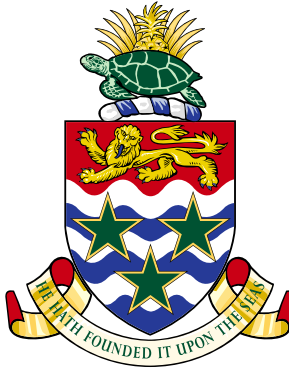


CAYMAN ISLANDS



CADET CORPS ACT

(2021 Revision)

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Note (not forming part of this Act): This revision replaces the 2019 Revision which should now be discarded.



CAYMAN ISLANDS



CADET CORPS ACT
(2021 Revision)

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CAYMAN ISLANDS



CADET CORPS ACT

(2021 Revision)

PART I - PRELIMINARY

Short title

1. This Act may be cited as the *Cadet Corps Act (2021 Revision)*.

Definitions

2. In this Act —

“**authorised officer**” means —

- (a) an employed commissioned officer (other than an honorary commissioned officer);
- (b) an employed non-commissioned officer; or
- (c) a volunteer;

“**cadet**” means a person enrolled in the Cadet Corps and is not less than eleven years of age nor more than twenty years of age;

“**Cadet Corps**” means the Cayman Islands Cadet Corps established under section 3;

“**child of the family**” includes any child under the age of eighteen years who is the child, adopted or otherwise, of either party of a marriage or civil partnership or who has been brought up in the matrimonial home of such parties as a member of their family;



“**Commandant**” means the person appointed as Commandant of the Cadet Corps by the Cabinet under section 3(2);

“**commissioned officer**” means a person granted a commission by the Governor under section 7(1)(a) and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part A of Schedule 1;

“**Committee**” means the Cadet Corps Committee established under section 27;

“**honorary commissioned officer**” means a person granted a commission by the Governor under section 7(1)(b) and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part A of Schedule 1;

“**identity card**” means a card issued to an authorised officer pursuant to section 14;

“**member of the Cadet Corps**” means —

- (a) a commissioned officer;
- (b) an honorary commissioned officer;
- (c) a non-commissioned officer;
- (d) an officer of the Cadet Corps appointed under section 11;
- (e) a volunteer approved by the Governor pursuant to section 13; or
- (f) a cadet;

“**Minister**” means the member of the Cabinet for the time being charged with responsibility for the Cayman Islands Cadet Corps;

“**non-commissioned officer**” means a person appointed by the Commandant under section 8 and carrying rank and precedence within the Cadet Corps in a rank prescribed in Part B of Schedule 1;

“**police officer**” means a member of the Police Service;

“**Police Service**” means the Royal Cayman Islands Police Service;

“**public officer**” has the meaning assigned to it by section 124(1) of the Constitution;

“**rank**” means a rank prescribed in Part A or Part B of Schedule 1;

“**school**” has the meaning assigned to it by section 2(1) of the *Education Act, 2016 [Law 48 of 2016]*;

“**Unit**” includes any headquarters company, detachment or other body of the Cadet Corps formed under section 4; and

“**volunteer**”, in respect of an officer, means either a non-commissioned officer as appointed by the Commandant under section 8 or a commissioned officer.



PART II – CONSTITUTION AND ADMINISTRATION OF THE CAYMAN ISLANDS CADET CORPS

Establishment of Cayman Islands Cadet Corps

- 3.** (1) There is established a Cadet Training Corps called the Cayman Islands Cadet Corps.
- (2) The Cadet Corps shall be under the command of a Commandant appointed by the Cabinet.
- (3) The Cabinet shall appoint a Deputy Commandant.

Constitution of the Cadet Corps

- 4.** (1) The Cadet Corps shall consist of the Commandant, Deputy Commandant and such ranks as may be prescribed in Part A or Part B of Schedule 1.
- (2) The Cadet Corps shall consist of such Units as the Cabinet, after consultation with the Cadet Corps Committee, may think fit to be formed, and the Units shall be styled by such designations as may be prescribed by regulations made under section 37.
- (3) The Cabinet may, by notice amend Schedule 1.

