



CONSULTATION PAPER

Proposals for the Freedom of Information Regulations 2008

Kindly submit all comments on this Consultation Paper to:

Freedom of Information Unit

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Deadline for comments: Friday, 25th April, 2008

BACKGROUND TO THE FREEDOM OF INFORMATION LAW IN THE CAYMAN ISLANDS

The Cayman Islands Freedom of Information Bill was tabled in the Legislative Assembly on 4th November 2005. Subsequent to this development, the Government in 2006 embarked on an intensive period of consultation on the Freedom of Information Bill and public meetings were held in every district in the Cayman Islands. To ensure both local and international attention, a FOI website was developed and brochure and posters were distributed in the public and private sector. The draft bill was posted on line as were other similar FOI material and laws from around the world as part of the extensive public awareness exercise. A significant number of comments were received from civil society groups, international non-governmental organizations and Cayman Islands government agencies proposing a number of key amendments to the Bill. The Freedom of Information Law was passed on 31st August 2007 and was assented to by the Governor on 19th October 2007. This Law will come into full force in January 2009 by Order of the Governor.

This Law (the “FOI Law”) will reinforce and give further effect to the fundamental principles underlying the system of constitutional democracy, being transparency, accountability and public participation in national decision-making. There are a multitude of benefits which the FOI Law will provide, including:

- ✓ Provision of an opportunity for individuals to participate in government decisions and to frame the society in which they live;
- ✓ Increasing the understanding of public authority programs, policies and procedures;
- ✓ Ensuring the exercise of the public’s other rights;
- ✓ Making government more efficient and effective;
- ✓ Increasing trust between the public and the government;
- ✓ Increasing accountability and providing a tool to fight corruption;
- ✓ Increasing investment by ensuring the routine availability of information about government policies, the operation of regulatory authorities and the criteria used to make contractual and regulatory decisions.

A refusal to grant access to information must be based on an exemption and in each case a clear explanation or reason will have to be given why the provision is relied on by the public authority to refuse a request. These exemptions are outlined in the FOI Law to clearly state when it would not be in the interest of the public to release documents. The exemptions in the FOI Law are all qualified and a number of exemptions are subject to prejudice or harm tests. A request may be refused on the ground that

it is vexatious or may unreasonably divert the resources of the public authority based on the costs or time associated with searching and retrieving the information.

An independent Information Commissioner will be appointed by the Governor before the FOI Law comes into effect. The Information Commissioner will have the power to make decisions on an appeal to him / her by an applicant if they are unhappy with a decision by a public authority, refer matters to a disciplinary authority; order the release of information, change record-keeping practices, investigate public authorities decision-making and refer matters to the Court.

The FOI Law provides a legislative framework for strengthening the constitutional democracy of the Cayman Islands.

OBJECTIVE OF THE CONSULTATION PAPER

The goal of this Consultation Paper is to explain the proposals for the Freedom of Information Regulations and invite views on these proposals. The FOI Regulations are expected to ensure clear roles and responsibilities for public officials in implementation of the FOI Law; to clarify ambiguities that may arise in interpretation and to ensure achievement of effective administration of the FOI Law. These proposals were created by researching existing regulations and precedents in other jurisdictions which have a Freedom of Information Law. Such jurisdictions include the United Kingdom, Jamaica, Canada, Australia and New Zealand. The Cayman Islands Freedom of Information Law 2007 provides the public with a general right of access to records held by the Cayman Islands Government and the Regulations set out and explain the manner in which the FOI Law must be administered and matters which need to be taken into consideration to ensure the FOI Law is complied with.

This consultation is being conducted in line with the principles underlying the FOI Law and the directives issued by the Cabinet Office. The Consultation Paper will be available on-line or copies may be obtained from the FOI office. Responses are welcomed from anyone with an interest in, or anyone who has views on, the subjects covered by this paper, including the media, civil society, private sector, international NGO's and community groups. The Regulations made under s.57 of the FOI Law once finalized and approved by Cabinet, will be tabled in the Legislative Assembly subject to affirmative resolution.

