



PUBLIC INFORMATION

Frequently Asked Questions

Immigration (Transition) (Amendment & Validation) Act, 2025 and
Immigration (Transition) (Amendment & Validation) Act, 2026

(8 April 2026)



Background

This informative document provides answers to frequently asked questions relating to the Immigration (Transition) (Amendment & Validation) Act, 2025, and the Immigration (Transition) (Amendment and Validation) Act, 2026.

These amendments introduce changes aimed at improving administrative efficiency, clarifying longstanding practices, and ensuring fair and consistent treatment of applications.

It aims to help residents, employers, employees, permit holders, and business stakeholders, to navigate new requirements, transitional provisions, and processes, while reducing confusion and supporting compliance.

Note: It should be noted that the Immigration (Transition) (Amendment & Validation) Act, 2025 and 2026 do not propose any changes to the permanent residency (PR) framework. Such changes will be addressed in future legislative amendments.



Frequently Asked Questions

1. Definitions under the new legislation Act

Q: What are the new definitions under the new Act?

A: There are several new definitions inserted into new legislation, including:

- **“Developed real estate”** means one strata lot, one parcel; or one set of contiguous parcels that have undergone a physical improvement to land in the nature of buildings, structures or other improvements that enhance the value of the land for industrial, agricultural, commercial or residential purposes, and in the case of real estate for industrial, commercial or residential purposes, a certificate of occupancy has been issued, where applicable;
- **“Civil Servant”** means a person employed by the government, but does not include a person employed by a government company or statutory authority or a Member of the Parliament other than an Official Member, and is a public officer for the purposes of the Constitution;
- **“Commercial farmhand”** means a farmer, livestock farmer, general farmhand, farmer helper or a person who otherwise cares for a farm or who cultivates land; and who is employed with an agricultural enterprise that is registered with the Department of Agriculture as a commercial agricultural producer;
- **“Paid-up amount”**, in relation to an investment in developed real estate, means the amount that has been paid toward the purchase price, mortgage principal or development cost by an applicant at the time of a relevant application, and which is free from any outstanding financing obligations;
- **“Worker”** means a person, including an employee of a statutory authority or a government company, in respect of whom a work permit has been or may be granted or renewed under Part 7.



2: Work Permits

Q: How are existing work permits and certificates treated after 1 May 2026?

A: Existing permissions remain valid; however, new compliance, declaration, and enforcement provisions apply going forward.

Q: Can a work permit holder change employers under the new Act?

A: Yes, work permit holders can change jobs. However, first-time work permit holders who are granted their work permit on or after 1 May 2026 must stay with their employer (the one who sponsored their permit) for at least two (2) years.

If you leave your job before completing those two years, you will be required to leave the Cayman Islands for one year. In some cases, the Director of WORC may allow an exception under specific conditions which are prescribed in the Regulations.

Note: There is also a special exception for Domestic Helpers. If you want to continue working as a domestic helper but for a different employer (in the same type of job), you may be allowed to do so without having to leave the Islands.

Q: What obligations does a work permit holder have if they terminate employment before two (2) years?

A: If a work permit holder wants to apply for an exemption from the one (1) year departure requirement, they must submit an application to the Director of WORC within three (3) working days after leaving their job.

The application must include proof that the situation was reported to a relevant authority. This could include agencies such as the Department of Labour and Pensions, Health Services Authority, Royal Cayman Islands Police Service, or any other appropriate investigative body.

The Director of WORC thereafter has 30 working days within which to notify the person in writing of the determination made in respect of their application.

If the person does not apply for an exemption, they must make arrangements to leave the Cayman Islands for one (1) year.

Q: Under what circumstances can a work permit holder who leaves their job before completing two (2) years be exempt from the requirement to leave the country for one (1) year?

A: Prescribed circumstances include unpaid or uncompensated overtime; being required to perform work outside the job description without compensation; discrimination; retaliation for raising complaints; harassment (including sexual harassment or bullying); or any other situation that the Director of WORC determines justifies an exemption.



Q: What responsibility does an employer have regarding the termination of an employee who is on a work permit.

A: Employers must provide written notice of the termination of employment to the Director of WORC within seven (7) days after a work holder's employment ends. To do so, the employer should complete the appropriate cancellation form.

Failure to comply with this requirement constitutes an offence. On summary conviction, the employer is liable to a fine of CI\$20,000, imprisonment for a term of two (2) years, or both.

