

GENERAL INFORMATION

A fully completed and submitted declaration is required in accordance with section 121 of the Cayman Islands Constitution Order, 2009 ("the Constitution") and section 11 of the Standards in Public Life Act (as amended from time to time) ("the SPL Act") from all Persons in Public Life.

The following persons are required to submit annual declarations utilising **Schedule 1**:

- Members of Parliament, including the Speaker.
- Chief Officers and Deputy Chief Officers.
- Chief Financial Officers and Deputy Chief Financial Officers.
- Heads of departments, sections or units and their deputies, as well as any other organised entity within a ministry or portfolio, statutory authority, statutory body, government company, department, section or unit and their deputies.
- Chief executives of statutory authorities, government companies and their deputies.
- A person holding a full-time or part-time position in a public authority who engages in an activity that is in conflict, is likely to conflict, or may be perceived to conflict with, his position in a public authority.

The following persons are required to submit annual declarations utilising **Schedule 2**:

- Members of governing bodies of statutory authorities.
- Members of governing bodies of government companies.
- Members of all Commissions created by or under the Constitution.

NB: Where persons fall under more than one category described above, you are required to complete a separate declaration for each category (e.g. a person who sits on more than one Board OR a person who is a Chief Officer but is also appointed to a Board shall complete separate declarations for each appointment).

Declarations shall be entered into the Register of Interests (the "Register"), which is maintained by the Commission for Standards in Public Life (the "CSPL") and available for inspection at the Commissions Secretariat offices. The aim of the Register is to assist in the prevention of conflicts of interest by promoting openness, and increasing transparency and accountability of persons in public life and the respective entities to which they are appointed.

Declarations must be submitted:

- within 90 days of a Declarant assuming the functions of their office, or in the case of a candidate for election to Parliament, before filing their nomination papers; and
- thereafter no later than 30 days after 30 June in each succeeding year that they are a Declarant; and
- within thirty (30) days of any change occurring.

COMPLETING THE DECLARATION

IMPORTANT:

- Declarations should be completed via the Register of Interest online portal accessible via the CSPL website.
- Each question of the declaration must be answered in some definitive way.
- New declarants will be required to submit a government issued photo identification as part of the declarant registration process.
- **There is no requirement to make any disclosure of the actual amount or extent of any financial benefit, contribution or interests of any Declarant.**
- Should there be any question about compliance with the filing of a declaration, please do not hesitate to contact the CSPL via the Commissions Secretariat.
- Declarant data and privacy are important to us. As such, the personal details included in Part I will only be used by the CSPL to verify your identity and for direct communication with you in relation to your submission and requirements under the SPL Act as a person in public life. This information will not be stored in the Register and therefore will not be made available to the general public. All data will be stored in accordance with the principles of the Data Protection Act. The online portal has been vetted for optimal security and the email box is accessible only by relevant personnel.
- In accordance with section 11(2) of the SPL Act, those who wish to make a request to extend the furnishing of their declaration must do so at least seven days prior to the expiry of the deadlines described above.

IN THE EVENT A DECLARANT IS UNABLE TO UTILISE THE ONLINE PORTAL A PHYSICAL FORM MAY BE SUBMITTED.

- Please email roi@standardsinpubliclifecommission.ky to request a physical form. Declaration forms have been revised and uniquely coded for single-use.
- Use **ONLY** black or blue ink to complete the form. Any handwriting must be clear and legible.
- **DO NOT** staple, bend, fold, crease or tear the form.
- **DO NOT** use white-out. Any mistakes must be crossed out neatly and initialed.
- The bottom of each page of the declaration must be initialed by the Declarant. The Declarant's signature and that of a Justice of the Peace, Notary Public or member of the Commissions Secretariat staff should be affixed to the final page (a Government photo identification for the Declarant must be made available upon request at the time of signing for identity verification).
- If you need more space to answer a question, a separate sheet of paper may be added and signed/dated by the Declarant using the same headings as the section of the declaration that the responses therein relate to.

GUIDANCE FOR DECLARANTS APPOINTED UNDER PARAGRAPHS 6, 7, OR 8 (SCHEDULE 2)

- As a member of a board, committee, commission, etc., you are only required to submit details of your (and of members of your immediate family) interests, income, assets and liabilities where there is a possible or perceived conflict with your functions on the board to which you are appointed arising out of such interests, income, assets and liabilities.
- In considering whether a possible or perceived conflict exists, you must consider the interests, income, assets and liabilities in relation to yourself and those of all members of your immediate family.
- Where your submission is a "Nil" declaration (in sections "A" through "J" overleaf) you are not required to provide the details of your immediate family in this part (you can always press the back button to come back to this page should you need to if using the online portal).
- In any event, if your spouse or dependant has not been residing in the same household as you for a continuous period of three months immediately preceding the filing of this declaration, you may limit the details to be included to such assets held by your spouse or dependant in trust for or as your agent.

