

## SCHEDULE 2

### The Constitution of the Cayman Islands

## PART IV

### THE LEGISLATURE

#### **Electoral Boundary Commission**

**88.**—(1) An Electoral Boundary Commission shall be appointed from time to time at such time as the Governor, acting after consultation with the Premier and the Leader of the Opposition, may determine; but—

- (a) the first such Commission shall be appointed as soon as practicable after the date of commencement of this Constitution; and
- (b) each subsequent Commission shall be appointed not later than eight years after the last Commission submitted its report under section 89.

(2) An Electoral Boundary Commission shall consist of—

- (a) a Chairman who shall be appointed by the Governor, acting in his or her discretion;
- (b) one member appointed by the Governor, acting in accordance with the advice of the Premier; and
- (c) one member appointed by the Governor, acting in accordance with the advice of the Leader of the Opposition.

(3) A person shall not be qualified to be appointed as the Chairman of an Electoral Boundary Commission if he or she is a member of the Legislative Assembly or a public officer.

(4) The Chairman of an Electoral Boundary Commission shall vacate his or her office—

- (a) on the day following the date of submission under section 89 of the report of the Commission;
- (b) if he or she becomes a member of the Legislative Assembly or a public officer; or
- (c) if the Governor, acting in his or her discretion, directs that he or she shall be removed from office for inability to discharge the functions of that office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour.

(5) Any other member of an Electoral Boundary Commission shall vacate his or her office—

- (a) on the day following the date of submission under section 89 of the report of the Commission; or
- (b) if his or her appointment is revoked by the Governor, acting, in the case of a member appointed under subsection (2)(b), in accordance with the advice of the Premier or, in the case of a member appointed under subsection (2)(c), in accordance with the advice of the Leader of the Opposition.

(6) An Electoral Boundary Commission may regulate its own procedure and, with the consent of the Governor, confer powers and impose duties on any public officer or on any authority of the Government for the purpose of the discharge of its functions.

(7) For the purpose of the discharge of its functions, an Electoral Boundary Commission shall invite views from members of the public and may seek such advice as it considers appropriate.

(8) An Electoral Boundary Commission may act notwithstanding any vacancy in its membership (including any vacancy not filled when appointments of members are first made) and its proceedings

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shall be valid even though some person who was not entitled to do so took part in them, but any decision of the Commission shall require the concurrence of not less than two members of the Commission.

(9) In the exercise of its functions under this Constitution, an Electoral Boundary Commission shall not be subject to the direction or control of any other person or authority.