

CAYMAN ISLANDS



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THE 2012 FOI PUBLICATION SCHEMES HER MAJESTY'S CUSTOMS CAYMAN ISLANDS



Her Majesty's Customs Cayman Islands

Publication Scheme

Produced in accordance with the Deputy Governor's Code of Practice on Publishing

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1. About the Publication Scheme

Every public authority covered by the Freedom of Information Law has a legal duty to maintain a publication scheme.

The purpose of a publication scheme is to make information readily available to the public without the need for specific written requests. Schemes are intended to encourage authorities to proactively publish information, to develop a culture of openness and participation.

The publication scheme lists the information which is readily available to the public. The list is divided into seven (7) different categories of information, to help you find the documents you are looking for.

This publication scheme commits H.M. Customs Cayman Islands to making information available to the public as part of its normal business activities.

H.M. Customs Cayman Islands will:

- specify the information held by the authority, which falls within the seven (7) categories below;
- proactively publish or otherwise make routinely available, information which is held by the authority and falls within the categories below;
- describe the methods by which specific information is made available, so that it can be easily identified and accessed by members of the public;

- list any fees charged for access to information described in this scheme;
- publish or otherwise make information available, in accordance with the methods and fees stated in this scheme;
- make this publication scheme available to the public;
- regularly review and update the information made available under this scheme.

2. Information that may be withheld

H.M. Customs Cayman Islands will generally not publish:

- information in draft form;
- information that is not held by H.M. Customs Cayman Islands or which has been disposed of in accordance with a legally authorised disposal schedule;
- information that is not readily-available — for example: information that is contained in files that have been placed in archive storage, or is otherwise difficult to access;
- information which is exempt under the FOI Law or otherwise protected from disclosure — for example: personal information; or commercially sensitive information. Records containing exempt matter will be published in a redacted form, where ever it is practical to do so, indicating which exemptions apply.

In maintaining this publication scheme, our aim is to be as open as possible.

However, there may be limited circumstances where information will be withheld from one of the categories of information listed in *section 7: Categories of information*.

Information will only be withheld where the FOI Law expressly permits it.

For example: where disclosure would breach the law of confidentiality, infringe personal privacy, harm H.M. Customs Cayman Islands (or another organisation's) commercial interests, or endanger the protection of the environment.

Whenever information is withheld, we will inform you of this and explain why that information cannot be released. Even where information is withheld, it may be possible to provide a redacted copy, with the exempt matter edited out.

If you wish to complain about any information which has been withheld, please refer to *section 6: Complaints*.

3. Methods of access

Information available under our publication scheme will usually be accessible through the methods described below.

Section 7: Categories of information provides more details on the information available under the scheme, along with additional guidance on how the information within each category may be accessed.

Online

Many of our documents are published electronically on this website and can be downloaded in PDF format. Where information is available online, a link within *section 7: Categories of information* will direct you to the relevant page or document.

If there is no link, or the link is broken, you can use our website's "Search" facility at www.customs.gov.ky or www.gov.ky. If you are still having trouble locating information listed under our scheme, please contact Ms. Sacha Rankine, Information Manager Designate.

Email

If information is listed in our publication scheme but is not published on the website, we may be able to send it to you by email. You can email us at foi.cus@gov.ky to request information. Please provide a telephone number so that we can call you to clarify details if necessary.

Phone

Documents listed in the publication scheme can also be requested by telephone. Please call Mr. Kevin Walton at (345) 244-4922 or Ms. Sacha Rankine at (345) 244-4925 to request information.

Post

All information listed in the publication scheme will usually be available in hard copy. Requests may be addressed to:

Mr. Kevin Walton
Information Manager
H.M. Customs Cayman Islands
P.O. Box 898
Grand Cayman KY1-1103
Cayman Islands

In your request, please provide your name and address, full details of the information or documents you would like to receive. You may also wish to provide a telephone number so that we can call you to clarify details if necessary. For faster processing, please also include any applicable fee. (See *section 4: Fees and charges* for further details.)

Personal visits

In limited cases, you may be required to make an appointment to view information listed in the publication scheme. This will be clearly stated in *section 7: Categories of information*, and relevant contact details will be provided in that section.

Advice and assistance

If you experience any difficulty identifying the information you want to access, please contact Mr. Kevin Walton at (345) 244-4922 or Ms. Sacha Rankine at (345) 244-4925.

