

## CAYMAN ISLANDS



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### **THE CADET CORPS LAW, 2003**

**(LAW 32 OF 2003)**



**THE CADET CORPS LAW, 2003**

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CAYMAN ISLANDS

Law 32 of 2003.

I Assent

B. H. Dinwiddy

Governor.

31 December, 2003

**A LAW TO ESTABLISH THE CAYMAN ISLANDS CADET CORPS FOR  
THE PURPOSE OF INSTILLING IN YOUNG PERSONS VALUES OF  
HONESTY, JUSTICE, DISCIPLINE AND SOCIAL RESPONSIBILITY;  
TO MAKE PROVISION FOR THE ORGANISATION, TRAINING AND  
DISCIPLINE OF THE CADET CORPS; AND TO MAKE PROVISION  
FOR INCIDENTAL AND RELATED MATTERS**

ENACTED by the Legislature of the Cayman Islands.

**PART I - INTRODUCTORY**

1. (1) This Law may be cited as the Cadet Corps Law, 2003.

Short title and  
commencement

(2) This Law shall come into force on such date as may be appointed by order made by the Governor in Cabinet and different dates may be appointed for different provisions of this Law.

2. In this Law -

Interpretation

“authorised officer” means –

- (a) a commissioned officer (other than a honorary commissioned officer); or
- (b) a non-commissioned officer;

“cadet” means a pupil enrolled in the Cadet Corps pursuant to section 33;

“Cadet Corps” means the Cayman Islands Cadet Corps established under section 3;

“child of the family” includes any child under the age of eighteen years who is the child, adopted or otherwise, of either party of a marriage or who has been brought up in the matrimonial home of such parties as a member of their family;

“Commandant” means the person appointed as Commandant of the Cadet Corps by the Governor under section 3(2);

Part A of First Schedule “commissioned officer” means a person granted a commission by the Governor under section 7(1)(a) and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part A of the First Schedule;

“Committee” means the Cadet Corps Committee established under section 27;

Part A of First Schedule “honorary commissioned officer” means a person granted a commission by the Governor under section 7(1)(b) and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part A of the First Schedule;

“identity card” means a card issued to an authorised officer pursuant to section 14;

“member of the Cadet Corps” means –

- (a) a commissioned officer;
- (b) an honorary commissioned officer;
- (c) a non-commissioned officer;
- (d) an officer of the Cadet Corps appointed under section 11;
- (e) a volunteer approved by the Governor pursuant to section 13; or
- (f) a cadet;

“Minister” means the member of the Cabinet for the time being charged with responsibility for education;

Part B of First Schedule “non-commissioned officer” means a person appointed by the Commandant under section 8 and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part B of the First Schedule;

“police officer” means a member of the Police Force;

“Police Force” means the Royal Cayman Islands Police Force;

“principal”, “pupil” and “school” have the respective meanings given to those expressions in section 2 of the Education Law (1999 Revision);

1999 Revision

“public officer” has the meaning assigned to it by section 50(1) of the Constitution;

“rank” means a rank prescribed in Part A or Part B of the First Schedule; and

First Schedule

“Unit” includes any headquarters, company or other body of the Cadet Corps formed under section 4.

## **PART II – CONSTITUTION AND ADMINISTRATION OF THE CAYMAN ISLANDS CADET CORPS**

3. (1) There is established a Cadet Training Corps called the Cayman Islands Cadet Corps.

Establishment of  
Cayman Islands Cadet  
Corps

(2) The Cadet Corps shall be under the command of a Commandant appointed by the Governor.

4. (1) The Cadet Corps shall consist of the Commandant and such other ranks as may be prescribed in Part A or Part B of the First Schedule.

Constitution of the  
Cadet Corps  
First Schedule

(2) The Cadet Corps shall consist of such Units as the Governor may, in his discretion, think fit to be formed, and the Units shall be styled by such designations as may be prescribed by regulations made under section 37.

(3) The Governor in Cabinet may, by notice amend the First Schedule.

