

CAYMAN ISLANDS



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**THE IMMIGRATION LAW  
(2014 REVISION)**

**THE IMMIGRATION (AMENDMENT) REGULATIONS, 2015**



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In exercise of the powers conferred by section 99 of the Immigration Law (2014 Revision), the Cabinet makes the following Regulations-

1. These Regulations may be cited as the Immigration (Amendment) Regulations, 2015. Citation

2. The Immigration Regulations (2014 Revision) are amended by repealing Schedule 2 and substituting the following Schedule- Repeal and substitution of Schedule 2 of the Immigration Regulations (2014 Revision) – points system

**“SCHEDULE 2**

**POINTS SYSTEM**

**Permanent Residence Assessment**

1. *The Cabinet, in its discretion, may publish a list of occupations specified as priority occupations.*

2. *Where such a list is published, the Board or the Chief Immigration Officer, as the case may be, in considering an application for permanent residence under section 30, shall take such priority occupations into account.*

Cayman Islands Immigration Department  
Permanent Residence Assessment Form

FACTOR 1	POINTS
<u>Occupation</u>	<b>Maximum 30 points</b>
a. Current Occupation	Maximum 15
b. Priority Occupation	Maximum 15



<p>ii. Bachelor’s Degree                  iii. Associate’s Degree                  iv. High School Diploma or Equivalent                  v. None of the above</p> <p>OR</p> <p>Skilled/Unskilled Occupations:</p> <p>II. Technical/ Vocational</p> <p>(i) Post Graduate Degree                  ii Local Licence from the relevant Regulatory body                  iii Bachelor’s Degree                  iv Vocational Certificate (greater than 1 year of study)                  v Associate’s Degree                  vi Vocational Certificate (less than 1 year of study)                  vii High School Diploma or equivalent                  viii None of the above</p>	<p>ii. 12                  iii. 8                  iv. 5                  v. 0</p> <p>Maximum 15</p> <p>i 15                  ii 15                  iii 12                  iv 10                  v 8                  vi 7                  vii 5                  viii 0</p>
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Explanation

(1) Points will be allocated based on one point for each year worked in the occupation field, after a minimum threshold of two years with a maximum of 10 years.

(2) With respect to education, applicants will be awarded points under either I or II, not both. Further, the points will only be awarded for educational qualifications as it relates to the applicants’ occupation or vocation.

FACTOR 3	POINTS
<p><u>Local Investments</u></p> <p>In assessing an applicant’s local investments under (I) and/or (II) below, points shall be awarded taking into account the amount of the applicant’s monetary investment relative to his actual means.</p> <p>I. Investment in property in the</p>	<p><b>Maximum 30</b></p>

Islands and/or II. Investment in a locally licensed company		
<p><u>Explanation</u></p> <p>Total investment (numerator) relative to total income earned over the last five years immediately preceding the application (denominator).</p> <div style="text-align: center; margin: 20px 0;"> <table border="1" style="margin: auto;"> <tr> <td style="text-align: center;"> <math display="block">\frac{\text{Total Investment}}{40\% \text{ of total income for last five years}} \times 30</math> </td> </tr> </table> </div> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>• Total investment requires a minimum threshold of CI\$50,000. No points will be awarded for investments of less than this amount. But where the investment exceeds CI\$50,000, points will be awarded for the full value, i.e. including the first CI\$50,000.</li> <li>• Maximum points will be awarded automatically where the total investment exceeds CI\$500,000.</li> <li>• Income means either-                     <ul style="list-style-type: none"> <li>90% of total documented income for the last 12 months prior to making the application, multiplied by five; or</li> <li>100% of total documented income for the last five years.</li> </ul> </li> <li>• Income includes salary, commission, gratuities, investment income and any other form of demonstrated income to the extent that proof of such income can be shown.</li> <li>• Where an investment is owned jointly between spouses, points will be awarded based on the full investment amount rather than on the percentage ownership of each spouse. The combined income of both spouses will also be used in the calculation.</li> <li>• Where an investment is owned by the applicant and another party who is not his spouse points will be awarded for the percentage of the investment held in the applicant's name only.</li> </ul>		$\frac{\text{Total Investment}}{40\% \text{ of total income for last five years}} \times 30$
$\frac{\text{Total Investment}}{40\% \text{ of total income for last five years}} \times 30$		