PROPOSALS

INFORMATION MANAGER: FUNCTIONS AND DUTIES

Section 49 of the FOI Law states every public authority shall have an Information Manager whose name, function, contact details and other such information will be made available to the public. This Information Manager shall:

- (a) promote best practices in relation to record maintenance, archiving and disposal; and
- (b) receive requests for records, assist individuals seeking access to records, paying special attention to people with relevant disabilities and receiving complaints regarding the performance of the public authority relating to information disclosure.

Furthermore, it is proposed that the Information Manager will have additional functions and duties set out in the FOI Regulations. These functions and duties will assist both the person making the request (the applicant) and the public authority and will promote consistency within the Government. The Information Manager must ensure all applications for information are complete and that the information being requested is clearly identified. If they are not complete or clearly identified, the Information Manager must contact the applicant and advise them that more information is required before the application is processed and/or assist them with narrowing the scope of the information requested. The Information Manager must also assist persons who have limited ability to read or write and those with any mental or physical disability.

If a request is received under the FOI Law but the record requested is already published, the Information Manager must inform the applicant of this, direct them to the location of the publication (e.g. the public authority's website) and if requested by the applicant, provide access to such publication. It is the duty of the Information Manager to ensure applicants are fully informed of the status of their request. If an application is to be transferred to another public authority, the Information Manager must firstly confirm they are transferring the request to the proper authority and notify the applicant that their application has been transferred. The Information Manager must determine as soon as practicable whether another authority is more closely connected with a record before making the transfer.

The Information Manager determines whether the record is exempt, contains exempt matter, and if access should be granted or deferred after examination of the requested record.

The Information Manager is also responsible for:

- a. monitoring the inspection of records;
- b. making a record of all applications for access as required by the FOI Regulations and maintaining a disclosure log for the public authority of all requests granted;
- c. coordinating throughout the public authority the information required to be published subject to s.5 of the FOI Law;
- d. authenticating requests as authorized by the Attorney General;
- e. publishing in a newspaper when the public authorities' publication scheme is available or has been updated on an annual basis;
- f. maintaining knowledge of the FOI Law, the laws relevant to the administration of their public authority and the laws affecting records and information management; and
- g. keeping a record of all the 'reasonable efforts' made to locate a requested record.

The Information Manager is also able to delegate such of his/her duties as may be necessary.

FEES

Section 13 of the FOI Law states that the fees charged to applicants shall not exceed the actual cost of searching for, reproducing, preparing and communicating the information. It is proposed that the fees for FOI requests are prescribed in the Schedule to the Regulations. It is the general trend internationally that cost should not be a bar to applicants obtaining information and therefore the fees prescribed in the Regulations should be economical for the requestor. With this principle in mind, it is proposed that there is no fee for an applicant to inspect an FOI record at the public authority. Fees however will be applicable for the cost of reproducing a record and for the cost of reproducing a record in an alternative form (e.g. transferring paper records to electronic format). There are also no fees proposed for search or retrieval of a record or for making a decision including carrying out redaction of exempt matter in a record. The applicant is however responsible for paying the costs associated with delivery of the record (i.e. postage, courier, etc). The applicant will be able to inspect an FOI record during the regular working hours of the public authority.

The applicant has 30 calendar days within which to pay after receipt of a notice of estimate of the charges. If the applicant fails to pay within the 30 calendar days, the request shall be deemed withdrawn. A public

authority must provide the reproduced copies of the record as soon as practicable but not later than 14 calendar days after the fee is received from the applicant.

The public authority may, at its discretion, expedite the processing of a request to 7 – 10 calendar days where the applicant can show a compelling need or urgency for prioritization over other requests. The fee for the expedited service is C\$100.00.

Additionally, the Chief Officer / Principal Officer of a public authority has the ability to waive fees chargeable to the applicant in appropriate circumstances. The applicant must apply for a waiver of fees within 14 calendar days from receipt of the estimate of the cost of fees.

Fees shall be paid by such method as the public authority specifies including payment by cash, cheque, money order or electric bank cards.