First Schedule

5. (1) The functions of the Cadet Corps include the following -

Functions of the Cadet  
Corps

- (a) to provide a formal, well-regulated and highly disciplined organisation operating within all sectors of the school and youth communities in the Islands;
- (b) to attract as cadets, significant numbers of young people between the ages of eleven and nineteen;
- (c) to instil in cadets, spiritual, moral, national and humane values of honesty, justice, discipline and social responsibility;
- (d) to maximise in cadets, self-respect, self-confidence, self-reliance, self-discipline and loyalty;
- (e) to encourage in cadets, powers of leadership and the ability to work as team members;

- (f) to provide for cadets progressive training of a challenging and exciting nature in order to foster alertness, physical and mental endurance, and camaraderie;
- (g) to provide for cadets, military-style discipline, skills, achievements and values; and
- (h) to establish the highest possible standards in all areas of operation of the Cadet Corps.

(2) Notwithstanding the provisions of any Law, members of the Cadet Corps shall be entitled, in the performance of the Cadet Corps' functions, to carry arms, but no arms shall be carried except with the authority of the Commandant given under and in accordance with the general or special directions of the Governor in Cabinet.

Administration

6. (1) The day to day administration of the Cadet Corps throughout the Islands is vested in the Commandant.

(2) Subject to subsection (1), the control of authorised officers in any place shall be vested in such authorised officers as may be appointed by the Commandant to be in charge thereof.

(3) The Commandant shall render his services exclusively to the Cadet Corps and shall be answerable to the Minister for his acts and decisions.

### **PART III - APPOINTMENTS, ENLISTMENTS, SERVICE AND DISCHARGE**

Grant of commission in the Cadet Corps

7. (1) The Governor shall in his discretion, by commission under his hand appoint fit and proper persons -

- (a) to be commissioned officers of the Cadet Corps; and
- (b) to be honorary commissioned officers of the Cadet Corps,

upon such terms and conditions as may be agreed in each case.

Part A of First Schedule

(2) Commissioned officers shall hold such rank specified in Part A of the First Schedule as the Governor may from time to time think proper, and every commission granted under subsection (1), shall be published in the Gazette.

Second Schedule

(3) A commission granted under subsection (1) shall be issued in the form set out in the Second Schedule.

(4) A person upon whom is conferred an honorary rank under subsection (1)(b) is not entitled to any pay, allowance, retirement pay, pension, gratuity or other benefits relating to the rank.



(5) No commissioned officer may be promoted without the approval of the Governor.

8. (1) Non-commissioned officers shall be appointed by the Commandant to hold office for a period of three years subject to such other terms and conditions as are provided by this Law, the regulations and standing orders made by the Commandant under section 15(1)(b).

Appointments

(2) The appointment of a non-commissioned officer may be renewed from time to time.

9. Non-commissioned officers shall be enlisted in the Cadet Corps for a period of two years on probation and shall, on the conclusion of such probationary period to the satisfaction of the Commandant, be confirmed by the Commandant in their appointments.

Enlistments

10. (1) Police officers may be seconded to the Cadet Corps but police officers so seconded shall remain under the authority of the Commissioner of Police for disciplinary purposes.

Secondment to the Cadet Corps

(2) The Governor may, subject to such conditions as he may impose, approve of the appointment of any public officer in the service of Government by way of secondment to any office with the Cadet Corps, and any public officer so appointed shall, in relation to discipline, salary, pension, gratuity or other allowance and to other rights and obligations as a public officer, be treated as continuing in the service of Government.

11. The Governor may, in his discretion, appoint as officers of the Cadet Corps, persons from outside the Islands upon such contractual terms as may to him appear expedient.

Special contracts of appointment

12. The Commandant may, with the approval of the Governor acting in his discretion, appoint from among the authorised officers of the Cadet Corps such clerks, store-keepers and other employees as may be necessary.

Clerks, store-keepers and other employees

13. There shall be such number of Cadet Corps volunteers, including commissioned officers and non-commissioned officers, as the Governor acting in his discretion may from time to time approve.

Volunteers

14. An identity card in the form prescribed in the Third Schedule signed by the Commandant, shall be issued to every authorised officer and shall be evidence of such officer's appointment.

Identity card  
Third Schedule

**PART IV – POWERS, DUTIES AND PRIVILEGES OF MEMBERS OF  
THE CADET CORPS**

General powers of  
Commandant

15. (1) Subject to this Law, the Commandant shall have the command, superintendence and direction of the Cadet Corps and may -

- (a) make such appointments and promotions in respect of non-commissioned officers as he may see fit;
- (b) from time to time make standing orders for the general government of members of the Cadet Corps in relation to their control, recruitment, enlistment, enrolment, testing, grading, disciplining, discharge, training, arms, clothing, equipment and other appointments, and particular services as well as their distribution and inspection, and such other orders as he may deem expedient for preventing neglect and for promoting efficiency and discipline; and
- (c) issue a handbook, a code of practice or such other guidelines as he may see fit, for the guidance, government and regulation of members of the Cadet Corps.

