

**CAYMAN ISLANDS**



**Cayman Islands Constitution Orders 2009 to 2020**

**POLICE SERVICE (DELEGATED POWERS  
OF THE GOVERNOR) REGULATIONS,  
2021**

**(SL 27 of 2021)**

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**Arrangement of Regulations**

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**CAYMAN ISLANDS****Cayman Islands Constitution Orders 2009 to 2020****POLICE SERVICE (DELEGATED POWERS OF  
THE GOVERNOR) REGULATIONS, 2021****(SL 27 of 2021)**

In exercise of the powers of delegation conferred by section 58B of the Cayman Islands Constitution Orders 2009 to 2020, the Governor makes the following Regulations —

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**Citation**

1. These Regulations may be cited as the Police Service (Delegated Powers of the Governor) Regulations, 2021.

**Definitions**

2. In these Regulations —

“**appointment**” includes an acting appointment, an extension of appointment, a promotion or a transfer;

“**Commission**” means the Police Service Commission constituted under the section 58A of the Constitution;

“**Commissioner**” means the Commissioner of Police appointed under the *Police Act (2021 Revision)*;

“**member**”, in relation to the Commission, means any person appointed to the Commission under section 58A of the Constitution;

“**police officer**” and “**officer**” means any member of the Service;

“**promotion**” means the conferment upon an officer in the Service of an office to which is attached a higher salary scale and rank than that attached to the office in the Service to which the officer was last substantively appointed;

“**Service**” means the Royal Cayman Islands Police Service referred to in section 3 of the *Police Act (2021 Revision)* and is the same as the Police Force referred to in section 58B of the Constitution; and

“**transfer**” means the conferment upon an officer in the Service whether permanently or otherwise of some office other than that to which the officer was last substantively appointed, not being a promotion; but the posting of an officer between duty posts in the same grade shall not be regarded for this purpose as a transfer.

### **Exercise of Governor’s powers under section 58B(6) of the Constitution in relation to appointments**

3. (1) Subject to paragraph (2), the Governor shall be responsible for the appointments and retirement provisions of police officers of ranks superior to Chief Inspector and the relevant provisions of the *Police Act (2021 Revision)* and the *Public Service Management Act (2018 Revision)* which relate to the Governor’s powers in respect of appointments and retirement shall apply in the making of the appointments and retirement provisions of all police officers of ranks superior to Chief Inspector.
- (2) Pursuant to section 58B(1) and (2) of the Constitution, the Governor may make the appointments and retirement provisions under paragraph (1) acting in accordance with the advice of the Commission.
- (3) Pursuant to section 58B(2) of the Constitution, the Commission shall obtain the approval of the National Security Council before giving advice to the Governor on the making of appointments of police officers of ranks superior to Chief Inspector.
- (4) In respect of police officers of the rank of Chief Inspector and below, the Governor delegates the Governor’s powers to make appointments and to provide for retirement of such police officers under section 58B(6) of the Constitution to the Commissioner, and such powers shall continue to be exercised in accordance with the *Police Act (2021 Revision)*.

### **Principles and procedures applicable to the Commissioner in respect of appointments and retirement relating to officers of the rank of Chief Inspector and below**

4. In exercising the powers delegated by the Governor to the Commissioner under regulation 3(4), the Commissioner shall —
  - (a) have regard to the maintenance of the high standards of efficiency necessary in the Service; and



- (b) take into account qualifications, experience and merit.

**Delegation and exercise of Governor's powers of disciplinary control under section 58B(6) of the Constitution**

5. (1) In accordance with the powers of delegation under section 58B(6) of the Constitution, the Governor delegates to the Commissioner the power to continue to deal with offences against discipline or any other misconduct by a police officer of the rank of Chief Inspector and below in accordance with the *Police Act (2021 Revision)*.
- (2) Subject to paragraph (3), the Governor shall be responsible for the discipline of ranks superior to Chief Inspector and the relevant provisions of the *Police Act (2021 Revision)* which relate to the Governor's powers in respect of discipline shall apply in the exercise of the Governor's disciplinary control of all police officers of ranks superior to Chief Inspector.
- (3) Pursuant to section 58B(1) of the Constitution, the Governor may exercise disciplinary control under paragraph (2) acting in accordance with the advice of the Commission.

**Made by the Governor the 16th day of March, 2021.**

**Martyn Roper**  
*The Governor*