



## Workforce Opportunities & Residency Cayman WORC Risk Register Policy

Name	<b>WORC Risk Register Policy</b>		
Effective Date (Published)	October 2025	Expiry Date	Until superseded
Last Review Date	24 October 2025	Next Review Date	April 2026
Authorizing Post	Director - WORC		
Relevant Laws	Immigration (Transition) Act 2022 Immigration Regulations		
Related Policies	WORC Administrative Disposal Policy		
Key Topics	This policy covers the following key topics: <ul style="list-style-type: none"> <li>• Definitions and categories of the WORC Risk Register</li> <li>• Procedures and guidelines</li> </ul>		

### 1. Introduction

The WORC Risk Register Policy establishes a framework for the collection, maintenance, management, and analysis of information relating to individuals or employer entities identified by Workforce Opportunities & Residency Cayman (WORC) as posing a potential risk in relation to the integrity of their applications or employment practices.

The Register enables the WORC Compliance Team to proactively assess and vet applications from individuals or employer entities with a known history of committing offences under the Immigration (Transition) Act, or based on other intelligence or information deemed relevant by the Deputy Director or Director of WORC.

For the purposes of this policy, the WORC Risk Register shall hereinafter be referred to as “the Register”; the Deputy Director of Compliance shall be referred to as “the Deputy Director”; and the Director of WORC shall be referred to as “the Director.”

### 2. Purpose Statement

The Director of WORC, in accordance with the Immigration (Transition) Act, must consider multiple factors relating to the individual or employer entity before granting or renewing any application. These factors include, but are not limited to, the applicant’s character.

The purpose of this policy is to reinforce WORC’s commitment to preventing illegal, unethical, and improper conduct by ensuring compliance with the Immigration (Transition) Act, its Regulations, associated policies, and established guidelines, while promoting integrity, accountability, and fairness.



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### **3. Implementation and Scope**

The WORC Risk Register Policy applies to all operations within the Department of Workforce Opportunities and Residency Cayman (WORC) that involve the assessment, processing, or management of immigration and employment-related applications. It governs how individuals and employer entities identified as posing potential compliance or reputational risks are recorded, monitored, and reviewed.

This policy shall be implemented across all relevant WORC divisions and is binding on all Compliance Officers and administrative staff engaged in the processing of applications or enforcement actions under the Immigration (Transition) Act.

This policy applies to all categories of work permit, residency and Cayman Status applications submitted by individuals or employer entities.

### **4. Roles and Responsibilities**

- a) The WORC Risk Register shall be maintained by the WORC Compliance Team under the oversight of the Deputy Director and/or Director.
- b) The Compliance Manager for Risk Management is responsible for ensuring officers' adherence to this policy.
- c) To assist the Director, the WORC Compliance Team, pursuant to Section 8 of the Immigration (Transition) Act, is vested with investigative powers and responsibilities to support this function.

Compliance Officers shall collect and assess information for individuals or employer entities placed on the Register. This includes, but is not limited to, verifying the accuracy and completeness of any representations made within the application.

Where a Compliance Officer identifies any adverse findings or information that may be of significance to the Director or the WORC Boards, such findings must be formally documented and communicated in writing to the Director or Board, as appropriate.

Applications will generally be reviewed within 15 days. However, this timeframe may be extended where necessary to allow for a complete assessment.



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Where the review of an application exceeds 30 days, the matter must be reported to the Manager, who will assume responsibility for monitoring the review process and approving any further extensions.

Where the review of an application reaches 60 days, the matter must be reported to the Deputy Director, who will be responsible for approving any additional extensions.

- d) All Compliance Officers must comply with the provisions and guidance set out in this policy, unless otherwise authorized by the Deputy Director or the Director.
- e) A record of any deviation from this policy, will be made and maintained by way of email communication between the officer and Deputy Director or Director.
- f) Any breaches of this policy shall be reported by the Compliance Manager to the Deputy Director.

### 5. Maintenance of the Register

The Register is maintained by the Compliance Team tasked with risk management.

### 6. Key Details Contained in the Register

The following key information is contained in the Register:

- Records Management System (RMS) Number
- Name of the individual or Employer Entity
- File Number
- Date of Birth
- Nationality
- Type of Breach Committed
- Related Employment Industry
- Date of Last Offence
- Date of Placement on the Register
- Date of Anticipated Removal from the Register
- General Remarks and Comments

### 7. Placement on the Register

- a) An individual or employer entity may be entered on the Register under the following circumstances:
  - i. They have committed an offence under the Immigration (Transition) Act or its Regulations, resulting in an administrative fine, warning, or conviction;



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- ii. At the discretion of the Deputy Director, as per Section 11 of this policy.
  - iii. At the discretion of the Director, as per Section 11 of this policy.
- b) For avoidance of doubt, only the individual or employer entity that has committed the breach shall be entered on the Register. Other companies or entities under the same ownership are not automatically added, unless approved by the Deputy Director or Director.

### 8. Notification of Placement on the Register

- a) Any person or entity placed on the Register will receive written notice within seven (7) days of placement.
- b) The Director or Deputy Director may, in the exercise of their discretion under Section 11, delay such notification where, in their opinion, the delay is necessary to protect the integrity of any ongoing inquiry or investigation. Any such delay shall be limited to a period considered reasonable in the circumstances.

### 9. Duration Periods of an Individual or Employer Entity on the Register

- a) Individuals or employer entities entered on the Register under Section 7(a) will remain on the Register for 12 months from the date a fine, warning or court conviction is issued.

