

CAYMAN ISLANDS



Plant Protection Act, 2023

(Act 10 of 2023)

PLANT PROTECTION REGULATIONS, 2026

(SL 42 of 2026)

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CAYMAN ISLANDS**Plant Protection Act, 2023
(Act 10 of 2023)****PLANT PROTECTION REGULATIONS, 2026
(SL 42 of 2026)**

In exercise of the powers conferred by section 52 of the Plant Protection Act, 2023, the Cabinet makes the following Regulations —

PART 1 - PRELIMINARY**Citation**

1. (1) These Regulations may be cited as the Plant Protection Regulations, 2026.
(2) The Regulations come into force immediately after the *Plant Protection Act, 2023* comes into force.

PART 2 - REGULATED ARTICLES, PERMITS AND FEES**Regulated articles**

2. For the purpose of section 3(1)(b) of the Act, an item listed in the table in Schedule 1 is a regulated article.

Designated points of entry

3. For the purpose of section 21 of the Act, the designated points of entry at which plants, plant products and other regulated articles may be imported into the Cayman Islands are the following —



- (a) Owen Roberts International Airport;
- (b) Charles Kirkconnell International Airport;
- (c) Port of George Town; and
- (d) Port of Cayman Brac.

Import permits

4. For the purpose of section 17(2)(b) of the Act —
- (a) the prescribed fee for an import permit to import an item specified in column 1 of the table in Schedule 2 is the amount specified opposite in column 2 or 3; and
 - (b) an application for an import permit to be used for a trade or business shall be accompanied by a copy of the importer's licence for the trade or business issued under the *Trade and Business Licensing Act (2026 Revision)*.

Inspection and phytosanitary actions on import

5. (1) For the purpose of section 18(3) of the Act, the prescribed fee for the inspection of an imported item at a place other than a designated point of entry is specified in Table 1 in Schedule 3.
- (2) For the purpose of section 19(4) of the Act, the prescribed cost for a phytosanitary action specified in column 1 of Table 2 in Schedule 3 is the amount specified opposite in column 2.
- (3) This regulation does not prevent the NPPO from recovering the cost of other actions under section 19(4) of the Act.

Phytosanitary emergency treatment

6. (1) For the purpose of section 34(3) of the Act, the prescribed expenses for a phytosanitary emergency treatment action specified in column 1 of the table in Schedule 4 is the amount specified opposite in column 2.
- (2) This regulation does not prevent the NPPO from recovering the expenses of —
- (a) other treatments under section 34(3) of the Act; and
 - (b) the disposal of a plant, plant product or other regulated article.

Export permits

7. (1) For the purpose of section 22(1) of the Act, a plant specified in Part 1 or 2 of Schedule 1 to the *National Conservation Act, 2013* is a prescribed plant which a person shall not export except in accordance with an export permit.
- (2) For the purpose of section 23(2)(b) of the Act —
- (a) the prescribed fee for an export permit is one hundred dollars; and



- (b) the prescribed documents to accompany an application for an export permit are as follows —
 - (i) an import permit for the item issued by the country of destination; and
 - (ii) written approval of the export by the National Conservation Council.

Phytosanitary certificates

8. (1) For the purpose of section 24(3)(b) of the Act, the prescribed fee for a phytosanitary certificate for export of an item is fifty dollars.
- (2) For the purpose of section 25(3)(b) of the Act —
- (a) the prescribed fee for a phytosanitary certificate for re-export of an item is fifty dollars; and
 - (b) the prescribed document to accompany an application for a phytosanitary certificate for re-export of an item is the phytosanitary certificate issued by the exporting country when the item was imported.

Transit authorisation

9. For the purpose of section 26(3)(b) of the Act —
- (a) the prescribed fee for a transit authorisation for an item specified in column 1 of the table in Schedule 2 is the amount specified opposite in column 2; and
 - (b) the prescribed documents to accompany an application for a transit authorisation for an item are as follows —
 - (i) the air waybill or bill of lading for the shipment of the item; and
 - (ii) a copy of the import permit for the item issued by the country of destination.

PART 3 - ADMINISTRATIVE PENALTIES

Administrative penalty offences and amounts

10. (1) For the purpose of section 47 of the Act —
- (a) the Director may impose an administrative penalty for an offence specified in column 1 of the table in Schedule 5; and
 - (b) the amount of the administrative penalty is specified opposite the offence, in column 2 of the table in Schedule 5.
- (2) The Director shall not impose an administrative penalty for an offence —
- (a) if a prosecution for the offence has been commenced; or
 - (b) after the expiration of six months after the date of the offence.

