

CAYMAN ISLANDS



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**A BILL FOR A LAW TO PROVIDE FOR THE GRANTING OF AWARDS
BY THE PREMIER; AND TO PROVIDE FOR INCIDENTAL AND
CONNECTED PURPOSES**

THE NATIONAL HONOURS AND AWARDS BILL, 2010

MEMORANDUM OF OBJECTS AND REASONS

This Bill provides for the granting of awards by the Premier to persons who have rendered distinguished and meritorious service to the Islands.

Clause 1 provides the short title and commencement.

Clause 2 contains the definitions.

Clause 3 makes provision for the establishment of the Order of the Cayman Islands as a society of honour comprising living holders of awards and with the Premier as the Chancellor. Clause 3 also provides for three grades of awards, namely, the Medal of Honour which may be granted to any person who has rendered eminent service of national importance to the Islands or who has performed an outstanding, brave or humane act to a national of the Islands or other country; the Medal of Merit which may be granted in classes of gold or silver to any person who has performed long and meritorious service in the arts, sciences, literature or other fields to the Cayman Islands; and the Long Service Award which may be granted to any person who has served diligently and has been of exemplary conduct for a period of twenty years in the public service except a police officer, a special constable, a prison officer or an officer of the Fire Brigade.

Clause 4 makes provision for the establishment of the National Honours and Awards Committee as an advisory committee comprising five persons of integrity and high national standing appointed by the Premier after consultation with the Leader of the Opposition.

Clause 5 sets out the duties of the Committee which include the consideration of nominations, the compilation of separate lists in respect of each grade of award and the submission of those lists to the Premier and advising the Premier with regard to matters concerning the Order that are referred by the Premier to the Committee for consideration.

Clause 6 provides for nominations of residents for awards to be submitted to the Committee for its consideration.

Clause 7 makes provision for the grant of awards by the Premier, having regard to the recommendations of the Committee, to appropriate persons who have rendered distinguished and meritorious service to the Islands or who are

otherwise deemed worthy of such awards. Provision is also made in clause 7 for an award to be granted posthumously.

Clause 8 provides for the placing of prescribed letters after the name of the person receiving the award in recognition of the award, and for the use of certificates and the wearing of medals or insignia supplied in relation to an award. Clause 8 also creates an offence where a certificate is used or a medal or insignia is worn without lawful authority.

Clause 9 preserves the right of Her Majesty, the Governor in Cabinet or the Governor to grant honours and awards and specifies that an award granted by the Premier shall not supersede any award granted by Her Majesty.

Clause 10 contains the general power of the Governor in Cabinet to make regulations.

THE NATIONAL HONOURS AND AWARDS BILL, 2010

ARRANGEMENT OF CLAUSES

1. Short title and commencement
2. Interpretation
3. Order of the Cayman Islands
4. National Honours and Awards Committee
5. Duties of Committee
6. Nomination
7. Grant of award
8. Use of certificates and wearing of medals and insignia
9. Preservation of rights to honour and award
10. Regulations

SCHEDULE

CAYMAN ISLANDS

**A BILL FOR A LAW TO PROVIDE FOR THE GRANTING OF AWARDS
BY THE PREMIER; AND TO PROVIDE FOR INCIDENTAL AND
CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the National Honours and Awards Law, 2010. Short title and commencement

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

2. In this Law - Interpretation

“award” means an award referred to in section 3(1);

“Chairman” means the Chairman of the Committee appointed under section 4(1);

“Committee” means the National Honours and Awards Committee established under section 4;

“Constitution” means the Constitution of the Cayman Islands set out in Schedule 2 to the Cayman Islands Constitution Order 2009; S.I. 2009/1379

“officer of the Fire Brigade” means an officer as defined in section 2 of the Fire Brigade Law (2006 Revision); (2006 Revision)

“Order” means the Order of the Cayman Islands established under section 3;

(2006 Revision)

“police officer” means a police officer as defined in section 2 of the Police Law (2006 Revision);

“Premier” means the Premier as defined in section 124 of the Constitution;

(Law 14 of 1975)

“prison officer” means a prison officer as defined in section 2 of the Prisons Law, 1975;

“Secretary” means the Secretary to the Committee appointed under section 4(3);

(2006 Revision)

“special constable” means a special constable as defined in section 2 of the Police Law (2006 Revision); and

“the public service” means the public service as defined in section 124 of the Constitution.

Order of the Cayman Islands

3. (1) There is established a society of honour to be known as the Order of the Cayman Islands which shall comprise living holders of awards in the following grades -

- (a) Medal of Honour which may be granted to any person who has rendered eminent service of national importance to the Islands or who has performed an outstanding, brave or humane act to a national of the Islands or other country, in the following classes -
 - (i) Commander;
 - (ii) Officer; and
 - (iii) Member;
- (b) Medal of Merit which may be granted in classes of gold or silver to any person who has performed long and meritorious service in the arts, sciences, literature or other fields to the Cayman Islands; and
- (c) Long Service Award which may be granted to any person who has served diligently and has been of exemplary conduct for a period of twenty years in the public service except a police officer, a special constable, a prison officer or an officer of the Fire Brigade.

