

FORM B
CAYMAN ISLANDS

THE ROADS LAW (2005 REVISION)
CLAIM FOR COMPENSATION
UNDER SECTION 9(2)

TO: His Excellency the Governor

I submit the following claim for compensation under the Roads Law (Revised) in respect of the land specified below -

(Please print clearly)

1. Claimant's Name _____
Mailing Address _____
E-mail Address _____
Telephone no.: _____ (home) _____ (business)

2. Description of land:
Block no. _____
Parcel no. _____
Area being taken _____
Property address or location _____

3. Claimant's interest in the land is as -	YES	NO
(a) Owner	_____	_____
(b) Tenant	_____	_____
weekly/monthly/annually/other	_____	_____
(c) Chargee	_____	_____
(d) Executor	_____	_____
(e) Administrator	_____	_____
(f) Other interest (please specify) _____		

4. Does claimant occupy the land? Yes _____ No _____

5. The date and manner in which claimant acquired his/her interest in the land is -

6. Please set out below the name, mailing address and telephone number of any other persons who occupy or have an interest in the land and specify the nature of their interest -

7. Please specify details of any public or private rights-of-ways, easements or other incumbrances affecting the land: _____

8. Please set out below details (including block and parcel number, size and location) of any other land contiguous or adjacent to the land in respect of which this claim is being made in which you have a similar legal interest: _____

9. Please specify the date of the Gazette in which the section 3 declaration relating to the land was published: _____

10. (a) Please specify the date of entry (if any) by Government onto the land for the purpose of the Roads Law: _____

(b) Please specify the nature of the work (if any) done on the land by Government:

11. Please consider the list below and put a dollar value on those items for which it is considered claimant should be compensated:

(a) Market value of claimant's interest
in the land on the declared date: \$ _____

(b) Any damage sustained by reason of
the taking of any standing crops or
trees at the time of taking
possession of the land: \$ _____

(c) Any damage sustained at the time
of taking possession of the land,
by reason of severing of such land
from claimant's other land: \$ _____

(d) Any damage sustained by reason of
the dispossession injuriously affecting
claimant's other property or earnings: \$ _____

(e) Reasonable expense incidental to change
of residence and/or business
necessitated by the dispossession \$ _____

(f) Any damage resulting from diminution of profits of the land between the declared day and the time of taking possession of the land: \$ _____

(g) Any increase in the value of claimant's interest in any remaining, contiguous or adjacent land which is likely to accrue from the use to which the land subject to the claim will be put: \$ _____

(h) Other costs or losses which should be considered in assessing compensation: \$ _____

Please give details: _____

12. The total amount of compensation claimed is: _____ dollars (\$ _____)
(fill in amount in words)

13. The claimant hereby elects to have his/her claim for compensation assessed as:
(a) one-stage assessment, or
(b) two-stage assessment
Claimant's choice has been underline and claimant acknowledges that this choice is irrevocable.

14. The agent (if any) authorised to act on Claimant's behalf is:

NAME (please print)

Mailing Address

E:Mail Address _____
Telephone No. _____ (home) _____ (business)

I certify that the information given in this claim form is true to the best of knowledge and belief.

DATED this _____ day of _____, 20

Signature of Claimant or Authorised Agent.

NOTES

- Land** includes any crops, trees, buildings and structures.
- Para. 1** This claim form applies to the claimant named in paragraph 1 only. Any other person who has an interest in the land must submit a separate claim form.
- Para.5** This could be the date of purchase, inheritance, commencement of lease etc.
- Para. 6** Please give details of all other persons who occupy or have an interest in the land, including joint owners, tenants and anyone who has agreed to purchase the land.
- Para. 7** Indicate whether anyone other than yourself has the right to cross over your land eg. MRCU road or canal, CUC poles, a neighbour's right-of-ways.
- Para. 9** If you do not know the date, please inform the Valuation Office staff at the Cayman Corporate Centre and they will provide it.
- Para. 11** These heads of compensation (except (h)) are specified in para. 6 of the Second Schedule to the Roads Law (2005 Revision). Where appropriate, you may be asked to provide documentary or other evidence in support of your claim.
- (b) Compensation for trees will only be paid if they have a commercial or horticultural value.
 - (d) "other property" may be land or personal belongings.
 - (e) all re-location expenses should be claimed (including professional fees) but only if the move was an unavoidable result of the taking of the land.
 - (g) if your remaining land is likely to increase in value as a result of the new road, you must here give your estimate of the amount of that increase.
- Para. 13** Section 11 of the Roads Law (2005 Revision) allows you to have your claim for compensation assessed in one of two ways i.e.
- (i) one-stage assessment; or
 - (ii) two-stage assessment.
- The difference between the two is explained below. It is important that you understand the difference before you make your choice, as your decision is irrevocable. If you fail to indicate your choice, you will be deemed to have opted for the two-stage assessment.
- If you choose the **one-stage assessment**, compensation will be based on the assumption that the road will be built as proposed. Payment of the amount of compensation agreed, or awarded by the Assessment Committee in default of agreement, will be in full and final settlement of your claim.
- If you choose the **two-stage assessment**, compensation will be paid as follows –
- (i) compensation will initially be assessed on the assumption that the road will be built as proposed and you will receive an interim payment of such proportion (not exceeding 75%) of the total amount of the assessed compensation as may be approved by the Assessment Committee;
 - (ii) when the road has been completed, the Assessment Committee will then review the amount of compensation awarded taking into account the road as built, and make a final award, which may be more or less than the initial award.
- Para. 14** You are not obliged to appoint an agent to act on your behalf but if you do so, please provide details as indicated. You may also be required to provide a letter of authorisation. Once you have appointed an agent, all future correspondence will be with the agent who will be deemed to have full authority to act on your behalf unless the Valuation Officer receives written notice from you revoking that authority.

IMPORTANT: This form may be submitted at anytime after you have submitted your Notice of intention to Make a Claim (Form A) **BUT NO LATER THAN ONE YEAR** after the proposed road is scheduled as a public road pursuant to section 5(1) (b) of the Roads Law (2005 Revision).

This form should be submitted to the Chief Valuation Officer, P.O. Box 120, Government Administrative Building, 133 Elgin Avenue, Grand Cayman, KY1-9000.

PRIVACY NOTICE:

The National Road Authority ("NRA"), per sections 9 of the Roads Act (2005 Revision) (the "Act") must receive the information contained in this prescribed form as found in the Roads (Forms for Compensation) Regulations (1998 Revision). The NRA will consider claims for compensation and/or refer claims to the Assessment Committee. The NRA has appointed the Lands and Survey Department ("LSD") to act on their behalf on all matters relating to the claim for compensation including processing these claim forms. The NRA and/or LSD will engage with other persons to advise on or assist with processing claims made under the Act as necessary. The information collected from these persons will not be shared with any unauthorized persons and/or organizations. However, the information provided may be reported to other Government agencies/Departments to obtain relevant information in order to make an informed decision on the claim. To learn more about how we process personal data and review the rights of data subjects under the Data Protection Act (2021 Revision), please visit LSD's website or contact FOI.LSU@gov.ky.