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The Editor
Chamber of Commerce

BUILDERS LAW PROVIDES PUBLIC PROTECTION

Chamber members have long been concerned that the Cayman Islands has no Builders Law. To any businessperson, the necessity for such a law is obvious: to protect the consumer. Never was this so obvious as during the period after Hurricane Ivan, when so many people fell victim to those builders that were less than professional in their business dealings.

Currently a company or person can simply apply to the Trade and Business Licensing Board to obtain a Contractor's License. No consideration is given as to whether the owners, directors or managers of the company have the competency or take the responsibility to operate their company. This is stated in accordance with section 28 of the Trade & Business Licensing Law (2007 Revision) where no person may use the word 'licensed' in juxtaposition with any word describing a trade or business practised by him upon the ground only that he is licensed under that Law. Further, a licence under that Law has no relevance to the qualification, skill or financial stability of the licensee.

Three years ago, the Builders Bill was presented to our legislature. The purpose of the bill was simply to provide protection for the public for those seeking to employ contractors or work for contractors.

The entire house voted unanimously for this bill and it was passed into law. Unfortunately, the government of the day did not complete the implementation of the Law. The facilitator was appointed, the offices were rented and renovated and the Board was selected, but the first meeting still has not taken place.

The CCA continues to promote the Builders Law because there are many ways in which the public will realize protection by having an operating Builders Law in place to protect them. Some of the benefits include:

- The public will be able to easily verify for free on the Builders Board website that construction companies are legitimate businesses
- Through the website, the public will also be able to verify what work the company is licensed to perform. The Builders Board will issue licenses to builders in the following categories: Civil Contractor, Subcontractor, Residential Contractor, Building Contractor and General Contractor.
- The public will be able to go to the Builders Board and file a written complaint on builders and the builder will have the opportunity to respond in writing. In the case



where a pattern of legitimate complaints are identified, builders could be at risk of losing their license.

The public will be able to have this confidence in the Builders Law and realize this protection because the Builders Board will be tasked with verifying that licensees:

- Have competent persons who are responsible for the daily operations of the company to ensure delivery of quality building standards, proper handling of client monies and employee rights and benefits, and
- Comply with the relevant laws such as the Labour Law, Pensions and Health Insurance

The CCA was established to promote the betterment of the construction industry as a whole and also as it relates to all other industries in our country. Because of this, the CCA believes that the benefits of the Builders Law will be far reaching beyond the above mentioned.

Thereby, we greatly encourage the Premier to give the go-ahead for the Board to get underway and begin to provide proper protection for the public.

The CCA encourages all construction companies to join the Association so that together we can ensure high standards in the construction industry by sharing ideas, education and addressing all construction industry issues with Government. Please visit www.CCA.ky to learn more.

CAYMAN CONTRACTORS ASSOCIATION