



Cayman Islands Human Rights Commission

promoting, protecting and preserving human rights

8 October, 2011

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Via E-mail: penny.knight@fco.gov.uk

Your Excellency,

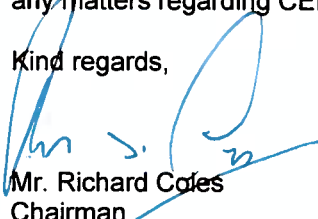
The Human Rights Commission (HRC) last wrote to you on 13 January, 2011 requesting information regarding the Government's position on signing up to the Convention for the Elimination of Discrimination against Women (CEDAW).

While the Commission has never received a written response from the Government on this matter, the Commission is aware that the Honourable Minister of Community Affairs, Gender and Housing has made public statements of his intent to sign up to CEDAW.

The Commission as a result has conducted research of the Convention and has now produced a report detailing how the Articles will affect everyday life in the Cayman Islands. The Caymanian Bar Association (Student Members) has also contributed to the project by reviewing the impact on legislation in the Cayman Islands. Their document is attached as an appendix to the Commission's report.

We hope that the information contained in the report proves useful to the Cayman Islands Government so they may make an informed decision and we would ask that the Government keep the HRC informed in any matters regarding CEDAW.

Kind regards,



Mr. Richard Coles
Chairman
Human Rights Commission

cc: Honourable Deputy Governor
Honourable Minister for Community Affairs, Gender and Housing

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**Cayman Islands
Human Rights Commission**
promoting, protecting and preserving human rights

Report on the Convention for the Elimination of Discrimination against Woman (CEDAW)

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Introduction

It has been brought to the attention of the Human Rights Commission ("HRC") that the Cayman Islands Government aspires to sign on to the Convention for the Elimination of Discrimination Against Women ("CEDAW" or "the Convention"). The HRC has voluntarily decided to review CEDAW taking into consideration the positive and complex ramifications of the Convention. CEDAW is a sophisticated international human rights tool with a specific cause. Its fundamental purpose is to combat discrimination and secure human rights and other gender specific rights for women. As such the HRC is concerned with the effect it will have on Caymanian life.

The objective of this report is to review CEDAW's impact on Caymanian life if the Cayman Islands were request extension by the United Kingdom. It will be necessary to discuss articles 1 - 16, the existence of reservations, current compatibility and general departmental actions in addition to the areas of life CEDAW will infiltrate.

Reservations

The United Kingdom of Great Britain and Northern Ireland ("UK") signed on 22 Jul 1981 and ratified the treaty on the 7th of April, 1986. In addition to specific article reservations (1,2,9,11,13,15,16 see Annex 1) the UK also made four overarching statement reservations which are recorded as (a) (b) (c) and (d). On 24 July 2007, the Government of the United Kingdom notified the Secretary-General that it had decided to withdraw reservation (d). The overarching statement reservations are as follows:

(a) The UK understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the UK's undertakings under Article 4, para.1, and other provisions of the Convention are to be construed accordingly."

(b) The United Kingdom reserves the right to regard the provisions of the Sex Discrimination Act 1975, the Employment Protection (Consolidation) Act 1978, the Employment Act 1980, the Sex Discrimination (Northern Ireland) Order 1976, the Industrial Relations (No. 2) (Northern Ireland) Order 1976, the Industrial Relations (Northern Ireland) Order 1982, the Equal Pay Act 1970 (as amended) and the Equal

Pay Act (Northern Ireland) 1970 (as amended), including the exceptions and exemptions contained in any of these Acts and Orders, as constituting appropriate measures for the practical realisation of the objectives of the Convention in the social and economic circumstances of the United Kingdom, and to continue to apply these provisions accordingly; this reservation will apply equally to any future legislation which may modify or replace the above Acts and Orders on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

(c) relates to UK reserving the right that none of its obligations extend to the “succession to, or possession and enjoyment of , the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed Forces of the Crown”

(d) (no longer applicable)The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in, and departure from, the UK as it may deem necessary from time to time, and, accordingly, its acceptance of Article 15(4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the UK to enter and remain in the UK.”

Following the World Conference on Human Rights in 1993, the Vienna Declaration and Programme for Action called for:

“all States [to be] encouraged to avoid, as far as possible, the resort to reservations. ...The World Conference on Human Rights encourages States to consider limiting the extent of any reservations they lodge to international human rights instruments, formulate any reservations as precisely and narrowly as possible, ensure that none is incompatible with the object and purpose of the relevant treaty and regularly review any reservations with a view to withdrawing them.”

British Overseas Territories Reservations

As a British Overseas Territory the Cayman Islands do not have the international capacity to sign on to a convention therefore we must request that it extend to us by virtue of the UK's adoption. The reservations are also preserved in the extension to apply as the UK deems necessary. With regards to CEDAW the UK made the following reservations on behalf of its overseas territories:

On behalf of the Isle of Man, the British Virgin Islands, the Falkland Islands, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands the same reservations as the one made on behalf of the United Kingdom under paragraphs (a), (c), and (d) except that in the case of d) it applies to the territories and their laws (reservation (d) was withdrawn).

Article 1 : Same reservation as the one made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation.

Article 2: Same reservation as the one made in respect of the United Kingdom except that reference is made to the laws of the territories, and not the laws of the United Kingdom.

Article 9: Same reservation as the one made in respect of the United Kingdom.

Article 11: Same reservation as those made in respect of the United Kingdom except that a reference is made to the laws of the territories, and not to the laws of the United Kingdom.

"Also, as far as the territories are concerned, the specific benefits listed and which may be applied under the provisions of these territories' legislation are as follows:

- a) social security benefits for persons engaged in caring for a severely disabled person;
- b) increases of benefit for adult dependants;
- c) retirement pensions and survivors' benefits; and
- d) family income supplements.

"This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention."

"The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in **Article 11 (2)**."

Article 13, 15 and 16: Same reservations as those made on behalf the United Kingdom.

-Part I-

Article 1: Discrimination – *UK Reservation*

1. Discrimination is the core theme within every article of CEDAW. The Convention's definition of discrimination against women in Article 1 is any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.
2. Discrimination against women is an age old subject which is especially difficult to challenge after centuries of custom, beliefs and cultural practices. Because gender discrimination is deeply rooted within many regions it can occur subconsciously without a person even knowing they are being discriminatory or discriminated against. It may be perceived as a social norm.
3. In order to ensure upward mobility for women in society CEDAW attempts to tackle discrimination against women in every sphere. Simply creating penalties for offences is not enough; CEDAW contends that there needs to be an attitude change throughout the entire country. CEDAW is described as a thorough international instrument dedicated to combating discrimination against women in unison with securing fundamental human rights and championing reproductive rights for women. Conversely it has also been described by Jesse Helms, past senator for North Carolina as being "negotiated by radical feminists with the intent of enshrining their radical anti-family agenda into international law". In order for such an instrument to be effective it is necessary that it penetrate many areas of life such as, culture, education, legislation, policy, health care, religion, family life and employment. In some of these spheres CEDAW may bring welcomed improvements and in others it may be viewed as invasive.
4. The United Kingdom's acceptance of Article 1 with reference to the Sex Discrimination Act 1975, is subject to the reservation that the phrase "irrespective of their marital status" shall not be taken to render discriminatory any difference of treatment accorded to single persons as against

married persons, so long as there is equality of treatment as between married men and married women and as between single men and single women.

5. The UK has also reserved Article 1 for the BOTs as made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation. This means that any law, practice or policy in the Cayman Islands where there is a distinction based on marriage, will not be discrimination according to Article 1 if the treatment doesn't differ between unmarried men and women and married men and women.

6. With regards to the Sex Discrimination Act 1975, the Cayman Islands are attempting to pass a bill for Gender Equality. The Gender Equality Bill is expected to be brought to the Legislative Assembly in 2011. As of July 2011 various organizational bodies have expressed concerns with the bill in its current form, and have requested amendments to the bill prior to enacting the current bill as law. Expressions of concern were voiced publicly by the Chamber of Commerce, the Cayman Islands Law Society, and the Cayman Islands Real Estate Brokers Association. While supporting the principle of anti-discrimination, concerns include a fear that the current Gender Equality Bill will "hinder employment and add to employer's costs as they endeavour to implement it – at the very time of high unemployment, when every effort should be made to encourage hiring." Questions of concern have also centered as to how the new legislation will work alongside the Labour Law for maternity leave and discrimination, as well as the definition of remuneration, indirect discrimination, vicarious liability, paternity leave, harassment, and composition of the tribunal, forms and agreements.

Article 2: Policy - *UK Reservation*

7. The efficacy of CEDAW is dependent upon the national initiatives to implement it. Such efforts considered necessary by CEDAW include reviewing all necessary legislation, internal policies and procedures, the creation of sanctions for discrimination, the establishment of a tribunal including legal relief and various public initiatives to ensure nationwide compliance.

8. With regards to appealing, reviewing, abolishing and modifying existing laws the Cayman Islands would not immediately be compelled to do so upon acceptance of CEDAW. The UK has reserved

Article 2(f) and (g) so that the time frame in which legislation is reviewed and amended is compatible with the essential and overriding considerations of economic policy.

9. It is not within the scope of this commentary to review every law that will be affected by CEDAW. However it is important to note that presently the Cayman Islands have non-discrimination based on gender enshrined within the Cayman Islands Constitution Order 2009 in the Bill of Rights. This regulates municipal bodies' interaction with citizens to ensure equality when applying the Bill of Rights. Section 80 of the Labour Law 2007 (Revision) also provides penalties against discrimination, specifying gender and pregnancy amongst others with an existing sanction of a fine and imprisonment.
10. The Cayman Islands Constitution Order 2009 created the Human Rights Commission and the Labour Law implemented the Labour Tribunal which hears employment related disputes including discrimination complaints regarding employment. With regards to Article 2 (c) these are examples where the Cayman Islands are already compliant. Should the Gender Equality Bill be passed it would bolster anti-discriminatory legal relief in the Cayman Islands.
11. Article 2 (c) also suggests the creation of public institutions. In 1997, the Cayman Islands Government opened the Women's Resource Centre (WRC) to provide a point of contact for women to source information, benefit from educational programmes, seek free legal advice and gain referrals to various agencies. Since 2008, the WRC was merged with other family/community development programmes as part of a restructuring process to become the Empowerment and Community Development Agency.
12. Efforts on a national scale effect all citizens, residents and visitors. CEDAW takes combating discrimination one step farther than the Cayman Islands' bill of rights with the creation of horizontal application. Unlike the bill of rights where there is only vertical application (public bodies responsible for the preservation of rights), CEDAW applies within the private sector and between private citizens per Article (2) (e).

Article 3: Guarantee of basic human rights and fundamental freedoms

13. All human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms. CEDAW attempts to secure these rights for women so that they are distributed evenly. The fact that the Cayman Islands Constitution Order 2009 contains a bill of rights which are applied in a non-discriminatory way makes the Cayman Islands CEDAW compliant in this regard. It is also noteworthy that the European Convention on Human Rights extends to the Cayman Islands by virtue of being a British Overseas Territory.

Article 4: Special measures

14. This article acts as a disclaimer to allow a country to implement what would otherwise be seen as discriminatory measures to further CEDAW's cause. This includes the creation of councils, boards, committees, policies, administrative efforts etc. Whether or not this article has a huge impact on life in the Cayman Islands depends on the extremity of the measures implemented. Such initiatives will require administrative support and some form of funding for them to effectively fulfill their mandate.

15. If the Gender Equality Bill is passed Article 4 could possibly manifest in legislation. It allows employers to take temporary special measures to promote equality of opportunity of employment.

Article 5: Sex role stereotyping and prejudice in culture

16. Article 5 is perhaps the most invasive article in CEDAW. It instructs governments to "take all appropriate measures to modify the social and cultural patterns" of its citizens when these are based on "stereotyped roles for men and women". This is interpreted to mean that the Government must interfere with private behavior even such as how couples divide house hold chores and childcare.

17. The difficulty with this particular provision is that our bill of rights is crafted to balance society's interests in preventing discrimination with other equally important societal interests such as freedom of expression, freedom of religion, privacy and parental rights. CEDAW's language has been described as so sweeping that it threatens to discard other important rights.

18. Within the Cayman Islands Constitution's preamble it acknowledges our Christian heritage. However many monotheistic religions such as Christianity contain and impose gender roles. Christianity also teaches about the role of a wife in a marriage and what a "virtuous" woman should be. According to CEDAW it would be the governments mandate to "remove these stereotyped roles".

19. There are a vast amount of denominations within the Cayman Islands; some allow participation and even leadership by women in the church while others are more rigid with their doctrines. There are certain denominations where women cannot be appointed members of the clergy. According to CEDAW this is discriminatory however, even though the UK hasn't expressly made reservations to Article 5, should the Cayman Islands adopt CEDAW, reservation (c) (which states that none of the UK's obligations under CEDAW extend to the affairs of religious denominations) would exempt religious affairs from CEDAW.

