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STATUTORY INSTRUMENTS

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**2009 No. 1379**

**CARIBBEAN AND NORTH  
ATLANTIC TERRITORIES**

**The Cayman Islands Constitution Order 2009**

*Made - - - - 10th June 2009*

*Laid before Parliament 17th June 2009*

*Coming into force in accordance with section 1(2)*

**THE CAYMAN ISLANDS CONSTITUTION ORDER 2009**

1. Citation and commencement
  2. Interpretation
  3. Revocations
  4. Establishment of Constitution
  5. Existing laws
  6. Existing offices and officers
  7. Legislative Assembly
  8. Electoral districts
  9. Pending legal proceedings
- Signature

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**SCHEDULE 1 — Revocations**

The Cayman Islands (Constitution) Order 1972 (S.I. 1972/1101) The Cayman...

**SCHEDULE 2 — The Constitution of the Cayman Islands**

**THE CONSTITUTION  
OF THE CAYMAN  
ISLANDS**

The people of the Cayman Islands, recalling the events that...  
Affirm their intention to be— A God-fearing country based on...  
Now, therefore, the following provisions shall have effect as the...

**PART I**

**Guarantee of Rights, Freedoms and Responsibilities**

2. Life

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

3. Torture and inhuman treatment
4. Slavery or forced or compulsory labour
5. Personal liberty
6. Treatment of prisoners
7. Fair trial
8. No punishment without law
9. Private and family life
10. Conscience and religion
11. Expression
12. Assembly and association
13. Movement
14. Marriage
15. Property
16. Non-discrimination
17. Protection of children
18. Protection of the environment
19. Lawful administrative action
20. Education
21. Public emergencies
22. Protection of persons detained under emergency laws
23. Declaration of incompatibility
24. Duty of public officials
25. Interpretive obligation
26. Enforcement of rights and freedoms
27. Remedies
28. Interpretation of the Bill of Rights
- PART II
29. The office of Governor
30. Oaths to be taken by the Governor
31. Functions of the Governor
32. Exercise of the Governor's functions
33. The Governor may act contrary to the advice of the Cabinet
34. The office of Deputy Governor
35. Acting Governor
36. Temporary exercise of certain functions of the Governor
37. Emoluments, personal staff and expenditure of the Governor
38. Powers to dispose of land
39. Powers of pardon, etc.
40. Advisory Committee on the Prerogative of Mercy
41. Public seal
42. Constitution of offices
- PART III
43. Executive authority
44. The Cabinet
45. Meetings of the Cabinet
46. Proceedings in and quorum of the Cabinet
47. Attendance of persons at meetings
48. Cabinet Secretary
49. Appointment of the Premier and other Ministers
50. Functions of the Premier
51. Tenure of office of the Premier
52. Tenure of office of Ministers
53. Performance of functions of Ministers in certain events

54. Allocation of responsibilities to Ministers
55. Special responsibilities of the Governor
56. Attorney General
57. Director of Public Prosecutions
58. National Security Council
- PART IV
59. Composition of the Legislature and power to make laws
60. The Legislative Assembly
61. Qualifications for elected membership of the Legislative Assembly
62. Disqualifications for elected membership
63. Tenure of office of elected members
64. Delay in vacation of seat to allow for an appeal
65. Speaker and Deputy Speaker
66. Determination of questions as to membership of the Legislative Assembly
67. Penalty for sitting or voting in the Legislative Assembly when unqualified
68. Leader of the Opposition
69. Power to provide for a referendum
70. People-initiated referendums
71. Standing Orders and committees
72. Presiding in the Legislative Assembly
73. The Legislative Assembly may transact business notwithstanding vacancies
74. Quorum
75. Voting
76. Summoning of persons to assist the Legislative Assembly
77. Introduction of Bills
78. Assent to Bills
79. Return of Bills by the Governor
80. Disallowance of laws
81. Governor's reserved power
82. Privileges of the Legislative Assembly and its members
83. Sessions of the Legislative Assembly
84. Prorogation and dissolution
85. Recalling dissolved Legislative Assembly
86. General elections and bye-elections
87. Public Accounts Committee
88. Electoral Boundary Commission
89. Review and alteration of electoral district boundaries
90. Qualifications of electors
91. Disqualifications of electors
92. Right to vote at elections
93. Law as to elections
- PART V

#### The Grand Court

94. Constitution and jurisdiction of the Grand Court
95. Composition of the Grand Court
96. Tenure of office of judges of the Grand Court
97. Acting judges of the Grand Court
98. Oaths to be taken by judges of the Grand Court

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### The Court of Appeal

- 99. Constitution and jurisdiction of the Court of Appeal
- 100. Composition of the Court of Appeal
- 101. Tenure of office of judges of the Court of Appeal
- 102. Acting judges of the Court of Appeal
- 103. Oaths to be taken by judges of the Court of Appeal

### Other matters

- 104. Subordinate courts
  - 105. Judicial and Legal Services Commission
  - 106. Functions of Judicial and Legal Services Commission
  - 107. Judicial administration
    - PART VI
  - 108. Overriding duty of public officers
  - 109. Appointment, etc., of public officers
  - 110. Applicability of pensions law
    - PART VII
  - 111. Revenue and Expenditure
  - 112. Reporting
  - 113. Public debt
  - 114. Auditor General
  - 115. Financial Secretary
    - PART VIII
  - 116. Human Rights Commission
  - 117. Commission for Standards in Public Life
  - 118. Constitutional Commission
  - 119. Advisory District Councils
  - 120. Complaints Commissioner
  - 121. Register of Interests
  - 122. Freedom of information
    - PART IX
  - 123. Official language of the Cayman Islands
  - 124. Interpretation
  - 125. Power reserved to Her Majesty
- SCHEDULE TO THE  
CONSTITUTION
- 126. Oath of Allegiance I.....do swear that I will be faithful...
  - 127. Oath for due execution of office I.....do swear that I...
  - 128. Oath for due execution of judicial office I.....do swear that...
  - 129. Affirmations In the forms above respectively set forth, for the...

Explanatory Note