H.M. Customs Cayman Islands will adhere to its obligations under section 10 of the FOI Law, and any requirements relating to disability or discrimination, when providing information in accordance with this publication scheme.

Information will be provided in the language in which it is held or in such other language that is legally required. Where H.M. Customs Cayman Islands is legally required to translate any information, it will do so.

4. Fees and charges

The purpose of this scheme is to make the maximum amount of information readily available at minimum effort and cost to the public. H.M. Customs Cayman Islands strives to ensure that fees and charges are clearly explained and kept to a minimum.

Information which is published online, downloaded through a website, or sent to you by email will be provided free of charge.

Fees may be charged for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage, as described below.

There are some publications which the H.M. Customs Cayman Islands offers for sale. This include: The Customs Tariff Law, etc. These publications are charged at the cover price, plus actual postage costs as charged by the Cayman Islands Postal Service, or the Customs Tariff Law may be downloaded free of charge from www.customs.ky

Reproduction costs

Where fees apply, photocopied information will be charged at a standard rate of \$1.00 per page (black and white; any size) and \$1.50 per page (colour; any size).

Computer discs will be charged at a rate of \$2 per discs.

Postage costs

The H.M. Customs Cayman Islands will pass on to the requester the actual costs of postage or courier delivery.

Details of any individual charges which differ from the above policy are provided within *section 7: Categories of information*.

If a fee applies, you will be advised of the amount and how it has been calculated. Information will be provided when the H.M. Customs Cayman Islands has received your payment.

5. Requests for information outside the Publication Scheme

Information held by the H.M. Customs Cayman Islands that is not published under this scheme can be requested in writing. Your request will be considered in accordance with the provisions of the FOI Law.

For further details please visit <http://www.foi.cus.ky/FOI.php#Request>

6. Complaints

H.M. Customs Cayman Islands of the Cayman Islands aims to make our publication scheme easy to use, and to ensure our information is accessible to the public.

If you wish to complain about any aspect of this publication scheme, please contact Mr. Kevin Walton at (345) 244-4922 via email kevin.walton@gov.ky or Ms. Sacha Rankine at (345) 244-4925, via email sacha.rankine@gov.ky and we will try to resolve your complaint as quickly as possible.

Further information about our complaints procedures can be obtained from our website www.customs@gov.ky

You have legal rights to access information under this scheme, and a right to complain to the Information Commissioner if you are dissatisfied with our response.

Information Commissioner's Office
2nd Floor, Elizabethan Square
Building 1 George Town, Grand Cayman
PO Box 1375,
Grand Cayman KY1-1108
CAYMANISLANDS
Telephone: +1 345 747 5402
Email: appeals@ico.gov.ky

7. Categories of information

- About Us
- Strategic Management
- Finance & Administration
- Policies & Procedures
- Decisions & Recommendations
- Lists & Registers
- Our Services

ABOUT US

Name of public authority

Her Majesty's Customs Cayman Islands

Ministry

Ministry of Finance, Tourism and Development

Financial Secretary

Mr. Kenneth Jefferson, Portfolio of Finance & Economics, 3rd Government Administrative Building, 133 Elgin Avenue, George Town, Grand Cayman KY1-9000

Chief Officer

Mrs. Sonia McLaughlin, Portfolio of Finance & Economics, 3rd Government Administrative Building, 133 Elgin Avenue, George Town, Grand Cayman KY1-9000

Name and title of head

Mr. J. Carlon Powery, Collector of Customs, 42 Owen Roberts Drive, George Town, P.O. Box 898 Grand Cayman KY 1-1103

Information Manager

Mr. Kevin Walton
Information Manager
H.M. Customs Cayman Islands
P.O. Box 898
Grand Cayman KY1-1103
Direct Line: (345) 244-4922
Office: (345) 949-4579
Email: kevin.walton@gov.ky
FOI Email: foi.cus@gov.ky
Website: www.customs.ky or www.gov.ky
Freedom of Information Website: <http://foi.gov.ky>

Designate

Ms. Sacha Rankine
Information Manager Designate
H.M. Customs Cayman Islands
P.O. Box 898
Grand Cayman KY1-1103
Direct Line: (345) 244-4925
Office: (345) 949-4579
Email: sach.rankine@gov.ky
FOI Email: foi.cus@gov.ky
Website: www.customs.ky or www.gov.ky
Freedom of Information: <http://foi.gov.ky>

Organization and functions

H.M. Customs Cayman Islands is responsible for:

1. the collection of revenue, including protection of duties, package tax and Warehouse fees.
2. the prevention of smuggling;
3. the implementation of prohibitions and restrictions upon the importation and exportation of certain goods;
4. the provision of information concerning imports and exports for trade statistics;
5. assisting other law enforcement agencies and other agencies in the enactment of their laws.