20. A few examples of CEDAW's Committee (the "Committee") findings regarding stereotyping are as follows;

Belarus: The Committee complained that Mother's Day encourages women's traditional roles.
Armenia: The Committee urged them to "combat the traditional stereotype of women in the noble role of mother."

21. Part B of Article 5 deals specifically with "recognition of the common responsibility of men and women in the upbringing and development of their children" with the interest of the children of primary concern in all circumstances". The Cayman Islands Constitution provides for equal responsibility of children but only in the instance where the parents are married (see s. 14) with the ability of a court order to determine what is best for the children should parents separate.

22. CEDAW does not differentiate between legitimate and illegitimate children. According to sections 3 and 4 of the Maintenance Law (1996 Revision) there are only specific circumstances where a man is responsible for the maintenance of an illegitimate child. A widow or unmarried woman is entrusted with the care of her children if they were born out of wedlock, in the absence of cohabitation and other conditions detailed in s. 3 of the Maintenance Law. It is therefore CEDAW's contention that men and women have equal responsibility irrespective of their marital status in parenthood; making our legislation incompatible.
23. A positive example regarding joint responsibility of parents is the allotment of paid paternity leave for fathers in the public service (Public Service Management Law 2010). The Cayman Islands has been cited in the Economic Commission for Latin America and the Caribbean's report on the Caribbean Review of the Beijing Platform with the Republic of Dominica as being the only countries in the Caribbean with expressed paternity leave.

Article 6: Prostitution

24. CEDAW requires that States Parties take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women. This provision will have little impact in the Cayman Islands since our Penal Code (2010 Revision) (mainly sections 127- 148) provides ample protection against such activity for women including the illegality of prostitution and for a man (the colloquial Pimp) to live off the proceeds of prostitution.
25. It is important to note that the Committee has recently called upon China to "decriminalize prostitution." The Committee asserts the reason China should adopt CEDAW's recommendation and decriminalize prostitution is in order to reduce the amount of human rights violations that are linked to prostitution. They argue that regulating prostitution might make it easier for prostitutes who are victims of violence to come forward without fear of retaliation or shame, undergo treatment for sexually transmitted diseases, or receive access to education.
26. Such a conflicting recommendation may complicate the interpretation of CEDAW. However this can be viewed as a decision made according to specific facts. While the Cayman Islands may

have isolated instances of prostitution it can be inferred that a sex industry on such a copious scale as in China is currently of no concern to the local authorities.

27. The United Kingdom themselves has identified this Article as a reservation, which enables prostitution to be retained as criminal (as noted in Annex 1).

-Part II-

Article 7: Political and Public Life

28. Most developed countries encountered growing pains in the 20th century with regards to women's suffrage. The Cayman Islands are no exception. Legislation exists to allow women the right to vote, participate in politics and hold public office. Within the Sex Discrimination (Removal) Law (1998 Revision) no person is disqualified by sex or marriage from the exercise of any public function, from being appointed to or holding any civil or judicial office or post or from entering or carrying on any civil profession.
29. To date there have been few women elected to public office. Current examples include the Speaker of the House and the Deputy Premier. While no legislative barrier exists to explain the poor representation of women within the political sphere it can be inferred the deficiency exists due to the few women who make themselves available for political position.
30. No known intentional actions have been taken or implemented by government to increase the numbers of women in power and decision-making positions within the governmental system. Despite this lack of positive action, six of the 12 chief officers of government ministries are women.
31. Article 7 (c) is of concern regarding participation in non-governmental organizations. This means that community service groups would be subject to anti discriminatory legislation. Currently the Lion's Club of Grand Cayman only has male membership and the Lion's Club of Tropical Gardens consists of female membership. The existence of the gender separation may be considered discriminatory. This is only an example and the HRC is unable to comment in

length regarding the remainder of charitable organisations within the Cayman Islands however CEDAW will infiltrate their policies and procedures.

Article 8: Political and Public Life Representation

32. The essence of Article 8 is to secure women the opportunity to participate and represent the Cayman Islands Government on an international level as ambassadors or participants within international organisations. This provision has little to no ramifications since women quite frequently represent the government and participate in conferences, workshops, seminars, panels etc on behalf of Government. Such opportunities are connected to the particular position held and are available regardless of gender. In instances where a candidate is chosen to attend such events than it may be good policy to draft anti-discriminatory wording for the selection process.

Article 9: Nationality – *UK Reservation*

33. Dealing with equality regarding immigration can be complex. Laws and practices regarding nationality are generally rigid and intricate as a result of countries' sovereign right to guard the conferment of benefits which accompany being a national. The fact that Caymanian isn't the nationality of the Cayman Islands adds further sediment to the murky waters of citizenship, naturalization, nationality, residency and status. According to the British Nationality Act 1981 the nationality of the Cayman Islands is that of a British Overseas Territory Citizen (BOTC)(formerly British Dependent Territories citizenship but changed to BOTC by the British Overseas Territories Act 2002).

34. Being a BOTC doesn't automatically confer the rights associated with Caymanian Status however having Caymanian Status whether it was gained simply birth or through application allows for an application to become a BOTC and the law which regulates BOTCs is the British Nationality Act 1981. The UK has therefore expressly stated that BOTs reserve Article 9 exactly as the reservation made in respect of the United Kingdom

35. In the Cayman Islands, the Immigration Law (2010) directs that, in instances wherein a marriage has “irretrievably broken” down, Caymanian status and permanent residency may be revoked. As a result, individuals who obtain, for example, Caymanian status through marriage to a Caymanian spouse, do not necessarily have an incentive to leave abusive relationships in cases where the marriage breaks down due to the non-Caymanian spouse being a victim of domestic violence. Statistically, women report domestic violence at a higher frequency compared to men; as such, arguably, women are disproportionately disenfranchised when the preceding circumstances and in place.
36. Despite the reservation to Article 9, the Cayman Islands may consider a similar approach as the UK where, in 2004, there was a reform in the immigration rules where victims whose relationships break down due to domestic violence within the two-year probationary period, following marriage to a British or settled partner, have the right to remain permanently in the UK.
37. Another example within the Immigration Law which could be considered onerous for women is that when applying for Caymanian Status the board will take into consideration the amount of dependents (s.26). Dependents per the Immigration Law 2010 in relation to a person, other than a person referred to in section 67 means the spouse of that person, or one of the following relations of that person, namely a child, step-child, adopted child, grandchild, parent, step-parent, grandparent, brother, sister, half-brother, half-sister, being, in each case, wholly or substantially dependent upon that person. An unmarried woman with four children could be viewed less favorable than an unmarried man whose children are not his defined legal dependents.

-Part III-

Article 10: Education

38. Article 10 is very thorough in its approach. The logic behind its existence is to neutralise early practices and the perception of discrimination in the education system. The HRC can only comment on the obvious regarding this article however should Cayman wish to adopt CEDAW it

would be prudent for the Education department to review its effect on their policies, procedures, curricula, staff and programmes.

39. Article 10 (a) (b) (d) and (e) are all basically calling for access and treatment in education, scholarships, resources, technical areas of study etc. The Gender Equality Bill if enacted would put in statute a no tolerance for discrimination in access to vocational careers and education for women. Further efforts would require policy and procedure drafting for the Education department as far as awarding scholarships, writing curriculum, exams, and education staff.
40. The Economic and Statistics Office's 2009 statistical compendium indicates that 61% of all students on overseas scholarships granted by the Education Council were female. Women also tended to outnumber men in all listed professions with the exception of engineering (See annex 3). With regards to the UK's reservation overarching statement (a) this is an example where the policies and procedures are favorable to women. CEDAW requires equality which is why (a) protects laws, practices and procedures which are more favorable to women. Scholarships should be awarded on merit without any gender influence.
41. Article 10 (c) may perhaps be one of the most administratively onerous sections. CEDAW contends that to effectively ensure stereotyping is removed that it is necessary to review all existing and future text books and materials for gender neutrality and non-discriminatory principles. Therefore a child's storybook that portrays a stay at home mother and working father would be considered unacceptable to CEDAW.
42. Article 10 (f) calls for a reduction in female dropout rates and the creation of programmes for girls and women. Education is compulsory in the Cayman Islands for children of school age which is ages four and nine months to 16 years old (see s.13 Education Law (1999 Revision)). The main contributing cause for girls to leave school prematurely is pregnancy. To reduce dropout rates caused by pregnancy policy would have to be amended to allow such girls to attend regular school. It is unlikely that this is the best practice due to obvious social implications on the student and her child. The Cayman Islands provides education to teen mothers and other at risk youth on an alternative campus. Whether or not such students who complete the prescribe course of education graduate with an accredited high school diploma is unknown by the HRC.

43. Article 10 (g) would require that all sports and physical education have an equal opportunity for women to participate. This is translated as meaning that if a boys' team exists so too must a girl's. This becomes difficult when there is a sport which requires a team and there is enough interest to create a boys' team but not enough for a girl's. Is it feasible to allow women to participate jointly with men in sports? While few leisure sporting events allow for unisex teams most competitive sports create the distinction with separate leagues.
44. Article 10(h) seeks to push government to ensure that "family planning advice" is available in the education system and for access to information about health and wellbeing of families. This can only be interpreted to mean provision for sex education in addition to nutritional information and counseling. The HRC understands that most secondary schools have a qualified student counselor and some form of sex education in their "Life Skills" classes. At this time the HRC is unaware of the schools position on nutrition but as previously mentioned the department should review CEDAW in relation to their policies and procedures.

Article 11: Employment – *UK Reservation*

45. To a greater extent than men, women in the Cayman Islands have a college or university education; however, women earn less than their male counterparts in the work place. The Cayman Islands Economics and Statistics Office released a 2009 report indicating that women continue to suffer inequality in pay even in the same professional groups as men. According to the aforementioned report, more than 46.6% of women in Cayman's workforce have been to college or university compared to 36.7% of men. However, even though the work force is almost equally balanced among the sexes it is not balanced in terms of earnings.
46. The gender pay gap has been highlighted by professionals and organizational bodies as one of the many reasons why women tend to be poorer than men. In a recent Cayman Islands National Assessment of Living Conditions researchers found that in the country's lowest quintile, the poorest people in the community, conditions for women were worse than men; this finding is consistent with the Caribbean region.

47. The pay gap is evident between the sexes with respect to the professional occupations. While 62% of workers in the financial services sector are women, one of the highest earning industries, women are dominating the lower paid positions in that profession.
48. The Gender Equality Bill is anticipated as a legal framework for the elimination of gender discrimination in employment and to promote the payment of equal remuneration to male and female employees who perform work of equal value. Part IV of the Bill contains provisions to make it an offence for an employer to fail to pay equal remuneration to men and women performing work of equal value for such employer. Closing the gender pay gap also serves negate the disproportionately less benefits, compensatory schemes, and allowances – such as pension – which result from the gender pay gap.
49. With regard to pensions, the National Pensions Law (2010) Section 25(2) directs that employers are not required to provide pension plans, or to contribute to pension plans, for the benefit of employees who do not have Caymanian status, or who are not permanent residents, within the meaning of the Immigration Law (2010 Revision) and who, in either case-
- (b) are employed to do housework in private residences.
50. CEDAW indicates that women must have access to the same benefits, compensatory schemes, and allowances as men, especially in relation to retirement and incapacity to work. While men can be employed do housework in private residences, and would be subject to the same pension ineligibility condition, historically, women make up a significant majority of the work force employed to do housework in private residences. As a result, the perception of discrimination against women can be argued to exist, contrary to the principles of the convention.
51. Notably, the United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2). The UK also reserves the BOTs the right to apply their pension schemes and plans regardless of any existing discrimination.

