



**OFFICE OF THE  
PREMIER**  
CAYMAN ISLANDS GOVERNMENT

**MEDIA RELEASE**

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**FOR IMMEDIATE RELEASE**

**Government's Same-Sex Marriage appeal successful**

**GRAND CAYMAN, Cayman Islands** – Premier Hon. Alden McLaughlin welcomed news today that the Court of Appeal has allowed Government's appeal in what has become known as the Same-Sex Marriage case.

"I am pleased that the Court of Appeal has agreed with Government that the original ruling brought significant ambiguity surrounding the Constitution and Bill of Rights and the interpretation of and ability of the Court to amend laws. We believed it was critical that the country had the benefit of clarification on these very important constitutional issues," Mr. McLaughlin said. "While I do appreciate the ruling, I am mindful that it comes with a declaration that requires immediate action from the Government."

The Court of Appeal declared that "Chantelle Day and Vickie Bodden Bush are entitled, expeditiously, to legal protection in the Cayman Islands, which is functionally equivalent to marriage".

Government had three primary points of concern with the original ruling of Chief Justice Anthony Smellie, QC:

- Firstly, the implications of the Court's decision for other types of marriages (for example, polygamous marriage), and whether Government would now be bound to give effect to or recognise such marriages if an application for a marriage licence is made for a man to marry multiple wives.
- The second concern related to the extent of the powers of the Court under section 5 (1) of the Constitution to modify legislation on matters such as the right to marry,

bringing into question the appropriate separation of powers under the Constitution and whether by exercising these powers under section 5 (1), the Court has exceeded its mandate under the principle of separation of powers.

- And a third concern was whether, given the language in section 14 (1) of the Constitution, it was open to the Court to find that the right to marry and found a family, could be located in other rights within the Bill of Rights, namely, sections 9 and 10 of that document.

The Government will carefully consider the full judgment to determine how best to proceed.

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