



The Law Reform Commission
2006/2007

**ANNUAL REPORT OF THE LAW REFORM
COMMISSION**

This is the second annual report of the Law Reform Commission and relates to the period 1st April, 2006 to 31st March 2007.

1. COMPOSITION OF THE LAW REFORM COMMISSION AND STAFF

- 1.1. At the end of April 2006 the Chairman of the Commission, Mr. Nigel Clifford, Q.C. resigned for personal reasons.
- 1.2. Cabinet thereafter approved the appointment of Mr. Langston Sibblies as Chairman on 18th July 2006. Mr. Sibblies has been a member of the Commission from its establishment. Mr. Sibblies has been General Legal Counsel of the Monetary Authority since September 2000. He was educated in law in Barbados, Jamaica and Canada. Previous posts in the public sector include Crown Counsel (Cayman Islands), Senior Crown Counsel (British Virgin Islands), Legislative Policy Counsel (Ontario) and Director of Public Prosecutions (Grenada). In the private sector, he has worked as a law editor with a leading tax and business law publisher in Ontario, Canada, and practised as a private lawyer in Jamaica and Toronto.
- 1.3. Cabinet also approved the appointment of Mr. Ian Paget-Brown, attorney-at-law, as a Commissioner. Mr. Paget-Brown, who has practised law in the Cayman Islands for approximately 35 years, was educated in law in the UK and the US. He now divides his time between the Islands and the US, working in the areas of company and banking law (including insolvency); trusts; civil litigation; anti-money laundering and terrorist financing controls and regulatory laws.

1.4 The Commission appointed a new Legislative Counsel, Ms. Fikile Dlamini, on 18th April 2006. Ms. Dlamini comes to the Cayman Islands after completing a two-year stint in the Attorney General’s Chambers in the British Virgin Islands. An attorney-at-law for more than 25 years, Ms. Dlamini has also practised in her native Swaziland and St. Lucia.

- 1.5 The Commissioners are-
- Langston Sibblies, Chairman
 - Mrs. Eileen Nervik
 - Mr. Andrew Jones, Q.C
 - Ms. Cheryll Richards, Solicitor General
 - Mr. Ian Paget- Brown.

The members of staff of the office of the Commission are-

- Ms. Cheryl Ann Neblett, Director
- Ms. Fikile Dlamini, Legislative Counsel
- Mrs. Christine Cooke, paralegal officer.

2. **THE LAW REFORM COMMISSION (AMENDMENT) LAW, 2006**

2.1 The Law Reform Commission (Amendment) Law was passed by the Legislative Assembly on the 14th September 2006. This Law made a number of minor amendments to the Law Reform Commission Law, 2005 (“the principal Law”) in order to tidy up the provisions relating to the composition of the Commission, the appointment and replacement of Commissioners, the election of a temporary chairman and the work of the office of the Commission.

2.2 The Law changed the name of the head of the office of the Commission from “Law Reform Administrator” to the “Law Reform Legal Director” (“the Director”) in order to make it clear that the office is a legal office responsible not only for the daily administration of the Commission but also for the preparation of draft legislation, the conduct of legal research for the Commission, the preparation of reports emanating from such research and other legal work.

2.3 The Law Reform Commission Law was also amended to provide for the appointment of more than 5 Commissioners and for the appointment of Commissioners who are not lawyers. The Governor will be able to appoint a person who, in his opinion, is by reason of special qualifications, training or experience, suitable for appointment to the Commission.

3. **OPERATING PROCEDURES FOR THE COMMISSION**

3.1 At its meeting of 12th August 2006 the Commission agreed on the internal operating procedures which the Commission will follow when dealing with matters which have been referred to it for review. These procedures will hopefully assist the members of the public and other government departments in understanding how the law reform process works.

3.2 The Law Reform Commission will work within a particular framework when it develops recommendations for reform of the law. However, it has recognized that the procedures will need to be flexible to address the peculiarities of each project or reference. The typical approach to be taken by the Law Reform Commission is as set out in the Appendix to this report.