DEFINITION OF PUBLIC INTEREST

Section 26 of the FOI Law allows access to records even if the matter falls within the exemptions to the FOI Law, by the application of a public interest test. Section 6(5) of the FOI Law provides that where the factors in favour of disclosure and non-disclosure are equal, the doubt is to be resolved in favour of disclosure, but subject to the public interest test. The public interest is required to be defined in the FOI Regulations subject to s. 26 of the FOI Law. The exemptions that are subject to the public interest test are: records affecting national economy; opinions, advice or recommendations prepared for proceedings of the Cabinet or a committee thereof; records which would prejudice the effective conduct of public affairs; records relating to commercial interests; records relating to heritage sites etc.; records relating to personal information; and records likely to endanger a person's health or safety. Since the concept of the public interest is near impossible to define, it is proposed that the FOI Regulations set out a list of considerations to be taken into account by the public authority when deciding if granting access would be in the public interest.

The public interest for the release of information is proposed to be determined by deciding whether the release of such information may or tend to:

- a. promote greater public understanding of the processes of, or decisions of public authorities;
- b. provide reasons for decisions taken by government;

- c. promote the accountability of and within government;
- d. promote accountability for public expenditure or the more effective use of public funds;
- e. facilitate public participation in decision making by the government;
- f. improve the quality of services provided by government and the responsiveness of government to the needs of the public or of any section of the public;
- g. deter or reveal wrongdoing or maladministration;
- h. reveal information relating to the health and safety of the public or the quality or the environment or heritage sites or measures to protect any of those matters; or
- i. reveal untrue, incomplete or misleading information or acts of a public authority.

DEFINITION OF PERSONAL INFORMATION

Section 23 of the FOI Law provides that a public authority shall not grant access to a record if it would involve the unreasonable disclosure of personal information of any person whether living or dead. The FOI Law currently does not define what is meant by “personal information”. It is proposed that personal information is defined in the Regulations as “information, whether true or not, about an individual whose identity is apparent or can reasonably be ascertained from the information.

Personal information includes

- (i) the individual's name, home or business address or home or business telephone number;
- (ii) the individual's race, national or ethnic origin, colour or religious or political beliefs or associations;
- (iii) the individual's age, sex, marital status, family status or sexual orientation;
- (iv) an identifying number, symbol or other particular assigned to the individual;
- (v) the individual's fingerprints, other biometric information, blood type, genetic information or inheritable characteristics;
- (vi) information about the individual's health and health care history, including information about a physical or mental disability;
- (vii) information about the individual's educational, financial, employment or criminal history, including criminal records where a pardon has been given;
- (viii) anyone else's opinions about the individual; and
- (ix) the individual's personal views or opinions, except if they are about someone else.”

THIRD PARTY RIGHTS

S.23 (4) of the FOI Law states that the extent to which third party rights are to be protected are to be set out in the FOI Regulations. A Third party is a person referred to in a requested record other than the applicant. Third party rights are to be protected in relation to the release of personal information. A third party has the right to appeal to the Information Commissioner where a request has been made for their personal information by an applicant and the public authority intends to release such information. It is proposed that the FOI Regulations will provide that if a public authority intends to give access to a record which they believe contains personal information, the Information Manager must give the third party written notice of the application for access within 14 calendar days of receipt of the application. If no access is intended to be given to a record that contains personal information, no notice need be given to a third party. The public authority must take all such steps as are reasonably practicable to locate the third party.

(1) The notice must:-

- (a) state that a request has been made by an applicant for access to a record containing information the disclosure of which contains personal information about the third party;
- (b) describe the contents of the request and record concerned;
- (c) state that, within 28 calendar days from the date of notice (the notice must be dispatched on the date of the notice), the third party may, in writing, consent to the disclosure or may make written representations to the public authority explaining why the information should or should not be disclosed;
- (d) state that the third party is being given an opportunity to make representations concerning disclosure, within the time stated in the notice; and
- (e) state that a decision will be made within 14 calendar days from the expiry of the 28 days whether or not to give the applicant access to the record or from the date a response is received from the third party if earlier.

TIME LIMIT AND NOTICE OF DECISION

An Information Manager may in his or her discretion extend the time to receive a response from the third party to make a decision on a request subject to the FOI Law. If the third party does not respond to the notice advising of a request for personal information, all available methods (i.e.: phone, fax, email etc) should be used to contact them.

