

CAYMAN ISLANDS



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**THE IMMIGRATION LAW, 2003
(LAW 34 OF 2003)**

THE IMMIGRATION (AMENDMENT) (No. 3) REGULATIONS, 2006

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The Governor in Cabinet, in exercise of the powers conferred by section 93 of the Immigration Law, 2003, makes the following regulations -

1. These Regulations may be cited as the Immigration (Amendment) (No.3) Regulations, 2006. Citation

2. The Immigration Regulations are amended by deleting the Second Schedule and substituting the following: Amendment of Second
Schedule to the
Immigration
Regulations, 2004 –
Points System

“SECOND SCHEDULE

POINTS SYSTEM

Permanent Residence Assessment

Cayman Islands Immigration Department
Permanent Residence Assessment Form

FACTOR	POINTS
1. <u>Occupation</u> a. Professional b. Skilled c. Unskilled and Domestic	(Maximum 20)

Explanation

- (i) The Points for occupations are compiled with reference to the Employment Relations Department's database.
- (ii) Points will be allocated in accordance with the professions and skills needed in the Cayman Islands in any particular year.
- (iii) No points are given for occupations where there are enough qualified Caymanians to meet the demands of the labour market.

<p>2. <u>Knowledge/Experience</u></p> <p>a. Number of years of experience in field (points based on one point for each year after minimum threshold of two years with a maximum of fifteen years)</p> <p>b. Degree programme qualifications and/or professional/postgraduate qualifications</p> <p>c. Skilled tradesmen</p>	<p>(Maximum 25)</p> <p>15</p> <p>10</p> <p>10</p>
<p><u>Explanation</u></p> <p>(i) The points given for experience are calculated based on one point for every year worked in the job.</p> <p>(ii) Points will be allocated for technical qualifications or certificates awarded to the applicant by any internationally or nationally recognised institution or association or other body recognised in the applicant's field of expertise or trade.</p> <p>(iii) In determining the number of points to be allocated under a, b or c above the Board shall take into account the finding under 1 above (Occupation).</p>	

<p><u>3. Skills</u></p> <ul style="list-style-type: none">a. Professionalb. Skilledc. Unskilled	<p>(Maximum 20)</p>
<p><u>Explanation</u></p> <p>An applicant will be allocated points in accordance with the level of skills required for his occupation, based on the Employment Relations Department's report.</p>	
<p><u>4. Financial Assessment</u></p> <ul style="list-style-type: none">a. Investment in property in the Islandsb. Investment in a local company	<p>(Maximum 20)</p>
<p><u>Explanation</u></p> <p>In assessing the investment made by an applicant under (a) or (b) above the Board shall take into account the applicant's investment relative to his actual means.</p>	

<p><u>5. Funds and salary</u></p> <p>a. Evidence of funds (cash and investments)</p> <p>b. Evidence of salary and income</p>	<p>(Maximum 20)</p>
<p><u>Explanation</u></p> <p>The applicant must satisfy the Caymanian Status and Permanent Residency Board that he has sufficient resources through income or investments to support himself and any dependants accompanying him. Ability to provide sufficient funds for his and their healthcare, education, accommodation and maintenance is of paramount importance for prospective permanent residents.</p>	
<p><u>6. Contribution to the Community</u></p> <p><u>For the purpose of example only</u></p> <p>a. Training and employment of Caymanians</p> <p>b. Assisting in a youth programme</p> <p>c. Assisting in a counselling or drug programme</p> <p>d. Assisting in the rehabilitation etc. of offenders</p> <p>e. Participation/assisting in a sports programme</p> <p>f. Participation/assisting in an arts programme</p>	<p>(Maximum 20)</p>

<ul style="list-style-type: none"> g. Participation/assisting in a service club h. Participation in a church or other local society i. Participation in a social club j. Personal references. 	
<p><u>Explanation</u></p> <ul style="list-style-type: none"> (i) The extent to which the applicant has successfully settled and integrated into Caymanian society is assessed by reference to such qualities as adaptability, motivation, involvement in the community and initiative. (ii) Persons who demonstrate an active involvement in the training and mentoring of Caymanians will be given higher points. 	
<p><u>7. History/Culture test</u></p> <p>Test Score</p> <p>One point shall be awarded to each question answered correctly.</p>	<p>(For a maximum of 20 points)</p>
<p><u>Explanation</u></p> <p>An applicant is given a test based on the culture and history of the Cayman Islands. The purpose of the test is to assess the applicant's knowledge of local history, tradition and customs.</p>	

<p><u>8. Possessing Close Caymanian Connections</u></p> <p>Applicants relationship to person who is Caymanian</p> <p>a. Parents, child, spouse</p> <p>b. Brother, sister or grandparent.</p>	<p>(Maximum 40 points)</p> <p>40 points</p> <p>20 points</p>
<p><u>Explanation</u></p> <p>(i) An applicant is allocated the most points if he is the parent, child or spouse of a Caymanian.</p> <p>(ii) A person whose brother, sister, aunt, uncle, grandparent or grandchild is a Caymanian will be allocated fewer points.</p> <p><u>9. General</u> (Maximum 20 points)</p> <p>The Board may take into consideration the desirability of granting permanent residence to applicants with different backgrounds and from different geographical areas in order to maintain a suitable balance in the social and economic life of the country.</p> <p><u>Explanation</u></p> <p>In exercising this discretion the Board may award points to applicants from countries whose nationals hold less than twenty percent of the total number of work permits in effect at that time based on Department of Immigration statistical information as follows:</p> <p>Applicant is from a country whose nationals hold:</p> <p>(a) 16-19% of the total number of work permits in force: 5 points</p>	

(b) 11-15%	“	“	“	10 points
(c) 6-10%	“	“	“	15 points
(d) 0-5%	“	“	“	20 points

DEDUCTIBLE COMPONENTS	POINTS
1. <u>Character and Health</u> a. Criminal Convictions b. Health Issues	(Maximum 100)
<u>Explanation</u> (i) Maximum points may be deducted by the Board if the applicant has been convicted of an offence against the Laws of the Islands or under the laws of another country, the nature of which offence would, in the opinion of the Board, be serious enough to make his continued presence in the Islands contrary to the public interest. (ii) Points will also be deducted if the applicant is certified by a Health Officer to be suffering from a communicable disease that makes his continued residence in the Islands dangerous to the community or is mentally disordered or defective under the Mental Health Law (1997 Revision).	

2. Other Other mitigating factors	(Unlimited)
3. <u>Score Tabulation</u> a. Maximum Points Possible b. Minimum points to be achieved by an applicant in order to receive a grant of permanent residence.	Applicants score (205) (100)
<u>Explanation</u> (i) The Caymanian Status and Permanent Residency Board reserves the right to refuse the grant of Permanent Residence to an applicant on the basis that such grant would be contrary and not conducive to the public interest.”.	

Made in Cabinet the 11th day of July, 2006.

Carmena Watler.

Clerk of the Cabinet.