Q: What are the new financial standing requirements to add a dependant?

A: To add one dependent, a minimum gross monthly income of CI\$5,000 (before deductions) is required. For each additional dependant, an additional CI\$1,000 in monthly income must be shown. This applies to any applications submitted on or after 1 May 2026.

Q: I am a work permit holder whose Term Limit expires soon. If I am married to another work permit holder whose Term Limit expires before mine, is my Term Limit shortened to theirs?

A: If an application is submitted under Section 66(10A), where two work permit holders marry, should one of the persons **opt to apply** to be granted a work permit or renew a work permit (based on the term limit of their spouse) (i.e., align their term limits), then the term limit for both individuals will align with the permit holder who has the lesser time remaining.

However, should the two work permit holders marry and not opt to align their term limits, they can continue to have different term limit expiration dates and the legal requirement for each of them to not be allowed to hold a work permit for at least one year after they have left the Islands will remain in place, with different start and end dates.

Q. If my term limit has expired, and I have been allowed to continue to renew my work permits on the basis that I am married to a work permit holder or a Government-contracted employee, will I be able to continue to renew work permits?

A: Where two work permit holders are married and were previously allowed to align their permits to the longer term limit, the following applies: when the permit of the holder with the longer term limit comes up for renewal, their spouse—who has already reached their own term limit but was permitted to remain in the Islands—must then leave and begin the required one-year period during which they are not permitted to hold a work permit.

Q. What is the turnaround period for the Express Work Permit application or renewal?

A: 14 working days.

Q: After 1 May 2026, If I am married to or in a civil partnership with a work permit holder, can I continue to work after completing my 8+ year term limit?



A: No. After 1 May 2026, persons who marry and opt to apply to be attached to their spouses work permit or renew a work permit (based on the term limit of their spouse) (i.e., align their term limits), then the term limit for both individuals will align with the permit holder who has the lesser time remaining.

3. Job Advertisements

Q: What happens if an employer fails to meet mandatory job advertising requirements?

A: Work permit applications may be refused. Employers must advertise vacancies for **21 days** on the WORC electronic jobs portal and in a local newspaper (or prescribed media) prior to submitting a work permit application.

Q: My job submission gets kicked back because it required modification(s) will I need to pay the processing fee again when I re-submit?

A: The fee is not required when you re-submit; however, if you do not go ahead with the job submission you will not get a refund. It is a 1-time non-refundable fee.

Q: How long is a job advertisement valid?

A: Under WORC's current policy, a job advertisement is valid for up to three (3) months before a work permit application is submitted, unless a Business Staffing Plan Board condition states otherwise.

For example: if a position is advertised on April 30, 2026, the advertisement would be considered valid for use in support of a work permit application submitted on or before July 30, 2026.

Q: Can job advertisements posted before the commencement date be used for an application?

A: Applications filed on/after the commencement date of 1 May 2026 are required to have 21-day advertisements. Applications filed before the commencement are required to have at least 14-day advertisements.

4. Term Limits for Civil Servants

Q: Do term limits apply to non-Caymanian civil servants??

A: Yes, term limits apply to non-Caymanian civil servants. (Limited statutory exemptions exist). All civil servants', who were previously already employed with the civil service, term limits will begin on 1 May 2026.



Q: I am a civil servant, how is my term limit calculated?

A: On 1 May 2026, your 8+ year term limit starts.

Q: If a Work Permit holder moves from the private sector to Government, will their term limit reset?

A: No. Term limits **continue** and do not reset when a Work Permit holder transitions into Government employment after 1 May 2026.

Q: Can someone who was in the private sector, but whose term limit is met, move to the Civil Service and continue working?

A: No.

5. New Commercial Farmhand Certificate

Q: What is the new Commercial Farmhand Certificate?

A: A Certificate for a Commercial Farmhand takes effect when:

- the employee's final work permit (or permission granted under section 66(4)) expires; or
- if the work permit has already expired, on the date the Board or the Director of WORC makes a decision.

To apply, the applicant must:

- pay the required fee; and
- provide proof of employment with an agri-business that is registered with the Department of Agriculture as a Commercial Agricultural Producer.

Once approved, the certificate is valid for five (5) years. It can be renewed up to two (2) times, or until the applicant reaches age 65—whichever comes first.

