



PARLIAMENT
OF THE CAYMAN ISLANDS



PARLIAMENT QUESTION NO. 92
(WRITTEN ANSWER)
Fourth Meeting 2025-2026 Session

PARLIAMENTARY QUESTION
ASKED BY

MR. CHRISTOPHER S. SAUNDERS
ELECTED MEMBER FOR THE
CONSTITUENCY OF BODDEN TOWN WEST

TO

THE HON. SAMUEL W. BULGIN ATTORNEY GENERAL
EX OFFICIO MEMBER RESPONSIBLE FOR THE PORTFOLIO OF LEGAL AFFAIRS

QUESTION:

Can the Honourable Attorney General say whether there is any consideration being undertaken to update the Penal Code to punish persons who knowingly transmit Sexually Transmitted Diseases such as HIV or AIDS?

ANSWER:

Mr. Speaker, the Penal Code in S.167 currently provides that it is an offence to unlawfully or negligently commit any act that the person knows or has reason to believe is likely to spread the infection of any disease.

The provision reads:

A person who unlawfully or negligently does any act which that person knows or has reason to believe is likely to spread the infection of any disease dangerous to health commits an offence.

The provision does not stipulate a penalty for the offence, and therefore, in such instance, resort should be had to another section of the Penal Code, namely section 38, which provides that when in that Act no punishment is specially provided for any offence, it is punishable with imprisonment for four years and with a fine.

Therefore, as a minimum, a person who is found guilty of such an offence is liable to a penalty of up to four years imprisonment and an unlimited fine.

Mr. Speaker, accordingly, although this particular conduct will be monitored and vigorously policed, there is no immediate consideration of amending the Penal Code at this time.

Thank you, Mr. Speaker.