

CAYMAN ISLANDS



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THE COMPLAINTS COMMISSIONER (AMENDMENT) LAW, 2017

(LAW 26 OF 2017)

THE COMPLAINTS COMMISSIONER (AMENDMENT) LAW, 2017

ARRANGEMENT OF SECTIONS

1. Short title and commencement
2. Amendment of section 1 of the Complaints Commissioner Law (2014 Revision) - short title
3. Amendment of section 2 - definitions
4. Repeal of sections 3 to 7 - appointment of Commissioner; oath of office; salary and emoluments; administrative provisions; appointment of acting Commissioner
5. Repeal of Schedule 1 - oath for the due execution of the office of Commissioner
6. Amendment of miscellaneous provisions - substitution of the word “Ombudsman” for the word “Commissioner”
7. Abolition of post of Complaints Commissioner; transitional provisions

CAYMAN ISLANDS

Law 26 of 2017.

I Assent

Franz Manderson

Acting Governor.

25th April, 2017

A LAW TO AMEND THE COMPLAINTS COMMISSIONER LAW (2014 REVISION) AS A CONSEQUENCE OF THE CONSTITUTION OF THE OFFICE OF OMBUDSMAN; TO ABOLISH THE OFFICE OF COMPLAINTS COMMISSIONER AND TRANSFER THE COMPLAINTS COMMISSIONER'S POWERS AND RESPONSIBILITIES TO THE OMBUDSMAN; AND TO MAKE PROVISION FOR INCIDENTAL AND CONNECTED MATTERS

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Complaints Commissioner (Amendment) Law, 2017. Short title and commencement

- (2) This Law comes into force immediately after the coming into force of the Ombudsman Law, 2017. Law 23 of 2017

2. The Complaints Commissioner Law (2014 Revision), in this Law referred to as the “principal Law”, is amended in section 1 by deleting the word “Commissioner” and substituting “(Maladministration)”. Amendment of section 1 of the Complaints Commissioner Law (2014 Revision) - short title

3. The principal Law is amended in section 2 as follows - Amendment of section 2 - definitions
 - (a) by deleting the respective definitions of the words “Commissioner” and “qualified person”; and

- (b) by inserting, after the definition of the word “maladministration”, the following definition -

“ “Ombudsman” means the person appointed by the Governor under section 3 of the Ombudsman Law, 2017;”.

Repeal of sections 3 to 7 - appointment of Commissioner; oath of office; salary and emoluments; administrative provisions; appointment of acting Commissioner

4. The principal Law is amended by repealing sections 3, 4, 5, 6 and 7.

Repeal of Schedule 1 - oath for the due execution of the office of Commissioner

5. The principal Law is amended by repealing Schedule 1.

Amendment of miscellaneous provisions - substitution of the word “Ombudsman” for the word “Commissioner”

6. The principal Law is amended in sections 8, 10 to 22 and 24 by deleting the word “Commissioner” wherever it appears and substituting the word “Ombudsman”.

Abolition of post of Complaints Commissioner; transitional provisions

7. (1) On the operative date, the post of Complaints Commissioner is abolished and the assets, liabilities, property and contracts of the office of the Complaints Commissioner, together with all functions and powers required to ensure the effectiveness and continuity of regulation, are transferred to the Ombudsman.

(2) Every matter commenced under the former Law and partly dealt with by the Complaints Commissioner on the operative date, is to be continued and dealt with in all respects under the new Law and the provisions of the new Law are to apply accordingly.

(3) Regulations which relate to the functions or powers of the Complaints Commissioner and which are in force on the day preceding the operative date, shall continue to apply to the Ombudsman on and after the operative date, with all necessary changes being made, as if made under the new Law.

(4) On and after the operative date, a reference to the Complaints Commissioner in any other Law or in any document shall be read and construed as a reference to the Ombudsman.

(5) All things lawfully made or done under the former Law shall continue in force on and after the operative date and shall be deemed to have been made or done under the new Law.

(6) In this section -

“Complaints Commissioner” means the person appointed as such under section 3 of the former Law;

“former Law” means the principal Law in force immediately before the date of commencement of this Law;

“new Law” means the principal Law as amended by this Law;

“Ombudsman” means the person appointed by the Governor under section 3 of the Ombudsman Law, 2017; and

Law 23 of 2017

“operative date” means the date of commencement of this Law.

Passed by the Legislative Assembly the 27th day of March, 2017.

Juliana O’Connor-Connolly

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.