



Hon. Alden McLaughlin Jr., MBE, JP
Premier
Government Administration Building
P.O. Box 102
Grand Cayman, KY1-1106
CAYMAN ISLANDS

Via Email: jana.pouchie-bush@gov.ky; roy.tatum@gov.ky

Hon D. Ezzard Miller, JP, MLA
Leader of the Opposition
P.O. Box 890
Grand Cayman, KY1-1103
CAYMAN ISLANDS

Via Email: ezzard@candw.ky

26 February 2019

Dear Hon. Premier and Hon. Leader of the Opposition,

Re: Constitutional Commission's Responses to Requests for Comments on Potential Revisions to the Cayman Islands Constitution 2009

On 24 May 2018, you kindly extended an invitation to the Chairman of the Constitutional Commission to meet to discuss potential amendments to the Cayman Islands Constitution. Further to that meeting and at your request, the Constitutional Commission produced a report entitled *Constitutional Commission's Responses to Requests from His Excellency the Governor, the Hon. Premier and the Hon. Leader of the Opposition for Comments on Potential Revisions to the Cayman Islands Constitution 2009* and dated 27 June 2018 ("the Constitutional Commission's Report"), which included the Constitutional Commission's proposals and their underlying rationale. Thereafter, the Constitutional Commission has had no further involvement in the process to date.

The Constitutional Commission does, however, understand from press reports that there have been developments in this process, including that:

- i. Constitutional talks were held at the United Kingdom Government's Foreign and Commonwealth Office in December 2018;
- ii. Proposed constitutional changes has been produced in draft form for the purposes of these talks;
- iii. Many of the proposed changes contained in this draft were agreed in the course of the talks; and

- iv. A draft Order in Council was to be prepared in a matter of weeks confirming the matters already agreed in principle.

If the Constitutional Commission is in any way mistaken in respect of the foregoing, it would welcome clarification as to how this process has progressed subsequent to the provision and publication of the Constitutional Commission's Report.

Having been invited to make a contribution to the process, the Constitutional Commission is rightly interested to understand which, if any, of its proposals, were: (a) included in the draft constitutional changes prepared for the constitutional talks; (b) considered in the course of the constitutional talks; and (c) agreed at the constitutional talks.

To this end and in pursuance of its constitutional mandate in section 118(3)(c) of the Constitution to "ppromote understanding and awareness of this Constitution and its values", the Constitutional Commission respectfully requests disclosure of:

- i. The draft constitutional changes prepared for the constitutional talks;
- ii. The record of the constitutional talks; and, as and when available; and
- iii. The draft Order in Council.

The Constitutional Commission looks forward to the information requested, which is central to understanding how prospective revisions to the Cayman Islands Constitution have been developed. The Constitutional Commission also remains available to assist with this or indeed any other constitutional considerations.

Yours sincerely,



Vaughan Carter
Chairman, Constitutional Commission

cc: His Excellency the Governor, Office of the Governor