Vision

To protect the borders of the Cayman Islands while securing the future of its people.

Mission statement

To collect and protect Government's revenue, facilitate legitimate trade and control prohibited and restricted goods in a cost effective manner while preserving a safe environment for all.

P.O. Box 898
Grand Cayman KY1-1103
Tel: (345) 949-4579
Fax: (345) 949-1573
Website: www.customs.ky or www.gov.ky

Location and hours	Matters handled
Admin Office 42 Owen Roberts Drive, 2 nd floor George Town 8:30am to 5:00pm Monday to Friday	Administrative concerns Human Resources
Collections Office 42 Owen Roberts Drive, 1 st floor George Town 8:30am to 4:00pm Monday to Friday 8:30am to 12:00pm Saturday	Clearing of Cargo
Courier Office 42 Owen Roberts Drive, George Town 8:30am to 5:00pm Monday to Friday	Clearing of Courier Cargo
Parcel Post Airport Post Office, George Town 8:30am to 5:00pm Monday to Friday 8:30am to 12:00pm Saturday	Clearing of Air Parcel Cargo
Airport Terminal OwenRobertIntlAirport, George Town 6:00am to 11:00pm Monday to Sunday	Clearing of commercial and private aircrafts and passengers
General Aviation Terminal GAT Terminal Owen Roberts Drive, George Town 6:00am to 9:00pm Monday to Sunday	Clearing of private aircrafts and passengers
Sea Freight/Ocean Freight Office Port Authority, CargoDistributionCenter Portland Road, George Town 8:30am to 4:00pm Monday to Friday 8:30am to 12:00pm Saturday	Clearing of Cargo

Fraud Unit 42 Owen Roberts Drive 2 nd Floor George Town 8:30am to 5:00pm Monday to Friday	Deter, investigate and prosecute of non compliance with customs procedures
Narcotics Enforcement Team 42 Owen Robert Drive 2 nd Floor George Town 8:30am to 5:00pm Monday to Friday	Investigate, identify and prosecute drug offences
Intelligence Unit 42 Owens Roberts Drive 2 nd floor George Town 8:30am to 5:00pm Monday to Friday	Gather, analyze, and disseminate relevant information to appropriate sections of H.M. Customs Cayman Islands
Preventative Unit 42 Owens Roberts Drive 2 nd Floor George Town 8;30am to 4:30pm Monday to Friday 8:30am to 12:00pm Saturday	Inspection and verification of containerized and loose cargo
SeaPort Office 45A Harbour Drive, PortAuthorityBuilding George Town 8:30am to 4:00pm Monday to Friday 8:30am to 12:00pm Saturday	Clearing of ocean vessels

Boards and committees

H.M. Customs Cayman Islands does not oversee any boards or committees.

Frequently asked questions

▪ What are the duty rates for cars?

The duty rates for cars are as follows:

- Up to \$20,000 c.i.f. value 29.5%
- Between \$20,001 and \$25,000 c.i.f. value 32%
- Between \$25,001 and \$30,000 c.i.f. value 37%
- More than \$30,000 c.i.f. value 42%

▪ Who is in charge of H.M. Customs Cayman Islands?

Mr. J. Carlon Powery is the Collector of Customs, and he is in charge of H.M. Customs Cayman Islands.

- **How much is my allowance?**

All passengers over the age of 18 may bring with them the following items

- Up to 1 liter of Portable Spirits
- Or 4 liters of wine
- Or 1 case of beer (not exceeding 8 liters)
- Up to 200 Cigarettes
- Or 100 Cigarillos
- Or 25 Cigars
- Or 250 grammes of Tobacco

Cayman residents returning from an overseas visit may bring with them household and personal items up to the value of CI\$350.00 (US\$417.00).

- **Why do I have to pay duty?**

Collection of duty is Government's main source of revenue. This allows Government to earn money for the continuing operation for essential services and funding for capital projects

- **Why do I have to pay duty on gifts?**

Unsolicited gifts not exceeding fifty (50) Cayman Islands dollars in value are duty free.

- **How much money does H.M. Customs Cayman Islands collect?**

H.M. Customs Cayman Islands collects approximately CI\$150 million dollars in revenue annually.