Subsequent offences will restart the 12-month period from the date of the most recent breach.

- b) Individuals or employer entities entered on the Register under Section 11 will remain on the Register not exceeding 24 months, unless extended by the Director.

### 10. Removal from the Register

- a) Individuals or employer entities shall be automatically removed from the Register upon completion of their designated placement period.
- b) The Deputy Director or Director has discretionary authority to remove individuals or employer entities from the Register or reduce the duration of their placement, notwithstanding the timeframes specified in this policy.



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- i. The Deputy Director or Director may delegate this discretion to any WORC Compliance Manager.
  - ii. Individuals or employer entities may submit representations to [WORCRiskRegisterRequests@gov.ky](mailto:WORCRiskRegisterRequests@gov.ky) to request removal from the Register or a reduction of their placement period. Such representations must be submitted by the individual or employer entity within thirty (30) days of notification of placement.
  - iii. The Deputy Director or Director may, at their discretion, consider requests submitted outside the prescribed 30-day period where, in their opinion, special circumstances exist and justify the late submission.
  - iv. Decisions regarding representations must be communicated to the individual or employer entity within fifteen (15) business days of receipt.
- c) The Deputy Director will review and consider;
- i. Matters related to Sections 7(a)(i) and (ii).
- d) The Director will review and consider;
- i. Matters related to Section 7(a)(iii),
  - ii. Decisions made by the Deputy Director when an individual or employer entity expresses dissatisfaction with those decisions.
- e) Any review undertaken by the Director shall be final, and the outcome communicated within fifteen (15) business days of the Director's receipt of the representations.
- f) Upon a decision being made by the Deputy Director or Director, no further representations may be considered until a minimum period of six calendar months has lapsed since communication of the decision.

### 11. Senior Management Requests – Placement on Register

- a) The Deputy Director or Director may consider intelligence or information indicating potential adverse character or unethical employment practices related to an individual or employer entity. Based on such information, they may add individuals or employer entities to the Register.



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- b) If the Deputy Director adds an individual or entity under this section, the designation may be made for a period not exceeding 24 months, unless extended with the approval of the Director.

The Director may, under this section, place an individual or entity on the Register for such period as he considers reasonable and until he determines that it is no longer necessary.

- c) Individuals or employer entities placed on the Register under this provision will be handled according to Section 12(a) of this policy as a Low Risk Offender. Thereafter, should any breach occur they will elevate in risk status as per Section 12(b) and (c).

### 12. Register Categories

- a) Low Risk

Any individual or employer entity committing one or more breaches of the Immigration (Transition) Act or Regulations arising from a single incident will be classified as Low Risk.

#### Consequences:

- i. Possible refusal or revocation of the application related to the breach incident.
- ii. Possible refusal or revocation of any other applications submitted in respect of the individual or employer entity during the placement period on the Register.
- iii. All applications may undergo more rigorous reviews, possibly causing processing delays.

- b) Medium Risk

Any individual or employer entity currently classified as Low Risk who re-offends during their active period on the Register will be reclassified as Medium Risk.

#### Consequences:

- i. Possible refusal or revocation of the application related to the breach incident.
- ii. Possible refusal or revocation of any other applications submitted in respect of the individual or employer entity during the placement period on the Register.



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- iii. All applications may undergo more rigorous reviews, possibly causing processing delays.
- iv. Increased administrative fines as per Section 68(2) of the immigration (Transition) Act:

Condition	Applicable Penalty
<b>Where fees apply</b>	Four (4) times of the amount of the fees that would have been payable.
<b>Where no fees apply</b>	An additional <b>\$1,500</b> added to the assessed fee under the Administrative Disposal Policy Schedule of Fees, not exceeding <b>\$5,000</b> .

c) High Risk

Any individual or employer entity currently classified as Medium Risk who re-offends during their active period on the Register will be reclassified as High Risk.

**Consequences:**

- i. Possible refusal or revocation of the application related to the breach incident.
- ii. Possible refusal or revocation of any other applications submitted in respect of the individual or employer entity during the placement period on the Register.
- iii. All applications may undergo more rigorous reviews, possibly causing processing delays.
- iv. Unless otherwise approved by the Deputy Director or Director, all matters must, in the first instance, be referred to the Department of Public Prosecutions (DPP) for legal advice on whether charges are applicable. Any administrative action taken thereafter shall be guided by the advice and recommendations provided by the DPP.
- v. Where the DPP recommends administrative disposal, the following fees shall apply in accordance with Section 68(2) of the immigration (Transition) Act:

Condition	Applicable Penalty
<b>Where fees apply</b>	Five (5) times of the amount of the fees that would have been payable.



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<b>Where no fees apply</b>	<b>Maximum fee of \$5,000</b> in accordance with the Immigration (Transition) Act.
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### 13. Confidentiality

- a) Information contained in the Register shall be treated with the highest level of confidentiality and may only be shared with authorized WORC personnel or other individuals legally entitled to access such information.
- b) Any suspected breach of confidentiality must be reported to [WORCDataProtection@gov.ky](mailto:WORCDataProtection@gov.ky).

### 14. Conflict of Interest

- a) A conflict of interest arises when an officer's relationship with any individual or employer entity could compromise, or appear to compromise, their ability to conduct investigations objectively, without distraction, bias, or undue influence.
- b) If an officer identifies a conflict of interest, they must immediately report it to their manager and must not proceed with any review, investigation, or related activities until explicit approval is provided by the manager.

### 15. Amendment of Policy

This policy may be amended only with the expressed approval of the Director.

**ENDS**