

CAYMAN ISLANDS



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STATUTORY INSTRUMENTS

2004 No. 2673

**THE CAYMAN ISLANDS (CONSTITUTION)
(AMENDMENT NO. 2) ORDER 2004**

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2004 No. 2673

CARIBBEAN AND NORTH ATLANTIC TERRITORIES

The Cayman Islands (Constitution) (Amendment No. 2) Order 2004

Made 13th October 2004

Laid before Parliament 25th October 2004

Coming into force 26th October, 2004

At the Court at Buckingham Palace, the 13th day of October 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers conferred upon Her by sections 5 and 7 of the West Indies Act 1962[1] and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:-

Citation, construction and commencement

1. (1) This Order may be cited as the Cayman Islands (Constitution) (Amendment No. 2) Order 2004 and shall be construed as one with the Cayman Islands (Constitution) Order 1972[2] (hereinafter referred to as "the principal Order").

(2) The principal Order and this Order may be cited together as the Cayman Islands (Constitution) Orders 1972 to 2004.

(3) In this Order, "the Constitution" means the Constitution set out in Schedule 2 to the principal Order.

(4) This Order shall come into force on 26th October 2004.

Amendment of section 18 of the Constitution

2. Section 18 of the Constitution is amended by substituting for the final sentence of subsection (2) the following sentence-

" In this subsection the words "other citizenship" do not include British citizenship acquired by virtue of the British Overseas Territories Act 2002."

Modification of section 47 of the Constitution

3. (1) Notwithstanding section 47(2) of the Constitution, the Governor shall dissolve the present Assembly no later than 17th March 2005.

(2) In this section "the present Assembly" means the Assembly as it is constituted on the date of commencement of this Order.

A.K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Constitution of the Cayman Islands so that a British overseas territories citizen who is also a British citizen by virtue of the British Overseas Territories Act 2002 is not disqualified for election to the Legislative Assembly of the Islands. This provision corrects the Cayman Islands (Constitution) (Amendment) Order 2004 (S.I. 2004/2029) in which reference to the British Overseas Territories Act 2002 was inadvertently omitted. This Order also modifies the Constitution of the Cayman Islands to require the Governor to dissolve the current Legislative Assembly no later than 17th March 2005, thus extending the life of the Assembly by a few months following the recent hurricane in the Islands.

Notes:

[1] 1962 c. 19.

[2] S.I. 1972/1101, amended by S.I. 1984/126, 1987/2199, 1992/226, 1993/3143, 2003/1515, 2004/2029.