Article 12: Health

52. The Cayman Islands, through the Women's Health Centre (WHC), which was established in 2003 in a section of the local hospital, focuses on the specific needs of female patients in the area of reproductive health services. In partnership with the Lion's Club, Breast Cancer Awareness Week has been established since 1997. Mammograms, diagnostic ultrasound tests, educational programmes, assistance with obtaining prostheses and for health services required overseas, are made available.
53. While information and assistance is available through the WHC on lactation, pre and post natal care, Article 12 (2) requires the Cayman Islands to provide "adequate nutrition during pregnancy and lactation". This requirement is vague and could possibly be interpreted to have been made with developing countries in mind or to ensure access to nutritional advice and that actual food is provided for. If the latter were the case the creation of nutritional plans and programmes for such women and possibly the provision of food would create a new dimension to the health care authorities in the Cayman Islands. Such efforts would require additional funding by Government.
54. One of the most controversial areas in CEDAW regarding health is the existence of a successful challenge of Colombia's Penal Code provisions under CEDAW Article 12 that criminalized abortion without exception. The challenge which was made by Women's Link World Wide in the Colombian Constitutional Court successfully secured legalized abortion for women in cases of risk to the mother's health or life, rape and fetal abnormalities.
55. In the Cayman Islands Penal Code (2007 s.141(2)) abortion is only admissible to save the life of the mother. A similar country for study is East Timor. The citizens of East Timor are 95% Catholic and true to that value system. They adopted a pro-life penal code only allowing abortion to save the life of the mother. The CEDAW committee made the following recommendations:

The Committee recommends that the State party step up its efforts to reduce the high rate of maternal and infant mortality. It suggests that the State party assess the root causes of maternal

mortality and set targets and benchmarks with a time frame for its reduction. It urges the State party to make every effort to raise the awareness of, and increase women's access to, health-care facilities and medical assistance by trained personnel, especially in rural areas and particularly in the area of post-natal care. The Committee further recommends that the State party implement programmes and policies aimed at providing effective access to affordable contraceptives and family planning services so that women and men can make informed choices about the number and spacing of the children. The Committee calls upon the State party to ensure that sex education programmes are widely promoted and targeted at girls and boys, and include special attention to the prevention of early pregnancies. The Committee further calls upon the State party to review the legislation relating to abortion with a view to removing the punitive provisions imposed on women who undergo abortion in accordance with the Committee's general recommendation 24 on women and health and the Beijing Platform for Action.

56. The fact that the UK has made a reservation to Article 1 which doesn't require the revision of the penal code would be the only buffer between the Cayman Islands and pressure from CEDAW to lessen the restrictions on abortion. What may potentially make the Cayman Island's stance complex is the fact that abortion can be legally performed under certain conditions in the UK. This is an area that would ignite much resistance from the religious community in the Cayman Islands.

Article 13: Economic and Social Benefits – *UK Reservation*

57. The Cayman Islands carried out its first National Assessment of Living Conditions in 2006/2007. The findings substantiate the pattern in the Caribbean region that living conditions for women are among the lowest quintile and are worse than conditions for men. Approximately 50% of all poor households are female-headed in the Cayman Islands.
58. It is difficult to accurately assess the extent of women's social exclusion, poverty and access to resources, without systematic gender-impact assessments, particularly of the CIG Budget. Statistics presents by the ESO should be routinely gender separated to enhance the awareness of Government with respect to gender gap indicators. Additionally, the Government must consider the virtue of routinely producing a gender impact assessment of its budget and its

economic and social policies with a cross-reference to jobs, sectors and local labour markets and the corresponding pay and promotion opportunities garnered by women, particularly single parents. An example of positive action in this regard was the appointment, by Cabinet, of the Senior Policy Advisor (Gender Affairs) to sit on the Census Advisory Committee in order to bring a gender perspective to the data collection process for the 2010 National Census. Generally, the role of the Office of Gender Affairs is to implement the process of gender mainstreaming, provide policy advice and carry out gender sensitization activities with government officials.

59. Due to their lower economic status, women are typically disadvantaged in accessing housing and face deposits and rent guarantees that further impact the economic status in the negative. Consequently, homelessness should be strongly considered from the perspective of possible effects resulting from the combination of factors including single female parent, low economic status, low educational attainment, and low-paying jobs with narrow opportunities for advancement.

60. Cayman's options for prevention through education and information-sharing are the Family Resource Centre and the Crisis Centre which serves to provide shelter for women who would otherwise be in a state of homelessness.

61. The UK has a reservation to Article 13 in regards to tax. The Cayman Islands do not have income tax therefore it is not applicable and this article applies in its entirety within the ambits of the overarching statements.

Article 14: Rural Women

62. The inhabitants of the Sister Islands which make up 4.2% of the total population 54,397 are of primary concern when the term rural is applied. Even though they might have a rudimentary way of life they have access to health care, schools (primary, secondary and tertiary) and banks on Cayman Brac. Little Cayman which has a population of approximately 115 people has primary school facilities but not secondary school. Most residents of Little Cayman are retired

or have a secured occupation. The island is 10 miles (16 km) long with an average width of 1 mile (2 km) and it is generally understood by individuals with school aged children that Little Cayman is not suitable for rearing children due to insufficient resources for education. The island is touted as a honeymoon/vacation destination with its hospitality industry and ancillary occupations.

63. The law is applied uniformly across the islands so the concerns and benefits instigated by CEDAW would remain the same with regards to economic benefits, employment, health, education, fundamental rights etc. Should Little Cayman require assistance, Cayman Brac is within a 5 mile radius and accessible within 10 – 15 minutes by air and sea. Due to the few inhabitants of Little Cayman it is not likely feasible to create state of the art facilities when such amenities already exist in such close proximity.

-Part IV-

Article 15: Law – *UK Reservation*

64. Article 15 calls for equality for women before the law such as owning property, rights to conclude contracts in addition to the same legal capacity as men in procedure. The Cayman Islands do not limit the legal identity of women in any way.

65. The Cayman Islands Constitution Order (2009) speaks to movement rights. Section 13 of the Bill of Rights, Freedoms, and Responsibilities, the right to movement, albeit qualified, states that no person shall be hindered by government in the enjoyment of his or her freedom of movement, that is to say, the right to move freely throughout the Cayman Islands, the right to reside in any part of the Cayman Islands, the right to enter the Cayman Islands, the right to leave the Cayman Islands and immunity from expulsion from the Cayman Islands. Therefore, Cayman shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

66. The Cayman Islands use UK common law and statute in deducing a person's domicile. The Domicile and Matrimonial Proceedings Act 1973 abolished the rule that a married woman had the domicile of her husband (with transitional rules for those married before 1 January 1974). Therefore in the Cayman Islands, individuals who were married before 1974 still retain their husband's domicile.
67. The UK's reservation to article 15 acknowledges its purpose and declares to interpret the term 'legal capacity' as referring merely to the existence of a separate and distinct legal personality however it would possibly create a flood gate of claims to declare contracts created prior to ratification with possible discriminatory effects null and void.

Article 16: Marriage and Family Life – *UK Reservation*

68. Article 16 of CEDAW would require Cayman to ensure women and men have equal rights to freely choose a spouse and enter into marriage; the same rights and responsibilities as men within marriage and upon divorce, especially with regard to choosing a family name, a profession, and the rights of ownership of property; and equal rights in all matters relating to birth, adoption and raising of their children. In this regard, the Cayman Islands Constitution Order (2009) Section 14 (Marriage) provided that spouses shall be entitled to equal rights and shall be subject to equal responsibilities as between themselves and as regards their children both during and after marriage, but this equality of rights and responsibilities shall be subject to such arrangements or measures as may be agreed, or as may be ordered by a court, in the interests of their children.
69. However, Section 14 only provides for marriages between persons of the opposite gender to be recognized as lawful. In this case, women, nor men, are permitted to marry a partner of the same sex; thus gay women are disenfranchised, as are gay men, from numerous economical and social benefits conferred on married couples.

Conclusion

70. The spirit of CEDAW is certainly an admirable one and can no doubt be seen to bolster a Country's international human rights image. However it may also be said that many countries sign on as lip service without giving weight to the actual articles of the Convention. When countries that are flagrant abusers of women's rights (such as Afghanistan) have ratified the Convention it begs the question as to how influential is this particular human rights tool and if the Cayman Islands should go through the trouble to accept it?
71. Whether or not the Cayman Islands decide to accept the UK extension of CEDAW it is encouraging that legislators are recognising the need to protect both men and women from discrimination in employment. Therefore the attitude change required by CEDAW is already setting roots within the Cayman Islands creating gender discrimination awareness and the providing recourse where necessary. While CEDAW on its own requires extensive efforts to impose it upon Cayman Islands Law, it would seem that we are heading in the direction of equality, whether it is by accepting the extension of CEDAW or revision of local legislation and policy.

Annex 1: UK Reservations

Article 1

With reference to the provisions of the Sex Discrimination Act 1975 and other applicable legislation, the United Kingdom's acceptance of Article 1 is subject to the reservation that the phrase "irrespective of their marital status" shall not be taken to render discriminatory any difference of treatment accorded to single persons as against married persons, so long as there is equality of treatment as between married men and married women and as between single men and single women.

Article 2

In the light of the substantial progress already achieved in the United Kingdom in promoting the progressive elimination of discrimination against women, the United Kingdom reserves the right, without prejudice to the other reservations made by the United Kingdom, to give effect to paragraphs (f) and (g) by keeping under review such of its laws and regulations as may still embody significant differences in treatment between men and women with a view to making changes to those laws and regulations when to do so would be compatible with essential and overriding considerations of economic policy. In relation to forms of discrimination more precisely prohibited by other provisions of the Convention, the obligations under this Article must (in the case of the United Kingdom) be read in conjunction with the other reservations and declarations made in respect of those provisions including the declarations and reservations of the United Kingdom contained in paragraphs (a) - (c) above.

With regard to paragraphs (f) and (g) of this Article the United Kingdom reserves the right to continue to apply its law relating to sexual offences and prostitution; this reservation will apply equally to any future law which may modify or replace it.

Article 9

The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

The United Kingdom reserves the right to take such steps as may be necessary to comply with its obligations under Article 2 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Paris on 20 March 1952 and its obligations under paragraph 3 of Article 13 of the International Covenant on Economic, Social and Cultural Rights opened for signature at New York on 19 December 1966, to the extent that the said provisions preserve the freedom of parental choice in respect of the education of children; and reserves also the right not to take any measures which may conflict with its obligation under paragraph 4 of Article 13 of the said Covenant not to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject to the observation of certain principles and standards.

Moreover, the United Kingdom can only accept the obligations under paragraph (c) of Article 10 within the limits of the statutory powers of central Government, in the light of the fact that the teaching curriculum, the provision of textbooks and teaching methods are reserved for local control and are not subject to central Government direction; moreover, the acceptance of the objective of encouraging coeducation is without prejudice to the right of the United Kingdom also to encourage other types of education.

Article 11

The United Kingdom interprets the "right to work" referred to in paragraph 1 (a) as a reference to the "right to work" as defined in other human rights instruments to which the United Kingdom is a party, notably Article 6 of the International Covenant on Economic, Social and Cultural Rights of 19 December 1966.

The United Kingdom interprets paragraph 1 of Article 11, in the light of the provisions of paragraph 2 of Article 4, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human fetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of the United Kingdom; The United Kingdom declare that, in the event of a conflict between obligations under the present Convention and its obligations under the Convention concerning the employment of women on underground work in mines of all kinds (ILO Convention No. 45), the provisions of the last mentioned

Convention shall prevail.

The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes effecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.

This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

- a) social security benefits for persons engaged in caring for a severely disabled person under section 37 of the Social Security Act 1975 and section 37 of the Social Security (Northern Ireland) Act 1975;**
- b) increases of benefits for adult dependents under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;**
- c) retirement pensions and survivors' benefits under the Social Security Acts 1975 to 1982 and the Social Security (Northern Ireland) Acts 1975 to 1982;**
- d) family income supplements under the Family Income Supplements Act 1970 and the Family Income Supplements Act (Northern Ireland) 1971.**

"This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

Article 13

The United Kingdom reserves the right, notwithstanding the obligations undertaken in Article 13, or any other relevant article of the Convention, to continue to apply the income tax and capital gains tax legislation which:

i) Deems for income tax purposes the income of a married woman living with her husband in a year, or part of a year, of assessment to be her husband's income and not to be her income (subject to the right of the husband and the wife to elect jointly that the wife's earned income shall be charged to income tax as if she were a single woman with no other income); and

ii) Requires tax in respect of such income and of chargeable gains accruing to such a married woman to be assessed on her husband (subject to the right of either of them to apply for separate assessment) and consequently (if no such application is made) restricts to her husband the right to appeal against any such assessment and to be heard or to be represented at the hearing of any such appeal; and

iii) Entitles a man who has his wife living with him, or whose wife is wholly maintained by him, during the year of assessment to a deduction from his total income of an amount larger than that to which an individual in any other case is entitled and entitles an individual whose total income includes any earned income of his wife to have that deduction increased by the amount of that earned income or by an amount specified in the legislation whichever is the less.

Article 15

In relation to Article 15, paragraph 2, the United Kingdom understands the term 'legal capacity' as referring merely to the existence of a separate and distinct legal personality.

"In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

Article 16

As regards sub-paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramount interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

The United Kingdom' acceptance of paragraph 1 of Article 16 shall not be treated as either limiting the freedom of a person to dispose of his property as he wishes or as giving a person a right to property the subject of such limitation.

Annex 2: UK's Seventh Report to the CEDAW Committee

Reservation Commentary June 2011

Overarching Statement A

The UK has gone further than many countries in placing a proactive gender duty on public bodies. This means, among other things, that in planning, policy-making and service delivery, all public bodies subject to British discrimination law must have due regard to the need to promote equality of opportunity between men and women. In addition, British discrimination law allows positive action to be undertaken by employers who wish to provide special training for, or target special recruitment drives at under-represented groups, including women, in or for their workforce. These provisions have been carried forward and strengthened in the Equality Act. The reason for the reservation is therefore simply to preserve freedom of action for the UK to provide for proactive measures as well as anti-discriminatory measures based on gender.

