

CAYMAN ISLANDS



**VIRTUAL ASSET (SERVICE PROVIDERS)
(AMENDMENT) ACT, 2020**

(Act 59 of 2020)

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PUBLISHING DETAILS



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VIRTUAL ASSET (SERVICE PROVIDERS) (AMENDMENT) ACT, 2020

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CAYMAN ISLANDS

(Act 59 of 2020)

I Assent,



Martyn Roper
Governor

Date: 6th day of January, 2021

**VIRTUAL ASSET (SERVICE PROVIDERS)
(AMENDMENT) ACT, 2020**

(Act 59 of 2020)

AN ACT TO AMEND THE VIRTUAL ASSET (SERVICE PROVIDERS) ACT, 2020 TO PROVIDE FOR SAVINGS AND TRANSITIONAL MATTERS; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title and commencement

1. (1) This Act may be cited as the Virtual Asset (Service Providers) (Amendment) Act, 2020.
- (2) This Act shall come into force on such date as may be appointed by Order made by the Cabinet and different dates may be appointed for different provisions of this Act and in relation to different matters.

Amendment of section 2 of the Virtual Asset (Service Providers) Act, 2020 - interpretation

2. The *Virtual Asset (Service Providers) Act, 2020* in this Act referred to as the “principal Act” is amended in section 2 in the definition of “**obliged entity**” by deleting the words “person or group of persons that provide” and substituting the words “financial institution, person or group of persons that provides”.

Amendment of section 7 - registered person: virtual asset issuance

3. The principal Act is amended in section 7 as follows —
- (a) by repealing subsection (1) and substituting the following subsections —
 - “(1) A registered person shall not issue virtual assets directly to members of the public in excess of the prescribed threshold.
 - (1A) A registered person shall, prior to issuing virtual assets, submit an issuance request to the Authority in the prescribed form and obtain the approval of the Authority prior to the issuance.”; and
 - (b) in subsection (3), by deleting the words “(1) and (2)” and substituting the words “(1), (1A) and (2)”.

Amendment of section 9 - general requirements for virtual asset service providers

4. The principal Act is amended in section 9(6) by inserting after the words “the person is”, the words “registered or is”.

Amendment of section 15 - notice by existing licensee

5. The principal Act is amended in section 15 by inserting after subsection (5), the following subsection —
- “(5A) An existing licensee shall comply with any relevant provisions of this Act as the Authority may require.”.



Amendment of section 39 - regulations

6. The principal Act is amended in section 39 by inserting after subsection (3), the following subsections —
- “(4) Regulations made under this Act may provide for such savings, transitional and consequential provisions to have effect in connection with the coming into operation of any provision of this Act as are necessary or expedient.
 - (5) Regulations made under subsection (4) may be given retrospective operation to a date that is not earlier than 31st October, 2020.
 - (6) Regulations which are given retrospective operation shall not —
 - (a) affect in a prejudicial manner, rights existing before the date on which those regulations come into force; or
 - (b) impose liabilities in respect of anything done or omitted to be done before the date on which those regulations come into force.”.

Passed by the Parliament the 16th day of December, 2020.

Hon. W. McKeeva Bush
Speaker

Zena Merren-Chin
Clerk of the Parliament