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CAYMAN ISLANDS

## **MINISTRY OF COMMUNITY AFFAIRS ELIGIBILITY CRITERIA FOR SEAMEN EX-GRATIA BENEFITS**

### **Part I - Introduction**

The Cayman Islands Government provides ex-gratia benefit to retired Caymanian Seamen or their surviving spouse, in recognition of their contribution to these Islands. The following are the criteria for eligibility for this benefit. Please read carefully and ensure that all necessary documentation is returned along with the attached completed application form.

All new applicants and current recipients of the Seamen Ex-Gratia Benefit will be subjected to review if any irregularities are found on their files. In addition, the Ministry reserves the right to recall or request any funds which have been erroneously paid to a Seaman or Surviving Spouse, such funds must be refunded in full to the Cayman Islands Government in accordance with section 41 (1) (c) of the Public Management Finance Law (2013 Revision).

Please answer all the questions in the attached form. If you are unable to answer any of the questions please give as much information as you can. For the questions you have been unable to answer, the Ministry will contact you or make other enquiries to enable us to process your application.

Complete and return the application to the Ministry of Community Affairs at the Government Administration Building. Periodic status updates will be provided by the Ministry.

## **Part II - Definitions**

- 1.1 **Ex-Gratia:** "A sum of money paid when there was no obligation or liability to pay it.
- 1.2 **Caymanian:** the meaning as provided for under the Immigration Law (2015 Revision), part III, section 20-23. This includes persons who possess the right of being Caymanian by entitlement; by right as defined by grant of Caymanian Status under Section 22. Applicants must be born Caymanian or have had Caymanian Status at the time of qualifying service.  
The only exceptions to the above are:
- a) Seamen registered prior to 1984 changes to the Immigration Law.
  - b) Seamen who possess a letter from the Chief Immigration Officer acknowledging their possession of Caymanian Status or citizenship.
  - c) Seamen who can prove that both of their parents were Caymanian at birth or mother was Caymanian at birth or that their father was Caymanian and was married to their mother at birth.
- All other applicants deemed unable to provide the above documents will be reviewed by Cabinet for a final decision to be made.**
- 1.3 **Qualifying service:** Having been to sea for a period of not less than three years. If the applicant is not a born Caymanian he should have had Caymanian Status for at least three years of his/her seagoing career.
- 1.4 **Seamen (the Applicants):** A professional seaman or his spouse is a sailor or officer that went to sea before the 1 January 1985 and who received pay or gratuity for assisting in the international transport of a ship, boat or vessel, cargo, and/or passenger from one port to another.
- 1.5 **Died at Sea:** To die at sea during active duty on a ship/boat.
- 1.6 **Surviving spouse of Seamen:** a woman who was married to a Seaman at the time of his death. Divorcees are not eligible.
- 1.7 **Resident:** For the purpose of this criterion, a resident is a person who maintains residency in the Cayman Islands for a period of not less than eight (8) months per year.

*Note: The Ministry reserves the right to request any pertinent information from the Seaman or surviving spouse that will assist in determining their place of permanent residence.*

### **Part III - The Applicant**

- 2.1 The applicant must be a Seaman or surviving spouse of a Seaman.
- 2.2 The applicant must be Caymanian.
- 2.3 The applicant must have at least three years qualifying service.
- 2.4 The Applicant must be sixty years (60) of age or older at the time of application;  
The only exceptions to the above are:
- a) The applicant Seaman is disabled and unable to work. This must be proven by a medical certificate from a Registered Practitioner in the Cayman Islands.
  - b) The surviving spouse is unable to meet the needs of her and any surviving dependents.
  - c) Any benefit that can contribute to his/her income has been listed and is deemed to be insufficient to meet the needs of the Seaman. This should be determined by a standard means test performed by the Needs Assessment Unit.
- 2.5 The Applicant **MUST NOT** be receiving the Ex-Servicemen Benefit from the Cayman Islands Government.
- 2.6 A Caymanian Seaman or his surviving spouse must be resident in the Cayman Islands.  
The only exception to the above is:
- a) Travel for medical reasons. In this case, the Ministry requires;
    1. A medical certificate from a Registered Practitioner in the Cayman Islands.
    2. Proof of property owned in the Cayman Islands.
    3. Utility Bill in your name in the Cayman Islands.
    4. Travel history which can be obtained from the Cayman Islands Immigration Department.
- These documents must be provided to the Ministry responsible for the Seamen Ex-Gratia Benefit in order for the application to be considered for the Seamen Ex-gratia Benefit.*
- 2.7 The following categories **are not eligible** for the Seamen's Ex-gratia Benefit unless he/she can prove, by a means test carried out by the Needs Assessment Unit (NAU) that he/she is in need of financial assistance:
- a) Applicants and their spouses who are receiving an income of CI\$3,000.00 or more (**including any Government assistance**) as total personal income per month.

- b) Applicants and their spouses who own a business and earn a total income of CI\$3,000.00 or more **(including any Government assistance)** as total personal income per month.
- 2.8 The Seaman must submit their discharge papers if they are available. An Affidavit of Time Spent At Sea is included in the attached Seamen Application Form. The form **MUST** be signed by the Cayman Islands Seafarer's Association or the Veterans & Seamen Society for Cayman Brac and Little Cayman. In order for the Association/Society to sign off on the form, the signees must be members of the respective Association/Society.
- 2.9 Surviving spouse upon applying will be processed immediately (subject to the availability of funds). Should the surviving spouse remarry, benefits will cease upon remarriage.
- 2.10 The Seamen Ex-Gratia Benefit Criteria for eligibility should be reviewed every three years.

#### **NOTES**

- (a) Identification will be required when collecting cheques. If anyone other than the applicant will be collecting the cheque, all relevant details pertaining to this person should be on the Seaman's file or the individual should have a notarized letter from the Seaman or his surviving spouse giving authorization for collection of the cheque on their behalf. The letter must be presented with a valid photo identification.