4. **PROJECTS OF THE LAW REFORM COMMISSION FROM 1ST APRIL 2006 TO 31ST MARCH 2007**

4.1 Since 1st April 2006 the Commission has met on the following dates-

- 12th April 2006
- 12th August 2006
- 24th October 2006
- 20th January 2007
- 28th February 2007
- 31st March 2007

4.2 From 1st April 2006 to 31st March 2007 the Commission has carried out the following reviews

Review of the Corporate Insolvency Law and Recommendation for the Amendment of Part V of the Companies Law (2004 Revision)

4.3 On 26th April 2006, Nigel Clifford QC, the then chairman of the Law Reform Commission submitted to the Attorney General the Report of the Law Reform Commission entitled “Review of the Corporate Insolvency Law and Recommendation for the Amendment of Part V of the Companies Law” (the “April 12th Report”) together with a draft Bill to repeal and replace the winding up provisions of the Companies Law (2004 Revision).

4.4 The recommendations in the April 12th report are summarized as follows-

- The existing law suffers from being unduly complex because it is derived from a combination of 19th century legislation, inappropriate foreign rules and local case law. The Commission therefore recommended that the existing law and best practice be codified by re-writing Part V of the Companies Law.
- The practice of attempting to apply foreign insolvency rules does not work satisfactorily. The Commission therefore recommended the establishment of a new Insolvency Rules Committee which will be charged with the responsibility of enacting insolvency rules which specifically meet the needs of the Cayman Islands financial services industry.
- In order to avoid damaging the Cayman Islands capital markets and asset finance business, it is critically important to maintain our current status as a 'creditor friendly jurisdiction'. The Commission therefore recommended that "corporate rescue" provisions similar to Chapter 11 of the US Bankruptcy Code should not be introduced into the law.

- It is the practice of the Grand Court to appoint as official liquidators only professional insolvency practitioners. The Commission recommended that the Insolvency Rules Committee be empowered to make regulations relating to the qualification and disqualification of professional insolvency practitioners.
- There is currently a considerable degree of cross-border co-operation in respect of insolvency matters, but the basis upon which this co-operation is afforded depends largely upon judicial practice. The Commission therefore recommended that the law relating to international co-operation in respect of insolvency matters be codified and included in a new Part XVI of the Companies Law.

4.5. The issue of liquidators' fees and expenses have, since the collapse of Sterling Bank & Trust Company Ltd. ("Interbank"), in 1974, been matters of public interest in the Islands. In the Interbank liquidation, a local bank went into liquidation. There were many local depositors and creditors who were unable to recover any significant return. The expense of the liquidation, which had started as a voluntary winding up, was blamed for their misfortune.

4.6 As the Privy Council case *The Attorney-General of the Cayman Islands v Cleaver et al* was still pending at the time of the submission of the April 12th Report, the Report was completed without the benefit of comments from the judiciary. The Privy Council noted in its 6th June 2006 decision that the judiciary had not thought it appropriate to discuss with the then constituted Law Reform Commission issues that were pending in the appeal.

4.7 The Privy Council case concerned the Grand Court's jurisdiction under section 107(2) of the Companies Law, which provides:

"There shall be paid to the official liquidator such salary or remuneration, by way of percentage or otherwise, as the Court may direct, and if more liquidators than one are appointed such remuneration shall be distributed amongst them in such proportions as the Court directs."

4.8 On 18th October 2002, the Grand Court sat en banc (Smellie CJ, Sanderson and Henderson JJ) and in its judgment set guidelines for fee rates and gave further directions regarding the fees, costs and time chargeable and the procedures to be followed in winding up and liquidation proceedings. This judgement was appealed.

4.9 The Court of Appeal in its judgement of 20th April 2003 allowed the liquidators' appeal against the Grand Court judgment. The Attorney General "as guardian of the public interest" appealed the Court of Appeal decision. The Privy Council held that the Court of Appeal's decision was reached on the basis of a misreading of the statutory scheme and that the day-to-day experience of liquidation matters acquired by the Grand Court at first instance made that Court well-placed to

identify problems that, in a Cayman Islands context, merited the Grand Court's attention.

- 4.10 The Privy Council found that the Grand Court had the jurisdiction to issue guidelines for fees, rates and to give directions regarding the fees, costs and time chargeable and the procedures to be followed in winding up and liquidation proceedings. Lord Mance delivering the judgment stated -

“The Board has concluded that the Court of Appeal based its decision on an erroneous understanding of the role of the Grand Court. The correct view, now accepted even by the liquidator's counsel, is that the Grand Court had power to set guidelines and procedures for the fixing of liquidators' remuneration. The Grand Court correctly acknowledged that in doing this the court should place great weight on prior approval by the creditors committees' where they exist. It was however open to the Grand Court to order that, even after approval by creditors or a creditors' committee, the liquidators should submit the fees so approved to the court for its final decision.”.

