



Cayman Monetary Regulatory Authority International

At the forefront of financial regulation, the Cayman Monetary Regulatory Authority International (CMRAI) is dedicated to upholding the highest standards of financial oversight and compliance. Our mission is to safeguard the stability and integrity of the global financial system by ensuring that financial services operate within a framework of transparency, accountability, and excellence.

As a trusted partner to financial institutions worldwide, CMRAI provides rigorous supervision, innovative solutions, and strategic guidance to foster a secure and thriving financial environment. With decades of experience and a commitment to global standards, we stand as a pillar of trust and security in an ever-evolving financial landscape.

With a legacy of excellence in financial oversight, the Cayman Monetary Regulatory Authority International (CMRAI) is a beacon of trust in the international financial community. Our role extends beyond regulation; we are innovators, collaborators, and protectors of the global financial ecosystem. By fostering compliance, promoting best practices, and embracing technological advancements, CMRAI ensures that financial services remain resilient and adaptable in a dynamic global market.

Our comprehensive approach to regulation encompasses a deep understanding of financial risks and a proactive stance on emerging challenges. We are committed to empowering financial institutions with the tools and guidance necessary to navigate complex regulatory landscapes, thereby contributing to global economic stability and growth.

CAYMAN ISLANDS Freedom of Information Law FREEDOM OF INFORMATION (INFORMATION COMMISSIONER) REGULATIONS, 2008 (SL 12 of 2008) Supplement No. 1 published with Extraordinary Page 2 SL 12 of 2008 c PUBLISHING DETAILS Freedom of Information (Information Commissioner) Regulations, 2008 Arrangement of Regulations c SL 12 of 2008 Page 3 CAYMAN ISLANDS Freedom of Information Law FREEDOM OF INFORMATION (INFORMATION COMMISSIONER) REGULATIONS, 2008 (SL 12 of 2008) Arrangement of Regulations Regulation Page 1. Citation

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.....7 SCHEDULE 9 NOMINATION OF CANDIDATE FOR INFORMATION COMMISSIONER 9 Freedom of Information (Information Commissioner) Regulations, 2008 Regulation 1 c SL 12 of 2008 Page 5 CAYMAN ISLANDS Freedom of Information Law FREEDOM OF INFORMATION (INFORMATION COMMISSIONER) REGULATIONS, 2008 (SL 12 of 2008) In exercise of the powers conferred by section 35 of the Freedom of Information Law [Law 10 of 2007], the Governor after consultation with Cabinet makes the following Regulations 1. Citation 1. These Regulations may be cited as the Freedom of Information (Information Commissioner) Regulations, 2008. 2. Appointment of selection panel 2. (1) The Governor shall appoint a selection panel not exceeding five persons, including at least one member of the official opposition in the Legislative Assembly and a member of the public. (2) After complying with the procedures set out in these Regulations, the selection panel shall by simple majority recommend to the Governor the name of a person to be appointed Information Commissioner. 3. Application or nomination of candidates 3. (1) A candidate for the position of Information Commissioner may apply or be nominated for it by a member of the public. Regulation 4 Freedom of Information (Information Commissioner) Regulations, 2008 Page 6 SL 12 of 2008 c (2) Applications shall be in such form as may be prescribed by or under the Public Service Management Law, 2005 and the Personnel Regulations, 2006 and nominations shall be in the form set out in the Schedule. (3) Where a person nominates someone, the nomination shall not be valid unless the nominee signifies his agreement in writing. (4) A person who does not qualify for appointment under section 35 (2)(a) of the Law may apply or be nominated but if he is successful shall be required to resign from the position that disqualified him before the appointment is made. 4. Job description 4. (1) The selection panel shall approve (a) a job description defining (i) the duties of the position; and (ii) the qualifications, skills, knowledge and experience required of the appointee; and (b) the documents to be utilised in the interview process including screening matrices and interview questions. (2) The format of

the job description shall be as may be required by or under the Public Service Management Law, 2005 and the Personnel Regulations, 2006.

