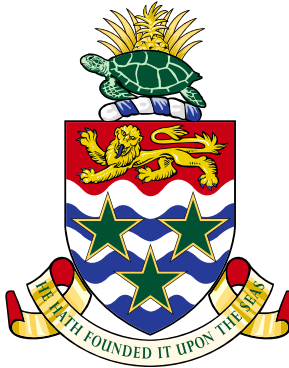


CAYMAN ISLANDS



PARLIAMENT (IMMUNITIES, POWERS AND PRIVILEGES) ACT

(2024 Revision)

Supplement No. 3 published with Legislation Gazette No. 8 of 13th February, 2024.

PUBLISHING DETAILS

Law 24 of 1965 consolidated with Laws 35 of 1965, 4 of 1985, 11 of 1996, 19 of 2012 and as amendeded by Act 56 of 2020 and the Cayman Islands Constitution Order 2009 (UKSI 1379/2009) (as amended) (part).

Revised under the authority of the *Law Revision Act (2020 Revision)*.

Originally enacted —

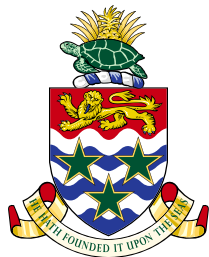
Law 24 of 1965-4th February, 1965
Law 35 of 1965-30th June, 1965
Law 4 of 1985-25th March, 1985
Law 11 of 1996-18th July, 1996
Law 19 of 2012-31st August, 2012
Act 56 of 2020-7th December, 2020
Constitution 2009-10th June 2009.

Consolidated and revised this 31st day of December, 2023.

Note (not forming part of this Act): This revision replaces the 2015 Revision which should now be discarded.



CAYMAN ISLANDS



PARLIAMENT (IMMUNITIES, POWERS AND PRIVILEGES) ACT
(2024 Revision)

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CAYMAN ISLANDS



PARLIAMENT (IMMUNITIES, POWERS AND PRIVILEGES) ACT

(2024 Revision)

Short title

1. This Act may be cited as the *Parliament (Immunities, Powers and Privileges) Act (2024 Revision)*.

Interpretation

2. In this Act —

“**Clerk**” means the Clerk of the Parliament;

“**committee**” means any standing, select, special or other committee appointed by a resolution of the Parliament;

“**journals**” mean the minutes of the Parliament and the official record of the votes or proceedings thereof;

“**meeting**” means the whole or any part of a session, irrespective of adjournments, at which the business set out in the Business Paper for the meeting is disposed of;

“**member**” means a member of the Parliament;

“**officer of the Parliament**” means a person appointed to the staff of the Parliament whether permanently or temporarily and includes the Clerk and the Sergeant at Arms on duty within the precincts of the Parliament;

“**Parliament**” means the Parliament of the Islands;



“**precincts of the Parliament**” means the entire building in which the Parliament sits in session for the transaction of business, together with the car park, the front steps and all areas within the curtilage of the building;

“**session**” means the meetings of the Parliament commencing when the Parliament first meets after being constituted, or after its prorogation or dissolution at any time, and terminating when the Parliament is prorogued or dissolved without having been prorogued;

“**Speaker**” means the Speaker of the Parliament and includes the Deputy Speaker and any other member of the Parliament when such other member is presiding at a meeting of the Parliament;

“**Standing Orders**” means the Standing Orders of the Parliament referred to in section 71 of the *Cayman Islands Constitution Order 2009 [UKSI 2009 No. 1379]*; and

“**stranger**” means any person other than a member or officer of the Parliament.

Immunity from legal proceedings

3. No civil or criminal proceedings may be instituted against any member for words spoken before, or written in a report to, the Parliament of which that person is a member or to a committee thereof or by reason of any matter or thing brought by that person therein by petition, bill, resolution, motion or otherwise, nor shall any such proceedings be instituted against any person in respect of such words broadcast or re-broadcast by any broadcasting station licensed under the *Information and Communications Technology Authority Act (2011 Revision)*, or wholly owned by the Government of the Islands.

Privileges

4. No member shall be liable for arrest for any civil debt except a debt the contraction of which constitutes a criminal offence, whilst going to, attending at or returning from a meeting of the Parliament or any committee.

Power to order attendance of witness

5. (1) The Parliament or any standing committee may, subject to sections 9 and 12, order any person to attend before such Parliament or committee and give evidence or produce any paper, book, record or document in that person’s possession or control.
- (2) The powers conferred by subsection (1) on a standing committee may be exercised by any other committee which is specially authorised by a resolution of the Parliament by which such committee is appointed to exercise such powers in respect of any matter or question specified in the resolution.



