

Independent Caucus for Constitution Reform

c/o Grenada National Museum, Antilles Building, Young Street, St George's, Grenada
(Email: caribbeaninformationhub@gmail.com / independentconstitutioncaucus@gmail.com

Facebook: Independent Caucus for Constitution Reform-ICCR

Tel: 1-473-444-8431 / 1-473-417-3467)

An open letter to the Governor-General of Grenada

August 22, 2022

Personal Assistant to the Governor General

Governor General Residence

Grand Anse, St. George's

Dear Madam:

We, the undersigned, do hope that this letter finds you, your family, and Staff at the Governor-General's residence in great health and spirit.

We write to bring to the attention of the Governor-General specific issues concerning recent appointments and decisions made on behalf of the State and People of Grenada.

The following sections of the Constitution are instructive re. our concerns; **Sections 28 ss.1, 58 ss 1-5** and the **Bank Holidays Act, Section 5**.

Declaration of a Bank Holiday

On June 23, leader of the National Democratic Congress, announced that he will ask of Your Excellency to declare the following day a public holiday. According to the Bank Holidays Act, the authority to so declare is vested in the Governor-General. **Section 5, Bank Holidays Act**.

To date, there is no evidence of a Proclamation by Your Excellency nor any records of a Gazetted Declaration. We therefore ask, the basis of the decision?

About the Independent Caucus for Constitution Reform

The Independent Caucus for Constitution Reform is a group of citizens who are concerned about the lack of education on the Constitution of Grenada, as it is the fundamental tool for proper governance of the society. The Caucus believes that aspects of the Constitution need to change to better reflect an evolving society, and that the only way to effect these changes is for the people to whom the document belongs, to understand what it says and why it needs to be changed.

The group is a voluntary organisation and membership is open to anyone who shares the vision of learning the Constitution and advocating for necessary changes.

Appointment of a Prime Minister

Section 58 ss. 2, Grenada Constitution Order 1973.

Whenever the Governor-General has occasion to appoint a Prime Minister he shall appoint a member of the House of Representatives who appears to command the support of the majority of the members of the House.”

The Parliament of Grenada stands dissolved as of **May 16, 2022**, yet the Political Leader of the National Democratic Congress, was appointed Prime Minister on June 24, 2022, without him being a member of the House as per constitutional directives. In addition, the occasion used for the appointment of a Prime Minister contradicts the directions of the following subsection;

Section 58 ss. 5, Grenada Constitution Order 1973

The Supreme Law directs “if occasion arises for making an appointment to the office of Prime Minister or any other Minister while Parliament is dissolved, then notwithstanding any other provision of this section, a person who was a member of the House of Representatives immediately before the dissolution may be appointed as Prime Minister or any other Minister and a person who was a Senator immediately before the dissolution may be appointed as any Minister other than Prime Minister.

Appointment of Offices of Ministers, other than the office of Prime Minister

We continue to reference the Constitution in regards to the appointments of Ministerial Portfolios. Appointments to the office of Minister, other than the office of Prime Minister,.... shall be made from among the Senators and members of the House of Representatives.” **Section 58 ss. 4.** The House of Representatives includes **ALL** fifteen elected representatives. **Section 29, Grenada Constitution.**

Ministry of Mobilisation, Implementation and Transformation

We struggle to rationalize the constitutional context within which the Ministry of Mobilisation, Implementation and Transformation intends to derive its authority. “There shall be, in addition to the office of Prime Minister, such other offices as may be established by Parliament.....” **Section 58 ss. 3**

President of the Senate

The recent appointment of the President of the Senate, further contradicts the Supreme law which states ‘when **the Senate first meets** after it has been dissolved and before it proceeds to the dispatch of any other business, it shall elect a Senator.....to be President of the Senate.” **Section 28 ss.1**

There are no provisions for members of the Lower House to appoint the President or Deputy President of the Senate.

We, the People, therefore question whether there have been constitutional breaches and if there are, what are the implications to decisions made as of June 24, 2022, to date?

About the Independent Caucus for Constitution Reform

The Independent Caucus for Constitution Reform is a group of citizens who are concerned about the lack of education on the Constitution of Grenada, as it is the fundamental tool for proper governance of the society. The Caucus believes that aspects of the Constitution need to change to better reflect an evolving society, and that the only way to effect these changes is for the people to whom the document belongs, to understand what it says and why it needs to be changed.

The group is a voluntary organisation and membership is open to anyone who shares the vision of learning the Constitution and advocating for necessary changes.

We ask that this letter be brought before Her Excellency and given urgent priority.

.....

Joseph K. Roberts
Chairman
Independent Caucus for Constitution Reform

About the Independent Caucus for Constitution Reform

*The **Independent Caucus for Constitution Reform** is a group of citizens who are concerned about the lack of education on the Constitution of Grenada, as it is the fundamental tool for proper governance of the society. The Caucus believes that aspects of the Constitution need to change to better reflect an evolving society, and that the only way to effect these changes is for the people to whom the document belongs, to understand what it says and why it needs to be changed.*

The group is a voluntary organisation and membership is open to anyone who shares the vision of learning the Constitution and advocating for necessary changes.