



DIRECTIONS (NO. 5) TO THE CAYMANIAN PROTECTION BOARD

CAYMAN ISLANDS

THE CAYMANIAN PROTECTION BOARD, 1984 (LAW 24 OF 1984) (SECTION 27 (1))

DIRECTIONS (NO. 5) TO THE CAYMANIAN PROTECTION BOARD

The Directions given to the Caymanian Protection Board on the 5th day of February, 1985 are further amended by inserting the following three new directions immediately after direction 1-

"1A.

Notwithstanding the provisions of any other direction, the granting of Gainful Occupation Licences shall, commencing on the 17th day of August, 1987, be regulated so that at all times the number of licences granted to persons who are citizens of, or of a country within, the geographical area having the most licences shall not in the aggregate exceed by twenty per cent or such other percentage as the Governor in Council may subsequently specify the number of licences granted to persons who are citizens of, or of a country within, the geographical area having the next highest number of licences.

For the purposes of this direction and of directions 1B and 1C, there

are five geographical areas as follows -

- (a) the West Indies and Central American areas;
- (b) the United Kingdom and Ireland;
- (c) the United States of America;
- (d) Canada;
- (e) elsewhere.

1B.

If on the 17th day of August, 1987 the number of licences already granted to persons who are citizens of, or of a country within, any geographical area exceeds in the aggregate by more than twenty per cent the number of licences granted to persons who are citizens of, or of a country within, the geographical area having the next highest number of licences, no further licences shall be granted to persons who are citizens of, or of a country within, such first-mentioned geographical area until the percentage by which it does exceed such second-mentioned area is reduced to less than twenty per cent or such

other percentage as the Governor in Council may subsequently specify:

Provided that the Board may make an exception to this direction in circumstances which it is satisfied involve either a person with close family connections with the Islands, or the replacement of a person leaving the Islands other than at the expiration of a licence for a single term granted under direction IC.

1C.

(1) Notwithstanding that a Gainful Occupation Licence may not be granted due to the provisions of directions 1A and 1B and notwithstanding the provisions of any other direction, the Board may, commencing on the 17th day of August, 1987, grant a licence for a single term not exceeding two years if it is satisfied that -

- (a) there is no available resident labour; and
- (b) the prospective employer has made what the Board considers reasonable attempts to recruit a suitable person from a geographical area which is not at that time subject to the percentile restrictions set out in directions 1A and 1B, and has not been successful:

Provided that this paragraph does not apply to an application for a Gainful Occupation Licence for a domestic unless the Board directs that it requires to be so satisfied.

(2) A Gainful Occupation Licence granted for a single term under sub-direction (1) shall be subject to at least the conditions that -

- (a) it is not extendable, transferable or renewable;
- (b) on the expiration of such licence or on the prior termination of the employment, the Holder shall forthwith depart from the Islands; and
- (c) no further Gainful Occupation Licence will be granted to the Holder until at least one year after he departed from the Islands."

Made in Council this 4th day of August, 1987.

MONA N. JACKSON
Clerk of the Executive Council.