Order to attend to be notified by summons

6. (1) Any order to attend, give evidence or produce documents before the Parliament or a committee shall be notified to the person required to attend or produce documents by a summons under the hand of the Clerk issued by the direction of the Speaker.
- (2) In every summons under subsection (1) there shall be stated the time when and the place where the person summoned is required to attend and the particular documents which that person is required to produce, and the summons shall be served on the person mentioned therein either by delivering to that person a copy or by leaving a copy at that person's usual or last known place of abode in the Islands, with some adult person; and there shall be paid or tendered to the person so summoned, if that person does not reside within four miles of the place of attendance specified in the summons, such sum for that person's expenses as may be prescribed by standing order or authorised by order of the Parliament.
- (3) A summons under this section may be served by a constable.

Witnesses may be examined on oath

7. The Parliament or any committee may require that any facts, matters and things relating to the subject of enquiry before such Parliament or committee be verified or otherwise ascertained by the oral examination of witnesses, and may cause any such witnesses to be examined upon oath, which the Speaker or the Chairperson of the committee, as the case may be, or other person specially appointed for that purpose, is hereby authorised to administer.

Objection to answer questions or to produce papers

8. (1) Where any person ordered to attend, give evidence or produce any paper, book, record or document before the Parliament refuses to answer any question put to that person or to produce any such paper, book, record or document on the ground that it is of a private nature and does not affect the subject of enquiry, the Speaker may excuse the answering of such question or the production of such paper, book, record or document, or may order the answering or production thereof.
- (2) Where any person ordered to attend, give evidence or produce any paper, book, record or document before any committee refuses to answer any question put to that person or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of enquiry, the Chairperson of the committee may report such refusal to the Speaker with the reasons therefor; and the Speaker may thereupon excuse the answering of such question or the production of such paper, book, record or document or order the answering or production thereof.

Privileges of witnesses

9. (1) Every person summoned to attend, give evidence or produce any paper, book, record or document before the Parliament or a committee is entitled, in respect of such evidence, the disclosure of any communication or the production of any such paper, book, record or document, to the same right or privilege as before the Grand Court.
- (2) Except with the consent of the Governor, no public officer shall —
- (a) produce before the Parliament or a committee any such paper, book, record or document; or
 - (b) give before the Parliament or a committee evidence on any such matter, as relates to or forms part of the correspondence of any naval, military, air force or civil department or to any matter affecting the public service; nor shall secondary evidence be received by or produced before the Parliament or a committee of the contents of any such paper, book, record or document.

Certificate issued to witnesses making full disclosure to be a bar to proceedings

10. (1) Every witness before the Parliament or a committee who answers fully and faithfully any questions put to that person by the Parliament or such committee to its satisfaction is entitled to receive a certificate stating that that person was upon that person's examination so required to answer and did answer any such question.
- (2) Every certificate under subsection (1) shall, in the case of a witness before the Parliament, be under the hand of the Speaker, and in the case of a witness before any committee be under the hand of the Chairperson thereof.
- (3) On production of such certificate to any court of law such court shall stay any proceedings, civil or criminal, except for a charge under section 103 or 104 of the *Penal Code (2024 Revision)*, against such witness by reasons of anything which the witness may have said in such evidence, and may, in its discretion, award to such witness such expenses as the witness may have incurred.
- (4) Except in proceedings under section 103 or 104 of the *Penal Code (2024 Revision)* no statement made by any person in evidence given before the Parliament or a committee shall be admissible in evidence against that person in any civil or criminal proceedings.

Evidence of proceedings in Parliament or committee not to be given without leave

11. (1) No evidence relating to —
- (a) debates or proceedings in the Parliament; or



- (b) the contents of the minutes of evidence taken or any document laid before the Parliament or a committee or any proceedings of or before, or any examination had before, the Parliament or any such committee, is admissible in any proceedings before a court or person authorised by law to take evidence unless the court or such person is satisfied that permission has been granted by the Speaker for such evidence to be given.
- (2) The permission referred to in subsection (1) may be given during a recess or adjournment by the Speaker.

