



PUBLIC CONSULTATION Easy Reference Guide

Immigration (Transition) (Amendment & Validation) Bill, 2025

(17 October 2025)



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About this consultation

The Ministry of Caymanian Employment & Immigration (**Ministry**) invites comments on the Immigration (Transition) (Amendment & Validation) Bill, 2025 (**Immigration Bill**).

This consultation seeks the views of stakeholders and the public on the proposed amendments to the Immigration (Transition) Act (2022 Revision). The purpose of this consultation is to provide transparency, encourage engagement, and ensure that the perspectives of Caymanians, residents, industry representatives, and other interested parties are considered before the Bill is finalised.

The consultation invites feedback on the objectives and provisions outlined in the Bill, including matters relating to Caymanian status, permanent residency, residency and employment rights certificates, work permit requirements, financial standing, and compliance measures. Comments may address the policy intent, practical implications, or any other relevant considerations.

Responses to this consultation will help inform the Government's final decisions on the amendments and ensure that the Immigration framework continues to balance the interests of Caymanians with the social and economic needs of the Islands.



Appendix

1. Immigration (Transition) (Amendment & Validation) Bill, 2025

Responding to the consultation

Please note that any responses may be made public, albeit on an anonymous basis where possible. Responses may also be shared with other public bodies involved in this consultation to assist the Ministry in developing the relevant policies. The Ministry also encourages stakeholders to provide as much supporting examples as possible with their responses.

Responses must be submitted via email by close of business on 14 November 2025, to ImmigrationConsultation@gov.ky.



Background

Like other developed nations, the Cayman Islands faces a range of migration-related challenges, including relocation for employment, education, family reunification, or in response to conflict and human rights concerns. These global dynamics underscore the need for a responsive and adaptive immigration framework.

Immigration has long played a central role in shaping the Islands' economic and social development. With a national population of approximately 89,000 and expatriates comprising over 55 percent, the contributions of non-Caymanians have been significant, particularly in key sectors such as finance, tourism, and construction. At the same time, the significant rate of immigration raises challenges for long-term sustainability, including pressure on infrastructure and essential services, and concerns relating to social integration, cultural preservation, and national identity.

A balanced and well-managed approach to immigration is therefore necessary to support continued economic growth while safeguarding the interests of Caymanians. Ensuring that the expatriate population grows in line with the Islands' capacity to provide services, and reducing vulnerabilities associated with reliance on a large non-Caymanian workforce, will help strengthen resilience and maintain social cohesion. Updating the immigration framework is a key part of achieving these objectives.

Policy Intent and Considerations

The proposed amendments to the Immigration (Transition) Act (2022 Revision) are intended to update and refine aspects of the existing legislative framework to ensure it remains responsive to evolving social and economic circumstances. It should be noted, however, that the Immigration Bill does not propose any changes to the permanent residency framework. Such changes will be addressed in the next round of legislative amendments.

The changes in the Bill are outlined as follows:

- **Name change to the principal Act**

1. The Act is being renamed the Caymanian Protection Act.

- **Confirmation of Caymanian Status**

1. Extend the ability for Caymanians "as of Right" to receive formal confirmation of status from the Director of WORC, including automatic confirmation when linked to a child's acknowledgement (e.g., for school enrollment).



- **Loss and Revocation of Caymanian Status**

1. Strengthen provisions so persons entitled to be Caymanian through their parents may lose that right if, after age 18, they reside outside the Islands for five years without notifying WORC.
2. Require persons who obtain Caymanian status through marriage to file an annual declaration for the first seven years after being granted Caymanian status; failure constitutes an offence and is grounds for revocation.

- **Discretion for RERC Continuation**

1. Provide the Caymanian Status and Permanent Residency Board and the Director of WORC discretion to allow a Residency and Employment Rights Certificate (RERC) to remain valid where a marriage or civil partnership has been dissolved or otherwise terminated.

- **Extended RERC and Certificate of PR Holding Period Before Naturalisation**

1. RERC holders married to or in civil partnerships with a Caymanian or PR (8-year facility) must hold the facility for 15 years before reapplying to confirm freedom from immigration controls, delaying eligibility for Naturalisation or open-ended PR;
2. Requiring persons to hold their Certificate of PR for Persons of Independent Means for 10 years. These persons would have to re-apply for their facility at year 9 in order to ensure that they have an indefinite Certificate. Thereafter, they would be able to apply for Naturalisation, should they choose to.

- **Continuation of RERC for Parents of Caymanian Children**

1. Require applicants seeking continuation of RERC to demonstrate financial support and positive contribution to their Caymanian children.
2. WORC empowered to request social enquiry reports where proof is insufficient.
3. Applications may be denied if parental responsibilities are not met, with a six-month window to rectify issues before potential revocation.
4. Applicants must demonstrate good character and provide a recent medical certificate.
5. Clarify eligibility: continuation applies only to children from the union with the Caymanian parent; new spouses cannot be added as dependents.