On reaching a decision, the Information Manager must give written notice of the decision. If the decision is to grant access the Information Manager shall provide a notice to:

- (a) the applicant;
- (b) the third party; and
- (c) the Information Commissioner.

The notice shall outline the right of appeal to the Information Commissioner. The request for an appeal by a third party must be made within 30 calendar days after the date of decision.

If the Information Manager decides to give access to the record or to part of the record, the notice must state that the applicant will be given access unless the third party makes an appeal of the decision to the Information Commissioner. The Information Manager must advise:

- a) the third party of his or her rights of appeal; and
- b) the requestor that the information must be withheld until the time for appeal to the Information Commissioner has expired (30 days).

If there is no appeal, the information may only be released after the expiry of 30 additional calendar days subject to the Information Commissioner making a decision to extend the period of appeal.

Where the public authority decides to claim an exemption for the record, or part thereof, following receipt of third party representations, notice of the decision must be given within 30 calendar days to the person who requested access to the record. An appeal by the requestor may be made by the requestor as outlined in the FOI Law.

FORM OF APPLICATIONS FOR INFORMATION

The FOI Law requires an application to be made in writing and the applicant to provide such information concerning the record as is reasonable to enable the public authority to identify it. It is proposed that the FOI Regulations prescribe the type of information that is needed from an applicant. It is proposed that applications for access to a record do not need to be made in a particular form (i.e.: letter form, email, fax) but that an application may, but need not, be made in accordance with the form outlined in the Schedule to the FOI Regulations. The form outlined in the Schedule to the FOI Regulations is designed to assist applicants to make an application should they wish to use it; it gives applicants a general idea of the information required to make an FOI request even if they do not want to utilize it. All applications must include an address to which notices and information should be sent, the date of the application, the subject matter of information requested in as much detail as possible and the form of access preferred.

Once received by any officer in a public authority, an application must be passed to the Information Manager as soon as possible but no later than 2 working days from receipt.

An applicant can also apply to have their personal information amended or annotated if the record of such information is incomplete, incorrect, out of date or misleading. The applicant is required to provide sufficient proof to the authority that their information is incorrect. Their record will be amended by ruling through the information found to be incorrect and writing the correct information next to it. A record will be annotated by adding a file note to the record summarizing the applicant's statement, cross-indexed to the material claimed to be incomplete, incorrect, out of date or misleading.

MAKING APPLICATIONS ON BEHALF OF SOMEONE FOR PERSONAL INFORMATION

The current FOI Law does not make provision for a person to make an application on behalf of someone for access to their personal information e.g. a child. It is proposed that the Regulations prescribe that an FOI application or application for amendment of personal information may be made by anyone who is lawfully authorized or has the right to conduct business on behalf of another with sufficient proof (to be determined by the public authority) of authority that they may make an application on behalf of another person.

REFUSAL OF ACCESS ON THE BASIS OF DIVERSION OF RESOURCES

A public authority has the right to refuse access to a record on the basis that the request would unreasonably divert a public authority's resources; see Section 9(c) of the FOI Law. The decision that a request may unreasonably divert the resources of the public authority should be based on defined criteria. It is proposed that the FOI Regulations prescribe how this decision is to be made. The Information Manager must first notify the applicant of the likelihood that there will be a decision to refuse a request on the basis of diversion of resources, explain how the request is likely to divert its resources and invite the applicant to narrow their request. The FOI Regulations should outline the types of factors which could be considered to determine whether the diversion of resources would be unreasonable. These include:

- the nature and size of the agency;
- the number, type and volume of documents falling within the request; and
- the work time involved in fully processing the request.