6. Specialist Caregiver Certificate

Q. What if I am on a Specialist Caregiver Certificate and I am, or about to be, 65 years old?

A: The Certificate for Specialist Caregiver has been amended to introduce limits on both the number of times it may be issued and its duration.

The Certificate may be issued a maximum of two (2) times, for a total period of up to ten (10) years, or until the applicant reaches the age of 65, whichever occurs first.

Individuals currently holding a Specialist Caregiver Certificate will be permitted only one renewal, for a period of five (5) years, after 1 May 2026.



7. Permanent Residency

Q: What new grounds exist for revocation of Permanent Residence?

A: Permanent Residence may be revoked where there are reasonable grounds to suspect a marriage or civil partnership of convenience, or if a Permanent Residence holder fails to financially support or positively contribute to the life of a Caymanian child relied upon for continuation of their facility.

Q: Have financial requirements for Persons of Independent Means changed?

A: No. This will be dealt with in a future amendment to the legislation.

Q: Can Permanent Residence be revoked if I do not file declarations?

A: Yes. Failure to submit required annual declarations constitutes an offence and is a ground for revocation.

Q: Am I required to file an annual declaration if I am married to a Caymanian and currently hold a valid RERC issued before 1 May 2026?

A: Yes. If you hold a valid RERC issued prior to the commencement of the new legislation on 1 May 2026, you will be required to submit an annual declaration on the anniversary of the date the certificate was issued. The declaration must be accompanied by the prescribed fee of **CI\$100.00** and must be submitted each year for as long as you continue to hold the RERC.

Q: I submitted my RERC application as the spouse of a Caymanian before the new law came into effect but have not yet received a decision from WORC. Which law will apply to my application?

A: Your application will be considered under the Immigration (Transition) Act (2022 Revision). If approved, the RERC will be granted indefinitely, meaning it will not have an expiry date.

Q: If I apply for an RERC as the spouse of a Caymanian or Permanent Resident after the commencement of the new legislation, how long will the certificate be valid?

A: Under the new legislation, the RERC will be issued for a maximum period of 15 years. After holding the certificate for at least 14 years, the holder may apply for it to be renewed indefinitely. Once the RERC has been renewed indefinitely and held for at least one additional year, the individual may apply for a certificate of naturalisation or registration under the British Nationality Act 1981.



8. Caymanian Status / Right to be Caymanian (CSPR)

Q. If my children/grandchildren are confirmed Caymanian as of Right, and being the Caymanian parent/ grandparent stated on the application, can I be formally confirmed by the Director of WORC as Caymanian as of right?

A: The Director of WORC may now formally confirm Caymanian as of Right based on proven connectivity, without requiring a separate individual application in all cases.

Q: Do I have Right to be Caymanian if I was born in the Cayman Islands on or before 26 March 1977?

A: Yes. You are deemed to be Caymanian as of Right, and require no formal acknowledgement from the Director of WORC.

Q: Under the new Act, when can I apply for Caymanian Status/Right to be Caymanian on the grounds of naturalisation?

A: After being legally and ordinarily resident for at least 20 years, or legally and ordinarily resident for at least 10 years after obtaining a certificate of naturalisation or registration.

Q: Can my Caymanian Status/Right to be Caymanian be revoked if I do not file an annual declaration?

A: Yes. Failure to submit required annual declarations constitutes an offence and is a ground for revocation.

Q: If I have been granted the right to be Caymanian by entitlement, can my facility be revoked if I'm off island?

A: Yes, where the holder has ordinarily resided outside the islands for a period of five (5) years without notifying the Director of WORC and can no longer be said to be settled in the Islands.

Q: If I was granted the Right to be Caymanian on the grounds of marriage under the Immigration (Transition) Act (2022 Revision) (previous legislation), how will I be affected?

A: Individuals granted the Right to be Caymanian on the grounds of marriage on/before 30 April 2023 will **NOT** be required to submit annual declarations.

Individuals granted this facility on/after **2 May 2023** will be required to submit annual declarations each year until they have held the Right to be Caymanian for **three (3) years**. Filing of annual declarations will now require a prescribed fee of \$100.00 on the anniversary of the date of issue.

Q: If I am granted the Right to be Caymanian on the grounds of marriage after the new Act comes into effect, how will I be affected?

A: You will be required to submit annual declarations, together with the prescribed fee of **\$100.00**, on each anniversary of the grant, until you have held the Right to be Caymanian for **three (3) years**.