- Where the spouses apply individually for the grant of permanent residence and they receive points based on the full investment amount (rather than the percentage held in their name) and permanent residence is granted, each spouse will be required to maintain the full value of the investment.
- Purchase agreements for property will NOT be accepted as evidence of actual investment and no points shall be awarded on the basis of a purchase agreement.
- Total investment is defined as the summation of the following-
  - Purchase price of property **plus** stamp duty paid **less** total liabilities in residential property **OR** total payments (loan deposit **plus** interest payment **plus** principal payment **plus** stamp duty paid) on residential mortgage, whichever is higher.
  - Market value of investments (stocks, bonds, etc.) in a locally licensed and operated solvent company.
  - Investment in a privately owned locally licensed business which is solvent.
  - Personal funds (i.e. not borrowed funds or funds received by way of gift) injected by the applicant to make improvements on property which was transferred as a gift. For the avoidance of doubt, where there are no major improvements made to the property, no points will be allocated. Proof of source of funds must be provided.

FACTOR 4	POINTS
<p><u>Financial Stability:</u></p> <p>a. Evidence of cash and savings held locally</p> <p style="padding-left: 40px;">Applicant's total cash and deposits (up to a maximum threshold of CI\$50,000) as a percentage of aggregate</p>	<p><b>Maximum</b> <b>30</b></p> <p>Maximum 15</p>

<p>salary/income for the last twelve (12) months</p> <p>i.5.0% and Greater</p> <p>ii.4.0% to 4.99%</p> <p>iii.3.0% to 3.99%</p> <p>iv.2.0% to 2.99%</p> <p>v.1.0% to 1.99%</p> <p>vi.Less than 1.0%</p> <p>b. Evidence of salary and income</p> <p>Points will be allocated based on the applicant's gross annual income from employment;</p> <p>i. 150,000 or Greater</p> <p>ii. 130,000 to 149,999</p> <p>iii. 110,000 to 129,999</p> <p>iv. 90,000 to 109,999</p> <p>v. 70,000 to 89,999</p> <p>vi. 60,000 to 69,999</p> <p>vii. 50,000 to 59,999</p> <p>viii. 40,000 to 49,999</p> <p>ix. 30,000 to 39,999</p> <p>x. 15,000 to 29,999</p> <p>xi. Under 15,000</p>	<p>i. 15</p> <p>ii. 12</p> <p>iii. 9</p> <p>iv. 6</p> <p>v. 3</p> <p>vi. 0</p> <p>Maximum 15</p> <p>i. 15</p> <p>ii. 14</p> <p>iii. 13</p> <p>iv. 12</p> <p>v. 11</p> <p>vi. 9</p> <p>vii. 7</p> <p>viii. 5</p> <p>ix. 3</p> <p>x. 1</p> <p>xi. 0</p>
<p><u>Explanation</u></p> <p>(1) An applicant must prove that he has sufficient resources through income and salary to support himself and any dependants accompanying him. Also his ability to provide sufficient funds for his and their healthcare, education, accommodation and maintenance is of paramount importance for prospective long term residents.</p> <p>(2) When determining the income bracket into which an applicant falls his</p>	

gross income minus an amount for each dependent child shall be used. In the case of each accompanying child of school age who is not Caymanian, CI\$15,000 per annum shall be deducted. If the dependent child is not accompanying, CI\$2,500 will be deducted.

- (3) Where the applicant has a dependant child (or dependant children as the case may be) who is not of school age and not Caymanian, a deduction of CI\$12,000 per dependant per annum shall be made.
- (4) In assessing an applicant's gross annual income from employment, the gross annual income of employment of his spouse will only be taken into account if there is at least one dependant child.
- (5) Written evidence must be provided of his savings at local financial institutions for a period of five years preceding his application.
- (6) No credit will be given in respect of pension contributions.
- (7) Gross annual income from employment includes all employment related monetary income earned annually by the applicant and includes basic salary, bonus, commission, allowances etc. to the extent that documentary evidence is produced to show income.

