

CAYMAN ISLANDS



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THE IMMIGRATION (INTERIM ARRANGEMENT) DIRECTIONS

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(INTERIM ARRANGEMENT) DIRECTIONS

In exercise of the powers conferred on the Governor in Council by section 72 of the Immigration Law, the Governor in Council issues the following policy directions to the Immigration Board and the Chief Immigration Officer for their guidance in the exercise of their respective powers, duties and functions under the Immigration Law –

Citation. 1 These policy directions may be cited as the Immigration (Interim Arrangement) Directions.

Right to reside – children of permanent residents. 2. (1) Subject to subclause (2), the Board must, upon request, grant a dependent child of a permanent resident a right to reside in the Islands until –

- (a) the child attains the age of 18 years; or
- (b) the permanent resident ceases to have a right to reside in the Islands,

being whichever first occurs.

(2) The Board may refuse to grant a dependent child of a permanent resident a right to reside in the Islands in accordance with subclause (1) if it is not satisfied that the child is of good character, and may terminate any such right if it subsequently finds that the child was not of good character at the time of the grant or, in the opinion of the board, the child subsequently ceases to be of good character.

(3) The Board must, upon request, grant permission to remain permanently in the Islands to a person who –

- (a) has a right to reside in the Islands by virtue of permission given under subclause (1); and

(b) has attained the age of 17 years; and

(c) has been normally resident in the Islands for a total period of at least 5 years during the previous 7 years,

unless the Board is satisfied that there are extraordinary circumstances justifying not doing so.

(4) For the purpose of subclause (3) (c) a period spent abroad solely for the purpose of attending an educational establishment is to be taken as normal residency in the Islands.

Grant of permission to permanent resident to engage in gainful occupation.

3. (1) If, in accordance with section 24 of the Immigration Law, the Board gives a permanent resident permission to engage in a gainful occupation or varies any such permission, the Board must limit the permission to a specified occupation (but not unnecessarily to a specified employer) unless the Board is satisfied that there are extraordinary circumstances justifying not doing so.

(2) If the Board grants permission under subclause (1) to a person who will be self-employed the Board must also specify the number of people (if any) the permanent resident may employ.

Special provisions in respect of persons resident for 15 years or more.

4. (1) The Board must, upon request, grant permission to remain permanently in the Islands to a person who has been normally resident in the Islands for a total period of at least 15 years unless the Board is satisfied that there are extraordinary circumstances justifying not doing so.

(2) The Board must, upon request but subject to clause 3 of these Directions, give a person granted permission to remain permanently in the Islands in accordance with subclause (1) permission, in accordance with section 24(1) of the Immigration Law, to engage in a gainful occupation.

(3) For the purpose of subclause (1) extraordinary circumstances include any circumstance that would enable the Board to declare, in accordance with section 25 of the Immigration Law, that a person who has been granted permission to remain permanently in the Islands has ceased to enjoy such permission.

Made in Executive Council this 17th day of November, 1992.

MONA N. BANKS-JACKSON
Clerk of the Executive Council.