

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE IMMIGRATION LAW (2010
REVISION) TO PROVIDE FOR EMPLOYMENT IN SPECIAL
ECONOMIC ZONES; AND TO PROVIDE FOR INCIDENTAL AND
CONNECTED MATTERS**

THE IMMIGRATION (AMENDMENT) (NO. 4) BILL, 2011

MEMORANDUM OF OBJECTS AND REASONS

This Bill amends the Immigration Law (2010 Revision) to provide for employment in special economic zones.

Clause 1 of the Bill contains the short title.

Clause 2 amends section 2 of the principal Law to introduce definitions for expressions including “career development bureau” “special economic zone” “Special Economic Zone Authority”, “special economic zone developer” and “special economic zone enterprise”.

Clause 3 inserts a new provision as section 40A of the principal Law which provides that certain sections of Part V are not applicable in the case where the employer is a special economic zone developer or a special economic zone enterprise operating in a special economic zone for which a career development bureau has been established.

Clause 4 amends section 48 (2) of the principal Law to provide for the grant of a work permit for up to five years in the case of a director, officer or employee of a special economic zone developer or special economic zone enterprise operating in a special economic zone for which a career development bureau has been established. Clause 4 also makes some consequential changes to section 48.

THE IMMIGRATION (AMENDMENT) (NO. 4) BILL, 2011

ARRANGEMENT OF CLAUSES

1. Short title
2. Amendment of section 2 of the Immigration Law (2010 Revision) - definitions
3. Insertion of section 40A - provisions not applicable to special economic zone developer and special economic zone enterprise
4. Amendment of section 48 - grant or refusal of work permit

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ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Immigration (Amendment) (No. 4) Law, 2011. Short title
2. The Immigration Law (2010 Revision), in this Law referred to as the “principal Law”, is amended in section 2 by inserting, in the appropriate alphabetical sequence, the following definitions - Amendment of section 2
of the Immigration Law
(2010 Revision) -
definitions
 - “ “career development bureau” means a bureau established by a special economic zone developer and approved by the Special Economic Zone Authority to review and aid the training, employment and advancement of Caymanians in a special economic zone;
 - “special economic zone” has the meaning assigned to that expression under section 2 of the Special Economic Zone Law, 2011; Law 22 of 2011
 - “Special Economic Zone Authority” means the authority established as such under section 3 of the Special Economic Zone Law, 2011;

“special economic zone developer” means a person declared to be a developer pursuant to section 12 of the Special Economic Zone Law, 2011; and

“special economic zone enterprise” has the meaning assigned to that expression under section 2 of the Special Economic Zone Law, 2011.”.

Insertion of section 40A - provisions not applicable to special economic zone developer and special economic zone enterprise

3. The principal Law is amended in Part V by inserting after section 40 the following section -

“Provisions not applicable to special economic zone developer and special economic zone enterprise

40A. Sections 42(6), 44(2)(b) - (c), (3)(b) - (c) and (4), 45, 46, 48(10)(f) and 51 shall not apply in the case where the employer is a special economic zone developer or a special economic zone enterprise operating in a special economic zone for which a career development bureau has been established.”.

Amendment of section 48 - grant or refusal of work permit

4. The principal Law is amended in section 48 as follows -

- (a) in subsection (2) -
 - (i) in paragraph (b) by deleting the word “and”;
 - (ii) by renumbering paragraph (c) as paragraph (d); and
 - (iii) inserting before paragraph (d) as renumbered the following paragraph -
 - “ (c) five years to a director, officer or employee of a special economic zone developer or special economic zone enterprise operating in a special economic zone for which a career development bureau has been established; and”;
- (b) in subsection (7) by inserting before the word “provisions” the word “applicable”; and
- (c) in subsection (10) -
 - (i) in paragraph (h) by inserting before the word “requirements” the word “applicable”; and
 - (ii) in paragraph (i) by inserting before the word “matters” the word “applicable”.

Passed by the Legislative Assembly the day of , 2011.

Speaker.

Clerk of the Legislative Assembly.