(2) The Commandant may delegate his powers to any authorised officer, but the Commandant shall not delegate his power to hear any appeal relating to an offence against discipline or to impose upon a member of the Cadet Corps any punishment which includes reduction in rank or dismissal.

(3) The powers of the Commandant are exercisable subject to this Law and subject to the exclusion of any officer seconded from the public service.

Command of authorised  
officers

16. Authorised officers shall carry out and conform to the lawful commands of the Commandant and perform the sundry duties assigned to them under this Law and do other lawful things as may be necessary for the enforcement thereof.

Political activities

17. (1) Authorised officers may be employed upon a full or part-time basis.

(2) No authorised officer (other than a volunteer) shall -

- (a) engage in any trade, business, employment or office whatsoever, or take part in any commercial undertaking outside the scope of his duties under this Law, except with the authority of the Commandant; or
- (b) take any part in any political organisation or electoral campaign within or outside the Islands or engage in any other activity which might tend to interfere with the impartial discharge of his duties.

18. An authorised officer may resign from the Cadet Corps at any time giving to the Commandant in writing not less than three months' notice of his intention so to do; and the Commandant may, in any particular case, waive or curtail the period of notice.

Resignations

19. (1) The Governor may, in his discretion, discharge from the Cadet Corps any authorised officer if the Governor is advised by the Commandant that such officer is unlikely to become efficient in the discharge of his duties; but no authorised officer shall be discharged under this section unless the Governor has given him one month's notice of the intention to discharge him or, alternatively, one month's pay in lieu of such notice.

Discharge

(2) An authorised officer may at any time during the currency of his term of engagement -

- (a) be discharged, when he has -
  - (i) been pronounced by the Chief Medical Officer to be physically or mentally unfit for further service; or
  - (ii) in the opinion of the Commandant, ceased to be efficient in the discharge of his duties; or
- (b) be dismissed by order of the Commandant or the Governor, in his discretion, if in the opinion of the Commandant or the Governor, as the case may be, the retention of his services would be contrary to the public interest.

20. (1) A person ceasing to be a commissioned officer or a non-commissioned officer shall forthwith deliver up to a person appointed by the Commandant for that purpose or to the officer in charge at the place at which he was last stationed, his commission, identity card, and all arms, equipment, uniform and other appointments which have been supplied to him which are the property of the Cadet Corps.

Officer ceasing to belong to Cadet Corps to hand over public property in his charge

(2) A commissioned officer or a non-commissioned officer who, having ceased to belong to the Cadet Corps, fails without good cause to comply with subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months, and to pay the value of the property not delivered up, which value may be ascertained by a summary court and recovered in the same manner as a fine or deducted in whole or in part from any credit due to the ex-officer.

21. (1) An authorised officer who has attained the age of fifty-five years, shall be retired without prejudice to his being accepted for such further period or periods of service as may be fixed by contract.

Retirement and pensions

(2) An authorised officer who has served for twenty-one years in the Cadet Corps may retire on pension without prejudice to his being accepted for such further period or periods of service as may be fixed by contract.

(3) The Governor acting in his discretion, upon the recommendation of the Commandant, may call upon any authorised officer who has attained the age of fifty to retire.

1999 Revision

(4) The Pensions Law (1999 Revision) shall, subject to this Law, apply to all authorised officers save such as are employed upon contractual terms applicable to the individual officer which provide for or specifically exclude pension rights.

Medical privileges

22. Authorised officers, their wives and those children of their family who have not attained the age of eighteen years and are unmarried, are entitled to such free medical, dental and optical treatment as may be applicable to the public service from time to time.

Special pensions in the event of death or incapacity attributable to performance of duty

23. (1) Where a commissioned officer dies within seven years as a result of injuries received-

- (a) in the actual discharge of his duty and without his own default; or
- (b) in circumstances specifically attributable to the nature of his duty in the Cadet Corps,

it shall be lawful for the Governor in his discretion to grant out of funds made available by the Legislative Assembly to his widow while she remains unmarried, and to such of the children of his family as have not attained the age of eighteen years or married, such pension in addition to any pension due under the Pensions Law (1999 Revision) not exceeding one-half of the deceased officer's pay at the time of his death, as the Governor may determine, such pension to be paid to, or on account of the widow and children, in such proportions as the Governor shall from time to time decide.