The resources to be considered are the existing resources of the agency reasonably required to process the request consistent with attendance to other priorities including:-

- identifying, locating or collating the documents within the agency's filing systems;
- deciding whether to grant, refuse or defer access to the documents or edited copies including resources to be used in;
 - examining the documents;
 - consulting with any person or body;
 - making copies (or edited copies) of the documents;
 - notifying the applicant of any interim or final decision on the request;
 - any other relevant matters

CONDUCT OF INTERNAL REVIEW

Section 33 of the FOI Law allows an applicant to apply for internal review of a decision by an Information Manager to a Minister, Chief Officer or Principal Officer of a public authority. An internal review is an appeal at first instance when an applicant is not satisfied with the decision made by the Information Manager in relation to their request. It is proposed that prior to the bringing into force of the Law, the Chief Officer of the public authority shall decide whether the review should be conducted by himself or the Principal Officer or any other person of the same rank or senior rank to the person who made the original decision. This decision must be recorded and made known to the public.

REGISTER OF APPLICATIONS

It is proposed that the FOI Regulations prescribe the requirements for Information Managers to keep a register of applications in addition to a written file in electronic form in the FOI monitoring and tracking computer system utilized by Government which shall include but not be limited to:

- (i) application reference number;
- (ii) name of applicant;
- (iii) date of application;
- (iv) summary of applicant's request;
- (v) date response provided to the applicant;
- (vi) where information was provided, a summary of information provided;
- (vii) where application was rejected, specific clause relied upon with an explanation of reasons;

(viii) whether an appeal was filed, and the outcome.

LIST OF PUBLIC AUTHORITIES

It is proposed that a list of the public authorities of the Cayman Islands Government is set out in the Schedule to the FOI Regulations. The reason for listing these authorities is to ensure the public knows to which authority their FOI request should be directed. It also provides clarification to the public authorities to ensure they are aware for which FOI requests they are ultimately responsible.

PROPOSED FREEDOM OF INFORMATION APPLICATION FORM

Please read the information for applicants on the reverse before you fill in this form.

Title of Public Authority:	
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Details of applicant:

Surname (Family Name):	
First Names:	Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Mr <input type="checkbox"/> Other <input type="checkbox"/>
Postal address:	Postal code:
Home phone number:	Work phone number:
Email:	Fax:

If you are making this request on behalf of a person please state:

The name of the person:	
The authority which entitles you to apply on behalf of the person: (attach authorisation)	

Details of Request:

I request access to record(s) covering matters which are: <input type="checkbox"/> Personal <input type="checkbox"/> Non personal	<p><u>Office use only</u></p> Identity verified? (personal information only) (Please refer to Personal Information over page) <input type="checkbox"/> Yes <input type="checkbox"/> No Type of identification:
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Level of Service:

I request access to records(s) using: <input type="checkbox"/> Regular Service OR <input type="checkbox"/> Expedited Service (at an additional cost of CI\$100.00)
Please explain the compelling need or urgency for use of Expedited Service:

The record(s) I request are: (attach additional pages if necessary)

--

Where known, kindly state the subject matter of the information requested, the period and/or geographic area to which the information relates, the dates relevant to the information needed or the name or other identification of the document:

--

I wish a copy(ies) of the record(s) in the following format:

photocopy	diskette
compact disc	transcript
other (<i>please specify</i>)	Number of copies required:

The applicant must complete this section (tick appropriate box):

<input type="checkbox"/> I require a copy of the record(s)	<input type="checkbox"/> I wish to inspect / view / listen to the record(s)
Please sign here	Date

Information for Applicants:

This form has been designed to assist members of the public to access documents held by the Cayman Islands Government.

What is Freedom of Information?

The *Freedom of Information Law, 2007* (FOI Law) gives you the right to request access to records held by government authorities. All Public Authorities are required to follow a statutory process with respect to a response to your request and the time frames under the law in assessing your application. There are statutory charges that may apply to your request.

What details should I provide?

Applications for information do not need to be made on a particular form but may be made in on this application form if preferred. In accordance with the FOI Regulations 2007 an application must include the following

- a. An address to which notices and information can be sent;
- b. The date the application is submitted;
- c. The subject matter of the information requested including if relevant , the period and/or geographic area to which the information relates;
- d. The form of access preferred;
- e. Where known, the dates relevant to the information needed or the name or other identification of the document.

What is Personal Information?