DEFINITIONS

"Conflict of interest" means a situation where a person has a private interest which may improperly influence or be seen to improperly influence his public duties and responsibilities, or that of a connected person, in circumstances suggesting that the person concerned knew or ought reasonably to have known of the connection or possible connection, direct or indirect, between his duties and responsibilities and his private interest.

"Connected person" is defined as a member of the immediate family of, or a person who acts on behalf of, or for the benefit of, the Declarant, with the Declarant's actual or implied authority, and includes –

- a) a person who is a nominee of that person;
- b) a person who manages the affairs of that person;
- c) a firm of which that person, or a nominee of his, is a partner or a person in charge or in control of its business or affairs;
- d) a company within the meaning of section 2 of the Companies Act (2021 Revision) of which that person, or a nominee of that person, is a director or is in charge or in control of its business or affairs, or in which that person, alone or together with a nominee of that person, has or have a controlling interest, or shares to the total value of not less than thirty percent of the total issued capital of the corporation; or
- e) the trustee of any trust, where –
 - i. the trust has been created by that person; or
 - ii. the total value of the assets contributed by that person to the trust at any time, whether before or after the creation of the trust, at any time, amounts to not less than twenty percent of the total value of the assets of the trust.

"Dependant" may include a child/children, or a person who is financially reliant on the Declarant for his well-being, and is living in the same household[1].

"Immediate family" means a spouse, civil partner, dependant or such other person as may be prescribed in Cabinet by regulations.

"Income" means –

- a) money received or receivable as salary, director's fees, consultancy fees, commission, bonus, dividend, professional fee, rental income, gift or reward in kind or cash; and
- b) any other receipts or transfers of material value.

PART 1 - PERSONAL DETAILS

No additional guidance.

PART 2 - APPOINTMENT DETAILS

No additional guidance.

PART 3 - TYPE OF DECLARATION

No additional guidance.

PART 4 - DETAILS OF IMMEDIATE FAMILY

- As a person in public life you are required to include details of interests, income, assets and liabilities related to yourself and your immediate family.
- Immediate family means a spouse, a civil partner, or a dependant.
- If your spouse or dependant has not been residing in the same household as you for a continuous period of three months immediately preceding the filing of this declaration, you may limit the details to be included to such assets held by your spouse or dependant in trust for or as your agent.

[1] In the absence of a definition in the SPL Act of "dependant" a Declarant may wish to consider definitions contained in other acts (e.g. the Immigration (Transition) Act 2018).

PART 5 - STATEMENT OF INTERESTS, INCOME, ASSETS AND LIABILITIES

This section applies to interests, income, assets and liabilities inside or outside of the Cayman Islands.

In completing each section in this part, Declarants are reminded that they must include details in relation to himself or herself and any members of the Declarant's immediate family.

Section (A) on shareholdings/directorships

Provide the name and address of the relevant company^[2] or corporate body^[3], and indicate whether the interest is one as a shareholder, director, or both.

Please note the following:

- Where interests are held in a holding company, interests held in all subsidiary companies must also be declared.
- Shareholdings held in a company amounting to a controlling interest by that company in another company or other companies must also be declared.
- Where applicable, include any relevant interest in any shares, including equitable as well as legal interests, whether held directly or indirectly, which enables a Declarant, or any connected person (including immediate family) to exercise control over the right to vote or dispose of those shares.
- It is not necessary to notify of shareholdings held as an executor or trustee of a deceased estate where the Declarant or any connected person (including immediate family) are not beneficiaries of that estate.
- Declarants should ensure they consider all legal definitions applicable to this section.

Section (B) on contracts with public entities

Provide the name of the public entity, date of contract, and brief particulars of rights and obligations under the contract.

Section (C) on money invested in companies/partnerships/associations

Provide the name and address of the company/partnership/association in which you have invested money (irrespective of whether you are a registered shareholder or partner).

Section (D) on trusteeships

Give the name of the trust, the position you hold in the trust, and who is the beneficiary of the trust.

Section (E) on land ownerships

Provide the proprietorship of land (i.e. names of owners), location, block and parcel, and indicate whether ownership is as sole proprietor, joint proprietor or proprietor in common.

It is not necessary to declare interests where land is held as an executor or trustee under of the estate of a deceased person where the Declarant or a connected person is not a beneficiary.

Section (F) on investment funds

Provide the details relating to investment funding including the name (of both the fund and the person/entity with whom the funds have been invested with or through), domicile, and other relevant details which may include type, purpose, capacity, restrictions, open- or closed-ended, and whether control exists (and if so, by whom).