Certain questions to be determined in accordance with usage of Parliament

12. Where, at any time, any question arises in the Parliament or in committee in regard to —

- (a) the right or power of the Parliament or a committee to hear, admit or receive oral evidence;
- (b) the right or power of the Parliament or a committee to peruse or examine any paper, book, record or document or to summon, direct or call upon any person to produce any paper, book, record or document before the Parliament or committee; or
- (c) the right or privilege of any person (including a member of the Parliament or committee) to refuse to produce any paper, book, record or document or to lay any paper, book, record or document before the Parliament or committee,

that question shall, subject to this Act, and except insofar as express provision is made herein for the determination of that question, be determined in accordance with the usage and practice of the Commons House of Parliament of the United Kingdom.

Right to enter Parliament

13. No stranger shall be entitled, as of right, to enter or to remain within the precincts of the Parliament.

Power of appropriate authority to regulate admittance to Parliament

- 14.** (1) The Speaker is authorised to issue such orders as the Speaker deems necessary for the regulation of the admittance of strangers to the precincts of the Parliament.
- (2) Copies of orders made by the Speaker under subsection (1) shall be duly authenticated by the Clerk and exhibited in a conspicuous position in the precincts of the Parliament to which they relate; and such copies, when so authenticated and exhibited, shall be sufficient notice to all persons affected thereby.

Power of Speaker to order withdrawal from Parliament

- 15.** The Speaker may, at any time, order any stranger to withdraw from the precincts of the Parliament.

False evidence

- 16.** Any person who before the Parliament or a committee intentionally gives a false answer to a question material to the subject of enquiry put to that person during the course of any examination commits an offence —
- (a) if such answer was given on oath, against section 104 of the *Penal Code (2024 Revision)*; or
 - (b) if such answer was given otherwise than on oath, against section 103 of the *Penal Code (2024 Revision)*.

Offences relating to admittance to Parliament

- 17.** A person who —
- (a) being a stranger, enters or attempts to enter the precincts of the Parliament in contravention of any order of the Speaker;
 - (b) being a stranger, fails or refuses to withdraw from the precincts of the Parliament when ordered to withdraw therefrom by the Speaker;
 - (c) being a stranger, contravenes any rule made by the Speaker under the Standing Orders; or
 - (d) attends any sitting of the Parliament as the representative of any journal after the general permission granted under Standing Orders to the representative or representatives of that journal has been revoked,
- commits an offence and is liable on summary conviction to a fine of fifty dollars and to imprisonment for three months.

Other offences

- 18. (1)** A person who —
- (a) disobeys an order made by the Parliament or a committee for attendance or for production of papers, books, documents or records, unless such attendance or production is excused under section 8(1).
 - (b) refuses to be examined before, or to answer any lawful and relevant question put by the Parliament or a committee unless such refusal is excused under section 8(2).
 - (c) offers to any member of the Parliament any bribe, fee, compensation, gift or reward in order to influence that person in that person's conduct as such member, or for or in respect of the promotion of or opposition to any bill, resolution, matter, rules or things submitted to or intended to be submitted to the Parliament;



- (d) assaults, obstructs or insults any member coming to or going from the precincts of the Parliament, or endeavours to compel any member by force, insult or menace to declare themselves in favour of or against any proposition or matter pending or expected to be brought before the Parliament;
- (e) assaults, interferes with, resists or obstructs the Clerk while in the execution of the Clerk's duty;
- (f) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the Parliament while the Parliament is sitting; or
- (g) presents to the Parliament or a committee any false, untrue, fabricated or falsified document with intent to deceive the Parliament,

commits an offence and is liable on conviction before the Grand Court to a fine of one hundred dollars and to imprisonment for six months.

(2) A person who —

- (a) publishes any statement, whether in writing or otherwise, which falsely or scandalously defames the Parliament or any committee, or which reflects on the character of the Speaker or the Chairperson of a committee in the discharge of that person's duty as such;
- (b) publishes any writing containing a gross, wilful or scandalous misrepresentation of the proceedings of the Parliament or a committee or of the speech of any member in the proceedings of the Parliament or a committee;
- (c) publishes any writing containing any false or scandalous libel on any member touching that person's conduct as a member; or
- (d) publishes any report or statement purporting to be a report of the proceedings of the Parliament in any case where such proceedings have been conducted after exclusion of the public by order of the Parliament,

commits an offence and is liable on conviction before the Grand Court to a fine of eight hundred dollars and to imprisonment for twelve months.

Director of Public Prosecutions to sanction prosecutions

- 19.** No prosecution for an offence under this Act shall be instituted except with the written sanction of the Director of Public Prosecutions.

Members not to receive compensation for promotion of or opposition to bills, etc.