(2) The Premier shall be the Chancellor of the Order and shall, as the holder of the office of Chancellor, be responsible for the administration of the Order.

(3) Awards shall have the rank and precedence in the order in which they appear in subsection (1).

4. (1) There is established an advisory committee to be known as the National Honours and Awards Committee comprising a Chairman and four other members who shall be persons of integrity and high national standing appointed by the Premier after consultation with the Leader of the Opposition.

National Honours and
Awards Committee

(2) A member of the Committee appointed under subsection (1) shall hold office for a period not exceeding three years and is eligible for reappointment.

(3) The Premier shall appoint a person to be the Secretary to the Committee.

(4) A member of the Committee may at any time resign his office by instrument in writing to the Premier.

(5) The Premier may at any time revoke the appointment of any member of the Committee.

(6) The names of all members of the Committee as first constituted and any change in the membership thereof shall be published in the Gazette.

(7) The Schedule shall have effect as to the procedure of the Committee.

5. The Committee shall -

Duties of Committee

- (a) consider nominations of persons who are residents of the Cayman Islands together with recommendations and supporting material received by the Committee for the awards;
- (b) compile separate lists in respect of each grade of award and where applicable in respect of each class in the grade of nominees to whom an award may be made;
- (c) submit to the Premier the list compiled under paragraph (b) with the recommendations respecting awards; and
- (d) advise the Premier in respect of any matter concerning the Order that is referred to the Committee by the Premier for consideration.

- Nomination
6. Any person may submit to the Committee for its consideration, a nomination of a resident for an award.
- Grant of award
7. (1) On receipt of the Committee's recommendations, the Premier shall, having regard to the recommendations of the Committee, grant such awards as the Premier considers appropriate to persons who have rendered distinguished and meritorious service to the Islands or who are otherwise deemed worthy of such awards.
- (2) An award may be granted posthumously.
- (3) The grant of an award under this section shall be by instrument in writing signed by the Premier and sealed with the Seal of the Order.
- (4) Awards may be granted once a year in respect of National Heroes Day or at such other times as may be deemed expedient.
- (5) The Premier may, in person at a public ceremony, honour a person or the memory of a person to whom an award is granted and shall confer the award upon the person or another person appearing on behalf of the person and supply the person with the prescribed certificate, medal or insignia in recognition of the award.
- Use of certificates and wearing of medals and insignia
8. (1) A recipient of an award shall, in recognition of the award conferred on him, be entitled to -
- (a) receive and use the prescribed certificate;
- (b) have the prescribed letters placed after his name on occasions when the use of such letters is customary; and
- (c) receive and to wear as a decoration the prescribed medal or insignia.
- (2) A person who -
- (a) without authority uses any certificate, or wears any medal or insignia supplied in recognition of any award, or uses any certificate or wears any medal or insignia so nearly resembling a certificate, medal or insignia supplied in recognition of any award so as to be calculated to deceive;
- (b) falsely represents himself to be a person who is or has been entitled to use a certificate or wear medal or insignia referred to in paragraph (a); or

- (c) without authority supplies or offers to supply a certificate, medal or insignia referred to in paragraph (a),

commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year, or to both.

9. (1) Nothing in this Law prohibits Her Majesty, the Governor or the Governor in Cabinet from honouring or awarding any resident of the Islands or other person. Preservation of rights to honour and award

(2) An award granted under this Law shall not supersede any award granted by Her Majesty.

10. The Governor in Cabinet may make regulations prescribing all matters that are required or permitted under this Law to be prescribed, or are necessary or convenient to be prescribed for giving effect to the purposes of this Law. Regulations

SCHEDULE

(Section 4(7))

PROCEDURE OF THE COMMITTEE

1. The Committee shall meet at such times as may be convenient or expedient for the transaction of business and at such places as it may deem fit.
2. The Chairman shall preside at meetings of the Committee and, in the case of his absence from any meeting, the members present shall elect one from amongst their number to preside at that meeting.
3. The quorum for meetings of the Committee shall be three members of the Committee.
4. The decisions of the Committee shall be by a simple majority of votes of the members present and voting, except that, in the case of an equality of votes, the chairman of the meeting shall, in addition, have a casting vote.
5. The Secretary shall keep minutes, in writing, of the meetings of the Committee.
6. Subject to the provisions of this Schedule, the Committee shall have power to regulate its own proceedings, and may delegate to any member or sub-committee of its members the power and authority to carry out on behalf of the Committee such duties as the Committee may determine.

Passed by the Legislative Assembly the day of , 2010.

Speaker.

Clerk of the Legislative Assembly.