# Relocations

# Moving to Cayman



Ogier

# Your trusted partner in relocating to the Cayman Islands.

## Contents

Moving to the Cayman Islands	3
About the Cayman Islands	4
Life in Cayman	6
Residency requirements	8
Real Estate services	10
Trust and Estate Management	12
Contact us	15

# Moving to the Cayman Islands

Choosing a location to move to is not just about finding a home for your wealth; it's about finding a home for your family.

Cayman is a tax-free British Overseas Territory which is consistently ranked and recognised as one of the top offshore financial centres in the world. But it's also much more than that - Cayman is a beautiful and secure island that combines spectacular scenery, a tropical climate and stunning beaches with traditional values of respect, community and privacy.

The excellent education provision offers a choice of either the British or American school systems, and abroad range of medical services are available, with health insurance required by law.

The Cayman Islands are a taxneutral economy - there are no income, inheritance, property sales, corporation, capital gains or withholding taxes in the Cayman Islands.

Our High Net Worth (HNW) Relocations Team can assist with the legal and regulatory aspects of your relocation to Cayman, the acquisition of your property, estate planning and, if required, the establishment of related businesses in Cayman.

Our HNW Relocations Team is recognised by clients as being responsive, professional and discreet.

We advise both domestic and international clients on buying and selling residential and commercial property in Cayman-including the most expensive property purchase in the island's ultra-luxury property market – and our team provide not just the legal advice to guide you through the process, but also the practical, local, hands-on concierae expertise that you need as well.

And should you need outside expertise - be it trusted tax advisers, surveyors, architects, or private banks - we will open up our network of trusted experts to you.



Active in the Cayman Islands for over 25 years, our Cayman office was established in 1991 and officially became Ogier following the first ever transatlantic merger in the offshore world in 2004.



Our relocations strategy is to provide a hub from which all questions can be answered, including premove planning, advice on the application process, purchasing property, establishina businesses and employing people in any of our locations.

# About the Cayman Islands

The Cayman Islands are located in the western Caribbean about 150 miles south of Cuba, 460 miles south of Miami, Florida, and 167 miles northwest of Jamaica.



Average daily temperatures in Cayman peak at around 85 degrees Fahrenheit. The peak tourist season runs from mid-November to April and sees brilliant sunshine and light breezes blowing in from the sea. Rainy season runs from May to November, but heavy rainfall tends to last for only a few hours a day.

The Cayman Islands are drawing more and more entrepreneurs and people with young families, lured by a combination of the lifestyle and sports on offer, as well as the friendly and secure environment, and the infrastructure in terms of travel, health and education.

You're never far from the beach, and Cayman has a wealth of things to do on the water-from world-class diving, an early sunrise paddle, fishing excursions or family boat outings, there is a raft of waterbased activities for families with young children, to more adventurous adults.

The fact that you can be at home or on the beach within minutes of leaving work, the absence of capital gains or inheritance taxes, property taxes and income taxes and an enviable work-life balance are still key drivers both for inward investment and decisions by high net-worth individuals, but today, the reasons that the relocation shortlist is so often whittled down to the Cayman Islands go much further than tax and lifestyle.

Cayman's air travel links extend to the US, the UK, Canada and Central America, as well as Jamaica and Cuba, and the combination of top-class education and health services and very low crime rates make the islands an attractive community environment.

In addition to that comes the exceptionally high quality of professional services, including some of the world's leading banks, financial institutions and law firms, offering the same quality of advice and professionalism that you would expect from the top London or New York institutions.



# Life in Cayman

One of the major selling points of moving to Cayman is the quality and breadth of the healthcare and education services on offer.



Importing pets into Cayman is a long process that takes at least six months' planning, and with which our team can assist. Import permits for dogs and cats are required from the Cayman Islands Department of Agriculture and there are further processes to follow in respect of pets being brought over from the UK or US.

# Healthcare in Cayman

For a jurisdiction with a total population of just over 60,000 people, you may be surprised to learn that Cayman boasts three fully-equipped hospitals and many private healthcare specialists.

Health City is a tertiary care facility which provides highly specialised medical services. This world-class facility is an internationally accredited centre of global excellence which treats patients from the Caribbean, the United States and Latin America.

The provision in terms of cardiac surgery and oncology is world-class, with full technical infrastructure such as advanced radiology and MRI services, as well as specialists in the respective fields.