- **How do I make a FOI request?**

If you wish to make a request for information then you should contact the Information Manager listed above or in his absence, the Information Manager Designate. Requests may also be made through our Government assigned email address foi.cus@gov.ky or H.M. Customs Cayman Islands own FOI email address www.foi.gov.ky. Requests must be in writing (letter, email or facsimile) and must include your name and an address (either postal or email). Please be as specific as possible about the information you would like, as this will help us to respond promptly. Where possible, please include a contact telephone number so we can call to discuss your request if necessary.

We will respond to your request immediately. The Law requires public authorities to respond within 30 calendar days, allowing an extension of an additional 30 calendar days if needed. We are obligated by law to always acknowledge receipt of all FOI requests made to the Information Manager and we are also obligated to let you know if there is a need to extend the deadline. For detailed advice on what sorts of information is exempt please see the FOI Unit website.

STRATEGIC MANAGEMENT

The Principal Law relating to the administration and procedures of H.M. Customs Cayman Islands is the Customs Law. This Law constitutes the legal basis for the collection and management of the Customs Duties and the Enforcement of the Prohibitions and Restrictions on the importation and exportation of goods.

The key strategic goals and objectives for H.M. Customs Cayman Islands are:

1. To continue risk-based enforcement activities in the area of containerized cargo.
2. To improve the quality of customer services both internally and externally.

3. To ensure that the automated system captures all activities and provides reliable information for management and reporting purposes.
4. To continue the corporation and information sharing with other Law Enforcement Agencies locally, regionally and internationally.
5. To develop and implement policies that satisfies the needs of employees.

Governance

Customs Law (2011 Revision)
 Public Management and Finance Law (2005 Revision)
 Public Service Management Law 2005, (2010 Revision)
 Personnel Regulations 2006, (2010 Revision)
 Customs Department Use of Force and Safety Policy
 Customs General Procedures
 Customs Complaint Handling Procedures

Additional information is available at www.gazettes.gov.ky or at www.gov.ky

FINANCE & ADMINISTRATION

Administering the department's internal functions and managing its resources efficiently and effectively. Includes the management of monetary resources; material resources; human resources; information resources; and relationships with importers, the public and other government agencies. Principal accounting policies are adopted and are prepared in accordance with International Public Accounting Standards and International Accounting Standards.

Financial management

- Finance and Accounting
- Annual Budget
- Financial statement; half-yearly/quarterly
- Sources of revenue; import duty
- Accounting procedures; contracting procedures
- Ministerial expenditure
- List of current tenders, contracts or quotations; recently-awarded contracts
- Auction

*Copies can be obtained upon request from Information Manager

Administration*

- Insurance policies
- Press releases
- Job vacancies; career opportunities
- Staff pay and grading structures
- Records management file plan or classification scheme
- Training and safety
- Information technology
- Human resources

*copies can be obtained upon request from Information Manager

POLICIES & PROCEDURES

Customs Law (2011 Revision)
Public Management and Finance Law (2005 Revision)
Public Service Management Law 2005, (2010 Revision)
Personnel Regulations 2006, (2010 Revision)
Customs General Procedures
Customs Department Use of Force and Safety Policy
Customs Complaint Handling Procedures (2009 Revision)

DECISIONS & RECOMMENDATIONS

- Management Meetings
- Minutes of meetings
- Evaluation procedures
- Assessment criteria

Lists and Registers

- H.M. Customs Cayman Islands FOI Disclosure Log (Available at our office. Electronic or hard copy may be requested)
- 2010 FOI Publication Scheme List (Master list available at our office and updated each year)
- 2011 FOI Publication Scheme List (Master list available at our office and updated each year)

OUR SERVICES

H.M. Customs Cayman Islands is responsible for facilitating international trade and the collection of Import Duties, Package tax and Warehouse fees under the Customs Law and Customs Regulations. Also, the department is the main agency responsible for controlling at the borders the importation and exportation of prohibited and restricted goods.

The staff of H.M. Customs Cayman Islands will assist you in every reasonable way to obtain your rights and to understand and meet your obligations under the Customs Law and other related laws. In order to do this, Officers expect that your declaration to Customs will give them the full facts they need to decide how much duty you should pay and whether or not you are in possession of any prohibited or restricted goods. The staff of H.M. Customs strives to carry out their duties in a professional and courteous manner at all times.

This information is available online at www.customs.gov.ky or can be purchased at the Legislative Assembly Building in George Town, Grand Cayman.