Functions of the Cadet Corps

- 5.** (1) The functions of the Cadet Corps include the following —
- (a) to provide a formal, well-regulated and highly disciplined organisation operating within all sectors of the school and youth communities in the Islands;
 - (b) to attract as cadets, significant numbers of young people between the ages of eleven and nineteen;
 - (c) to instil in cadets, spiritual, moral, national and humane values of honesty, justice, discipline and social responsibility;
 - (d) to maximise in cadets, self-respect, self-confidence, self-reliance, self-discipline and loyalty;
 - (e) to encourage in cadets, powers of leadership and the ability to work as team members;
 - (f) to provide for cadets progressive training of a challenging and exciting nature in order to foster alertness, physical and mental endurance, and camaraderie;
 - (g) to provide for cadets, military-style discipline, skills, achievements and values; and
 - (h) to establish the highest possible standards in all areas of operation of the Cadet Corps.



- (2) **Repealed** by s.5 of the *Cadet Corps (Amendment) (No.2) Act, 2018 [Law 40 of 2018]*.

Administration

6. (1) The day to day administration of the Cadet Corps throughout the Islands is vested in the Commandant.
- (2) Subject to subsection (1), the control of authorised officers in any place shall be vested in such authorised officers as may be appointed by the Commandant to be in charge thereof.
- (3) The Commandant shall render the Commandant's services exclusively to the Cadet Corps unless otherwise authorised by Cabinet and shall be answerable to the Minister for the Commandant's acts and decisions.

PART III - APPOINTMENTS, ENLISTMENTS, SERVICE AND DISCHARGE

Grant of commission in the Cadet Corps

7. (1) The Governor shall, on the recommendation of the Cabinet acting on the prior recommendation of the Cadet Corps Committee, by commission under the Governor's hand appoint fit and proper persons —
- (a) to be commissioned officers of the Cadet Corps; and
 - (b) to be honorary commissioned officers of the Cadet Corps,
- upon such terms and conditions as may be agreed in each case.
- (2) Commissioned officers shall hold such rank specified in Part A of Schedule 1 and every commission granted under subsection (1), shall be published in the Gazette.
- (3) A commission granted under subsection (1) shall be issued in the form set out in Schedule 2.
- (4) A person upon whom is conferred an honorary rank under subsection (1)(b) is not entitled to any pay, allowance, retirement pay, pension, gratuity or other benefits relating to the rank.
- (5) No commissioned officer may be promoted without the approval of the Governor.

Appointments

8. (1) Non-commissioned officers shall be appointed by the Commandant.
- (2) Non-commissioned officers may be full-time or contracted for such period of time and subject to such terms and conditions as may be agreed.



- (3) Such appointment shall be subject to the *Public Service Management Act (2018 Revision)* and *Personnel Regulations (2019 Revision)*.

Enlistments

9. A non-commissioned officer shall, at the discretion of the Commandant, be enlisted in the Cadet Corps for a period of one year on probation and may, on the conclusion of such probationary period to the satisfaction of the Commandant, be confirmed by the Commandant in that officer's rank.

Secondment to the Cadet Corps

10. (1) A person may be seconded to the Cadet Corps and shall be subject to the authority of the Commandant for disciplinary purposes.
- (2) The Cabinet may, subject to such conditions as it may impose, approve the appointment of any public officer in the service of Government, by way of secondment, to any office with the Cadet Corps, and any public officer so appointed shall, in relation to discipline, salary, pension, gratuity or other allowance and to other rights and obligations as a public officer, be treated as continuing in the service of Government.

Special contracts of appointment

11. The Cabinet, on the advice of the Cadet Corps Committee, may appoint such persons as officers of the Cadet Corps, upon such contractual terms as may to them appear expedient.

Clerks, store-keepers and other employees

12. The Commandant may appoint from among the authorised officers of the Cadet Corps such clerks, store-keepers and other employees as may be necessary.

Volunteers

13. There shall be such number of Cadet Corps volunteers, including commissioned officers and non-commissioned officers, as the Governor acting in the Governor's discretion may from time to time approve.

Identity card

14. An identity card in the form prescribed in Schedule 3 signed by the Commandant, shall be issued to every authorised officer and shall be evidence of such officer's appointment.