'Investments' means all investments, including placement of monies, which attract interest, tax or other benefits. This also includes the pooling of money for the benefit of a return, including but not limited to, capital gains, distributions, dividends, interest, and capital/foreign currency appreciation. Examples may include mutual funds, exchange-traded funds, money market funds, and hedge funds, and may also include business conducted under the Securities Investment Business Act.

Section (G) on sources of income other than salary/other perquisites of office

State the source, nature and frequency of additional sources of income using the following guidance (which is not exhaustive):

- Additional source of any income may include that from director's or consultancy fees, commission, dividend, investments, bookkeeping, annuity arrangements, pensions, rentals/leases, other businesses, allowances, pensions, etc.
- Nature of the income relates to the way in which the income is received (e.g. cash, in-kind goods, in-kind services, etc.).
- Frequency relates to how often you receive this income (e.g. daily, weekly, monthly, annually, etc.).

^[2] Company except where the context excludes exempted companies means "a company formed and registered under this Act or an existing company" (Companies Act, 2020 Revision).

^[3] Corporation means "a legal entity identified by a particular name and being distinct from natural persons who are its members, etc." (General Definition). This definition is broad enough to include certain types of partnerships and entities formed under the Cooperative Societies Act.

Section (H) on substantial interests whether pecuniary or otherwise which raise or may appear to raise a material conflict of interest

Provide the source, an indication of whether the interest is an actual, potential, or perceived conflict, and a description of the conflict.

Consider that a material conflict of interest may arise if a reasonable person would conclude that your private interests, or that of a connected person (including immediate family), improperly influences or could be seen as improperly influencing the performance of your public duties and responsibilities.

Section (I) on loans other than from regulated institutions

Provide the source, terms, and nature of any loan(s) secured or unsecured from entities/individuals other than those regulated by the Monetary Authority.

Section (J) on hospitality, gifts or entertainment received

Include any relevant gifts received during the reporting year.

Declarants shall include details of any gifts received which are valued at C\$100 or more, pursuant to section 12(1)(j) of the SPL Act, and in line with the CIG Policy on Receiving Hospitality, Gifts and Entertainment^[4].

CONNECTED PERSONS

- As a Person in Public Life you are required to state where you hold property or manage anything on behalf of any connected person or where a connected person holds property or manages anything on your behalf. The terms on which the property is held are not required to be disclosed.
- "Connected person" means a member of the immediate family of, or a person who acts on behalf of, or for the benefit of, the declarant, with the declarant's actual or implied authority, and includes -
 - a. a person who is a nominee of that person;
 - b. a person who manages the affairs of that person;
 - c. a firm of which that person, or a nominee of that person, is a partner or a person in charge or in control of its business affairs;
 - d. a company within the meaning of section 2 of the Companies Act of which that person, or a nominee of that person, is a director or is in charge or in control of its business affairs, or in which that person, alone or together with a nominee of that person, has or have a controlling interest, or shares to the total value of not less than thirty per cent of the total issued capital of the corporation; or
 - e. the trustee of any trust, where -
 - i. the trust has been created by that person; or
 - ii. the total value of the assets contributed by that person to the trust at any time, whether before or after the creation of the trust, at any time, amounts to not less than twenty per cent of the total value of the assets of the trust.
- In accordance with the Interpretation Act, "property" includes money, goods, things in action, land and every description of property, whether real or personal; also obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as herein defined.

SUBMITTING THE DECLARATION & REQUEST FOR EXTENSIONS

All Submissions:

- Submissions of declarations to the Register of Interests are **due between 1 July of every year and 30 July of every year** (unless a change to an existing declaration is being submitted, or the declaration is being submitted as a candidate for election to Parliament; or your having assumed the functions of an office within the past 90 days). At that time declarations for the period 1 July – 30 June of the previous year are due.

Physical Form Submissions:

- Initial each page of your declaration and sign the final page (along with either a Justice of the Peace, Notary Public or member of the Commissions Secretariat staff).
- Each Declarant should submit his or her own declaration in order to prevent late or lost submissions.
- Ensure each section of your declaration has been answered in some definitive way. Incomplete declarations will not be accepted and will be returned to the Declarant.

Request for Extensions

- In accordance with the SPL Act, the CSPL will only consider requests for extension of the deadline to submit declarations that are received prior to the date on which the filing is required. Any request must specify the period for extension, which cannot exceed 60 days after the original deadline.

You may submit your declaration:



Register of Interest Online Portal

**Fast, real-time and secure;
the most effective form of submission**

Physical Form Only



by email to:

roi@standardsinpubliclifecommission.ky



in-person:

**Commissions Secretariat
4th Floor George Town Financial Center
90 Fort Street
George Town, Grand Cayman**

[4]This policy can be found at: http://www.fraud.gov.ky/portal/page/portal/afphome/policy-offering-or-receiving-hospitality-entertainment-of-gifts_FINAL-16-May-2017.pdf.