FACTOR 5	POINTS
<p data-bbox="456 247 1084 310"><u>Community Minded/Integration into the Caymanian Community</u></p> <p data-bbox="553 348 1122 443">Points will be awarded up to a maximum of twenty (20) points for activities falling under the categories as follows.</p> <ul style="list-style-type: none"> <li data-bbox="573 464 1122 590">I. Two (2) points will be awarded for each year that the applicant has provided a minimum of 35 hours of service annually for up to eight years;                             <ul style="list-style-type: none"> <li data-bbox="695 621 1122 747">a. Training and mentoring of Caymanians outside of normal work hours or related employer sponsored activities</li> <li data-bbox="695 779 1122 905">b. Personal sponsorship towards a Caymanian's tertiary training, with a minimum of CI\$3,500 per annum</li> <li data-bbox="695 936 1122 1031">c. Actively assist in the rehabilitation and mentoring of offenders</li> </ul> </li> <li data-bbox="565 1062 1122 1188">II. One and one half (1.5) points will be awarded for each year that the applicant has provided a minimum of 35 hours of service annually for up to eight years;                             <ul style="list-style-type: none"> <li data-bbox="695 1220 1122 1283">a. Participation and assistance in a youth programme</li> <li data-bbox="695 1314 1122 1440">b. Training and mentoring of Caymanians within normal work related/sponsored activities</li> </ul> </li> </ul>	<p data-bbox="1156 247 1318 279"><b>Maximum 20</b></p>

<ul style="list-style-type: none"><li>c. Participation and assistance in a sports programme</li><li>d. Participation and assistance in an arts programme</li><li>e. Participation and assistance in a local service club</li><li>f. Participation and assistance in local church programme</li><li>g. Personal donations to community minded activities of a minimum of CI\$2,000 per annum</li><li>h. Volunteering for non-profit, charitable or voluntary organisations.</li></ul>	
<p><u>Explanation</u></p> <ol style="list-style-type: none"><li>1. The extent to which the applicant has successfully settled and integrated into Cayman society is assessed by reference to such qualities as adaptability, motivation, involvement in the community and initiative.</li><li>2. Applicants who demonstrate an active involvement in the training and mentoring of Caymanians and the rehabilitation and mentoring of offenders will be given higher points.</li><li>3. Letters confirming an applicant's participation or contribution in any of the activities referred to in this factor will only be accepted from the head of the organisation or an executive member of the Board and the Caymanian beneficiary in cases of training or</li></ol>	

mentoring and must provide the required details of those activities and the amount of time the applicant was involved.

<b>FACTOR 6</b>	<b>POINTS</b>
<p><u>History and Culture Test</u></p> <p>An applicant's integration into the Caymanian society will be measured by reference to his knowledge of local history, tradition, customs and current events.</p> <p style="text-align: center;">One half-point (1/2) shall be awarded for each question answered correctly</p>	<b>Maximum 20</b>
<p><u>Explanation</u></p> <p>An applicant will be given an appointment to sit a History and Culture Test. This date may be rescheduled by the applicant once only and the Test must have been undertaken within thirty days from the original date unless there are exceptional circumstances. Where an applicant fails to sit the Test within thirty days of the original date the application will proceed for determination and a score of zero points will be awarded under this Factor.</p>	

<b>FACTOR 7</b>	<b>POINTS</b>
<p><u>Possessing Close Caymanian Connections</u></p> <p>Applicant's relationship to a person who is Caymanian</p>	<b>(Maximum 100)</b>
<p>(a) an applicant who is a Cuban national and who by virtue of a close Caymanian family connection was granted permission to reside in the Cayman Islands by the Governor in Executive Council (as it then was), and who applies for permanent residence.</p>	100 points
<p>(b) an applicant who is the parent, son or daughter of a</p>	40 points

Caymanian	
(c) an applicant who is the brother, sister or grandparent of a Caymanian	20 points
<p><b><u>Explanation</u></b></p> <ol style="list-style-type: none"> <li>1. An applicant is allocated the most points (100 points) if-             <ol style="list-style-type: none"> <li>(a) he is the parent, son or daughter of a Caymanian;</li> <li>(b) he is a Cuban national granted permission to reside in the Cayman Islands by the Governor in Executive Council (as it then was); and</li> <li>(c) he applies for permanent residence.</li> </ol> </li> <li>2. An applicant is allocated 80 points if-             <ol style="list-style-type: none"> <li>(a) he is the brother, sister or grandparent of a Caymanian;</li> <li>(b) he is a Cuban national granted permission to reside in the Cayman Islands by the Governor in Executive Council (as it then was); and</li> <li>(c) he applies for permanent residence.</li> </ol> </li> <li>3. An applicant who is the parent, son or daughter of a Caymanian but who is not a Cuban national granted permission to reside in the Cayman Islands by the Governor in Executive Council (as it then was) is allocated 40 points.</li> <li>4. An applicant who is the brother, sister or grandparent of a Caymanian but who is not a Cuban national granted permission to reside in the Cayman Islands by the Governor in Executive Council (as it then was), and who has not already received 40 points by virtue of being the parent, son or daughter of a Caymanian, is allocated 20 points.</li> </ol>	

