

LA TAKES ON FOI

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A proposal that could create the Cayman Islands' first Freedom of Information Law will be taken up in the next meeting of the Legislative Assembly. Leader of Government Business Kurt Tibbetts said Friday that meeting hasn't been officially scheduled, but is likely to occur in either February or March. The draft of the proposal itself could come out before then. "We expect at the next meeting of the Legislative Assembly to put it forward," said Mr. Tibbetts.

Freedom of Information laws generally allow any member of the public access to certain official government documents upon request. An FOI plan tabled in the LA in 2005 was delayed for more than a year, to allow for an extensive public review. A working group made up of Cabinet ministers, MLA's, some civil servants and an outside consultant has spent the last several months examining the issue and related public comments. Last year's draft proposal applied to government records up to 30 years old. Under that plan certain information relating to security, international relations, Cabinet documents, and documents affecting the national economy would be subject to restrictions, or prohibited from release entirely, he said. Other exemptions included some documents referred to under Monetary Authority Law, and documents related to businesses exempted under the Companies Law.

The previous draft bill allowed appeals for any decision not to grant access to the requested records. Also, people asking for documents under the Freedom of Information Law would not be required to give any reason for their requests. The government is likely to charge fees for retrieving information requests. However, Mr. Tibbetts has said in the past that those will not exceed the cost of compiling the information. In certain categories of cases the Governor in Cabinet will be allowed to waive charges.

Delegates from the Cayman Islands recently attended a three day workshop in Dominica where the progress of Freedom of Information Laws around the region was discussed. Attending the conference were Ms Juliana O'Connor-Connolly, MLA from Cayman BRAC; Cabinet Secretary Orrett Connor; and Timothy Hubble from the cabinet office. The representatives received briefings from Caribbean countries that already have FOI laws, such as Jamaica and Trinidad and Tobago. Others like Belize, Bermuda and Dominica are still drafting their own plans.

Mr. Tibbetts also said it was revealed at the conference that while Antigua had passed such a law in 2004 there's been a lack of implementation progress.

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