Under the Freedom of Information Law, 2007 a person may request his / her own information. A separate application is required under the FOI Regulations for amendment or annotation of a personal record. If a person makes an application for his / her own personal information he / she must produce identification that

allows the public authority to release this information. A person may be authorised to request personal information but must supply sufficient proof of this authorisation as required by the public authority.

What can you ask for?

You can ask for documents that are held by a Cayman Islands Public Authority. Under the FOI Law a "record" includes: a paper file, microfiche, print out, disk, visual material (maps, plans, photographs) and audio-visual material.

Do you have to pay?

Under the FOI Law, there is no application fee and no cost to inspect a record. However, the applicant is required to pay for the cost of reproduction of a record including the cost of reproduction of a record in an alternative form. The applicant is liable to pay a charge in the amount or at the rate fixed by, or in accordance with, the Schedule to the FOI Regulations. A cheque / cash / money order/ payment by electronic cards is required before copies of the document will be made. Cheques should be made payable to applicable public authority.

The statutory processing and access charges set out in the FOI Regulations apply. You will be supplied with a notice of the estimate of the charges if applicable. Processing and access charges may be waived for applicants at the discretion of the Chief or Principal Officer (e.g. financial hardship).

Processing of Application

You will receive acknowledgment of receipt of your application within 10 calendar days after receipt by the Public Authority. A decision will be made with 30 calendar days of receipt unless an extension of an additional 30 days is authorised.

**PROPOSED FORM FOR APPLICATION FOR AMENDMENT / ANNOTATION OF A
PERSONAL RECORD**

Please read the information for applicants on the reverse before you complete this form.

Title of Public Authority	
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Details of applicant:

Surname (Family Name):	
First Names:	Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Mr <input type="checkbox"/> Other <input type="checkbox"/>
Postal address:	Postal code:
Home phone number:	Work phone number:
Email:	Fax:

If you are making this request on behalf of a person please state:

The name of the person:	
The authority which entitles you to apply on behalf of the person: (attach authorisation)	

Identity Verification:

<p><u>Office use only</u></p> <p>Identity verified? (Please refer to Proof of Identity over page.)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Type of identification:</p> <p>Identification number:</p>

Do you claim your personal information is (please tick as appropriate):

<input type="checkbox"/> Incomplete?	<input type="checkbox"/> Incorrect?
<input type="checkbox"/> Out of date?	<input type="checkbox"/> Misleading?

What record do you believe is incomplete / incorrect / out of date / misleading?

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What information in the record do you believe is incomplete / incorrect / out of date / misleading?

--

What is the amendment you are requesting? What do you claim is the correct information?

--

How do you believe these Government records came to be wrong?

--

Please provide any additional information which you think will assist this agency make a decision:

--

Please list any original documents you have attached as supporting evidence:

1.	4.
2.	5.
3.	6.

The applicant must complete this section.

Print full name	Signature	Date

Information for Applicants

This form has been designed to assist members of the community to amend or annotate a personal record held by the Cayman Islands Government.

What is Freedom of Information?

The *Freedom of Information Law, 2007* (FOI Law) gives you the right to request personal records held by government authorities to be amended or annotated. All Public Authorities are required to follow a statutory process with respect to a response to your request and the timeframes under the Law in assessing your application. There are statutory charges that may apply to your request.

What details should I provide?

Applications for information do not need to be made on a particular form but may be made on this application form if preferred. In accordance with the FOI Regulations 2007, an application shall include the following:

- a. An address to which notices and information can be sent;
- b. The date the application is submitted;
- c. Subject matter of the information to be amended / annotated including if relevant, the period and/or geographic area to which the information relates;
- d. Reasons why the information may be incomplete / incorrect / out of date / misleading;
- e. Where known, the dates relevant to the information needed or the name of the document

What is Personal Information?

Under the Freedom of Information Law, 2007 a person may request their own information be amended or annotated. A separate application is required under the FOI regulations for access to a personal record. If a person makes an application to amend or annotate their own personal information they must produce identification that allows the public authority to release this information. A person may be authorised to amend or annotate the personal information of another person but must supply sufficient proof of this authorisation as required by the Public Authority

What can you ask for?