*Note: The points available to persons who are Cuban nationals shall be awarded only in respect of applications received within six months from the date of commencement of the Immigration (Amendment) Regulations, 2013.*

FACTOR 8	POINTS
<p><u>Demographic and Cultural Diversity</u></p> <p>To maintain a demographic and cultural balance in our community points will be awarded based on the applicant's country of origin. Countries with fewer residents represented (measured by work permits in effect) will receive more points than countries with higher degrees of representation.</p> <p>(a) exceeding 10%                      (b) 5-10%                      (c) Not exceeding 5%</p>	<p><b>Maximum 10</b></p> <p>a) 0                      b) 5                      c) 10</p>
<p><u>Explanation</u></p> <p>In order to maintain a vibrant and diverse community it is desirable to ensure that the permanent population of the Islands is made up of a balance of nationalities rather than domination by only a few nationalities.</p>	

FACTOR 9	POINTS
<p><u>Age Distribution</u></p> <p>Age diversity and balance in the local community is also relevant with respect to national productivity. Points will be awarded as follows:</p> <p>I. 18 - 24                      II. 25 - 35                      III. 36 - 45                      IV. 46 - 60                      V. 61 and above</p>	<p><b>Maximum 10</b></p> <p>I. 4                      II. 10                      III. 8                      IV. 6                      V. 0</p>

<p><u>Explanation</u></p> <ul style="list-style-type: none"> <li>• It is important to maintain age distribution in the labour market in a way that contributes positively to the long-term sustainability of labour supply to the Islands.</li> <li>• Points are allocated based on the number of working years that an applicant has remaining before retirement. This in turn impacts factors such as productivity, pension planning and state health care usage.</li> </ul>
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DEDUCTIBLE COMPONENTS	POINTS
<p>1. Character and health</p> <ul style="list-style-type: none"> <li>a. Criminal convictions</li> <li>b. Health issues</li> <li>c. Administrative fines levied in relation to statutory offences</li> <li>d. Lack of a reasonably funded pension plan</li> </ul>	<p><b>Maximum 100</b></p>

<p><u>Explanation</u></p> <ul style="list-style-type: none"> <li>(i) Points may be deducted 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 or CIO, make his continued presence in the Islands contrary to the public interest. The number of points deducted will be proportionate to the nature and severity of the offence.</li> <li>(ii) Points will also be deducted if the applicant is certified by a Health Officer to be suffering from a communicable disease</li> </ul>
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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).

(iii) Points will also be deducted if the applicant has committed a statutory offence for which an administrative fine has been levied. The act of not adhering to the Laws of the Islands is reflective of the applicant's character and the deduction of points must be reasonable and proportionate in the circumstances.

(iv) The Board or CIO shall provide a full explanation in writing justifying any deduction made and show that the number of points deducted was reasonable in the circumstances.

DEDUCTIBLE COMPONENTS	POINTS
Other mitigating factors	<b>Unlimited</b>
<p><u>Explanation</u></p> <p>(i) This includes situations where it has been proven that the applicant has mistreated fellow workers in the workplace, Caymanians or non-Caymanians.</p> <p>(ii) The Board or CIO shall provide a full explanation in writing justifying any deduction made and show that the number of points deducted was reasonable in the circumstances.</p>	

<u>SCORE TABULATION</u>	<u>APPLICANT'S SCORE</u>
(i) Maximum possible points	215
(ii) Minimum points to be achieved by an applicant in order to receive a grant of permanent residence	110".

Made in Cabinet the 6th day of January, 2015.

Kim Bullings

Clerk of Cabinet.