

CAYMAN ISLANDS



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**THE PUBLIC SERVICE MANAGEMENT LAW
(2007 REVISION)**

THE PERSONNEL (AMENDMENT) REGULATIONS, 2010

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ARRANGEMENT OF REGULATIONS

1. Citation and expiry
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The Governor in Cabinet, in exercise of the powers conferred by sections 11(2)(a), 28(2)(a), 43(1) and (3) and 67 of the Public Service Management Law (2007 Revision), makes the following Regulations -

1. (1) These Regulations may be cited as the Personnel (Amendment) Regulations, 2010. Citation and expiry

(2) These Regulations shall cease to have effect as follows -

- (a) regulation 3(a), (b), (c), (e), (f), (j), (k) and (l) shall cease to have effect on 30 June, 2011 in relation to any existing employment agreement; and
- (b) regulation 3(d) shall cease to have effect on 30 June, 2011 in relation to any employment agreement.

(3) On 1 July, 2011, the Personnel Regulations that were in force immediately prior to the date of commencement of these Regulations shall, so far as they are amended by the provisions of regulation 3(a), (b), (c), (e), (f), (j), (k) and (l), again operate in relation to any existing employment agreement, as though those provisions had not been made and the said amendments had not been in operation.

(4) On 1 July, 2011, the Personnel Regulations that were in force immediately prior to the date of commencement of these Regulations shall, so far as they are amended by the provisions of regulation 3(d), again operate in relation to any employment agreement, as though those provisions had not been made and the said amendments had not been in operation.

(5) In this regulation -

“employment agreement” has the same meaning as in the Law; and

“existing employment agreement” means an employment agreement which, immediately prior to the date of commencement of these Regulations, has full force, effect and validity.

Amendment of regulation 3 of the Personnel Regulations, 2006 - application

2. The Personnel Regulations, 2006, in these Regulations referred to as the “principal Regulations”, are amended in regulation 3(2) by deleting the words “from 1 July, 2010” and substituting the words “from such date as the Cabinet may by Order specify”.

Amendment of Schedule 1 - standard terms and conditions of employment

3. The principal Regulations are amended in Schedule 1 as follows -

- (a) by repealing paragraph 3(1)(b)(ii);
- (b) in paragraph 3(1)(b)(iii), by deleting the words “The amount of the allowance is to be \$1,500 per year.” and substituting the words “The amount of the allowance shall be determined by the appointing officer but shall not exceed \$1,500 per year.”;
- (c) by repealing paragraph 3(1)(b)(v) and (vi) and substituting the following -

“(v) a Fire Service allowance for firemen as follows:

Little Cayman allowance: \$400 per month.

(vi) a Prison Service allowance for Prison Officers as follows:

Housing allowance: \$125 per month.”;

- (d) by repealing paragraph 3(2)(a) and substituting the following sub-paragraph -

“(a) pension contributions for employees who are members of the Public Service Pension Scheme and required to contribute to it in accordance with the provisions of the Public Service Pensions Law, as follows -

- (i) an employee pension contribution at the rate of 6.192% of wages or salary plus an employee pension contribution at the rate of 6% of any acting allowance or duty allowance paid under subparagraph (2)(f) or (g); and

- (ii) an equivalent employer contribution of 6.192% of wages or salary plus an equivalent employer contribution of 6% of any acting allowance or duty allowance;”;

- (e) by repealing paragraph 3(2)(f) and substituting the following sub-paragraph -

“(f) where the employee -

- (i) is acting in another position (other than that of Deputy Governor or Attorney General) for a period of at least fifteen consecutive calendar days; or
- (ii) is acting in the position of Deputy Governor or Attorney General,

the appointing officer may in his discretion award such acting allowance as he sees fit, but the value of the acting allowance shall not exceed the first point of the remuneration band of the substantive post; and, if the first point of the remuneration band of the substantive post is less than the remuneration level received by the individual to act in the substantive post, the employee shall be entitled to an acting allowance at such point on the remuneration band of the substantive post as the appointing officer will determine but, this point shall not exceed the remuneration received by the substantive post holder;”;

- (f) in paragraph 3(2)(g), by inserting after the word “where” the words “, for a period of at least fifteen consecutive calendar days,”;
- (g) in paragraph 3(2)(h)(i) by deleting the words “from 1 July 2009” and substituting the words “from such date as the Cabinet may by Order specify”;
- (h) in paragraph 3(2)(h)(ii) by deleting the words “from or after 1 July 2009” and substituting the words “from or after such date as the Cabinet may by Order specify”;
- (i) in paragraph 3(2)(i)(ii) by deleting the words “from 1 July 2009” and substituting the words “from such date as the Cabinet may by Order specify”;
- (j) in paragraph 5(1)(d)(i), by inserting after the words “paid leave” the words “at their current rate of pay”;
- (k) by repealing paragraph 10(a)(i) and (ii) and substituting the following sub-subparagraphs -
 - “(i) the costs of return air travel from the country of residence to the Cayman Islands;
 - (ia) at the discretion of the appointing officer, 10 kilos per person of excess baggage, or such other reasonable amount as the appointing officer may determine;
 - (ii) at the discretion of the appointing officer, the cost of packing, transporting by sea, and insuring in transit 120 cubic feet or 1,000 pounds (whichever is the greater) of personal effects from the country of residence to the

Cayman Islands and return, or such other reasonable amount as the appointing officer may determine;” and

(l) by repealing paragraph 15(2).

Amendment of Schedule
4 - employment
agreements

4. The principal Regulations are amended in paragraph 6(c) and (d) of the Annex to Schedule 4 by deleting the words “From 1 July, 2010, and” wherever they appear.

Made in Cabinet the 30th day of June, 2010.

Kim Bullings

Clerk of the Cabinet.