STATUTORY INSTRUMENTS

2009 No. 3206

JUDICIAL COMMITTEE

The Cayman Islands (Appeals to Privy Council) (Amendment) Order 2009

Made - - - -	*9th December 2009*
Coming into force - -	*1st January 2010*

At the Court at Buckingham Palace, the 9th day of December 2009

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 1 of the Judicial Committee Act 1844(**a**) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is ordered, as follows:

Citation, construction and commencement

1.—(1) This Order may be cited as the Cayman Islands (Appeals to Privy Council) (Amendment) Order 2009 and shall be construed as one with the Cayman Islands (Appeals to Privy Council) Order 1984(**b**).

(2) This Order shall come into force on 1st January 2010.

Interpretation

2. In this Order—

"Court" means the Cayman Islands Court of Appeal established by section 99 of the Constitution set out in Schedule 2 to the Cayman Islands Constitution Order 2009(**c**);

"the 1984 Order" means the Cayman Islands (Appeals to Privy Council) Order 1984.

Amendment of 1984 Order

3. The 1984 Order is amended in article 2 by substituting for the definition of "Court" the following—

> ""Court" means the Cayman Islands Court of Appeal established by section 99 of the Constitution set out in Schedule 2 to the Cayman Islands Constitution Order 2009;".

(**a**) 1844 c.69.
(**b**) S.I. 1984/1151, amended by S.I. 2009/224.
(**c**) S.I. 2009/1379.

Transitional provisions

4.—(1) In respect of any judgment of the Cayman Islands Court of Appeal established by the Cayman Islands (Constitution) (Amendment) Order 1984(**a**), or of the Court, given before the commencement of this Order, an appeal may be commenced, continued and concluded or continued and concluded, as the case may be, in accordance with the 1984 Order as amended by this Order as nearly as may be as if it were an appeal from a judgment of the Court given after the commencement of this Order.

(2) Any Order that Her Majesty in Council may see fit to make on any such appeal or any Order on an appeal from the Cayman Islands Court of Appeal established by the Cayman Islands (Constitution) (Amendment) Order 1984 or from the Court made by Her Majesty before the commencement of this Order, but not enforced before such commencement, may be enforced as if it were an Order made on an appeal from a judgment of the Court given after the commencement of this Order.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order creates a right of appeal to the Privy Council from the Cayman Islands Court of Appeal established by the Constitution set out in Schedule 2 to the Cayman Islands Constitution Order 2009 in place of the Court of Appeal established by the Cayman Islands (Constitution) (Amendment) Order 1984. It also includes transitional provisions.

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(**a**) S.I. 1984/126.

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