Overarching Statement C

This reservation is still required to maintain the combat effectiveness of the Armed Forces because women are excluded from certain roles in the UK's Armed Forces.

The continuing need for an exemption allowing women to be excluded from those posts where the military judgment is that the employment of women could potentially be detrimental to combat effectiveness was fully considered during the drafting of the Equality Act.

The MoD has also carried out a periodic review of the policy on the exclusion of women from ground close-combat roles. This was done because the UK is bound by EU law to re-assess periodically, but at least every eight years, occupations from which women are excluded to decide whether there is justification in maintaining the exclusion. As the results of the last review of this policy were published in 2002, it was decided that it was appropriate and timely to review the policy in 2009/2010.

The review comprised three strands of work. These were:

- a review of recent literature (i.e. published since 2002) on the effectiveness of mixed gender teams in a combat environment;
- an assessment of women's roles in recent operations; and

- consideration of the experience of other nations in deploying women in close-combat roles.

The conclusions drawn from the three strands of work were mixed and did not provide the basis for a clear recommendation either way as to whether the current policy of the excluding women from ground close-combat roles should be retained or rescinded. In the light of the inconclusive results of the research and the views of the Service Chiefs, Ministers concluded that a cautious approach was necessary.

This means that the policy of excluding women from ground close-combat roles will continue. The types of post from which women are excluded are those where they may be required to close with and kill the enemy face-to-face (e.g. cap-badged posts in the Royal Marines General Service, the Household Cavalry and Royal Armoured Corps, the Infantry and the Royal Air Force Regiment). 70

The Service Chiefs acknowledged that women are fundamental to the operational effectiveness of the UK's Armed Forces. They bring talent and skills across the board and their capability in almost all areas is not in doubt. They demonstrate that they are capable of acting independently and with great initiative.

The outcome of the review was announced by the Minister for Defense Personnel, Welfare and Veterans on 29 November 2010.

Article 9 Reservation

The British Nationality Act 1981 (the British Nationality Act) allows for the transmission and acquisition of citizenship by women in the same way as men, since its commencement on 1 January 1983. Since that date, women who are British citizens have been able to pass on their nationality status in exactly the same way as men. This reversed a long-standing policy of only allowing the transmission of British nationality through the male line to those born outside British territory.

The possibility of making the change retrospective was closely examined at the time of drafting the current legislation. It was felt, however, that to confer British citizenship automatically on all children of British mothers born before 1983 would cause difficulties in some cases, especially if the citizenship were backdated to the time of birth. Some might not have wanted British citizenship; others may have lost the citizenship of their country of birth as a result of acquiring British citizenship. It was also considered to be contrary to the scheme of the British Nationality Act by increasing the number of

British citizens overseas who had spent their whole lives abroad. Of those who had come to live in the UK, a number would in any case have already acquired, or would have the option of acquiring, British citizenship by naturalisation or registration.

From 7 February 1979, the children of UK-born mothers were able to acquire citizenship by making an application for registration. This applied to children under the age of 18 and so affected those born after 7 February 1961. This was continued within the British Nationality Act for those children under 18 who had been born before the change in the law.

In April 2003 a new section was then added to the British Nationality Act which provided for the registration of those born after 7 February 1961 and before 1 January 1983, who would have become British, had women been able to pass on their citizenship in the same way as men. The date of 7 February 1961 was chosen as anyone born after that date would have been under 18 when the above concession was introduced.

The Government legislated in 2009 to extend this provision to those born before 1961 so that all children of British mothers can now acquire citizenship by registration had women been able to pass on citizenship in the same way as men at the time of the applicant's birth.

The reservation was initially intended to cover certain transitional provisions within the British Nationality Act. However, of these, sections 9, 21 and 27(2) are no longer relevant as the deadline for applications has passed. The remaining provisions, sections 10 and 22, discriminated *in favour* of women, as they allowed for resumption of citizenship, following renunciation, on the basis of marriage. These have now been amended to include men in the same way as women. As such, there are no remaining "transitional" provisions. 71

However, this extension does not remove discrimination entirely as children of male British citizens would have acquired British citizenship automatically before 1 January 1983 but it has further reinforced the Government's commitment to removing discrimination against women in nationality law by operable means. The benefit of the reservation is to ensure that the complexities of auto-acquisition of British citizenship by those children of British mothers affected by former discrimination in nationality law are avoided. If the reservation were removed, this would undermine the ability of the UK Government to maintain the position that the current statutory framework is adequate and, conversely,

support the campaign by those like Michael Turbeville of CAMPAIGN that all rights should be secured automatically rather than by registration.

Article 11 Reservation

The reservation is still required because of the difference in treatment between men and women when applying the legislative requirements in relation to State Pensions. Equalisation in treatment will occur in most respects from 6 April 2010 under the package of measures linked to the equalisation of State Pension age.

The reservation in respect of Adult Dependency Increases will remain necessary for a longer period and the difference in treatment between men and women will continue in some cases until April 2020, for State Pensions.

The equalisation in treatment that was due to commence from April 2010 for State Pensions has now been overtaken by changes introduced by the Pensions Act 2007 in which new claims for an adult dependency increase will be excluded from 6 April 2010. Any entitlement to an adult dependency increase established before 6 April 2010 may continue until 5 April 2020 (subject to the conditions of entitlement continuing to be satisfied). Adult dependency increases will cease from 6 April 2020. We therefore need to retain the reservation to article 11 to protect the current position and for the period up to April 2020.

From 6 April 2020, entitlement to an adult dependency increase will cease in State Pensions and the reservation will no longer be required. The UK Government will therefore review this reservation closer to that date.

Article 15 Reservation

The UK Government believes that its interpretation of Article 15 is in keeping with the intention behind the Article and therefore, on grounds of contract law policy, wishes to retain the interpretative declaration.

Article 16 Reservation

The UK Government is in the process of reviewing its reservation to Article 16.

2.07 Students Studying Higher Education Overseas on Education Council Scholarships, 2005-2009

	2005	2006	2007	2008	2009
Humanities					
Female	1	1	7	26	25
Male	-	2	3	15	8
Total	1	3	10	41	33
Education					
Female	31	30	21	20	20
Male	11	6	6	5	6
Total	42	36	27	25	26
Social & Business Studies					
Female	44	43	69	61	68
Male	18	27	27	28	46
Total	62	70	96	89	114
Professional					
Female	6	12	10	36	38
Male	9	1	1	25	11
Total	15	13	11	61	49
Engineering, Technology & Science					
Female	22	32	37	8	22
Male	38	48	60	40	50
Total	60	80	97	48	72
Medicine & Veterinary Studies					
Female	14	8	10	14	28
Male	5	4	4	5	6
Total	19	12	14	19	34
All Students					
Female	118	126	154	165	201
Male	81	88	101	118	127
Total	199	214	255	283	328
New scholarships granted in year					
Female	33	54	71	46	84
Male	33	32	24	37	42
Total	66	86	95	83	126

Source: Department of Education

**Research on the
Potential Impact of
CEDAW on
Cayman Islands Legislation**

July 2011

By the Caymanian Bar Association Student Members

1 Foreword

The Student Members of the Caymanian Bar Association (the "**Student Members**"), for the second consecutive year, held interest in undertaking some form of activity that would be of benefit to the community as well as encourage the development of their burgeoning legal skills. An opportunity arose when the Human Rights Commission of the Cayman Islands ("**HRC**") indicated a need for research to be conducted to enhance the resources available and potentially assist their role. The Cayman Islands Government is currently in the final stages of implementing legislation that would enable the Convention on the Elimination of All Forms of Discrimination Against Women ("**CEDAW**") to be extended to the Cayman Islands. The HRC expressed interest in exploring how each article of CEDAW will impact Cayman Islands legislation and invited the Student Members to investigate this. The Student Members would like to convey their appreciation to the HRC for being given such an opportunity and have prepared this document to record their findings.

2 Important Qualifications

The research conducted and this document reflect work undertaken by the Student Members in a voluntary capacity and only with the intent to be a useful resource for the HRC.

Any information contained in this document does not reflect the views of the Caymanian Bar Association, the Human Rights Commission of the Cayman Islands nor any organisation that is the employer of a Student Member.

This document does not purport to render legal advice.

3 Parameters of the Research

- 3.1 The starting position was to review CEDAW to ascertain the considerations required in approaching this research. It was noted that the relevant articles that required examination against our legislation were Articles 2 through to 16. Article 1 relates to a definition of discrimination and articles 17 through to 30 relate to the administrative provisions of CEDAW itself.
- 3.2 Regard was given to current Cayman Islands legislation and it was found that there were over 800 individual documents pertaining to its orders, laws and regulations. Schedule 1 lists the initial legislation that was addressed and following consideration of each document and its applicability to CEDAW a narrowed down list of legislation that was possibly engaged was finalised and this can be found at Schedule 2.
- 3.3 The Student Members reviewed the legislation in Schedule 2 carefully alongside CEDAW and compiled the results set out in [section 5] below.
- 3.4 The Gender Equality Bill, 2011 (the "Bill") is in the final stages of review and implementation by the Cayman Islands Government. As the scope of the research requested only involved current Cayman Islands legislation and the Bill was already being considered by Government, the Student Members did not address the Bill in their research. It was noted that the Bill had been drafted with comparable clauses to CEDAW and so once law it might satisfy CEDAW requirements.
- 3.5 Certain provisions of The Interpretation Law (1995 Revision) are relevant when reviewing the Cayman Islands legislation. In particular, section 4 states "In this Law and in all Laws and other instruments of a public character relating to the islands now in force or hereafter to be made, unless there is something in the subject or context inconsistent with such construction, or unless it is therein otherwise expressly provided- (a) words importing the masculine gender include females" and this has application to all laws enacted before or after The Interpretation Law (1995 Revision) pursuant to section 2.

4 Introduction to the Research

- 4.1 A table was found to be the ideal format for compiling the results of the research as the detail of each article could be included for ease of cross referencing next to the legislation found to be applicable.
- 4.2 All the legislation that was found to have any direct significance to CEDAW has been included. It is noted that the majority of Cayman Islands legislation contains no determination between the genders.
- 4.3 There are a couple of points to note when reviewing the table of research:
- (a) Many of the issues highlighted in the CEDAW articles are addressed in the forthcoming Bill of Rights¹ however there are a few matters to note with regard to this:
 - (i) The Bill of Rights is not current and is scheduled to come into force 6 November 2012 (save for s. 6(2) and 6(3) which shall come into force 6 November 2013).
 - (ii) There are limits of the applicability of the Bill of Rights in that it pertains only to the treatment by Government (and certain public bodies) towards its citizens. It does not provide protection of rights between individuals or companies.
 - (iii) There is also a limitation in s. 24 of the Bill of Rights whereby the duty of public officials to act in a way that is incompatible to the Bill of Rights is unlawful unless the public official is authorised to do so in another law.
 - (b) There are differing rights for persons based on whether or not they possess Caymanian status and this might mean that women without Caymanian status have lesser rights than those with it.

¹ The Cayman Islands Constitution Order 2009 Part 1

5 Research on Cayman Islands' legislation potentially engaged or affected by the Cayman Islands adopting CEDAW²

CEDAW ARTICLE	CAYMAN LEGISLATION AND COMMENTS
<p>Article 2 – Policy Measures</p> <p>States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:</p> <p>(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;</p> <p>(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;</p> <p>(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>(g) To repeal all national penal provisions which constitute discrimination against</p>	<p>The Cayman Islands Constitution Order 2009³</p> <p>Although not yet in force, the Bill of Rights will provide for non-discrimination with s. 16 (1) stating that government shall not treat any person in a discriminatory manner in respect of the rights under the Bill of Rights and "discriminatory" includes affording different treatment on grounds of sex.</p> <p>Also note that the legislation commented on below can also be included in this section.</p>

² Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979

³ The Bill of Rights (being sections 1 – 28 of The Cayman Islands Constitution Order) is due to come into force 6 November 2012 (save for s. 6(2) and 6(3) which shall come into force 6 November 2013).

CEDAW ARTICLE	CAYMAN LEGISLATION AND COMMENTS
women.	
<p>Article 3 – Guarantee of Basic Human Rights and Fundamental Freedoms</p> <p>States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p>	<p>European Convention of Human Rights⁴</p> <p>This is a treaty extended to the Cayman Islands by the UK, being responsible for the Cayman Islands' external relations, defence and internal security. It is not domestic legislation and has historically been used in court as mere guidance and been trumped by domestic legislation. It appears to be engaged in the European Court of Human Rights once all domestic avenues have been extinguished.</p> <p>Universal Declaration of Human Rights⁵</p> <p>The Cayman Islands are also a signatory to the Universal Declaration but like the European Convention the Universal Declaration has not yet been incorporated into local legislation.</p> <p>The Cayman Islands Constitution Order 2009⁶</p> <p>Part I relates to all peoples and provides the same human rights and fundamental freedoms for men and women</p> <p>Genocide Law (1997 Revision)</p> <p>Applicable to both men and women</p>
<p>Article 4 – Special Measures</p> <p>1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.</p> <p>2. Adoption by States Parties of special</p>	<p>[The Gender Equality Bill 2011⁷]</p>

⁴ Not part of the Cayman Islands domestic legislation.

