



Unofficial Consolidated Constitution

The main body of the Constitution is contained in the Cayman Islands Constitution Order 2009 (“the 2009 Constitution”). The 2009 Constitution has now been amended twice; first by the Cayman Islands Constitution (Amendment) Order 2016 (“the 2016 Amendment”); and secondly by the Cayman Islands Constitution (Amendment) Order 2020 (“the 2020 Amendment”).

In the 2016 Amendment:

- the tenure of judges of the Grand Court is extended from the age of 65 to 70;
- the Governor’s power to exercise disciplinary control over the Chief Justice and the President of the Court of Appeal is removed; and
- the power to exercise disciplinary control over magistrates and judges of the Grand Court is transferred from the Governor to the Chief Justice whereas the power to exercise disciplinary control over judges of the Court of Appeal is transferred to the President of the Court of Appeal.

In addition, the 2020 Amendment:

- changes the name of the Legislative Assembly to “Parliament”;
- abolishes the power of the disallowance of laws by the monarch and introduces instead the ability for pre-legislative reviews by UK representatives;
- clarifies where the Cayman Islands Cabinet can independently manage domestic affairs;
- changes the circumstances in which the Governor must consult the Cabinet;
- provides for Parliamentary Secretaries and a Police Service Commission; and
- requires a UK Secretary of State to notify the Premier of proposed Acts of the UK Parliament, or Orders in Council, that would apply directly to the Cayman Islands.

In the absence of an official consolidated version of the current Constitution, the Constitutional Commission has produced an unofficial version, which is for informational purposes only, and is not intended to replace the official documents. It is, however, hoped that the unofficial consolidated version of the Constitution will help to make the Constitution more accessible.

Wherever the 2009 Constitution has been amended in the consolidation to reflect the changes brought about by the 2016 Amendment and the 2020 Amendment, these revisions are highlighted by

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footnotes, which advise whether a provision has been amended, or deleted, or whether it is a new provision entirely. The one exception to this general rule is where the term “Parliament” replaces the references to “Legislative Assembly” and “Assembly” as a result of the 2020 Amendment. In this instance, the consolidation has updated the terminology throughout, with a footnote advising of the same when the new terminology is first used.

The full consolidated Cayman Islands Constitution, which is clearly stated to be “unofficial and for informational purposes only”, may be accessed on the Constitutional Commission’s here.