- 4.11 Subsequent to the Privy Council's decision, the Attorney General suggested that the Law Reform Commission give further consideration to those aspects of the of the April 12th Report impacted by the decision. The Commission decided to confer with the judiciary to seek their comments. On 24th October 2006 the Commission met with the Chief Justice in a consultative session and by a memorandum dated 30th October 2006 the Chief Justice formally presented the collective views of the judiciary. The comments of the Chief Justice were considered at the meeting of the Commission on 20th January 2007. The Commission also agreed to formally consult with the Cayman Islands Society of Professional Accountants, the Cayman Islands Law Society and the Caymanian Bar Association on the definition of insolvency for the purposes of the Law. The Commission has received the views of three law firms Walkers, Ogiers and Maples and Calder and is awaiting a second set of comments from the Cayman Islands Society of professional accountants. The Commission intends to submit a supplemental report on this subject in April 2007 dealing with these matters.

Review of the Legal Practitioners Law

- 4.12 The review of the Legal Practitioners Bill commenced in September 2005 and was one of the first projects undertaken by the Commission. After a first round of consultation with the Cayman Islands Law Society and the Caymanian Bar Association the proposed Legal Practitioners Bill was re-drafted several times to take into account comments made by those bodies. The main issues of contention were as follows-
- (a) the eligibility of persons to practise the laws of the Cayman Islands- should attorneys-at-law who practise the laws of the Islands outside the Islands be able to obtain practising certificates;

- (b) whether all attorneys, including government attorneys, should be subject to the same forms of discipline;
- (c) whether all attorneys should be called to the Bar and have practising certificates;
- (d) the composition of the Complaints Committee;
- (e) whether the Attorney-General should have a veto over the dismissal of a complaint against an attorney by the Complaints Committee; and
- (f) the composition of the Disciplinary Tribunal.

4.13 In preparing the Bill, legislation from a wide variety of jurisdictions were examined. The Commission considered laws from the following jurisdictions-

- Barbados
- St. Lucia
- Bermuda
- The British Virgin Islands
- Jamaica
- Trinidad
- Canada
- California
- New York
- Jersey (Channel Islands)
- Guernsey
- Hong Kong
- Anguilla
- Dubai
- England
- Ireland
- Isle of Man
- New Zealand

4.14 On 29th January 2007 the Bill was sent out for final public consultation. Responses were received from the Law Society and the Bar Association as well from attorney Mr. John Meghoo. Consultation is ongoing and the main outstanding issues to be resolved by the Commission relate to the grant of practising certificates to overseas attorneys and to the regulation and oversight of such attorneys. This has become a hotly debated issue and the Commission is working towards achieving a solution that would maintain the integrity and

credibility of the Cayman Islands' practising certificate while accommodating non- resident attorneys employed by offices of locally based firms.

- 4.15 Following additional consultations, the Commission decided that a draft final report and Bill will be prepared for submission to the Attorney General in April 2007.

Review of landlord and tenant legislation in the Islands

- 4.16 The Leader of Government Business, in October 2005, asked the Law Reform Commission to undertake a review of the landlord and tenant legislation in the Islands. The relevant laws are the Registered Land Law (2004 Revision), the Landlord and Tenant Law (1998 Revision) and the common law where statute does not otherwise provide.
- 4.17 The Commission conducted research from October 2005 to September 2006 and was assisted in the initial stage of its research by written submissions received from Island Rental Services & Real Estate Ltd¹ and attorney Mr. Stephen Hall-Jones.
- 4.18 The Commission conducted a general review of the relevant landlord and tenant laws but the main issues which were focused on during the review process were the following -
- (a) steep and sudden increases in rent which resulted in calls for rent control legislation and the establishment of a housing authority;
 - (b) uncertainty as to length of notice to quit especially in situation where tenant is holding over;
 - (c) tenants refusing to vacate after being given due notice;
 - (d) the unlawful eviction of tenants and harassment of tenants by landlords;
 - (e) uncertainty as to the liability to repair damaged premises; and
 - (f) allegations that some landlords are, without legal reasons, refusing to return deposits.
- 4.19 The Commission also considered-
- (a) the need for low cost and speedy mediation in landlord and tenant disputes;
 - (b) the establishment of a housing authority to regulate low income properties;
 - (c) whether commercial tenancies needed to be regulated; and
 - (d) the implied obligations of landlords and tenants under a tenancy agreement.

