

CAYMAN ISLANDS



Supplement No. 1 published with Gazette No. 20 dated  
2 October, 2006.

**THE PUBLIC SERVICE MANAGEMENT (AMENDMENT) LAW, 2006**

**(LAW 19 OF 2006)**

**THE PUBLIC SERVICE MANAGEMENT (AMENDMENT) LAW, 2006**

**ARRANGEMENT OF SECTIONS**

1. Short title and commencement.
2. Amendment of section 1- short title and commencement.
3. Amendment of section 26 - procedure for appointing chief officers of ministries and portfolios.
4. Amendment of section 41 - procedures and requirements for appointment.
5. Amendment of section 54 - right of appeal to Civil Service Appeals Commission.
6. Insertion of section 59A - determination of appeals by Civil Service Appeals Commission.

CAYMAN ISLANDS

Law 19 of 2006.

I Assent

Stuart Jack

Governor.

Date: 20 September, 2006

**A LAW TO AMEND THE PUBLIC SERVICE MANAGEMENT LAW,  
2006 TO CHANGE THE COMMENCEMENT DATE OF PROVISIONS  
OF THAT LAW; TO ALLOW FOR THE TRANSFER OF CHIEF  
OFFICERS BY THE HEAD OF THE CIVIL SERVICE; TO ALLOW THE  
TRANSFER OF STAFF MEMBERS OF A CIVIL SERVICE ENTITY BY  
THE CHIEF OFFICER OF THE CIVIL SERVICE ENTITY  
CONCERNED; 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 Public Service Management (Amendment) Law, 2006.

Short title and  
commencement

(2) Section 2 of this Law shall be deemed to have come into force on 1<sup>st</sup> July, 2006, thus the provisions of the principal Law which were due to come into force on that day shall be deemed never to have come into force.

(3) For the avoidance of doubt, it is declared that the amendments in this Law, other than those contained in section 2, shall come into force on such date as the relevant provisions of the principal Law come into force.

2. The Public Service Management Law, 2005, in this Law referred to as the “principal Law”, is amended in section 1-

Amendment of section 1  
-short title and  
commencement

Law 27 of 2005

- (a) by deleting the date “1<sup>st</sup> July, 2006” and substituting the date “1<sup>st</sup> January, 2007”; and
- (b) by deleting the date “1<sup>st</sup> July, 2007” and substituting the date “1<sup>st</sup> July, 2009”.

Amendment of section  
26 - procedure for  
appointing chief officers  
of ministries and  
portfolios

3. The principal Law is amended in section 26 by inserting after subsection (4) the following-

“(4A) In this section, “chief officer on transfer” means the chief officer who is being considered for transfer.

(4B) The Head of the Civil Service may transfer a chief officer of a ministry or portfolio to another position in the civil service where, in the opinion of the Head of the Civil Service, it is in the public interest to do so.

(4C) Before effecting a transfer under subsection (4B), the Head of the Civil Service-

- (a) shall consult with the Minister or Official Member responsible for the ministry or portfolio for which the chief officer on transfer is working; and
- (b) shall, where the chief officer on transfer is to occupy a position other than that of chief officer, consult with the chief officer of the ministry or portfolio to which the chief officer on transfer is to be transferred.

(4D) Where the chief officer on transfer is to occupy the position of chief officer in another ministry or portfolio, the Head of the Civil Service shall, before effecting the transfer, consult the Minister or Official Member responsible for that ministry or portfolio.”.

Amendment of section  
41 - procedures and  
requirements for  
appointment

4. The principal Law is amended in section 41 by inserting after subsection (12) the following -

“(12A) An appointing officer may in special circumstances with the prior written permission of the Head of the Civil Service appoint a staff member to a position within the civil service entity without applying subsections (2) to (9) but the appointment shall substantively and procedurally comply with personnel regulations.

(12B) An appointing officer may with the prior permission of the Head of the Civil Service transfer a staff member to a position in the same remuneration band in the civil service entity without applying subsections (2) to (9) but the transfer shall substantively and procedurally comply with the personnel regulations.”.

5. The principal Law is amended in section 54 (1) by deleting the words “this Part” and substituting the words “this Part (other than a decision made under section 45 and 46)”.

Amendment of section 54 - right of appeal to Civil Service Appeals Commission

6. The principal Law is amended by inserting the following section:

Insertion of section 59A - determination of Appeals by Civil Service Appeals Commission

“Determination of appeals by Civil Service Appeals Commission

59A. On the appeal of any decision, the Civil Service Appeals Commission may make such determination as it considers appropriate and may, without limiting the generality of this power, grant monetary relief and make interim orders.”.

Passed by the Legislative Assembly the 31<sup>st</sup> day of July, 2006.

Edna Moyle

Speaker.

Sharon Smith

Acting Clerk of the Legislative Assembly.