



**14th MEETING OF 2011
31st MEETING OF
THE CONSTITUTIONAL COMMISSION
8th NOVEMBER, 2011
GOVERNMENT ADMINISTRATION BUILDING**

PRESENT: Julene Banks Member
Wil Pineau Member

APOLOGIES: Pastor Al Ebanks Chairman

Secretariat members present:

Deborah Bodden Manager, Commissions Secretariat

1. Call to order

The meeting was called to order at 9:30a.m. and a prayer was offered by Julene Banks.

2. Confirmation of previous minutes

Minutes of the previous minutes were confirmed.

3. Meeting with Government Information Services (GIS) Representative

The meeting with the GIS Representative was postponed to the next meeting due to a conflict in schedules.

4. Outstanding Business

I. District Meeting

The Commission held their final district meeting in Cayman Brac on Thursday, 27 October, 2011 at the Aston Ratty Civic Centre. The Commission wishes to thank the district representative Mr. Moses Kirkconnell for his attendance and participation which was very positive. Overall the Commission feels that there is still confusion around the implementation date of the Constitution and there is more education to be conducted on the document as whole. The Commission agreed that the public meeting format is not the ideal to get a large number of persons out as it was acknowledged that combined less than 100 persons attended the district sessions. As a future event the Commission would continue attending radio talk shows to disseminate information and to promote any future public events that the Commission hosts. Alternative public formats may include presentations to Churches, community/service groups or schools. Other venues could include parks and other areas where the local people gather.

II. Annual Report

The Commissioners are continuing to review the draft version of the Annual Report, which will now incorporate all business of the Commission up until 31 October, 2011. The members will give feedback on the content. Prior to finalisation the Secretariat will update the dates of any other meetings held in 2011 by the Commission.

III. Governance Paper

The Secretariat recently reviewed the paper and made a significant number of changes to the content. The Commission was pleased with these changes but has also asked for a Background section to be introduced into the paper prior to the Introduction section. The Background section is to discuss why the Commission wrote the paper and the process they went through in order to complete the project. Information can be gleaned from the relevant minutes in which the Commission initially discussed the report. The new section should also include which Ministries/Portfolios the Commission received assistance from during the information gathering stage of the paper and that it is hoped that the Cabinet will embrace the information and improve upon it. Once the Background section is added the paper will be sent to the Commission members for input on its content.

Other changes will include moving the current appendix 1 to that of #3 and create a new appendix 1 alphabetising and numbering the list of all boards/committees/etc. A new appendix (#2) will also be created detailing each of the boards/committees/etc. and will identify what type of entity they are i.e. regulatory/monitoring, advisory, executive, or tribunal. This information will be presented in an easy to use table format. Each Chief Officer/Chief Executive Officer will be asked to identify which category each of the boards/committees/etc. fits into and also asked to verify the information in appendix 3.

IV. University College of the Cayman Islands Conference Paper Outline

The draft outline has been approved by the Commission with the addition of inserting a reference to the Bermuda review under Part III and a Part VI – Conclusions and Recommendations. The Secretariat will develop the 250 word abstract due on 31 December, 2011 by the next meeting for approval.

Further, it was agreed that this paper will be the first of two papers that the Commission will create on related topics. The second paper will build on the research offered by the first paper and involve more input from the public to explore the option of independence for the Cayman Islands.

V. Research on Suspension of Notice on Bills

The Secretariat is continuing to research this topic and has gained approval from the Commission to present the information in a table format detailing how many times (since the Constitution came into effect) that there has been a suspension of notice on bills and will include the dates, cases (i.e. the piece of legislation being discussed) and the justification of why each notice was suspended.

VI. Podcasts

The Commission requested that GIS and the Secretariat create a youtube or other account for the podcasts to be uploaded into the website.

VII. Logo

The Secretariat is currently in the process of creating a few simple logo ideas for the Commission to consider. The Secretariat will also enquire as to the logo that had previously been submitted by the Commission after the logo competition last year.

5. Any Other Business

I. Facebook

The Commission has requested the creation of a Facebook page but has agreed it will not be one in which members of the public can post comments as neither the Commission nor the Secretariat has the resources to respond.

II. Meeting with Governor

The Commission met with the Governor on the 28th October, 2011 as planned and discussed the agenda as detailed in the last meeting minutes. The Commission suggested that the interpretation of the terms 'emergency' and 'issues of national importance' is unclear. It also suggested that only an amendment to section 77(2) of the Constitution could allow any discretion regarding minor matters which could not be classified as an emergency. It would be helpful to have a clear definition of what constitutes an emergency.

The Commission was informed by the Governor that the Cabinet Policy Guidelines are still under development and the Commission will follow up on the progress of these guidelines in the future.

The Crown Land Project was questioned by the Governor on how it relates to the Constitution. He felt as though this is a policy issue that should be handled by the appropriate Ministry however the Commission feels it does relate to the Constitution and therefore they will be continuing with the project. The Secretariat has been asked to follow up with the Director of Lands and Survey Ann Kirchman on the Commissions question about the percentage of Crown Land remaining in the Cayman Islands.

The Secretariat has further been asked to write a letter of thanks to the Governor for meeting with the Commission.

6. Action List

The Commission will:

- I. provide input on the Draft Annual Report; and
- II. provide input on the Draft Governance Paper.

The Secretariat will:

- I. include all meeting dates in the Annual Report throughout 2011;
- II. include a background section in the Governance Structure Paper and send back out to members;
- III. send to all Chief Officers the information compiled on their respective boards/committees/etc. for verification and ask them to identify the entity's role;
- IV. develop the 250 word required abstract for the UCCI paper;
- V. continue to conduct research on the issue of the suspension of notice on bills;
- VI. give approval for GIS to create the Commission a youtube account;
- VII. create some logo options for the Commission to consider;
- VIII. create a Facebook page;
- IX. follow up with Lands and Survey; and

X. draft a thank you letter to the Governor.

7. Items to be Discussed at the Next Meeting

- I. Meeting with GIS Chief Information Officer
- II. Draft Annual Report
- III. Feedback on Draft Governance Structure Progress
- IV. UCCI Paper – 250 word abstract due 31st December, 2011
- V. Research on Suspension of Notice on Bills
- VI. Logo Options
- VII. Crown Land Research

8. Next Meeting

The next meeting will take place on the 6th December, 2011 in the Commissions Secretariat conference room.

9. Adjournment

The meeting was adjourned at 10:35am.



Wil Pineau
ACTING CHAIRMAN
CONSTITUTIONAL COMMISSION