20. Any member who accepts or receives either directly or indirectly any fee, compensation, gift or reward for or in respect of the promotion of or opposition to any bill, resolution, matter or thing submitted or intended to be submitted for the consideration of the Parliament commits an offence and is liable on conviction before the Grand Court to a fine of one thousand dollars and to imprisonment for two years, and in addition shall forfeit the amount of the value of the fee, compensation, gift or reward accepted by that member.

Journals printed by order of the Parliament to be admitted as evidence

21. Upon any enquiry touching the privileges, immunities and powers of the Parliament or of any member, any copy of the journals printed or purporting to be printed by any printer authorised by the Cabinet shall be admitted as evidence of such journals in all courts and places without any proof being given that such copy was so printed.

Penalty for printing false copies of law, journals, etc.

22. A person who prints or causes to be printed a copy of any law now or hereafter in force, or a copy of any report, paper, minutes or votes and proceedings of the Parliament as purporting to have been printed by any printer authorised by the Governor or Speaker, and the same is not so printed, or tenders in evidence any such copy as purporting to be so printed knowing that the same was not so printed, commits an offence and is liable upon conviction to imprisonment for three years.

Protection of persons responsible for publications authorised by Parliament

23. A person who being a defendant in any civil or criminal proceedings instituted for or on account or in respect of the publication by such person or by that person's servant, by order or under the authority of the Parliament, of any reports, papers, minutes, votes or proceedings, may, on giving to the plaintiff or prosecutor, as the case may be, twenty-four hours' written notice of that person's intention, bring before the Court in which such civil or criminal proceedings are being held a certificate under the hand of the Speaker stating that the reports, papers, minutes, votes or proceedings in respect whereof such proceedings have been instituted were published by such person or that person's servant by order or under the authority of the Parliament together with an affidavit certifying such certificate, and such court shall thereupon immediately stay such proceedings and the same and every process issued therein shall be deemed to be finally determined.



Publication of proceedings without malice

24. In any civil or criminal proceedings instituted for publishing any extract from or abstract of any report, paper, minutes, votes or proceedings referred to in section 23, if the court or jury, as the case may be, is satisfied that such extract or abstract was published *bona fide* and without malice, judgment or verdict, as the case may be, shall be entered for the defendant or accused.

Powers of Speaker supplementary to powers under Constitution

25. The powers of the Speaker under this Act shall be supplementary to any powers conferred on the Speaker by the Constitution of the Islands.

Courts not to exercise jurisdiction over acts of Speaker and members

26. Neither the Speaker nor any member of the Parliament shall be subject to the jurisdiction of any court in respect of the exercise of any power conferred on or vested in the Speaker or member by or under this Act.

Civil process not to be served within precincts of Parliament

27. Notwithstanding anything provided by any other law to the contrary, no process issued by any court of the Islands in exercise of its civil jurisdiction shall be served or executed within the precincts of the Parliament while it is sitting or through the Speaker, the Clerk or any member of the Parliament.

Publication in consolidated and revised form authorised by the Cabinet this 30th day of January, 2024.

Kim Bullings
Clerk of Cabinet

ENDNOTES

Table of Legislation history:

SL #	Act/Law #	Legislation	Commencement	Gazettes
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
		Cayman Islands Constitution (Amendment) Order 2020 SI 2020 No. 1283	3-Dec-2020	LG86/2020/s1
		Cayman Islands Constituion Order 2009 (UKSI 1379/2009) (as amended) (part)	6-Nov-2009	G14/2009/s1
		Legislative Assembly (Immunity, Powers and Privileges) Law (2015 Revision)	17-Jul-2015	GE53/2015/s18
	19/2012	Direction of Public Prosecutions (Miscellaneous Amendments) Law, 2012 (part)	17-Sep-2012	GE90/2012/s17
		Legislative Assembly (Immunity, Powers and Privileges) Law (1999 Revision)	1-Feb-1999	G3/1999/s6
	11/1996	Legislative Assembly (Immunities, Powers and Privileges) Law, 1996	25-Nov-1996	G24/1996/s12
		Legislative Assembly (Immunity, Powers and Privileges) Law (1996 Revision)	1-Apr-1996	G7/1996/s2
	4/1985	Legislative Assembly (Immunities, Powers and Privileges) (Amendment) Law, 1985	15-Apr-1985	G8/1985/S4
	35/1965	Legislative Assembly (Immunities Powers and Privileges) (Amendment) Law, 1965	6-Aug-1962	GN 126 of 1965
	24/1965	Legislative Assembly (Immunities, Powers and Privileges) Law, 1965	6-Aug-1962	GN 64 of 1965

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