1999 Revision

(2) Where an authorised officer is permanently incapacitated as a result of injuries received in the circumstances set forth in subsection (1) it shall be lawful for the Governor, in his discretion, to grant to him, having regard to the degree of his permanent incapacity such pension in addition to any pension due under the Pensions Law (1999 Revision) not exceeding three-quarters of his pay at the time of his becoming incapacitated as the Governor shall from time to time decide.

1999 Revision

Authorised officers' funeral expenses

24. When an authorised officer dies in the execution of his duty his funeral expenses shall be paid out of public funds.

25. Any authorised officer may, without an order from a Justice of the Peace and without a warrant, arrest any person - Powers of arrest

- (a) who obstructs an authorised officer in the execution of his duty;
- (b) whom he suspects on reasonable grounds of having unlawfully in his possession any drug or narcotic; or
- (c) of loose, idle or disorderly character whom he shall find in any way disturbing the peace or causing public annoyance.

26. An authorised officer arresting any person without a warrant shall without unnecessary delay deliver over the person so arrested to a police officer or, in the absence of a police officer, shall take the person to the nearest police station and the provisions of the Police Law (1995 Revision) shall apply. Detention of persons arrested without warrant  
1995 Revision

## **PART V – CADET CORPS COMMITTEE**

27. There is established a committee to be known as the Cadet Corps Committee for the purpose of – Establishment of Cadet Corps Committee

- (a) advising the Minister on matters of policy relating to the Cadet Corps;
- (b) advising the Commandant on such matters as are referred to the Committee by the Minister or by the Commandant;
- (c) making recommendations with respect to appointment to, and withdrawal, of commissions;
- (d) making recommendations with respect to promotions; and
- (e) advising the Minister on the establishment of new Units and the regulation of the strength of established Units.

28. (1) The Committee shall consist of the following members appointed by the Governor in Cabinet - Composition of Committee

- (a) the Commandant by virtue of his office;
- (b) the officer serving as Training Officer of the Cadet Corps by virtue of his office;
- (c) a public officer recommended by the Minister; and
- (d) two other members recommended by the Minister.

(2) The Governor in Cabinet shall appoint, from among the members of the Committee, a Chairman and a Vice Chairman.

29. The term of office of the Committee shall be three years, except that the Chairman shall vacate his office at the end of three years from his appointment as Chairman. Term of office of Committee

Meetings of Committee	<p>30. (1) The Committee shall hold quarterly meetings in each year and may adjourn such meetings from time to time but the Committee may hold more frequent meetings at such times as it thinks fit for the purpose of dealing with any of the matters referred to it.</p> <p>(2) A quorum of the Committee shall be three members and, at any meeting thereof, in the absence of the Chairman and Vice Chairman a member shall be elected to act as chairman of the meeting.</p> <p>(3) The Committee shall have power to regulate its own procedure.</p>
Report of Committee	<p>31. The Committee shall make an annual report on its proceedings to the Minister.</p>
Secretary to the Committee	<p>32. The person serving as clerical officer in the Cadet Corps shall be the Secretary to the Committee and shall under the supervision of the Chairman prepare agenda, record minutes and deal with any other matters of a secretarial nature, but shall have no vote in the Committee.</p>

## **PART VI – CADETS**

Enrolment in Cadet Corps	<p>33. (1) Any pupil of a school for which a Unit has been established may apply to be enrolled in the Cadet Corps.</p> <p>(2) Such a pupil shall be enrolled in the Cadet Corps if -</p> <ul style="list-style-type: none"><li>(a) a Unit has been established for the school which he is attending;</li><li>(b) he is not less than eleven years and not more than nineteen years old; and</li><li>(c) he has the permission of his parent or guardian to become a cadet and is recommended as such by the principal of the school to which he belongs.</li></ul> <p>(3) Notwithstanding subsection (2), a pupil above the age of sixteen years may become a cadet only if he is specially approved by the Commandant and a cadet who has attained the age of nineteen years may remain a cadet only until the expiration of the year of his nineteenth birthday.</p>
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## **PART VII - MISCELLANEOUS**

Immunity	<p>34. Neither the Cadet Corps, the Cadet Corps Committee, the Commandant, nor any other member of the Cadet Corps, shall be liable in damages for anything done or omitted in the discharge or purported discharge of their respective</p>
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functions or duties under this Law unless it is shown that the act or omission was in bad faith or constituted wilful misconduct or negligence.