- **Expanded Grounds for Revocation of PR and RERC**

1. PR may be revoked if the holder fails to support their Caymanian child, or if the marriage/civil partnership is deemed a marriage/civil partnership of convenience.
2. RERC held through marriage or civil partnership may be revoked if the union ends before seven years, or at WORC's discretion if ending between seven and fifteen years.



3. Opportunity provided to reapply for a RERC within three months after revocation.

- **Financial Standing Requirements**

1. Financial requirements for work permit holders and dependents are codified in the Immigration (Transition) (Amendment) Regulation, 2025, making the information publicly available.
2. Providing false financial information is an offence with penalties of up to \$10,000, one year imprisonment, or both. Additionally, the provision of false information is grounds for revocation of the relevant Certificate or WP.

- **Work Permit Changes**

1. In an effort to curb job-hopping and encourage stability within the labour market; work permit holders who change employers within the first two years of their employment must leave the Islands and cannot reapply for one year, with exemptions available under prescribed circumstances.
2. In order to assist with dealing with marriages of convenience amongst work permit holders; should two work permit holders marry or enter into a civil partnership; the term limit of both individuals will change to that of the individual with the lesser time remaining.

- **Annual Declarations for Key Facilities**

1. Holders of RERC, Certificate of Direct Investment, Residency Certificate (Substantial Business Presence), and persons granted the right to be Caymanian must submit annual declarations to WORC covering themselves and dependents.
2. Non-compliance constitutes an offence and grounds for revocation.

- **Information Sharing and Collaboration**

1. Enable WORC to share information with key government agencies, including the Royal Cayman Islands Police Service, Customs and Border Control, Director of Public Prosecution, Department of Community Rehabilitation, Department of Children and Family Services, Department of Financial Assistance, Health Insurance Commission, Health Services Authority, Portfolio of the Civil Service, Department of Commerce and Investment, Scholarships Secretariat, and National Training and Development Unit, to inform decision-making on WP, PR, RERC, and Caymanian Status applications.
2. Support coordination to ensure Caymanians are considered first for employment, , and improve workforce planning.
3. Facilitate a shared database linking scholarship recipients with work permit opportunities to promote employment of Caymanians.



- **Exemptions under Section 53(1)(b)**

1. Clarify the application of exemptions, enabling Cabinet to determine whether such exemptions are unconditional or subject to specified conditions without the need for the conditions to be prescribed.

- **Public Sector Term Limits**

1. Introduce term limits for non-Caymanian civil servants to ensure consistency and transparency in public sector employment practices.

- **Commercial Farmhand Certificates**

1. Establish a new certificate category for commercial farmhands to support sustainability and bolster food security efforts. The applicant would be required to:
 - a) pay the prescribed fee; and
 - b) provide proof of their employment with an agri-business enterprise that is registered with the Department of Agriculture as a Commercial Agricultural Producer

thereafter such Certificate shall be renewable for a period of five (5) years, and can be issued a maximum of two (2) times or until the applicant reaches the age of 65 (whichever comes first) on application to the Board or the Director of WORC and upon payment of the prescribed fee, if the determined criteria remain satisfied. Currently, the Act allows for a Certificate for Specialist Caregiver but not for a Commercial Farmhand.

- **Fees and Fines**

1. Provide a regulatory basis for the refund of fees in certain circumstances.
2. Validate the collection of certain fees and fines previously administered by the Director of WORC, promoting fairness and accountability.

- **Transitional provisions**

1. If someone sent in an immigration application or an appeal before the new 2025 law starts, it will be handled under the old law.
2. Any permit, visa, or permission that is still good when the new law starts will stay good until it runs out, is lost, or is cancelled. Furthermore, the new rules in section 10(a) and (b) (those persons applying for Caymanian status) do not apply to people who already have a valid certificate, permission, or exemption from the old or current laws. Those people can still apply to become Caymanian under the law that gave them their document.



3. If someone works for the Health Services Authority or the University College of the Cayman Islands and has a valid permission or exemption, it will stay good until their job contract ends or one year after the new law starts — whichever is later.
4. If someone has a Certificate for Specialist Caregivers when the new law starts, they can renew it one more time for five years.
5. People who already have certain certificates when the new law starts must send in a yearly declaration as the new law says.
6. If someone was already a worker and later becomes a civil servant, their time limit keeps counting from when they first became a worker.
7. If an employer sent in a work permit application before the new rule starts, that application will be decided under the old law.

These amendments are intended to strengthen the administration of the Immigration (Transition) Act, provide greater clarity in its application, and address identified gaps in the existing provisions.