PART IV – POWERS, DUTIES AND PRIVILEGES OF MEMBERS OF THE CADET CORPS

General powers of Commandant

- 15.** (1) Subject to this Act, the Commandant shall have the command, superintendence and direction of the Cadet Corps and may —
- (a) make such appointments and promotions in respect of non-commissioned officers as the Commandant may see fit;
 - (b) from time to time make standing orders for the general government of members of the Cadet Corps in relation to their control, recruitment, enlistment, enrolment, testing, grading, disciplining, discharge, training, arms, clothing, equipment and other appointments, and particular services as well as their distribution and inspection, and such other orders as the Commandant may deem expedient for preventing neglect and for promoting efficiency and discipline; and
 - (c) issue a handbook, a code of practice or such other guidelines as the Commandant may see fit, for the guidance, government and regulation of members of the Cadet Corps.
- (2) The Commandant may delegate the Commandant's powers to any authorised officer, but the Commandant shall not delegate the Commandant's power to hear any appeal relating to an offence against discipline or to impose upon a member of the Cadet Corps any punishment which includes reduction in rank or dismissal.
- (3) The powers of the Commandant are exercisable subject to this Act and subject to the exclusion of any officer seconded from the public service.
- (4) Standing orders issued by the Commandant pursuant to subsection (1)(b) shall be published in the Gazette.

Command of authorised officers

- 16.** Authorised officers shall carry out and conform to the lawful commands of the Commandant and perform the sundry duties assigned to them under this Act and do other lawful things as may be necessary for the enforcement thereof.

Political activities

- 17.** (1) An authorised officer shall not take any part in any political organisation or electoral campaign within or outside of the Islands or engage in any other activity which might tend to interfere with the impartial discharge of the authorised officer's duties.
- (2) An authorised officer, other than a volunteer, shall not engage in any trade, business, employment or office whatsoever, or take part in any commercial



undertaking outside the scope of the authorised officer's duties under this Act, except with the prior written approval of the Chief Officer.

Resignations

- 18.** Notwithstanding the provisions under the *Public Service Management Act (2018 Revision)*, an authorised officer may resign from the Cadet Corps at any time, giving to the Commandant in writing not less than three months' notice of the authorised officer's intention so to do, and the Commandant may, in any particular case, waive or curtail the period of notice.

Discharge

- 19.** (1) The Commandant may, upon the recommendation of the Cadet Corps Committee, discharge from the Cadet Corps any authorised officer where such officer is unlikely to become efficient in the discharge of that officer's duties; but no authorised officer, other than a volunteer, shall be discharged under this section unless the Commandant has given that authorised officer one month's notice of the intention to discharge that authorised officer or, alternatively, one months' pay in *lieu* of such notice.
- (2) An authorised officer may at any time during the currency of the authorised officer's term of engagement —
- (a) be discharged, when the authorised officer has —
 - (i) been pronounced by the Chief Medical Officer to be physically or mentally unfit for further service; or
 - (ii) in the opinion of the Commandant, ceased to be efficient in the discharge of the authorised officer's duties; or
 - (b) be dismissed by order of the Commandant, if in the opinion of the Commandant, the retention of the authorised officer's services would be contrary to the public interest.

Officer ceasing to belong to Cadet Corps to hand over public property in that person's charge

- 20.** (1) A person ceasing to be a commissioned officer or a non-commissioned officer shall forthwith deliver up to a person appointed by the Commandant for that purpose or to the officer in charge at the place at which that person was last stationed, that person's badge of rank, identity card, and all arms, equipment, and such other items which have been supplied to that person which are the property of the Cadet Corps.
- (2) A commissioned officer or a non-commissioned officer who, having ceased to belong to the Cadet Corps, fails without good cause to comply with subsection (1) commits an offence and is liable on summary conviction to a fine of one thousand dollars and to imprisonment for six months, and to pay the value



of the property not delivered up, which value may be ascertained by a summary court and recovered in the same manner as a fine or deducted in whole or in part from any credit due to the ex-officer.