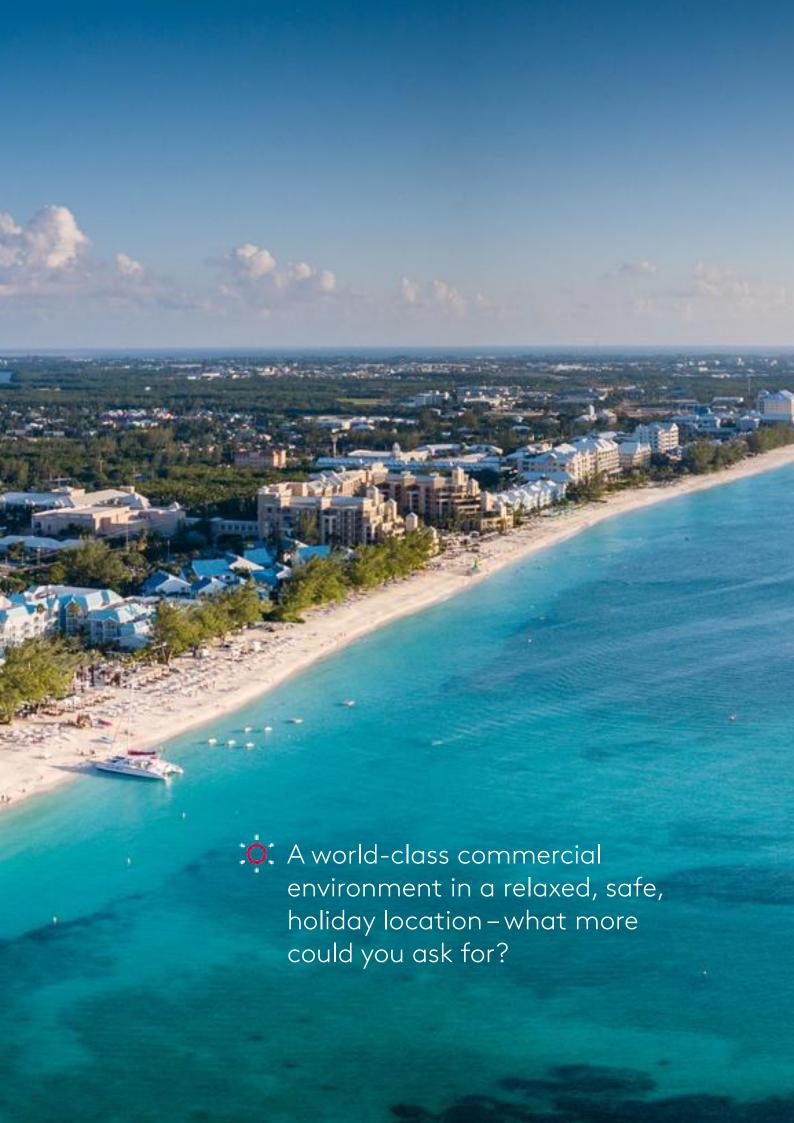
Health insurance for island residents is mandatory, and is highly recommended for visiting residents because of the high cost of treatment.

## **Education in Cayman**

Cayman has a wide variety of excellent public and private schools from preschool all the way to university level, as well as provision for adult learning.

Under Cayman law all children from the age of four years and nine months to 17 must be in full-time education, or be home-schooled.

There are almost 5,000 places in the island's private schools - we can advise on the right choice for your child and on the application process (the schools can fill quickly, and early applications are strongly advised).



# Residency requirements

There are four key routes to residency in Cayman, and our team can advise you on the processes and which option is most appropriate for your bespoke circumstances.



The wide range of options allows for the unique circumstances of most applicants to be accommodated, however it is prudent to engage professional assistance with the application.

# **Residency Certificate for Persons** of Independent Means

An individual who is able to demonstrate that they have a continuous source of annual income of CI\$120,000 (US\$146,341.46) without the need to work in the Islands or that they have an account with a Cayman Islands Monetary Authorityregulated and locally licensed institution and maintains a minimum deposit in the account of at least CI\$400,000 in assets and that they have invested at least CI\$1,000,000 (US\$1,200,000)in Grand Cayman of which at least CI\$500,000 (US\$610,000) must be in developed real estate, may apply to the Chief Immigration Officer for a Residency Certificate for Persons of Independent Means.