¹ Island Rental Services carry on business as property managers and rental agents. They submitted a report in which they recommended that residential rental properties should meet certain basic minimum standards so as to be fit for habitation and that the terms and conditions implied into tenancy agreements be clearly defined. The Commission agrees with this approach.

4.20 In September 2006 the Commission published a discussion paper and a draft bill for public consultation and invited comments, both from those professionally involved in the real estate industry and from the general public. The draft Bill contained proposals relating to the following-

- the establishment of a post of Residential Tenancies Commissioner;
- the contents of a tenancy agreement;
- regulation of security deposits;
- regulation of rent increase;
- the keeping of records by landlords;
- the landlord's and tenant's responsibilities under a tenancy agreement;
- the landlord's right of entry;
- termination of tenancies and recovery of possession;
- mesne profits;
- registration of tenancy agreements;
- liability of tenant who abandons premises;
- liability of tenant for the damage to or for the destruction of premises;
- penalty for securing entry by violent means; and
- forms of notice to quit.

4.21 In preparing a discussion draft and Bill the Commissioner carried out an extensive comparison of other Commonwealth legislation and examined the success or the failures of the legislation in the individual countries. The following legislation was considered by the Commission during its research on the matter-

- The Residential Tenancies Act 1986 of New Zealand
- UK Protection from Eviction Act 1977
- UK Housing Act 1985
- UK Housing Act 1988
- The Residential Tenancies Act of New South Wales
- The Residential Tenancies Act of South Australia
- The Landlord and Tenant Act of Bermuda
- The Rent Increases (Domestic Premises) Act of Bermuda
- The Residential Tenancies Act of Ontario
- The Tenant Protection Act of Ontario (now repealed).

4.22 The majority of submissions on the Bill and paper were from landlords. All of the persons who made written submissions were as follows-

- The Chief Justice
- The Ministers' Association
- The Law Society
- Island Rental Services
- Inter-Island Realty Ltd on behalf of 35 landlords
- Wayne Newberry (landlord)
- Bodden & Bodden on behalf of client Michael Ewer (investor)
- Mary Jane Kampe for Kamar Investments (landlord)

- Graham Walker
- Tessa Hydes Property Management on behalf of that company and the following companies-
 - (a) The Real Estate Company
 - (b) BCQS
 - (c) Mountain C.I Ltd
 - (d) Century 21 Just Condos
 - (e) Ritch Realty
 - (f) Rainbow Realty
 - (g) Remax (Cayman) Ltd
 - (h) Fortis Bank (Cayman Ltd)
 - (i) Dunsmore Estates Ltd
 - (j) Silverhill Ltd
 - (k) Kmax Ltd
 - (l) Cambridge Real Estate

4.23 The Commission has considered the responses from the above-mentioned persons and will appropriately address the main issues raised in its final report on this matter.

5. OTHER MATTERS TO BE REVIEWED IN 2007

The Legal Aid Bill and Regulations

5.1 A discussion draft of the Legal Aid Bill was prepared by the Director and submitted to the Commission on 3rd November 2005. The Bill was first addressed by the Commission on 3rd February 2006. The Commission will resume its consideration of the preliminary report, the Bill and regulations in April 2007.

The Anti-Corruption Bill

5.2 The Law Reform Commission intends to commence the first phase of this project in 2007. The Attorney- General referred this matter to the Commission in light of the government's undertaking to implement corruption legislation which will give effect to the 2003 United Nations Convention Against Corruption and the 1999 OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

5.3 A draft report and Bill were prepared by Legislative Counsel in June 2006 and the bill seeks, inter alia –

- (a) to establish an Anti-Corruption Authority with powers to receive and investigate reports on the commission of corruption;
- (b) to widen the range of corruption offences to include, inter alia, the bribing of foreign public officers. Such offences would include-
 - (i) bribery of legislative members;
 - (ii) bribery of public officers;
 - (iii) frauds on the government;

- (iv) contractor illegally subscribing to election fund;
 - (v) breach of trust by public officer;
 - (vi) selling or purchasing public office;
 - (vii) false claims by public officers;
 - (viii) abuse of office;
 - (ix) false certificates by public officers; and more;
- (c) to extend the application of the Proceeds of Criminal Conduct Law (2004 Revision) in order make provision for the tracing, freezing, forfeiture, return and disposition of proceeds; and
- (d) criminalise the bribing of foreign public officials by making it an offence for any person, in order to obtain or retain an advantage in the course of business, to offer or agree to give a benefit of any kind to a public foreign official.