Retirement and pensions

- 21.** (1) An authorised officer who has attained the age of fifty-five years, shall be retired without prejudice and may, in special circumstances and for such temporary periods, be accepted for such service as may be fixed by contract.
- (2) An authorised officer who has served for twenty-one years in the Cadet Corps may retire on pension without prejudice to that authorised officer being accepted for such further period or periods of service as may be fixed by contract.
- (3) **Repealed** by s.18(b) of the *Cadet Corps (Amendment) (No.2) Act, 2018 [Law 40 of 2018]*.
- (4) The *Public Service Pensions Act (2021 Revision)* shall, subject to this Act, apply to an authorised officer, other than a volunteer, where that authorised officer is employed upon contractual terms applicable to the individual officer which provide for or specifically exclude pension rights.

Medical privileges

- 22.** An authorised officer, other than a volunteer, the officer's spouse and any child of the family who —
- (a) has not attained the age of eighteen years of age and is unmarried; or
 - (b) has attained the age of eighteen years of age but under the age of twenty-three years of age and is in full time education and is unmarried,
- shall be entitled to such medical, dental and optical treatment as may be applicable pursuant to the *Public Service Management Act (2018 Revision)* and *Personnel Regulations (2019 Regulations)*.

Ex gratia payment in the event of death or incapacity attributable to performance of duty

- 23.** (1) Where an authorised officer dies within seven years as a result of injuries received —
- (a) in the actual discharge of the authorised officer's duty and without the authorised officer's own default; or
 - (b) in circumstances specifically attributable to the nature of the authorised officer's duty in the Cadet Corps,
- it shall be lawful for the Cabinet in its discretion to make out of the funds made available by the Cayman Islands Parliament to the authorised officer's spouse or civil partner while that authorised officer's spouse or civil partner remains unmarried and not in a civil partnership and any child of the family who has not



attained the age of eighteen years of age or who has not married, an *ex gratia* payment as the Cabinet may determine.

- (2) Where an authorised officer is permanently incapacitated as a result of injuries received in the circumstances set out in subsection (1)(a) or (b), it shall be lawful for the Cabinet to grant to that officer, having regard to the degree of the permanent incapacity an *ex gratia* payment as the Cabinet may determine.

Authorised officers' funeral expenses

- 24.** When an authorised officer dies in the execution of that authorised officer's duty that authorised officer's funeral expenses shall be paid out of public funds.

Powers of arrest

- 25.** (1) Any authorised officer may, without an order from a Justice of the Peace and without a warrant, arrest any person who obstructs an authorised officer in the execution of the authorised officer's duty.
- (2) Notwithstanding the provisions of any Act, members of the Cadet Corps shall be entitled, in the performance of the Cadet Corps' functions, to carry arms, but no arms shall be carried except with the authority of the Commandant given under and in accordance with the general or special directions of the Cabinet.

Detention of persons arrested without warrant

- 26.** An authorised officer arresting any person without a warrant shall without unnecessary delay deliver over the person so arrested to a police officer or, in the absence of a police officer, shall take the person to the nearest police station and the provisions of the *Police Act (2021 Revision)* shall apply.

PART V – CADET CORPS COMMITTEE

Establishment of Cadet Corps Committee

- 27.** There is established a committee to be known as the Cadet Corps Committee for the purpose of —
 - (a) advising the Minister on matters of policy relating to the Cadet Corps;
 - (b) advising the Commandant on such matters as are referred to the Committee by the Minister or by the Commandant;
 - (c) making recommendations with respect to appointment to, and withdrawal of commissions;
 - (d) making recommendations with respect to promotions;
 - (e) advising the Minister on the establishment of new Units and the regulation of the strength of established Units;



- (f) receiving, reviewing and making recommendations on complaints regarding the discipline of the Commandant;
- (g) reviewing and approving the Standing Orders to be issued by the Commandant under section 15(1)(b) prior to the issue and publication in the Gazette;
- (h) performing such functions of the Cadet Corps on matters pertaining to the Cadet Corps as the Minister may delegate;
- (i) ordering an investigation into the operations of the Cadet Corps;
- (j) where appropriate, directly intervening in the operation of the Cadet Corps where it is in the public interest to do so, by giving general and lawful directions in writing as to the policy to be followed by the Cadet Corps in the performance of its duties and functions;
- (k) extending policy that applies to the civil service to the Cadet Corps as and when necessary to ensure good governance and best human resource practice; and
- (l) undertaking a review, investigation or audit of the financial, personnel management or governance practices of the Cadet Corps and may request information concerning such matters from any officer of the Cadet Corps, and the officer concerned shall accede to any such request.