⁵ Not part of the Cayman Islands domestic legislation.

⁶ The Bill of Rights (being sections 1 – 28 of The Cayman Islands Constitution Order) is due to come into force 6 November 2012 (save for s. 6(2) and 6(3) which shall come into force 6 November 2013).

⁷ This Bill has not been reviewed.

CEDAW ARTICLE	CAYMAN LEGISLATION AND COMMENTS
<p>measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.</p>	
<p>Article 5 – Sex Role Stereotyping and Prejudice</p> <p>States Parties shall take all appropriate measures:</p> <p>(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;</p> <p>(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.</p>	<p>Customs Law (2010 Revision)</p> <p>s. 9 provides that an officer's power of search is required to be conducted by a person of the same sex.</p> <p>Police Law (2010 Revision)</p> <p>s. 41. (11), s. 75. (10) The search of a person under this section shall be carried out by a police officer of the same gender as that person.</p> <p>Matrimonial Causes Rules (2003 Revision). Matrimonial Causes Law (2005 Revision)</p> <p>Rule 9 might foster discrimination against women in respect to grounds of adultery or improper association where a co-respondent must be named as the stigma is often seen as worse for women. Yet s. 17 provides for this to be dispensed with but does not indicate the grounds for this.</p> <p>Rules 17-18 and s. 21 provide that the interests of the children are paramount.</p> <p>Births and Deaths Registration Law (2007 Revision)</p> <p>s. 34 (1) (c) references giving the father's name first unless the mother is unmarried in respect of a deceased child to be buried with another body.</p> <p>Defamation Law (1995 Revision)</p> <p>s. 5. specifically relates to women and states that "Words spoken and published which impute unchastity or adultery to any woman or girl do not require special damage to render them actionable: Provided that in any action for words spoken and made actionable by this section, a plaintiff shall not recover more costs than damages, unless the Court certifies that there was reasonable grounds for bringing this action."</p>
<p>Article 6 - Prostitution</p> <p>States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation</p>	<p>Trafficking in Persons (Prevention and Suppression) Law, 2007</p> <p>This law is gender neutral and the trafficking of any person is an offence (s.3(1)). This includes anyone</p>

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<p>of prostitution of women.</p>	<p>profiting from the trafficking (s. 3(8)).</p> <p>Penal Code (2010 Revision)</p> <p>Sections 127 – 148 relate to rape and associated offences, in particular:</p> <p>s. 130 provides protection from a woman being forced into marriage or sexual relations against her will.</p> <p>s. 136. protects women from being forced into prostitution</p> <p>s.138 prevents women being forced into brothels</p> <p>s.139 relates to men earning money from prostitutes or soliciting</p> <p>s. 140 prevents persons from having brothels.</p> <p>s.146 prevents incest by male persons against female family members.</p> <p>s. 149 prevents a man from pretending he is married to a women.</p>
<p>Article 7 – Political and Public Life</p> <p>States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:</p> <p>(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p>	<p>Elections Law (2009 Revision)</p> <p>This law applies equally to men and women.</p> <p>s.29(5) candidates for election are required to be nominated by at least 2 registered electors for their electoral district.</p> <p>The Cayman Islands Constitution Order 2009</p> <p>ss. 90 and 91 a male or female is entitled to be registered to vote on the same criteria</p> <p>s. 92 provides that any person registered as an elector can vote (regardless of gender).</p> <p>The Sex Disqualification (Removal) Law (1998 Revision)</p> <p>s. 3 states that a person shall not be disqualified by sex or marriage from the exercise of any public function nor be exempt by sex or marriage from liability to serve as a juror or pay tax.</p>
<p>Article 8 - Representation</p> <p>States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any</p>	<p>Public Service Management Law (2010 Revision)</p> <p>s. 4 includes values that refer to the public service being an employer that cares, is non-discriminatory, makes employment decisions on the basis of merit</p>

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<p>discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.</p>	<p>and recognises the aims and aspirations of its employees, regardless of gender or physical disabilities.</p>
<p>Article 9 - Nationality</p> <p>1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.</p> <p>2. States Parties shall grant women equal rights with men with respect to the nationality of their children.</p>	<p>Immigration Law (2010 Revision)</p> <p>Generally, gender neutral. Potential areas of discrimination might be:</p> <p>s. 20(5) requires a Caymanian father of a child born out of wedlock to prove his paternity in respect to his child being Caymanian.</p> <p>s. 67(7) where a child is born out of wedlock without Caymanian citizenship then Immigration will only regard the mother's nationality</p> <p>s. 27(1) where the marriage of a spouse married to a Caymanian has irretrievably broken down within 3 years it is possible to lose citizenship</p> <p>Immigration Regulations (2010 Revision)</p> <p>The legal requirements for obtaining key employee, permanent residency etc are the same for either gender. Potential discriminatory issues may be that 1) men are more likely to hold positions that are considered key employee roles; 2) the points system does not take into account factors that would bias an application (such as men generally earn more than women, hold higher positions within organisations, are more likely to own land etc..).</p>
<p>Article 10 - Education</p> <p>States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:</p> <p>(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>(b) Access to the same curricula, the same</p>	<p>Education Law (2010 Revision)</p> <p>The legislation is generally gender neutral.</p> <p>s. 30 relates to corporal punishment and whilst it does not single out a particular gender corporal punishment might be more discriminatory to girls rather than boys.</p>

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<p>examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p>(d) The same opportunities to benefit from scholarships and other study grants;</p> <p>(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;</p> <p>(g) The same Opportunities to participate actively in sports and physical education;</p> <p>(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p>	
<p>Article 11 - Employment</p> <p>1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p> <p>(a) The right to work as an inalienable right of all human beings;</p> <p>(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;</p>	<p>Labour Law (2007 Revision)</p> <p>The definition of an employee under the law is gender neutral and so all the provisions of the law are the same regardless of gender other than:</p> <p>s.19 provides the maternity provisions which are 12 weeks leave in any 12 month period (pro-rated if employed less than 12 months) with the first 20 days full pay and the next 20 days half pay.</p> <p>s. 19 Female employees are unable to work where a doctor certifies that by reason of pregnancy it would be deleterious to her health however female employees have the same sick leave as their male</p>

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<p>(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;</p> <p>(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;</p> <p>(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;</p> <p>(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.</p> <p>2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:</p> <p>(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;</p> <p>(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;</p> <p>(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;</p> <p>(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.</p>	<p>counterparts.</p> <p>s.19 also contains the adoption provisions which are 9 weeks within any 26 months with the first 15 days paid.</p> <p>s. 80 makes it an offence to discriminate on the basis of sex (inter alia) with respect to hire, promotion, dismissal, tenure, wages, hours or other conditions of employment.</p> <p>Public Service Management Law (2010 Revision)</p> <p>s. 4 includes values that refer to the public service being an employer that cares, is non-discriminatory, makes employment decisions on the basis of merit and recognises the aims and aspirations of its employees, regardless of gender or physical disabilities.</p> <p>National Pensions Law (2010 Revision)</p> <p>s. 25 (2)(b) provides that employers do not have to provide pension plans for those employed to do housework in private residences. As such persons are usually women this seems discriminatory.</p> <p>The Personnel Regulations, 2006</p> <p>Relates to persons working for the civil service.</p> <p>s. 7(a)(i) female employees are entitled to 90 working days of maternity or adoption leave, of which 30 are on normal pay, once completed 12 months continuous service.</p> <p>s.52(4)(b) In connection with the promotion of Caymanians in the civil service account is required to be taken to provide opportunities for the enhancement of the abilities of all individual employees and to recognise the employment requirements of women and persons with disabilities. Here is positive recognition of the requirement for additional promotion of women.</p>

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<p>3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.</p>	
<p>Article 12 - Health</p> <p>1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p>	<p>Health Insurance Law (2005 Revision)</p> <p>The law is gender neutral.</p> <p>s.5 Every person is required to have health insurance either through an employer or employed spouse, parent or other. Where Caymanian and without insurance the Government will attend to payment of health services fees.</p> <p>Health Insurance Regulations (2005 Revision)</p> <p>Certain health benefits may be excluded under a standard health contract and these may be seen to be discriminatory:</p> <p>Part 3, First Schedule includes:</p> <ul style="list-style-type: none"> 2. infertility treatment 4. contraceptive drugs or sterilisation <p>Health Services (Fees) Law (2002 Revision)</p> <p>There are provisions to provide free health care and this is not gender specific but may be reliant on being Caymanian. Where no insurance plan is in place:</p> <p>s.5 Children are not required to pay health services fees.</p> <p>s.6 Ante-natal services are free for Caymanians or their spouses.</p> <p>s.7 Contraceptive services are free for Caymanians or their spouses.</p> <p>s.8 Where patient is unable to pay fees may be waived.</p> <p>Penal Code (2010 Revision)</p> <p>ss. 140-143 Abortion is illegal unless for the health of the mother. This may be seen as discriminatory as the mother has no choice in carrying the child.</p>

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<p>Article 13 – Economic and Social Benefits</p> <p>States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p> <p>(a) The right to family benefits;</p> <p>(b) The right to bank loans, mortgages and other forms of financial credit;</p> <p>(c) The right to participate in recreational activities, sports and all aspects of cultural life.</p>	<p>Poor Persons (Relief) Law (1997 Revision) Applicable to both genders.</p> <p>National Pensions Law (2010 Revision) Applicable to both genders.</p> <p>Married Women's Property Law (1997 Revision) In particular: ss 2 and 3 a married woman is capable of holding property, being liable in respect of any tort, contract, debt or obligation, being capable of being sued and be bankrupt. ss 6 and 7 mean married women have their own rights with regards to transfer of stock and other financial products.</p>
<p>Article 14 – Rural Women</p> <p>1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.</p> <p>2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:</p> <p>(a) To participate in the elaboration and implementation of development planning at all levels;</p> <p>(b) To have access to adequate health care facilities, including information, counselling and services in family planning;</p> <p>(c) To benefit directly from social security programmes;</p> <p>(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their</p>	<p>There are various laws that allow for reduced costs/fees for those resident in Cayman Brac and Little Cayman. These are not gender specific. For example:</p> <p>Health Services (Fees) Law (2002 Revision) Where no insurance plan is in place: s. 4 Caymanians resident in Cayman Brac and Little Cayman are liable to 50% of the usual health services fees.</p> <p>Immigration Regulations (2010 Revision) Part 2, First Schedule. Work permit fees are reduced for the sister islands. s.4(2) The Work Permit Boards may waive the requirement to advertise in respect to work permit applications for positions in the Sister Islands.</p>

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<p>technical proficiency;</p> <p>(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;</p> <p>(f) To participate in all community activities;</p> <p>(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;</p> <p>(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p>	
<p>Article 15 – Equality before the Law</p> <p>1. States Parties shall accord to women equality with men before the law.</p> <p>2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.</p> <p>3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.</p> <p>4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.</p>	<p>The Cayman Islands Constitution Order 2009⁸</p> <p>s. 16 (1) states that government shall not treat any person in a discriminatory manner in respect of the rights under the Bill of Rights and "discriminatory" includes affording different treatment on grounds of sex.</p> <p>s. 15 relates to the government not interfering with peaceful enjoyment of one's property and includes either gender.</p> <p>s. 13 relates to freedom of movement and provides the same protection for both men and women.</p> <p>Married Women's Property Law (1997 Revision)</p> <p>In particular ss 2-3 a married woman is capable of holding property, being liable in respect of any tort, contract, debt or obligation, being capable of being sued and be bankrupt.</p> <p>s. 3 protects a woman in similar manner to a man over any instrument that might restrict her enjoyment of her property.</p> <p>s. 10 expressly makes civil and criminal remedies available to women for the protection and security of their property.</p> <p>s. 12 a wife is liable to criminal proceedings in the same manner as her husband.</p>

⁸ The Bill of Rights (being sections 1 – 28 of The Cayman Islands Constitution Order) is due to come into force 6 November 2012 (save for s. 6(2) and 6(3) which shall come into force 6 November 2013).