5.4 The Bill will be considered by the Commission in June 2007.

Charities Bill

5.5 The Attorney-General in April 2006 referred the Charities Bill to the Law Reform Commission for a more in-depth review by the Commission. A Bill was drafted by the Legislative Drafting Department as far back as 1998. In 2002 the Ministry of Education asked the Cabinet to agree to the enactment of the Bill as the Ministry, pursuant to the Vision 2008 plan, wanted the creation of a law to strengthen non-profit organizations and to promote their ability to fundraise overseas. Since that time the Government has also requested that such legislation be consistent with the FATF special recommendations on terrorist financing. The staff of the Commission prepared a reviewed Bill and report in 2006 and the Chief Justice was thereafter consulted on the draft Bill. The Bill and the discussion paper have been submitted to the Commissioners and will be considered later in 2007.

The Children's Regulations

5.6 The Ministry of Health and Human Services appointed a consultant, Dr. Winston McCalla, to assist in the preparation of draft regulations. Such regulations were submitted to the Commission on 15th February 2007 and cover matters such as-

- (a) the regulation of children homes;
- (b) guardians ad litem and reporting officers;
- (c) the regulation of foster care;
- (d) the placement of children with parents; and
- (e) parental responsibility agreements.

5.7 These regulations will be reviewed by the Commission later this year.

6. OTHER MATTERS

- 6.1 The review of the **Proceeds of Criminal Conduct Law, the Police and Evidence legislation** and the **Youth Justice Law** which were previously referred to the Law Reform Commission were withdrawn from the programme at the request of the Attorney-General as a result of the urgency of changes needed. The Legislative Drafting Department is responsible for the draft Proceeds of Criminal Conduct Bill and the Police and Evidence Bill. Both Bills are currently being considered by the Legal Department and by persons with whom the Legal Department are consulting.
- 6.2 The Director of the Commission, on behalf of the Legislative Drafting Department, prepared and submitted a draft Youth Justice (Amendment) Bill in June 2006. The Bill was sent for comments to the Education Department, the Department of Children and Family Services, the Legal Department, the Family Support Unit and the Probation and After-Care Unit. The Bill deals with the establishment of family conferences and seeks to give effect to a part of the report of the Committee on Alternative Sentencing of 2001. It is currently being considered by the Attorney-General.
- 6.3 In June 2006 the Attorney-General asked the Commission to add the review of the **Arbitration Law** to its list of work. A draft report and Bill have been drafted and will be submitted for consideration of the Commissioners later this year.
- 6.4 In July 2006 the Law Society requested that the Commission undertake a review of the **Strata Titles Registration Law**. This project has been added to the Law Reform programme and is currently being researched by the staff of the Commission.
- 6.5 In December 2006 the Attorney-General, with the approval of the Leader of Government Business referred the review of time share legislation to the Commission. This has also been added to the programme and is currently being researched by the staff of the Commission.
- 6.6 The Attorney-General in February 2007 asked the Commission to consider legislation providing for enduring powers of attorney. This matter had been referred to him by the Chairman of the Society of Trust and Estate Practitioners. It has been added to the legislative programme.

7. CLOSING REMARKS

- 7.1 Following a short hiatus when the Commission was without a Chairman, the Commission carried out significant and substantial work during the period of the report i.e. from April 2006 to March 2007. There was extensive consultation with special interest groups and the public in relation to the proposed Residential

Tenancies Bill, the Corporate Insolvency review and the Legal Practitioners Bill. The Commission has also now put in place clear procedures as to how it will approach the review and consultative process and make recommendations with respect to legislative changes as outlined in the Appendix.

- 7.2 More work needs to be done in relation to informing and educating the public with respect to the role of and the procedures followed by the Commission in carrying out its work and making its recommendations. The Commission looks forward to completion of the outstanding projects in a timely manner while ensuring that it takes the time to do the best possible research on and analysis of the issues involved.