5. Advertisement

5. (1) The position of Information Commissioner shall be publicly advertised and the advertisement shall include a summary of the duties, qualifications, skills, knowledge and experience required of applicants, the method of submitting applications or nominations for the position, and the closing date and time for applications and nominations. (2) The time between appearance of the advertisement and closing date shall be no less than fourteen calendar days. (3) Except as specified in these Regulations, recruitment procedures prescribed by or under the Public Service Management Law, 2005 and the Personnel Regulations, 2006 shall apply.

6. Shortlisting

6. (1) The selection panel shall review the applications and nominations in accordance with the requirements of section 35 (1) of the Law and the job description, and prepare a shortlist of suitable candidates. (2) Subject to subsection (3), the selection panel shall dispatch written notification to each candidate who has not been shortlisted.

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(3) After dispatching the written notification referred to in subsection (2), the selection panel shall in the same manner as the job advertisement was placed notify the public of the shortlist of candidates.

7. Selection process

7. (1) In considering applicants for the position of Information Commissioner, the selection panel shall be guided by the principles set out in section 4 of the Law. (2) The selection panel shall interview all shortlisted candidates in a manner that is consistent and fair to all candidates. (3) Once the selection panel has made a decision on whom to recommend, it shall as soon as reasonably practicable make the recommendation to the Governor. (4) Acting in exercise of his powers under section 35 (1) the Governor shall appoint the Information Commissioner. (5) The Governor shall within seven days of making the appointment dispatch written notice to each candidate who was shortlisted informing him that his application or nomination was unsuccessful. (6) The Governor shall as soon as practicable after making the appointment publish in the Gazette and in at least one daily newspaper the name and biography of the Information Commissioner.

8. Records of selection process

8. All decisions and reasons for decisions, including those relating to unsuccessful applicants, shall be documented.

9. Confidentiality of candidates information

9. The selection panel and the Governor shall not allow unreasonable disclosure of personal information about candidates.

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SCHEDULE (Regulation 3) NOMINATION OF CANDIDATE FOR INFORMATION COMMISSIONER

1. Information about the person nominated:

a. Full name.

b. Residential address.

c. Mailing address.

d. Telephone contact number.

e. Current occupation.

2. Information about the person making the nomination:

a. Full name.

b. Residential address.

c. Mailing address.

d. Telephone contact number.

e. Relationship with person nominated.

3. Please note that the Freedom of Information Law, 2007 and associated regulations state that no-one shall be appointed Commissioner if he-

a. holds office in, or is an employee of a political party, or holds a position in central or local government, elective or otherwise except that a current employee of central or local government may be considered for appointment as Commissioner but must resign office prior to taking up office if appointed; or

b. has been convicted of a violent crime or a crime of dishonesty, or theft, for which he has not been pardoned.

4. In signing below as the nominee, you agree with the following statements:

a. I believe I meet the requirements of the position of Information Commissioner contained in the Freedom

of Information Law, 2007, associated regulations and job description. b. I hereby endorse my nomination and attach a statement on my background and suitability for the position. c. I authorise release of my name and biography as stated above for the purpose of advising the public of my nomination. SCHEDULE Freedom of Information (Information Commissioner) Regulations, 2008 Page 10 SL 12 of 2008 c SIGNATURE

OF PERSON

NOMINATING.....

SIGNATURE OF

NOMINEE.....

Name of Nominee (in full):.....

Date:..... Deliver to: The Governor of the Cayman Islands Made in Cabinet the 26th day of February, 2008. Carmena Watler Clerk of the Cabinet. These Regulations were affirmed by the Legislative Assembly on the 25th day of June, 2008 by Government Motion No. 3/08-09 in compliance with section 57 of the Freedom of Information Law, 2007 [Law 10 of 2007]. Wendy Lauer Clerk of the Legislative Assembly.