Composition of Committee

- 28.** (1) The Committee shall consist of the following members appointed by Cabinet —
- (a) a representative from the legal profession;
 - (b) a representative from the Royal Cayman Islands Police Service;
 - (c) a public officer recommended by the Minister;
 - (d) three other members recommended by the Minister;
 - (e) a member recommended by the Leader of the Opposition;
 - (f) the Commandant shall be *ex-officio* and shall have no vote on the Committee; and
 - (g) the officer serving as the Training Officer of the Cadet Corps shall be *ex-officio* and shall have no vote on the Committee.
- (2) The Cabinet shall appoint, from among the members of the Committee, a Chairperson who shall be an honorary Colonel, and a Vice Chairperson.

Term of office of Committee Member

- 29.** The term of office of each member of the Committee shall be up to three years and each member shall be eligible for reappointment.



Meetings of Committee

- 30.** (1) The Committee shall hold quarterly meetings in each year and may adjourn such meetings from time to time but the Committee may hold more frequent meetings at such times as it thinks fit for the purpose of dealing with any of the matters referred to it.
- (2) A quorum of the Committee shall be four members and, at any meeting thereof, in the absence of the Chairperson and Vice Chairperson a member shall be elected to act as chairperson of the meeting.
- (3) The Committee shall have power to regulate its own procedure.

Report of Committee

- 31.** The Committee shall make an annual report on its proceedings to the Minister.

Secretary to the Committee

- 32.** (1) The person serving as administrative officer of the Cadet Corps shall be the Secretary to the Committee and shall under the supervision of the Chairperson prepare the agenda, record the minutes and deal with any other matters of a secretarial nature, but shall have no vote on the Committee.
- (2) The Secretary in the performance of the secretarial duties shall be accountable to and report directly to the Chairperson.

PART VI – CADETS

Enrolment in Cadet Corps

- 33.** (1) Any person who is between eleven years of age and nineteen years of age may apply to be enrolled in the Cadet Corps.
- (2) Notwithstanding subsection (1), a cadet who has attained nineteen years of age may remain a cadet only if that person is approved by the Commandant to do so but that person shall not remain a cadet beyond attaining twenty years of age.

PART VII - MISCELLANEOUS

Immunity

- 34.** Neither the Cadet Corps, the Cadet Corps Committee, the Commandant, nor any other member of the Cadet Corps, shall be liable in damages for anything done or omitted in the discharge or purported discharge of their respective functions or duties under this Act unless it is shown that the act or omission was in bad faith or constituted wilful misconduct or negligence.



Failure to obey a lawful order of an authorised officer

35. Repealed by s.27 of the *Cadet Corp (Amendment) (No.2) Act, 2018 [Law 40 of 2018]*.

Cadet Corps uniform not to be worn without authority

36. (1) A person other than —

- (a) a commissioned officer;
- (b) an honorary commissioned officer;
- (c) a non-commissioned officer; or
- (d) a cadet,

who wears any uniform of the Cadet Corps, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform, commits an offence and is liable on summary conviction to a fine of five hundred dollars and to imprisonment for six months.

- (2) Subsection (1) does not apply to a person who wears a uniform or dress in the course of a stage play performed in a place duly authorised for the public performance of stage plays.

Regulations

37. (1) The Cabinet may make regulations for the better carrying out of this Act.

- (2) Regulations made under this section may, without prejudice to the generality of the provisions of subsection (1), provide —

- (a) for the discipline and training of members of the Cadet Corps;
- (b) subject to this Act, for the enlistment, enrolment, rank, precedence, appointment, promotion and command, between themselves, of members of the Cadet Corps;
- (c) for the uniforms, insignia and badges to be worn by members of the Cadet Corps;
- (d) for the colours and awards of the Cadet Corps;
- (e) for the constitution, organisation and strength of the Cadet Corps; and
- (f) for such other matters as may from time to time be necessary for giving effect to the provisions of the Act.

