LEGISLATIVE ASSEMBLY
OF THE CAYMAN ISLANDS

GOVERNMENT MOTION NO. 13/08-09

REFERENDUM ON CONSTITUTIONAL MODERNISATION

WHEREAS the Government announced in December of 2007 that it intended to restart the Constitutional Modernisation process;

AND WHEREAS the Government published its initial proposals for Constitutional Modernisation on 12th January 2008, in two companion documents entitled: "The Cayman Islands Constitution: A Reflection of Who We Are";

AND WHEREAS since the publication by the Government of its initial proposals for Constitutional Modernisation on 12th January 2008, the Constitutional Modernisation Secretariat established by the Government has held and/or facilitated dozens of meetings, public and private, hosted radio talk shows and television call-in shows to promote public feedback and education on the issues involved in Constitutional Modernisation;

AND WHEREAS as a result of the extensive public education and consultation exercise carried out since January 2008 the Government has received and considered public feedback and concerns;

AND WHEREAS on 22nd May 2008 the Government published a new document entitled "Revised Proposals for Constitutional Modernisation";

AND WHEREAS a constitution delegation "the Cayman Islands Constitution Delegation" made up of the Government, the Opposition, the Human Rights Committee, the Chamber of Commerce, the Cayman Ministers Association and the Seventh Day Adventist Cayman Islands Conference held two rounds of talks with the United Kingdom Government in Grand Cayman from 29th September to 2nd October 2008 and from 13th to 16th of January 2009 and a final round at Lancaster House in London in the United Kingdom from 3rd to 5th February 2009;

AND WHEREAS a political agreement was reached between the Cayman Islands Constitution Delegation and the Government of the United Kingdom on the 5th February 2009 and a draft Constitution was received from the United Kingdom Government on 10th February 2009 and laid on the table of the Legislative Assembly on 11th February 2009

AND WHEREAS the Government committed by way of its manifesto during the election campaign leading up to the 2005 General Elections to the holding of a referendum on any proposed changes to the Cayman Islands Constitution;

AND WHEREAS section 29(2) of the Cayman Islands (Constitution) Order 1972 provides that a law may make provisions for the holding of a referendum amongst persons qualified as electors in elections to the Legislative Assembly, on a question declared by resolution, adopted by a majority of the elected members of the Legislative Assembly, to be a matter of national importance and specified in such law;

BE IT NOW THEREFORE RESOLVED THAT the following question be declared to be a matter of national importance:

> "Do you approve the Draft Constitution which was agreed by the Cayman Islands Constitution Delegation and the Government of the United Kingdom on 5th February, 2009 and tabled in the Legislative Assembly of the Cayman Islands on 11th February, 2009?

AND BE IT NOW FURTHER RESOLVED THAT the said question be specified in a Bill and brought by the Government to this Legislative Assembly for debate and disposal in accordance with the provisions of section 29(2) of the Cayman Islands (Constitution) Order 1972.

Moved by: Hon D Kurt Tibbetts, JP, MLA
Leader of Government Business
Minister of District Administration, Planning, Agriculture and Housing

Received in the Office of the Clerk this 20th day of February, 2009.

Passed by the Legislative Assembly this 23rd day of February 2009.

Clerk of the Legislative Assembly