally or specifically authorised by him in writing) has all the powers of a constable under the Police Law (2014 Revision) and, without limiting this provision, enjoys the protections afforded to a constable under the Police Law (2014 Revision) but is not protected from suit for compensation on account of any loss suffered by any person arising from the exercise of those powers in bad faith.”.

(1) Section 107A was inserted by the Criminal Justice and Public Order Act 1994 (c.33), section 165(2).