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	<p>Evidence (Amendment) Law, 2010</p> <p>s. 1(c) allows witnesses to violent or sexual offences with leave of the court to give evidence in court by way of a live television link.</p> <p>The Police Law, 2010</p> <p>Legislation relates to both genders.</p> <p>Police Regulations (1996 Revision)</p> <p>The height requirements restrict general enlistment in the police force for women unless the Commissioner waives such requirements. (s. 2.(b))</p> <p>Penal Code (2010 Revision)</p> <p>Provisions relating to kidnapping and unlawful compulsory labour are gender neutral (s. 218 – 223)</p> <p>The Criminal Evidence (Witness Anonymity) Law, 2010</p> <p>s.4(2) lists the categories of crime where witnesses can take advantage of witness anonymity. Categories include "rape" but should probably include other related crimes that might affect women's lives like attempted rape, domestic violence etc. albeit the Governor does have the power to amend the categories.</p> <p>Sale of Goods Act (1997 Revision)</p> <p>The capacity to buy and sell is gender neutral.</p> <p>Settled Land Law (1998 Revision)</p> <p>s. 66 confirms that the provisions of the law apply to a married woman saying she, without her husband, may exercise the applicable powers.</p> <p>The Sex Disqualification (Removal) Law (1998 Revision)</p> <p>s. 4(1) allows a Judge/Magistrate to exempt a woman from service on a jury by reason of the nature of the evidence to be given or issues to be tried.</p> <p>s. 4(2) the Chief Justice can prescribe proportion of female jurors and exempt women who are medically unfit from attendance as jurors.</p> <p>The Alternative Sentencing Law, 2006</p> <p>s. 4 requires the Court to increase or reduce a sentence to take into account any evidence that the</p>

CEDAW ARTICLE	CAYMAN LEGISLATION AND COMMENTS
	<p>offence was motivated by bias, prejudice or hate based on, inter alia, sex.</p>
<p>Article 16 – Marriage and Family Life</p> <p>1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:</p> <p>(a) The same right to enter into marriage;</p> <p>(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;</p> <p>(c) The same rights and responsibilities during marriage and at its dissolution;</p> <p>(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;</p> <p>(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;</p> <p>(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;</p> <p>(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;</p> <p>(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.</p> <p>2. The betrothal and the marriage of a child shall have no legal effect, and all necessary</p>	<p>The Cayman Islands Constitution Order 2009⁹</p> <p>s. 9 Government shall respect every person's private and family life regardless of gender.</p> <p>s. 14(1) provides that the Government shall respect the right of either gender to freely marry (the opposite sex) and have a family.</p> <p>s. 14(2) provides that no one shall be compelled to marry</p> <p>s. 14(3) no law or under the authority of any law shall be allowed to contravenes 14(1) and 14(2) unless on certain grounds</p> <p>s. 14(4) Spouses shall be entitled to equal rights and shall be subject to equal responsibilities as between themselves and their children.</p> <p>s.17 provides that the legislature shall enact laws to provide rights for children.</p> <p>s. 20 Government shall seek to provide every child with education.</p> <p>Marriage Law (2010 Revision)</p> <p>Defines marriage as between a man and a woman. Contains same right for either sex to enter a marriage (i.e. must be with person of opposite sex).</p> <p>s.3(2) a marriage to someone under 16 years old is void.</p> <p>s. 24. (2) in respect to under age (less than 18) persons intending to marry require consent of their father initially and the power to give consent only rests with the mother where there is no father.</p> <p>s. 31 A marriage is required to be registered.</p> <p>s. 31 Marriage Register – requires only the father's name to be listed of each marriage participant. Lack of recognition of the mother of each spouse might be discriminatory.</p> <p>Matrimonial Causes Law (2005 Revision)</p> <p>Spouse is defined as either male or female.</p> <p>s.5 provides that a female can file a suit where she has been ordinarily resident in the Islands for at</p>

⁹ The Bill of Rights (being sections 1 – 28 of The Cayman Islands Constitution Order) is due to come into force 6 November 2012 (save for s. 6(2) and 6(3) which shall come into force 6 November 2013).

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<p>action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.</p>	<p>least two years immediately preceding the presentation of the petition.</p> <p>s. 8 (1)(c) parties must consent to the marriage otherwise it is void.</p> <p>s.8(3)(f) might be seen as discriminatory as a decree of nullity may be pronounced where a marriage has taken place and the respondent was at the time pregnant. The section does not account for a situation where the respondent had fathered a child at the time of the marriage.</p> <p>Penal Code (2010 Revision)</p> <p>s. 130 provides protection from a woman being forced into marriage or sexual relations against her will.</p> <p>Maintenance Law (1996 Revision)</p> <p>s.3 and 4 require the parents of a child to maintain said child. The assumption here is that where the father fails to do this then it falls to the mother. Also note that s. 4 provides the requirement that every woman must maintain the legitimate children of any child she has in the event the parents of such children fail to thus providing grandmothers with a burden and not grandfathers.</p> <p>s.8 Children are required to be maintained until age 14 yet there is nothing to provide maintenance here should the child wish to stay in education.</p> <p>ss.11 and 12 are pro-women as every husband is required to maintain his wife irrespective of her means.</p> <p>s.24 Process under this law is free.</p> <p>Affiliation Law (1995 Revision)</p> <p>S3.(1) It is possible for single women to obtain an affiliation order in respect to the confirmation of the paternity of her child and for the maintenance and education of a child by the father.</p> <p>Guardianship and Custody of Children Law (1996 Revision)</p> <p>s. 6 The mother of a child has the like powers to apply to the Court in respect of any matter affecting the child as are possessed by the father.</p> <p>Adoption of Children Law (2003 Revision)</p> <p>s. 3(2) provides special protection for the adoption of girls, preventing them being adopted by a sole</p>

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	<p>male unless there are special circumstances.</p> <p>Protection from Domestic Violence Law, 2010</p> <p>This law is gender neutral however as the victims of domestic violence are often women the protection it affords is of more significance to women.</p> <p>Caribbean Territories (Criminal Law) Order 2000</p> <p>This law relates to same gender sexual relationships and applies to both women and men.</p> <p>Status of Children Law, 2003</p> <p>s. 3. the status of a child is independent of whether he is born inside or outside of marriage.</p> <p>Freedom of Information Law, 2007</p> <p>ss. 23 and 24 relate to the release of personal information and although this is the same for either gender the effect of the provisions may be of more significance to women where certain personal information might be more damaging to a woman's reputation than a man's due to society's prejudices. Access can not be granted where it involves an unreasonable disclosure and the determination of what is reasonable may be open to discrimination. The definition of 'personal information' includes individual's age, sex, marital status, family status or sexual orientation.</p> <p>The Freedom of Information (General) Regulations, 2008</p> <p>s. 11(1) within 14 days of receipt of an application for information that might be personal notice is to be given to the third party whose information is being sought.</p>

July 2011

6 Significant Observations

- 6.1 As a broad observation, most laws are gender neutral and so there is prima facie no discrimination as such between men and women.
- 6.2 From reviewing the research above it is apparent that some legislation specifically refers to women and this includes:
- (a) the Penal Code provisions relating to rape and associated offences and forced marriages;
 - (b) the Labour Law and the Personnel Regulations contain maternity/adoption provisions;
 - (c) the Personnel Regulations specifically require recognition of the requirements of women;
 - (d) the Defamation Law contains a provision specifically relating to the defamation of a woman or girl imputing unchastity or adultery;
 - (e) the Married Women's Property Law expressly states that women can hold property; and
 - (f) the Sex Disqualification (Removal) Law allows women to be exempted from jury service in certain circumstances.
- 6.3 There are some instances where discrimination is evident:
- (a) Cayman Islands legislation maintains instances where the father of a person is the default contact and this should be both parents. For example s. 34(1)(c) Births and Deaths Registration Law.
 - (b) The Marriage Law contains certain provisions that are discriminatory such under age persons intending to marry require father's permission initially. The Register only shows the father's name.
 - (c) The Maintenance Law places a greater burden on women with regards to the provision of care to their children and grandchildren.
 - (d) The Matrimonial Causes Law allows a decree of nullity where the respondent was pregnant at the time of marriage but not where the respondent had fathered a child at the same time.

SCHEDULE 1

CAYMAN ISLANDS LEGISLATION

Abandoned Wreck Law (5 of 1966) (1997 Revision)
Adoption of Children Law (2003 Revision)
Aerial Spraying Protection Law (9 of 1974) (1997 Revision)
Affiliation (Revocation) Rules 1995
Affiliation Law (10 of 1973) (1995 Revision)
Age of Majority Law (27 of 1977) (1999 Revision)
Agricultural and Industrial Aid (Loans) Bye-Laws, 1979 (1996 Revision)
Agricultural and Industrial Aid Law (1996 Revision)
Air Navigation (Fees) Regulations, 2010
Air Navigation (Overseas Territories) (Amendment) Order 2011
Air Navigation (Overseas Territories) (Amendment) Order, 2008
Air Navigation (Overseas Territories) (Environmental Standards) Order 2004
Air Navigation (Overseas Territories) Order 2007
Air Navigation (Overseas Territories) Order 2007 (Notice)
Air Transport (Licensing of Air Services) (Amendment) Regulations, 1981
Air Transport (Licensing of Air Services) Regulations, 1977
Aircraft (Landing and Parking Fees) Regulations (1995 Revision)
Airport Regulations (1995 Revision)
Airports (Security Tax) Regulations (2003 Revision)
Airports (Straying Animals) Regulations (1997 Revision)
Airports Authority (Charges) Regulations, 2008
Airports Authority Law (2005 Revision)
Al-Qa'ida and Taliban (United Nations Measures) (Overseas Territories) (Amendment) Order 2002
Al-Qa'ida and Taliban (United Nations Measures) (Overseas Territories) Order 2002
Alternative Financial Instruments Regulations, 2008
Alternative Sentencing Law (2008 Revision)
Alternative Sentencing Law, 2006
Alternative Sentencing Law, 2006 (Commencement) Order, 2011
Angola (United Nations Sanctions) (Revocation) Order 2003
Animals (Amendment) Law, 2010
Animals (Disposal) Regulations, 1997
Animals (Exportation, Importation, Protection and Control) Regulations (2004 Revision)
Animals (Prohibited Dogs) (Amendment) Regulations, 2011
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Animals (Restrictions on Riding) Order (1996 Revision)
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Antarctic Act (Commencement - Cayman Islands) Order, 1998
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Anti-Corruption Law (Commencement) Order, 2009
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Appointment and Authorisation of Officers Notice (1997 Revision)
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Appropriation Law (January to June 2003) Law, 2002 (Law 48 of 2002)
Arbitration (International Investment Disputes) Act 1966 (Application to Colonies etc.) (Amendment) Order 1967
Arbitration (International Investment Disputes) Act 1966 (Application to Colonies etc.) Order, 1967. SI No. 159
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Assignment to members and ministers of the cabinet for responsibility for certain business of the government and for certain departments of government
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Bail Law (2010 Revision)
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Banks and Trust Companies (Designation) Order (1997 Revision)
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Banks and Trust Companies (Licence Applications and Fees) Regulations (2007 Revision)

Banks and Trust Companies Law (2009 Revision)

Belarus (Restrictive Measures) (Overseas Territories) Order, 2006

Bills of Exchange Law (Cap. 11) (1997 Revision)

Bills of Lading Law (Cap. 12) (1997 Revision)

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Births and Deaths Registration (Fees) Order, 2006

Births and Deaths Registration Law (2007 Revision)

Boy Scouts and Girl Guides Associations Law (1998 Revision)

British Nationality (British Overseas Territories) Regulations, 2007

British Nationality (General) (Amendment) Regulations 2010

British Overseas Territories Citizenship (Designated Service) (Amendment) Order 2008

Building Code Regulations (2006 Revision)

Building Societies Law (2010 Revision)

Burma (Restrictive Measures) (Overseas Territories) (Amendment) Order 2009

Cadet Corps Law, 2003 (Commencement) Order, 2004

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Cape Town Convention Law, 2009 (Law 5 of 2009)

Caribbean Development Bank Law (6 of 1970) (1997 Revision)

Caribbean Meteorological Organisation Law (1997 Revision)

Caribbean Territories (Criminal Law) Order 2000

Cayman Islands (Appeals to Privy Council) (Amendment) Order 2009 SI 2009/3206

Cayman Islands (Appeals to Privy Council) Order 1984

Cayman Islands (Territorial Sea) Order 1989

Cayman Islands Constitution Order 2009 - Proclamation No. 4 of 2009

Cayman Islands Constitution Order, 2009. SI No. 1379

Cayman Islands Nursing and Midwifery Council

Cayman National Cultural Foundation Law, 1992 (Law 24 of 1992)

Census (Cayman Islands) (Amendment) Order, 2010

Census (Cayman Islands) Order, 2010

Census (Cayman Islands) Regulations, 2010

Chemical Weapons (Overseas Territories) Order 2005

Child Abduction and Custody (Cayman Islands) Order 1997

Child Abduction and Custody (Parties to Conventions) (Amendment) (No. 2) Order 1997