Savings and transitional provisions

38. (1) On the coming into force of this section, all property, rights and liabilities to which the former Cadet Corps was entitled shall vest in the new Cadet Corps.

- (2) Every matter which has been partly dealt with by the former Committee when this section comes into force, is to be continued and dealt with under this Act by the new Committee and the provisions of this Act are to apply accordingly.



(3) In this section —

“**former Cadet Corps**” means the body which, immediately before the coming into force of this section, acted as the Cadet Corps of the Islands;

“**former Committee**” means the body appointed, immediately before the coming into force of this section, to act as an advisory committee to the former Cadet Corps;

“**new Cadet Corps**” means the Cadet Training Corps established under section 3; and

“**new Committee**” means the committee established under section 27.

SCHEDULE 1

(sections 2, 4 and 7(2))

RANKS OF OFFICERS OF THE CADET CORPS

PART A

Commissioned Officers:

Colonel
Lieutenant Colonel
Major
Captain
Lieutenant
Second Lieutenant

PART B

Non-Commissioned Officers:

Warrant Officer, Class 1 (WO1)
Warrant Officer, Class 2 (WO2)
Staff Sergeant
Sergeant
Corporal
Lance Corporal



SCHEDULE 2

(section 7(3))

FORM OF COMMISSION CONFERRING RANK UPON AN OFFICER OF THE CADET CORPS

To.....Greetings:

Reposing especial trust and confidence in your loyalty, courage and good conduct, I do by these presents constitute and appoint you to be an officer in the Cayman Islands Cadet Corps from the day of , 20 .

You are therefore carefully and diligently to discharge your duty as such in the rank of or in such higher rank as you may from time to time hereafter be promoted or appointed to, of which a notification will be made in the Gazette, and you are at all times to exercise and well discipline in arms such officers and members of the Cayman Islands Cadet Corps serving under you and use our best endeavour to keep them in good order and discipline.

And I do hereby command them to obey you as their Superior Officer, and you to observe and follow such orders and directions as from time to time you shall receive from me, or any other, your Superior Officer, in pursuance of the trust hereby reposed in you.

Given at George Town, Cayman Islands, the day of , 20 .

Governor



SCHEDULE 3

(section 14)

IDENTITY CARD

The following is the form of identity card required to be prescribed by section 14 —

CAYMAN ISLANDS CADET CORPS

This is to certify that _____

Rank _____

No. _____ whose photograph is attached is a duly attested member of the Cayman Islands Cadet Corps.

Members of the Cayman Islands Cadet Corps and members of the general public are requested to give the identified person any assistance that the identified person may require in the performance of that person’s duties.

Commandant of the Cayman Islands Cadet Corps

PHOTO	Signature	Right Thumb Impression
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Publication in consolidated and revised form authorised by the Cabinet this 5th day of January, 2021.

Kim Bullings
Clerk of Cabinet



ENDNOTES

Table of Legislation History:

SL#	Law #	Legislation	Commencement	Gazette
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
	35/2020	Civil Partnership Act, 2020	4-Sep-2020	LG64/2020/s1
		Cadet Corps Law (2019 Revision)	14-Feb-19	LG1/2019/s4
	40/2018	Cadet Corp (Amendment) (No 2) Law, 2018	19-Dec-18	GE97/2018/s14
	10/2018	Cadet Corps (Amendment) Law, 2018	13-Aug-18	G17/2018/s9
		Cadet Corps Law (2016 Revision)	2-Sep-16	GE69/2016/s4
	16/2016	Cadet Corps (Amendment) Law, 2016	8-Jun-16	GE45/2016/s4
29/2004		Cadet Corps Law, 2003 (Commencement) Order, 2004	27-Feb-04	GE9/2009/s1
	32/2003	Cadet Corps Law, 2003	1-Mar-04	G2/2004/s3







(Price: \$5.60)