A Residency Certificate for Persons of Independent Means is valid for a renewable period of twenty-five years and does not allow the holder to work in the Cayman Islands. The spouse and dependent children of the applicant will also be allowed to reside in the Cayman Islands without the right to work if they were named in the application.

#### Certificate of Direct Investment

A person who makes, or proposes to make, an investment of at least one million dollars in an employment generating business either existing or a new venture and in which he plans to exercise substantial management control, may apply for a Certificate of Direct Investment. The words' employment generating business' mean a business in which at least thirty per cent of the total number of employees are Caymanian unless it can be shown that overriding circumstances dictate a lower percentage.

An applicant for a Certificate of Direct Investment must also show that he or she has a substantial business track record or an entrepreneurial background, including specific professional, technical and other knowledge relevant and directly necessary to carry on the proposed business.

A Certificate of Direct Investment is valid for a renewable period of 25 years and entitles the holder to reside in the Cayman Islands and to work in the business or businesses in which he or she has invested.

We can assist with the legal and regulatory aspects of your relocation to the Cayman Islands, the acquisition of your property, estate planning and the set-up of related businesses.

# Certificate of Permanent Residence for Persons of Independent Means

This category of long-term residence is different to the others in that it affords the holder full permanent residence in the Cayman Islands. The holder will also be able, subject to meeting the requirements of the British Nationality Act 1981, to apply for naturalisation as a British Overseas Territories Citizen, including obtaining a BOTC passport - which may allow an individual to renounced additional citizenship if desired, and ultimately the right to be Caymanian - a term known as'belongership' in other Territories.

The holder and their spouse may also have their permission to remain varied to allow the right to work in the Cayman Islands. This residence category is subject to an annual quota which is currently set at 250.

The holder of a Certificate of Permanent Residence for Persons of Independent Means and their family are allowed to reside permanently in the Cayman Islands without the right to work initially. But the Certificate may be varied to allow employment (for any employer) though it will be limited to a particular occupation.

# Residency Certificate(Substantial Business Presence)

This is a long-term residence category for persons who invest in, or who are employed in a senior management capacity, within an approved category of business.

The category is open to persons already resident in the Cayman Islands and persons wishing to become resident. Applicants who meet the eligibility criteria will be issued a Residency Certificate (Substantial Business Presence) valid for 25 years (renewable) entitling them to reside in the Cayman Islands and to work in the business in which they have invested or are employed in a senior management capacity.

In considering whether an applicant has established, or will establish, a 'substantial business presence' in the Islands the Chief Immigration Officer will take into account whether through the purchase or lease of commercial real estate the business has established a physical presence in the Islands. It will also be taken into account whether the business in question employs, or will employ, a minimum of four fulltime employees who are legally and ordinarily resident in the Islands for a minimum of nine months in any calendar year.

The service they've given us has been first class, and they have strength across the property and finance side. They're my firm of choice, the one I would pick on first.

Client feedback

They've got a great team, with strength in depth.
They have a great knowledge and great connections.

Client feedback

# Real Estate services

Relocating clients need real expertise and real insight when dealing with real estate - Ogier's dedicated team offers both.

- International Law Firm of the Year Citywealth Magic Circle Awards 2022
- Offshore Firm of the Year Chambers HNW Awards 2022
- Best Offshore Law Firm Hedgeweek Americas Awards 2021
- Law Firm of the Year -Bahamas, Bermuda and Cayman Citywealth IFC Awards 2021

Our full-service Cayman Island property law team is well known for executing some of the largest and most complex residential and commercial property transactions with accuracy and speed. We provide a responsive, constructive and commercially aware client service for large and small businesses.

Our team has acted for local landlords, tenants, developers and financiers as well as institutional investors of international repute.

We also handle a wide range of local residential transactions ranging from the purchase and sale of the most valuable and prestigious properties in the Cayman Islands to smaller condos and first homes. Our residential property team is highly recommended by local agents, banks and the people we have helped to buy, sell and finance their property.

Our services to relocating families, individuals and firms goes beyond basic real estate - we advise on finding a property, and work with clients to introduce them to our trusted networks of local suppliers and professionals.

We also have a leading planning and construction team who can help to navigate through the sometimes complex regulations relating to development activity.