35. A person who -

Failure to obey a lawful order of an authorised officer

- (a) opposes or disobeys any lawful order given by a authorised officer in the execution of his duty; or
- (b) having been asked by a authorised officer in the execution of his duty to give his name and address, refuses so to do or gives a false name or address,

is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months.

36. (1) A person other than -

Cadet Corps uniform not to be worn without authority

- (a) a commissioned officer;
- (b) an honorary commissioned officer;
- (c) a non-commissioned officer; or
- (d) a cadet,

who, without the permission of the Commandant, wears any uniform of the Cadet Corps, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months.

(2) Subsection (1) does not apply to a person who wears a uniform or dress in the course of a stage play performed in a place duly authorised for the public performance of stage plays.

37. (1) The Governor in Cabinet may make regulations for the better carrying out of this Law.

Regulations

(2) Regulations made under this section may, without prejudice to the generality of the provisions of subsection (1), provide -

- (a) for the discipline and training of members of the Cadet Corps;
- (b) subject to this Law, for the enlistment, enrolment, rank, precedence, appointment, promotion and command, between themselves, of members of the Cadet Corps;
- (c) for the uniforms, insignia and badges to be worn by members of the Cadet Corps;
- (d) for the colours and awards of the Cadet Corps; and
- (e) for the constitution, organisation and strength of the Cadet Corps.

Savings and transitional  
provisions

38. (1) On the coming into force of this section, all property, rights and liabilities to which the former Cadet Corps was entitled shall vest in the new Cadet Corps.

(2) Every matter which has been partly dealt with by the former Committee when this section comes into force, is to be continued and dealt with under this Law by the new Committee and the provisions of this Law are to apply accordingly.

(3) In this section -

“former Cadet Corps” means the body which, immediately before the coming into force of this section, acted as the cadet corps of the Islands;

“former Committee” means the body appointed, immediately before the coming into force of this section, to act as an advisory committee to the former Cadet Corps;

“new Cadet Corps” means the Cadet Training Corps established under section 3; and

“new Committee” means the committee established under section 27.

#### FIRST SCHEDULE

(Sections 2, 4 and 7(2))

#### RANKS OF OFFICERS OF THE CADET CORPS

##### PART A

##### Commissioned Officers

Colonel  
Lieutenant Colonel  
Major  
Captain  
Lieutenant  
Second Lieutenant



PART B

Non-Commissioned Officers

Warrant Officer, Class 1 (WO1)

Warrant Officer, Class 2 (WO2)

Staff Sergeant

Sergeant

Corporal

Lance Corporal

**SECOND SCHEDULE** (Section 7(3))

COMMISSION CONFERRING RANK UPON AN OFFICER OF THE CADET  
CORPS

To.....Greetings:

Reposing especial trust and confidence in your loyalty, courage and good conduct, I do by these presents constitute and appoint you to be an officer in the Cayman Islands Cadet Corps from the                      day of  
, 2003.

You are therefore carefully and diligently to discharge your duty as such in the rank of                      or in such higher rank as you may from time to time hereafter be promoted or appointed to, of which a notification will be made in the Gazette, and you are at all times to exercise and well discipline in arms such officers and members of the Cayman Islands Cadet Corps serving under you and use our best endeavour to keep them in good order and discipline.

And I do hereby command them to obey you as their Superior Officer, and you to observe and follow such orders and directions as from time to time you shall receive from me, or any other, your Superior Officer, in pursuance of the trust hereby reposed in you.

Given at George Town, Cayman Islands, the      day of                      , 2003.

Governor

**THIRD SCHEDULE**

(Section 14)

**IDENTITY CARD**

The following is the form of identity card required to be prescribed by section 14 -

**CAYMAN ISLANDS CADET CORPS**

This is to certify that \_\_\_\_\_  
Rank \_\_\_\_\_  
No. \_\_\_\_\_ whose photograph is attached is a duly attested  
member of the Cayman Islands Cadet Corps.

Members of the Cayman Islands Cadet Corps and members of the general public  
are requested to give him any assistance he may require in the performance of his  
duties.

\_\_\_\_\_  
Commandant of the Cayman Islands Cadet Corps

PHOTO	Signature	Right Thumb Impression
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Passed by the Legislative Assembly the 10<sup>th</sup> day of December, 2003.

LINFORD A. PIERSON

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.