Administrative penalty procedure

11. (1) The Director may impose an administrative penalty by giving the person alleged to have committed the offence a notice (a “**penalty notice**”) specifying the following —
- (a) the person’s name;
 - (b) that the Director proposes to impose an administrative penalty on the person for a specified offence;
 - (c) a summary of the facts and circumstances that the Director believes constituted the offence;
 - (d) the amount of the administrative penalty;
 - (e) that the person may, within twenty-eight days after the penalty notice is served on the person —
 - (i) request in writing that the Director review the decision to impose the administrative penalty;
 - (ii) discharge liability to conviction for the offence and avoid further action in relation to the offence by paying the administrative penalty; or
 - (iii) elect in writing to have the matter dealt with by a court; and
 - (f) if the person does nothing in response to the penalty notice within twenty-eight days after it is served on the person —
 - (i) civil action may be taken against the person to enforce payment of the administrative penalty; or
 - (ii) the person may be prosecuted for the offence.
- (2) If the person requests in writing that the Director review the decision to impose the administrative penalty, the Director shall, within twenty-eight days after receiving the request, review the decision and give the person written notice (a “**review notice**”) specifying —
- (a) whether the decision is affirmed or revoked; and
 - (b) if the decision is affirmed, that the person has a further twenty-eight days to —
 - (i) pay the administrative penalty; or
 - (ii) elect in writing to have the matter dealt with by a court.
- (3) If the administrative penalty is paid within twenty-eight days after the penalty notice is served, or the further twenty-eight days after a review notice is served, the person discharges liability to conviction for the offence and no further proceedings shall be taken in relation to the offence.



- (4) If the administrative penalty is not paid within twenty-eight days after the penalty notice is served, or the further twenty-eight days after a review notice is served —
 - (a) civil action may be taken against the person to enforce payment of the administrative penalty; or
 - (b) the person may be prosecuted for the offence.
- (5) If the administrative penalty is paid by the person following civil action, the person shall not be prosecuted for the offence.

PART 4 - REPEAL

Repeal

- 12.** The *Plants (Importation and Exportation) (Fees) Regulations, 2009* are repealed.

SCHEDULE 1

(regulation 2)

Regulated Articles

1. Aggregate materials derived from crushed stones, gravel, sand and mines, of coarse to fine grain containing less than 1% organic matter
2. Beneficial organisms belonging to the category of those directly or indirectly advantageous to plants or plant products, including biological control agents such as natural enemies, pollinators, antagonists, competitors or other organisms used for pest control
3. Compost
4. Crafts of plant origin
5. Plant growing media belonging to the categories of clay pellets, vermiculite, peat moss, coir, cork and wood chips
6. Organic waste from an external country, territory or vessel
7. Untreated and unprocessed wood and wood products
8. Plant-based mulch
9. Organic fertiliser
10. Soil
11. Used agricultural equipment
12. Used earthmoving equipment
13. Wood packaging materials (including crates, boxes, packing cases, dunnage, pallets, cable drums, spools and reels)



SCHEDULE 2*(regulations 4 and 9)***Import Permit and Transit Authorisation Fees**

Column 1	Column 2	Column 3
Item	Single entry import permit or transit authorisation	Multiple entry import permit
1. Plant growing medium/compost/organic fertiliser	\$25.00	\$300.00
2. Untreated and unprocessed wood and wood products	\$25.00	\$300.00
3. Crafts of plant origin	\$25.00	\$150.00
4. Live plants and propagative material	\$150.00	Not applicable
5. Balled and burlapped trees	\$200.00 per tree	Not applicable
6. Christmas trees and wreaths	\$100.00	Not applicable
7. Consumable produce	\$25.00	\$550.00
8. Cut flowers	\$40.00	\$800.00
9. Tobacco products (excluding manufactured tobacco)	\$30.00	\$300.00
10. Decorative/landscape stone	\$25.00	\$150.00
11. Plant-based mulch	\$25.00	\$300.00
12. Packaged seed (less than 10 species)	\$10.00	Not applicable
13. Packaged seed (more than 10 species)	\$20.00	\$150.00
14. Aggregate sample (less than 100lbs)	\$25.00	Not applicable

Column 1	Column 2	Column 3
Item	Single entry import permit or transit authorisation	Multiple entry import permit
15. Aggregate sample (more than 100lbs)	\$300.00	\$1200.00
16. Soil	\$600.00	Not applicable
17. Used agricultural or earthmoving equipment	\$25.00	Not applicable
18. Beneficial organism		Not applicable
(a) Insect or invertebrate	Nil	
(b) Other	\$50.00	
19. Express permit fee (for processing within 24 hours)	\$50.00	\$150.00