Our team have specialist expertise in:

- Residential sales and purchases, particularly high-value residential conveyancing.
- The Planning process for renovations, extensions or new developments.
- Development, sales and lettings of large scale commercial and residential projects.
- Construction, environmental and health and safety law issues.
- Commercial Real Estate Mergers and Acquisition



# Trust and Estate Management

Our experienced team of trust and estate lawyers can help make sure your affairs are in order so you can pass on your wealth to your family in a structured and efficient manner.

Once you own land in the Cayman Islands, you will need a Cayman Islands will to make sure that, in the event of your death, the most appropriate people are appointed as your executors and that you leave your estate to the beneficiaries that you have chosen.

Cayman Islands law is constantly under review to keep it sophisticated, flexible and fit for the modern world. Trusts and succession law is no different and the range of structures available means that there will be a robust and flexible way for you to leave your wealth for future generations.

We can assist you put in place wills, trusts, companies and foundation companies. Our team has worked with high net worth and ultra-high net worth individuals based in the Cayman Islands and further afield and we have lots of experience in succession planning for business owners, retirees and others.

There are no inheritance or death taxes in the Cayman Islands but, depending on your personal circumstances, there may tax considerations in other places. We regularly work with onshore lawyers around the world to make sure that the planning put in place here is efficient and effective in the other jurisdictions that you may have connections.



# Travel links

Cayman has a well-connected international hub. In Grand Cayman, the Owen Roberts International Airport processes over one million passengers each year including tourists, business visitors and residents.

The airport is located in the capital George Town and hosts several major airline carriers with a variety of route options to North America, the United Kingdom, the Sister Islands (Cayman Brac and Little Cayman) and the wider Caribbean.



# Contact us

# Practice Partner - Cayman



James Bergstrom
Partner
+1 345 815 1855
james.bergstrom@ogier.com

# Relocations Team



Cline Glidden Counsel +1 345 815 1785 cline.glidden@ogier.com



Sophie Warburton Senior Associate +1 345 815 1709 sophie.warburton@ogier.com



Amy Bodden Legal Assistant +1 345 815 1758 amy.bodden@ogier.com

# Contacts

Beijing Room 976 Level 9, Tower 2, China Central Place No. 79 Jianguo Road, Chaoyang District Beijing 100025 China T +86 10 8509 8460 E beijing@ogier.com

# **British Virgin Islands**

Ritter House Wickhams Cay II PO Box 3170 Road Town, Tortola British Virgin Islands VG1110 T +1 284 852 7300 F +1 284 852 7450 E bvi@ogier.com

**Cayman Islands** 89 Nexus Way Camana Bay Grand Cayman Cayman Islands KY1-9009 T +1 345 949 9876 F +1 345 949 9877 E cayman@ogier.com

## Guernsey

Redwood House St Julian's Avenue St Peter Port Guernsey GY1 1WA T +44 1481 721672 F +44 1481 721575 E gsy@ogier.com

**Hong Kong** 11th Floor Central Tower 28 Queen's Road Central Central Hong Kong T +852 3656 6000 F +852 3656 6001 E hk@ogier.com

#### Ireland

Percy Exchange 8 - 34 Percy Place Dublin 4 Ireland D04 P5K3 T+353 1 639 3000 E ireland@ogier.com

**Jersey** 44 Esplanade St Helier Jersey JE4 9WG Channel Islands T +44 1534 514000 F +44 1534 514444 E jsy@ogier.com

#### London

19th Floor 100 Bishopsgate London EC2N 4AG T +44 1481 721672 F +44 1534 514444 E london@ogier.com

# Luxembourg

PO Box 2078 L-1020 Luxembourg T +352 2712 2000 F+352 2461 1680 E luxembourg@ogier.com

2-4 rue Eugène Ruppert

#### Shanghai

Room 3671 Level 36 Shanghai International Finance Centre Tower II No. 8 Century Avenue Pudong New Area Shanghai 200120 China T +86 21 6062 6294 E shanghai@ogier.com

#### Singapore

9 Raffles Place Level 6 Republic Plaza 1 Singapore 048619 T +65 6995 2200 E singapore@ogier.com

#### Tokyo

Holland Hills Mori Tower RoP Suite 702 5-11-1 Toranomon Minato-ku Tokyo, 105-0001 Japan T +81 3 6402 5635 F +81 3 6402 5636 E tokyo@ogier.com