

CAYMAN ISLANDS



Supplement No. 5 published with Extraordinary  
Gazette No. 35 dated 26<sup>th</sup> April, 2017.

**THE PUBLIC SERVICE MANAGEMENT (AMENDMENT) LAW, 2017**

**(LAW 25 OF 2017)**

**THE PUBLIC SERVICE MANAGEMENT (AMENDMENT) LAW, 2017**

**ARRANGEMENT OF SECTIONS**

1. Short title and commencement
2. Amendment of section 2 of the Public Service Management Law (2013 Revision) - definitions and interpretation
3. Amendment of section 6 - personnel authorities of Governor
4. Repeal of sections 37A and 38A - remuneration and terms and conditions of Information Commissioner; term of office and removal of Information Commissioner
5. Amendment of miscellaneous provisions - substitution of the word “Ombudsman” for the words “Complaints Commissioner”
6. Transitional provisions

CAYMAN ISLANDS

Law 25 of 2017.

I Assent

Franz Manderson

Acting Governor.

25<sup>th</sup> April, 2017

**A LAW TO AMEND THE PUBLIC SERVICE MANAGEMENT LAW  
(2013 REVISION) AS A CONSEQUENCE OF THE ABOLITION OF THE  
OFFICES OF COMPLAINTS COMMISSIONER AND INFORMATION  
COMMISSIONER AND THE CONSTITUTION OF THE OFFICE OF  
OMBUDSMAN; AND TO MAKE PROVISION FOR INCIDENTAL AND  
CONNECTED MATTERS**

1. (1) This Law may be cited as the Public Service Management (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 Public Service Management Law (2013 Revision), in this Law referred to as the “principal Law”, is amended in section 2(1) as follows - Amendment of section 2 of the Public Service Management Law (2013 Revision) - definitions and interpretation
- (a) in paragraph (a) of the definition of the words “appointing officers” -
    - (i) by deleting the words “the Complaints Commissioner” and substituting the words “the Ombudsman”; and
    - (ii) by deleting the words “the Information Commissioner,”;
  - (b) by repealing paragraphs (f) and (g) of the definition of the words “chief officer” and substituting the following paragraph -

“(f) in the case of the Office of the Ombudsman - the Ombudsman;”;

- (c) in the definition of the words “civil service entity” by deleting the words “and the Judicial Administration or the Office of the Complaints Commissioner” and substituting the words “or the Judicial Administration”;
- (d) by deleting the definition of the words “Complaints Commissioner”; and
- (e) by inserting, after the definition of the words “Official Member”, the following definition -

“ “Ombudsman” means the Ombudsman appointed under section 120(2) of the Constitution;”.

Amendment of section 6 - personnel authorities of Governor

3. The principal Law is amended in section 6 as follows -

- (a) in subsection (7) by deleting the words “Complaints Commissioner” and substituting the word “Ombudsman”; and
- (b) by repealing subsection (8B).

Repeal of sections 37A and 38A - remuneration and terms and conditions of Information Commissioner; term of office and removal of Information Commissioner

4. The principal Law is amended by repealing sections 37A and 38A.

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

5. The principal Law is amended by deleting the words “Complaints Commissioner” wherever they appear in sections 18(f), 24(i), 36, 37 and 38 and substituting the word “Ombudsman”.

Transitional provisions

6. (1) Every matter commenced under the former Law and partly dealt with by or in relation to the Complaints Commissioner or the Information 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.

(2) Regulations which relate to the functions or powers of the Complaints Commissioner or the Information 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.

(3) 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.

(4) In this section -

“Complaints Commissioner” has the meaning assigned under section 2(1) 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; and

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

Passed by the Legislative Assembly the 27<sup>th</sup> day of March, 2017.

Juliana O’Connor-Connolly

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.