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PUBLIC ACCOUNTS COMMITTEE

5th November 2020

To: Members of the Media

PAC Press Statement

For your consideration for immediate release.

The public is very concerned with the unilateral decision of the Speaker of the Legislative Assembly to stop the Chairman of the Public Accounts Committee (PAC) from tabling the Office of the Auditor General and the PAC report on the Efficiency and Effectiveness of the Utility Regulation and Competition Office (OfReg).

The PAC wishes to assure the public that these two reports are very important and that the reports deal with matters that affect the daily lives of Caymanians and residents. The PAC also wishes to remind the public that the PAC is a Standing Committee as authorized by the Legislative Assembly Standing Orders (2018 Consolidation).

The PAC wishes to place the facts before the public which are as follows:

1. The Office of the Auditor General (OAG) did a very professional report in accordance with all the rules under which the OAG performs such audits and in full compliance with natural justice.
2. The OAG delivered its report to the Legislative Assembly and in accordance and full compliance with all the relevant Standing Orders the report was referred to the PAC.

3. The PAC conducted its review of the report, including public hearings in full compliance with all the relevant Standing Orders, prepared its report that was signed by all members of the PAC with no dissenting reports.
4. The PAC then sent its report, as required by the Standing Orders, together with the report from the OAG to the Business Committee of the Legislative Assembly for tabling during the next meeting.
5. The Business Committee accepted the reports and placed them on business paper no. 19 to be placed on the Order paper of the Legislative Assembly for the next meeting of the Legislative Assembly; namely, the first meeting of the 2020-2021 Session which started on 14th October, 2020.
6. The Order paper for Friday 30th October contained the three annual reports from the PAC but not the reports on OfReg.
7. The Chairman of the PAC tabled the three reports on the Order paper and then inquired of the Speaker as to why the reports on OfReg were not on the Order paper as it was expected that Friday would be the last sitting of the meeting that commenced on 14th October, 2020.
8. The Speaker indicated that it was his decision not to place the reports on the Order paper.
9. The Chairman then asked the Speaker to reference the Standing Order that gave him the authority to do so.
10. The Speaker did not provide a reference to any Standing Order.
11. The Chairman then wrote a letter to the Hon. Attorney General on behalf and with the approval of all PAC members asking for a legal opinion on the legality of the Speaker's actions and scheduled an administrative meeting for 5th November at 10:00 am for the PAC to consider the position.
12. At the administrative meeting the PAC received the opinion of the Attorney General which read, "In essence we are unable to find any provision in the Constitution or the Legislative Assembly Standing Orders which require the Honourable Speaker to "verify" the information contained in the PAC report prior to its tabling in the Legislative Assembly in circumstances where the business committee had decided that the report should be placed on the Order paper for a particular day."

13. The PAC has agreed to resubmit its report, together with the report from the OAG, to the Business Committee of the Legislative Assembly for tabling during the next meeting.
14. The PAC is concerned that the decision of the Speaker cannot be allowed to stand and set a precedent that could threaten transparency, good governance and the rule of law and which undermines our democratic process.

The PAC wishes to inform the public that the reports under reference have all been prepared in accordance and in compliance with all the relevant Standing Orders and in the spirit of natural justice and that the reports contain no inflammatory language and that all its recommendations are fully supported by evidence contained in the verbatim transcript of the public hearings.

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