Child Abduction and Custody (Parties to Conventions) (Amendment) Order 2000

Children (Amendment) Law, 2003 (Law 24 of 2003)

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Churches Incorporation Law (2007 Revision)

Cinematograph Law (2009 Revision)

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Civil Aviation (Investigating of Air Accidents and Incidents) Regulations, 2007

Civil Aviation (Overseas Territories) (Gibraltar) (Revocations) (No. 2) Order, 2008

Civil Aviation (Overseas Territories) (Gibraltar) (Revocations) Order, 2008

Civil Aviation Authority Law (2005 Revision)

Civil Evidence Rules (2001 Revision)

Clerk and Deputy Clerk of the Court (Powers) Law (13 of 1985) (1997 Revision)

Co-operation of Insolvency Courts (Designation of Relevant Countries and Territories) Order 1986

Coat of Arms and Flag Regulations, 2004

Coat of Arms, Flag and National Song Law (2005 Revision)

Coconut Disease Law (Cap. 19) (1997 Revision)

Code Of Ethics & Standards Of Practice Cayman Islands Medical and Dental Council

Code of Ethics & Standards of Practice Cayman Islands Pharmacy Council

Code Of Ethics & Standards Of Practice Council for Professions Allied with Medicine

Colonial Service Medals Regulations (1998 Revision)

Commissions of Enquiry Law (Cap. 21) (1997 Revision)

Companies (Amendment) Law, 2010 (Law 37 of 2010)

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Copyright (Cayman Islands) Order, 1965. SI No. 2010

Copyright (International Conventions) (Amendment No. 2) Order 1984. SI No. 1987

Copyright (International Conventions) (Amendment) Order 1983. SI No. 1708

Copyright (International Conventions) (Amendment) Order 1984. SI No. 549

Copyright (International Conventions) (Amendment) Order, 1980. SI No. 1723

Copyright (International Conventions) Order, 1979. SI No. 1715

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Coroners Law, 1975 (Law 15 of 1975) (1995 Revision)

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Costs (Crown Suits and Law Officers) Law (Cap. 27) (1998 Revision)

Court Costs Rules 2001

Court Fees (Amendment) Rules, 2009

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Crown Proceedings Law (27 of 1965) (1997 Revision)

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Dangerous Substances Handling and Storage Law 2003 (Law 21 of 2003)

Defamation Law (27 of 1966) (1995 Revision)

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Democratic Republic of the Congo (Restrictive Measures) (Overseas Territories) Order 2003

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Development and Planning (Amendment) (No. 2) Regulations, 2010

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Double Taxation Relief and International Tax Enforcement (Cayman Islands) Order 2010

Drug Rehabilitation Court Law, 2006

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Fire Brigade Law (2006 Revision)

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Foreign Arbitral Awards Enforcement Law (30 of 1975) (1997 Revision)

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Foreign Judgments Reciprocal Enforcement (Australia and It's External Territories) Order 1993

Foreign Judgments Reciprocal Enforcement Law (32 of 1967) (1996 Revision)

Fraudulent Dispositions Law (15 of 1989) (1996 Revision)

Freedom of Information (General) Regulations, 2008

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Friendly Societies Law (Cap. 59) (1998 Revision)

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General Oriental Investments Limited Law, 1984 (Law 13 of 1984)

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Government Savings Bank (Winding Up) Law 1982 (Law 8 of 1982)

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Guardianship and Custody of Children Law (Cap. 65) (1996 Revision)

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Immigration (Janitorial Services) Directions, 2007

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Information and Communications Technology Authority (Dispute Resolution) Regulations, 2003

Information and Communications Technology Authority (Infrastructure Sharing) Notice, 2003

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Information and Communications Technology Authority (Penalties for Anti-Competitive Practices) Rules, 2004

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International Arms Control and Disarmament (Privileges and Immunities) Act 1988 (Overseas Territories) Order 1992

International Criminal Court Act (Overseas Territories) Order 2009

International Criminal Court Act 2001 (Overseas Territories) (Amendment) Order 2010

International Criminal Tribunal for the Former Yugoslavia (Restrictive Measures) (Overseas Territories) Order 2004

Interpretation Law (Cap. 70) (1995 Revision)

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Iraq (United Nations Sanctions) (Amendment) Order 2003

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Iraq (United Nations Sanctions) (Overseas Territories) (Amendment) Order 2004

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Judges' Emoluments and Allowances Order, 2005

Judgment Debts (Rates of Interest) (No. 2) Rules 2001

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Judicial Committee (General Appellate Jurisdiction) Rules Order 1982

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Juveniles (Amendment) Law, 1994 (Law 5 of 1994)

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Juveniles (Joint Trial with Adults) Law (Law 12 of 1976)

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Labour (Gratuities Distribution) Regulations 1992

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Labour (Occupational Safety and Health) (Construction Industry) Regulations, 2008

Labour (Tribunal Members' Remuneration) Regulations 2006

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Land Acquisition Law (Cap. 81) (1995 Revision)

Land Adjudication Law (20 of 1971) (1997 Revision)

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Land Holding Companies Share Transfer Tax Regulations (1997 Revision)

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Law Reform Commission Law (2007 Revision)

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Liberia (Restrictive Measures) (Overseas Territories) Order 2004 SI No. 347

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Limitation Law (12 of 1991) (1996 Revision)

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National Pensions (Pension Fund Investments) Regulations (1998 Revision)

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National Roads Authority Law (2006 Revision)

National Trust Bye-Laws (1998 Revision)

National Trust Law (2010 Revision)

National Weather Service Law, 2010 (Commencement) Order, 2011

National Weather Service Law, 2010 (Law 26 of 2010)

Naturalization (Fees) Law (Revised), 1978

North Korea (United Nations Measures) (Overseas Territories) (Amendment) Order, 2007

North Korea (United Nations Measures) (Overseas Territories) (Amendment) Order, 2009

North Korea (United Nations Measures) (Overseas Territories) Order, 2006

Notaries Public Law (2006 Revision)

Nuclear Safeguards Law (17 of 1993) (1997 Revision)

Oaths Law (Cap 112) (1996 Revision)

Official Gazette Law (26 of 1974) (1997 Revision)

Official Gazette Regulations (1995 Revision)

Official Road Code

Oil Pollution (Compulsory Insurance) Regulations 1976

Outer Space (Sea Launch LDC) (ICO FI Satellite) Order, 2000

Outer Space Act 1986 (Cayman Islands) Order 1998

Overseas Territories (Zimbabwe) (Restrictive Measures) (Amendment) Order 2002

Overseas Territories (Zimbabwe) (Restrictive Measures) (Amendment) Order 2004 (SI No. 1111)

Overseas Territories (Zimbabwe) (Restrictive Measures) (Amendment) Order 2005

Overseas Territories (Zimbabwe) (Restrictive Measures) Order 2002

Parliamentary Pensions (Defined Contribution Plan) Regulations, 2009

Parliamentary Pensions Law (2010 Revision)

Partition Law (Cap. 117) (1997 Revision)

Partnership (Amendment) Law, 2010 (Law 38 of 2010)

Partnership (Fees) Regulations (2007 Revision)

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Passport (Fees) Order, 2009

Passport Law (2004 Revision)

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Patents and Trade Marks Law (2010 Revision)

Patents and Trade Marks Regulations, 1999

Pawnbrokers Law (Cap. 120) (1998 Revision)

Penal Code (2010 Revision)

Penal Code (Sale of Foodstuff) Prohibition Order (1998 Revision)

Penalties, Offshore Income etc (Designation of Territories) Order, 2011

Pensions (Contribution Rate and Approved Investments) Regulations, 1998

Permitted Hours Order (1999 Revision)

Perpetuities Law (7 of 1995) (1999 Revision)

Personnel (Amendment) Regulations, 2009

Personnel (Amendment) Regulations, 2010

Personnel (Amendment) Regulations, 2011

Personnel Regulations, 2006

Petroleum Handling and Storage Law (1 of 1978) (1996 Revision)

Petroleum Handling and Transportation (Licensing) Regulations (1999 Revision)

Petroleum Law (7 of 1978) (1998 Revision)

Petroleum Regulations (1998 Revision)

Pharmacy (Poisons and Restricted Pharmaceuticals) Regulations (1999 Revision)

Pharmacy Law, 1991 (Law 15 of 1991)

Plants (Importation and Exportation) (Fees) Regulations, 2009

Plants (Importation and Exportation) Law (29 of 1983) (1997 Revision)

Police (Amendment) Regulations, 2010

Police (Amendment) Regulations, 2011

Police (Emergency Powers) Regulations, 2004

Police Law, 2010 (Law 36 of 2010)

Police Regulations (1996 Revision)

Poor Persons (Relief) Law (Cap. 128) (1997 Revision)

Port (Amendment) Regulations, 2010

Port Authority (Licensing of Vehicles) Law (17 of 1994) (1999 Revision)

Port Authority Law (1999 Revision)

Port Regulations (2008 Revision)

Postal Law (25 of 1977) (1997 Revision)

Postal Regulations (2007 Revision)

Powers of Attorney Law (8 of 1979) (1996 Revision)

Practice Direction No.1/2008 (GCR O.1, r.12)

Practice Direction No.1/2010 (GCR O. 1, r.12)

Practice Direction No.2/2010 (GCR O. 1, r.12)

Prescription Law (Cap. 131) (1997 Revision)

Price Gouging Control (Emergency Circumstances) Law, 2004 (Law 24 of 2004)

Printing of Papers Law (5 of 1981) (1997 Revision)

Prison (Amendment) Law, 1987 (Law 14 of 1987)

Prison Officers (Discipline) Regulations (1999 Revision)

Prison Rules (1999 Revision)

Prisons (Amendment) (No. 2) Law, 1981 (Law 18 of 1981)

Prisons (Amendment) (No. 2) Law, 2005

Prisons (Amendment) Law, 1986 (Law 5 of 1986)

Prisons (Amendment) Law, 1992 (Law 1 of 1992)

Prisons (Amendment) Law, 1998 (Law 13 of 1998)

Prisons (Amendment) Law, 2005

Prisons (Amendment) Law, 2009

Prisons (Amendment) Law, 2011

Prisons (Execution of Sentence of Death) Regulations (1999 Revision)

Prisons and Places of Detention Regulations (2000 Revision)

Private Security Services Law, 2007

Private Security Services Law, 2007 (Commencement) Order, 2008

Private Trust Companies (Amendment) Regulations, 2009

Private Trust Companies Regulations, 2008

Probate and Administration Rules (2008 Revision)

Probation of Offenders Law (Cap. 136) (1999 Revision)

Proceeds Of Crime (Disclosure) Order, 2010

Proceeds of Crime Law (Commencement) Order, 2008

Proceeds of Crime Law, 2008

Prohibited Publications Order (1998 Revision)

Proliferation Financing (Prohibition) Law, 2010 (Law 23 of 2010)

Property (Miscellaneous Provisions) (Amendment) Law, 2011 (Law 14 of 2011)

Property (Miscellaneous Provisions) Law (2001 Revision)

Protection from Domestic Violence Law, 2010

Public Accountants (Membership and Licences) Regulations (2008 Revision)

Public Accountants Disciplinary Regulations, 2006

Public Accountants Law (2009 Revision)

Public Accountants Law, 2004 (Commencement) Order, 2006

Public Finance and Audit Law (23 of 1985) (1997 Revision)

Public Health (Communicable Diseases) Regulations (1997 Revision)

Public Health (Garbage and Refuse Disposal) (Amendment) Regulations, 2010

Public Health (Garbage and Refuse Disposal) Regulations (2003 Revision)

Public Health (Infections Waste) Regulations (2002 Revision)

Public Health (Miscellaneous Fees) (Amendment) Regulations, 2003

Public Health (Miscellaneous Fees) (Amendment) Regulations, 2010

Public Health (Miscellaneous Fees) Regulations (2004 Revision)

Public Health (Quarantine) (Amendment) Regulations, 2011

Public Health (Quarantine) Regulations (1997 Revision)

Public Health Law (2002 Revision)

Public Holiday Law Order, 1982

Public Holidays (No. 2) Order, 2009

Public Holidays Law (2007 Revision)

Public Holidays Order, 2006

Public Holidays Order, 2006

Public Holidays Order, 2009

Public Holidays Order, 2011

Public Library Law (Cap. 17) (1998 Revision)

Public Loans (Repeal) Law, 1998 (Law 2 of 1998)

Public Management And Finance Law (2010 Revision)

Public Officers Security (Repeal) Law, 1982 (Law 7 of 1982)

Public Order Law (11 of 1973) (1997 Revision)

Public Passenger Vehicles Regulation (2009 Revision)

Public Recorder Law (2010 Revision)