APPENDIX

The law reform process of the Law Reform Commission

Commencement of the law reform process

1. The Attorney-General writes to the Commission asking it to inquire into and report on the need for reform of the law on a particular topic. The Attorney- General may submit such request on behalf of any person, government department or statutory authority. This written request is called the “Terms of Reference”. The Attorney- General may refer the matter to the Commission for a variety of reasons including the following-

- the Government is concerned about the subject matter;
- recent international or other developments have made it necessary to review the law or think about creating new laws with the aim of making them more responsive to the changing needs of Cayman Islands society;
- a law may require simplification;
- new or more effective methods for the administration of the law and the dispensation of justice are required; or
- the codification of the unwritten laws of the Cayman Islands is necessary.

2. Additionally, based on comments from the public, interest groups or on its research the Commission may initiate and carry out of, studies and research necessary for the improvement and modernisation of any area of the law.

3. The Chairman may appoint certain Commissioners to take responsibility for a reference and the Law Reform Director will allocate legislative counsel to undertake the necessary research and drafting. The Commission may also seek outside expert assistance. Section 8 of the Law Reform Commission Law, 2005 provides that the Commission may, with the approval of the Attorney-General, appoint or empanel committees, whether from among members of the Commission or from among persons outside the Commission or both, to study and make recommendations to the Commission on any aspect of the law referred to it by the Commission.

The resolution of issues and the problems by the Commission

4. A research and publication plan shall be prepared by the Law Reform Director setting out the timeframes for the review and the methods for public consultations.
5. The legislative staff of the Commission will undertake preliminary research into the reference and notify the community that the review is taking place. Preliminary consultations will be carried out.
6. The preliminary research and consultation phase should include-
 - consulting people and organizations with a special interest in the reference;
 - publicising the inquiry in the media; and
 - identifying defects in the law, and existing proposals for reform, finding relevant law in other jurisdictions.

Preliminary papers

7. The Legislative Counsel, after receiving submissions from the public and completing the preliminary research, shall prepare an **Issues Paper**, a **Discussion Paper** or **Research Paper** about the reference explaining all of the issues and suggestions for reform. This paper will then be discussed by the Commissioners and thereafter published in the Gazette, on the intranet or in the newspapers. The public will be invited to write submissions to the Commission.
8. These papers discuss the issues and options for reform and seek comments on proposals for change. The number and content of such publications depends on the needs of each reference. **Issues papers** will take a preliminary look at issues and principles which could guide proposals for reform. **Discussion papers** will be more detailed than issues papers and should contain explanations of the legal problems, discussions of options for reform, and tentative proposals. **Research papers** may contain results of research conducted or commissioned by the Law Reform Commission.
9. The Commission will use press releases to provide information to the public and will provide free copies of all papers at the office of the Commission. The Chairman, a Commissioner assigned by the Chairman or a member of staff of the Commission may, as part of the information process, appear on radio and television, give interviews to journalists or write articles about the work of the Law Reform Commission.

Public consultation

10. Public submissions to the Commission should be sent to the Chairman or to the Law Reform Director who will forward such submissions to the Chairman for analysis. Submissions may be made by telephone but should preferably be made in writing as telephone conversations can be misunderstood or misinterpreted.

11. The Law Reform Commission may wish to consult with the public in a variety of ways including-

- public meetings held around the Islands to find out how people have been affected by a particular subject;
- meetings with interest groups;
- public opinion surveys conducted by the Commission working with the Economics and Statistics Department on the impact of any proposed law; and
- participation in talk-back radio interviews.

12. All opinions should be considered by the Commission before recommendations are settled. After full consultation the Commission may wish to undertake further research and analysis of the issues. The Commission will consider submissions received from the public and research done by staff and consultants. The Commission then determines what the recommendations for reform will be and incorporates such recommendations into a final report. If all of the Commissioners do not agree, the final report may include dissenting recommendations and reasons. If appropriate, a report should contain draft legislation which can be adopted by the Government if the recommendations are accepted.

Report recommendations

13. After completion of its final report the Commission submits such report to the Attorney-General. The Attorney-General may thereafter table the report in the Legislative Assembly.

14. There is no guarantee that the Government will accept the Commission's advice and implement the recommendations in a report.

Langston R.M. Sibblies
Chairman of the Law Reform Commission
31st March, 2007