SCHEDULE 3*(regulation 5)***Import Inspection Fees and Phytosanitary Action Costs**

Table 1 Inspection Fees (inspection at a place other than a designated point of entry)	
Column 1	Column 2
Normal working hours (Monday to Friday, 8:00am to 4:30pm)	\$40.00 per hour
Outside normal working hours (where inspection began during normal working hours)	\$60.00 per hour
Call out Monday to Saturday outside normal working hours (first hour)	\$120.00 per hour
Call out Monday to Saturday outside normal working hours (subsequent hours)	\$60.00 per hour
Call out Sunday or public holiday (first hour)	\$200.00 per hour
Call out Sunday or public holiday (subsequent hours)	\$100.00 per hour
Table 2 Phytosanitary action costs on import	
Column 1	Column 2
Pesticides	
(a) Liquid formulation	\$3.00 per gallon
(b) Granulated formulation	\$20.00 per lb
Pest control application	
(a) Liquid formulation	\$10.00 per gallon
(b) Granulated formulation	\$10.00 per lb
Fumigation	
(a) up to 560 cubic feet	\$200.00
(b) 561-1172 cubic feet	\$400.00
(c) 1173-2200 cubic feet	\$800.00
(d) over 2200 cubic feet	\$800 plus the cost for the additional volume specified in paragraph (a), (b) or (c) above
Destruction of goods (supervised by an inspector)	\$2.00 per lb



SCHEDULE 4*(regulation 6)***Phytosanitary Emergency Treatment Costs**

Column 1	Column 2
Treatment witnessed by an inspector	\$40.00 per hour
Pesticides	
(a) Liquid formulation	\$3.00 per gallon
(b) Granulated formulation	\$20.00 per lb
Pest control application	
(a) Liquid formulation	\$10.00 per gallon
(b) Granulated formulation	\$10.00 per lb



SCHEDULE 5*(regulation 10)***Administrative Penalties**

Column 1	Column 2
Relevant provision and Description of Offence	Administrative penalty
Section 15(2) of the Act – A person importing a plant, plant product or regulated article in contravention of section 15(1) of the Act	First offence \$250.00 Subsequent offence \$1000.00
Section 18(4) of the Act – An importer failing to produce an item for inspection as required under section 18(1) of the Act	\$1000.00
Section 22(2) of the Act – A person exporting a prescribed plant, plant product or regulated article other than in accordance with an export permit in contravention of section 22(1) of the Act	\$2000.00
Section 26(6) of the Act – A person transiting a plant, plant product or regulated article through the Cayman Islands other than in accordance with a transit authorisation in contravention of section 26(1) of the Act	\$2000.00
Section 31(3) of the Act – A person contravening a declaration of a provisional quarantine area	\$2000.00
Section 32(5) of the Act – A person contravening a declaration of a quarantine area	\$2000.00
Section 33(7) of the Act – A person contravening a declaration of a phytosanitary emergency	\$2000.00
Section 36(2) of the Act – A person failing to notify NPPO of a pest in contravention of section 36(1) of the Act	\$2000.00
Section 37(2) of the Act – A person recklessly or intentionally — (a) introducing or allowing the introduction of a	\$2000.00

Column 1	Column 2
Relevant provision and Description of Offence	Administrative penalty
regulated pest or a pest of national concern to the Islands; or (b) spreading or allowing the spread of a regulated pest or a pest of national concern to the Islands	
Section 38(2) of the Act – A person — (a) propagating or growing a plant that the person knows or reasonably suspects is infested by a regulated pest or a pest of national concern; or (b) selling, offering for sale, transporting or distributing a plant, plant product or other regulated article that the person knows or reasonably suspects is infested by a regulated pest or a pest of national concern	\$2000.00
Section 45(1) of the Act – A person obstructing an inspector, or another person assisting an inspector, who is exercising a power or performing a function under the Act	\$2000.00
Section 45(2) of the Act – A person failing to comply with a requirement given to the person by an inspector, or another person assisting an inspector, who is exercising a power or performing a function under the Act	\$2000.00
Section 46(1) of the Act – A person giving false or misleading information to the NPPO or an inspector who is exercising a power or performing a function under the Act	\$1000.00

Made in Cabinet the 9th day of September, 2026.

Kim Bullings
Clerk of the Cabinet