Public Service Commission (Amendment) (No. 2) Regulations, 1991

Public Service Commission (Amendment) Regulations, 1986

Public Service Commission (Amendment) Regulations, 1988

Public Service Commission (Amendment) Regulations, 1989

Public Service Commission (Amendment) Regulations, 1990

Public Service Commission (Amendment) Regulations, 1991

Public Service Commission (Chief Secretary) Regulations, 1992

Public Service Commission (Miscellaneous Amendments) Regulations 1992

Public Service Commission Law (Revised)

Public Service Commission Regulations, 1985

Public Service Management (Amendment) (No. 2) Law, 2010 (Law 40 of 2010)

Public Service Management (Amendment) Law, 2010 (Law 17 of 2010)

Public Service Management Law (2010 Revision)

Public Service Pensions (Amendment) Law, 2004 (Law 19 of 2004)

Public Service Pensions (Amendment) Law, 2010 (Law 18 of 2010)

Public Service Pensions (Amendment) Regulations, 2008

Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2009

Public Service Pensions (Ex-Gratia Pensions) Regulations, 2004

Public Service Pensions Law (2004 Revision)

Public Service Pensions Regulations (2004 Revision)

Public Service Pensions Regulations, 1999

Publication Schemes Of The Information Commissioner's Office

Referendum (Constitutional Modernisation) (Referendum Day) Notice, 2009

Referendum (Constitutional Modernisation) Law, 2009 (Amendment of Schedule 2) (No. 2) Order, 2009

Referendum (Constitutional Modernisation) Law, 2009 (Amendment of Schedule 2) Order, 2009

Referendum (Constitutional Modernisation) Law, 2009 (Law 1 of 2009)

Register of Interests Law, 1996 (Law 13 of 1996)

Registered Land (Prescription under Section 99) Order (1999 Revision)

Registered Land Law (2004 Revision)

Registered Land Rules (2003 Revision)

Registration (Land) Law (Cap. 150) (1996 Revision)

Rehabilitation of Offenders Law (20 of 1985) (1998 Revision)

Reporting of Savings Income Information (European Union) Law (2007 Revision)

Reporting of Savings Income Information (European Union) Law, 2005 (Commencement) Order, 2005

Reporting of Savings Income Information (European Union) Regulations, 2005

Residential Tenancies Law, 2009 (Law 6 of 2009)

Restricted Marine Areas (Designation) Regulations (2003 Revision)

Restriction on the supply of Petroleum to Southern Rhodesia (Repeal) Law, 1983 (Law 5 of 1983)

Retail Mutual Funds (Japan) Regulations (2007 Revision)

Road (Development) Loan Law, 1966

Roads (Forms for Compensation) Regulations (1998 Revision)

Roads (Names of Public Roads) Regulations, 1982

Roads (Names of Public Roads) Regulations, 1988

Roads (Naming and Numbering) Law, 1997 (Law 1 of 1997)

Roads (Prohibited Vehicles) Regulations (1998 Revision)

Roads Law (2005 Revision)

Roads Law (Law 18 of 1974): Declaration (Section 5(1))

Roads Law, 1974 (Law 18 of 1974): Declaration Section 14(1)

Roads Regulations (Street Names)

Sale of Goods Law (12 of 1979) (1997 Revision)

Schedule of Public Roads

Securities Investment Business (Amendment) Law, 2011 (Law 15 of 2011)

Securities Investment Business (Conduct of Business) Regulations 2003

Securities Investment Business (Financial Requirements and Standards) Regulations, 2003

Securities Investment Business (Licence Applications and Fees) Regulations, 2003

Securities Investment Business Law (2010 Revision)

Settled Land Law (Cap. 156) (1998 Revision)

Sex Disqualification (Removal) Law (Cap 157) (1998 Revision)

Ships (Rodent Control) Regulations (2003 Revision)

Ships (Sanitation Control) Regulations, 2011

Sierra Leone (United Nations Sanctions) (Overseas Territories) Order 2000

Somalia (United Nations Sanctions) (Overseas Territories) Order 2002

Stamp Duty (Appeal Rules)

Stamp Duty Law (2010 Revision)

Stamp Duty Order, 2006

Standard Health Insurance Fees for the Cayman Islands

State Immunity (Overseas Territories) Order 1979

Statistics (Amendment) Law, 2010 (Law 21 of 2010)

Statistics (System of National Accounts and Balance of Payments) Regulations, 2010

Statistics Law (2 of 1970) (1996 Revision)

Status of Children Law (Commencement) Order, 2004

Status of Children Law, 2003 (Law 23 of 2003)

Statutory Instruments 1985 No. 1994 Judgments The Reciprocal Enforcement of Judgements (Administration of Justice Act 1920, Part II) (Amendment) Order 1985

Stock Exchange Authority Regulations (2001 Revision)

Stock Exchange Company Law (1 of 1996) (2001 Revision)

Strata Titles Registration Law (2005 Revision)

Strata Titles Registration Regulations (2006 Revision)

Succession Law (2006 Revision)

Sudan (Restrictive Measures) (Overseas Territories) (Amendment) Order 2004

Sudan (Restrictive Measures) (Overseas Territories) Order 2004 SI No. 349

Sudan (United Nations Measures) (Overseas Territories) Order 2005

Summary Court Rules 2004

Summary Courts (Sittings) Order (1999 Revision)

Summary Jurisdiction (Civil Procedure) (Amendment) Rules, 1983

Summary Jurisdiction (Domestic Violence) Law (20 of 1992) (1998 Revision)

Summary Jurisdiction Law (2006 Revision)

Sunday Trading (Argonaut) Order, 1976

Sunday Trading (Cruise Ship "Atlantic") Order 1985

Sunday Trading (Cruise Ship "Ocean Princess") Order 1985

Sunday Trading (Daphne) (No. 2) Order

Sunday Trading (Daphne) Order, 1976

Sunday Trading (No. 2) Order 1995

Sunday Trading Law (2003 Revision)

Sunday Trading Order, 1982

Sunday Trading Order, 1984

Supplementary Appropriation (July 2004 to June 2005) (No. 2) Law, 2005

Supplementary Appropriation (July 2004 to June 2005) Law, 2005

Supplementary Appropriation (July 2005 to June 2006) (No. 2) Law, 2006 (Law 40 of 2006)

Supplementary Appropriation (July 2005 to June 2006) Law, 2006

Supplementary Appropriation (July 2006 to June 2007) (No. 2) Law, 2007 (Law 8 of 2007)

Supplementary Appropriation (July 2006 to June 2007) (No. 2) Law, 2006

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Supplementary Appropriation (July 2006 to June 2007) Law, 2006

Supplementary Appropriation (July 2006 to June 2007) Law, 2007

Supplementary Appropriation (July 2007 to June 2008) Law, 2007 (Law 19 of 2007)

Supplementary Appropriation (July 2007 to June 2008) Law, 2008 (Law 19 of 2008)

Supplementary Appropriation (July 2007 to June 2008) Law, 2008 (Law 5 of 2008)

Supplementary Appropriation (July 2008 to June 2009) Law, 2009

Tax Collection Law (Cap. 163) (1998 Revision)

Tax Concessions (Amendment) Law, 2010

Tax Concessions Law (1999 Revision)

Tax Information Authority (Tax Information Agreements) (No. 2) Order, 2010

Tax Information Authority (Tax Information Agreements) Order, 2009

Tax Information Authority (Tax Information Agreements) Order, 2010

Tax Information Authority Law (2009 Revision)

Tax Information Authority Regulations (2009 Revision)

Telephone (Emergency Number) Regulations, 1998

Terrorism (Amendment) Law, 2011

Terrorism (United Nations Measures) (Overseas Territories) Order 2001

Terrorism Law (2009 Revision)

The Aviation Security and Piracy (Overseas Territories) Order 2000

The Civil Aviation Act 1949 (Overseas Territories) Order 1969

The Civil Aviation Act 1982 (Overseas Territories) (No 2) Order 2001

The Civil Aviation Act 1982 (Overseas Territories) Order 2001

The United Nations (International Tribunals) (Former Yugoslavia and Rwanda) (Dependent Territories) Order 1997

The United Nations Arms Embargoes (Dependent Territories) (Amendment) Order 2008

Tobacco Law, 2008 (Amendment of Commencement Order) Order, 2009

Tobacco Law, 2008 (Commencement) Order, 2009

Tobacco Law, 2008 (Law 18 of 2008)

Tobacco Product and Intoxicating Liquor Advertising Law (21 of 1986) (1998 Revision)

Tobacco Regulations, 2009

Tobacco Regulations, 2010

Torts (Reform) Law (1996 Revision)

Tourism (Moratorium on New Hotel Construction) Order, 1990

Tourism Attraction Board Law, 1996 (Law 17 of 1996)

Tourism Law (10 of 1974) (1995 Revision)

Tourism Regulations (2002 Revision)

Tourist Accommodation (Taxation) Law (2003 Revision)

Towns and Communities Law (Cap. 169) (1995 Revision)

Trade and Business Licensing Directions, 2007

Trade and Business Licensing Law (2007 Revision)

Trade and Business Licensing Policy Directions, 1998

Trade and Business Licensing Regulations (1999 Revision)

Trade in Controlled Goods (Embargoed Destinations) (Overseas Territories) Order 2004

Trade in Goods (Control) (Overseas Territories) Order 2004

Trade Union Law (Cap. 171) (1998 Revision)

Traffic (Amendment) Law, 2005

Traffic (Amendment) Law, 2006

Traffic (Amendment) Law, 2010 (Law 27 of 2010)

Traffic (Categorisation) Regulations (1999 Revision)

Traffic (Driving Test Exemption) Order, 1998

Traffic (Prescription of Measuring Devices) Order (1999 Revision)

Traffic (Public Transport Appeals Tribunal) (Amendment) Regulations, 2007

Traffic (Public Transport Appeals Tribunal) Regulations 2004

Traffic (Radar Equipment) Regulations (1999 Revision)

Traffic (Seat Belts) Regulations (1999 Revision)

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Traffic Control Regulations (1999 Revision)

Traffic Law (2003 Revision)

Traffic Regulations (2002 Revision)

Traffic Ticket Regulations (1999 Revision)

Trafficking in Persons (Prevention and Suppression) Law, 2007

Travel (Departure Tax and Environmental Protection Fee) Law (2003 Revision)

Travel Tax Regulations (1998 Revision)

Trusts (Amendment) (Immediate Effect and Reserved Powers) Law, 1998 (Also incorporated in the Trusts Law (2009 Revision))

Trusts (Amendment) Law, 2011 (Law 8 of 2011)

Trusts Law (2009 Revision)

Tunisia (Restrictive Measures) (Overseas Territories) Order 2011

Tunisia (Restrictive Measures) (Overseas Territories) Order, 2011

United Nations (Sanctions) (Amendment) Order 2000

United Nations Arms Embargoes (Dependent Territories) (Amendment) (Sierra Leone) Order 1998

United Nations Arms Embargoes (Dependent Territories) (Amendment) Order 1997

United Nations Arms Embargoes (Dependent Territories) (Amendment) Order, 2008

United Nations Arms Embargoes (Dependent Territories) Order 1995

University College Law (2010 Revision)

Uzbekistan (Restrictive Measures) (Overseas Territories) (Amendment) Order, 2010

Variation of Registration Date Notice, 2008

Veterinary Law (5 of 1978) (1997 Revision)

Veterinary Regulations (1998 Revision)

Vexatious Actions Law (Cap. 182) (1998 Revision)

Visiting Forces (Application to the Colonies) (Amendment) Order 1990

Visiting Forces (Designation) (Colonies) (Amendment) Order 1990

Voluntary Declarations Law (Cap. 183) (1998 Revision)

Wastewater Collection and Treatment Law, 2011 (Commencement) Order, 2011

Wastewater Collection and Treatment Law, 2011 (Law 3 of 2011)

Water (Production and Supply) Law (15 of 1979) (1996 Revision)

Water (Production and Supply) Law, 2011 (Commencement) Order, 2011

Water (Production and Supply) Law, 2011 (Law 2 of 2011)

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Water Authority (Amendment) Law, 2011 (Commencement) Order, 2011

Water Authority Law (18 of 1982) (1996 Revision)

Water Authority Regulations (2007 Revision)

Weights and Measures Law (Cap. 184) (1998 Revision)

Wills Law (2004 Revision)

Workmen's Compensation Law (20 of 1964) (1996 Revision)

Workmen's Compensation Regulations (1998 Revision)

Wreck and Salvage Law (Cap. 187) (1996 Revision)

Youth (Detention Facility) Order (2003 Revision)

Youth (Detention Facility) Order 1996

Youth (Detention Facility) Order, 2004

Youth Justice Law (2005 Revision)

Youth Rehabilitation Schools 1996

Youth Rehabilitation Schools Notice (2003 Revision)

Youth Rehabilitation Schools Notice, 2004

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Caribbean Territories (Criminal Law) Order 2000	Married Women's Property Law (Cap. 94) (1997 Revision)
Cayman Islands Constitution Order, 2009. SI No. 1379	Matrimonial Causes Law (2005 Revision)
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