You can ask for documents that are held by a Cayman Islands Public Authority. Under the FOI Law a "document" includes: a paper file, microfiche, print out, disk, visual material (maps, plans, photographs) and audio-visual material.

Do you have to pay?

Under the FOI Law, there is no application fee and no cost to amend or annotate a record. However, the requestor is required to pay for the cost of reproduction of a record including the cost of reproduction of a record in an alternative form. The requestor shall be liable to pay a charge in the amount or at the rate fixed by, or in accordance with, the Schedule to the FOI Regulations. A cheque / cash / money order is required before copies of the document will be made. Cheques should be made payable to applicable Public Authority.

The fees set out in the FOI Regulations apply. You will be supplied with a notice of the estimate of the charges if applicable. Processing and access charges may be waived for applicants at the discretion of the Chief or Principal Officer (e.g. financial hardship).

Processing of Application

You will receive acknowledgment of receipt of your application 10 calendar days after receipt by the Public Authority. A decision will be made with 30 calendar days of receipt unless an extension of an additional 30 days is authorized.

FEES SCHEDULE

Proposed Charges for Reproduction-

1. Photocopy
 - a. Photocopying a page with dimensions of not more than 8.5 inches by 11 inches (\$.50 cents per page - black and white)
 - b. Photocopying a page with dimensions of 8.5 inches by 14 inches (\$.75 cents per page - black and white)
 - c. Photocopying a page with dimensions of more than 8.5 inches by 14 inches (\$1.00 per page – black and white)
 - c. Color (\$1.50 per page – all sizes)

2. Transcript (\$4.00 per page)

3. Producing a record from a database or developing a computer program to produce a record (the actual costs incurred by agency + hourly rates of staff)

4. Photograph

Black and white/ colour (from existing negative)

- a. 4x5 (\$5.00)
 - b. 5x7 (\$7.50)
 - c. 8x10 (\$10.00)
 - d. 11x14 (\$20.00)
 - e. 16x20 (\$40.00)
5. Reproduction of a record (tape, cassette, diskette, compact disk, DVD)

A charge for the production by an agency of a copy of a document in the form of a tape, cassette, compact disc or DVD as follows.

- a. Audio cassette production (\$69.00 per hour)
- b. Video cassette productions (\$15.00 per 60 minute cassette; \$25.00 per 120 minute cassette)
- c. Compact disk production (\$10 per CD)
- d. DVD production ((\$15 per DVD)

Plus an amount that does not exceed the actual costs incurred by the agency, in purchase cost of the tape, cassette, or compact disc or DVD.

6. Microfilm duplication 35mm (\$1,500.00 per roll of 1000ft microfilm; minimum order of 10ft at a cost \$150.00

7. Microfilm duplication 16mm (\$380.00) per roll of 100ft microfilm; minimum order of 10ft at a cost of \$38.00
8. Microfilm print out (\$20.00 per page)
9. Blue print reproduction (\$3.00 per sheet)
10. Plans (\$5.00 per page)
11. Electronic Documents provided in PDF on no physical medium in accordance with the standards of the National Archives (no charge)
12. Conversion of paper records to electronic form (\$0.25 cents per page)
13. *Posting of document* Where access to the document to which the request relates is to be given in the form of the provision of a copy of the document and the copy provided is, at the request of the applicant, to be sent by post or courier, a charge in respect of the posting or delivery of the copy not exceeding the actual cost of post or delivery.
14. Shipping cost (actual cost of shipping method chosen by applicant and an arrangement charge of \$20.00)

PUBLIC AUTHORITIES LISTING

PUBLIC AUTHORITY

There are 89 Public Authorities to be prescribed under the Cayman Islands FOI Law. These public authorities are highlighted in bold and FOI requests should be directed to these public authorities. Each public authority may also have units, sections, boards and committees which also fall within the scope of the law but their records are managed by the primary public authority.

PUBLIC AUTHORITY

1. Agriculture Department

- Agriculture Development Committee
- Animal Welfare Advisory Committee
- Aquaculture Development Committee
- Veterinary Board

2. Audit Office/ Auditor General

3. Boatswain's Beach

- Cayman Islands Turtle Farm Ltd Board of Directors

4. Cabinet Office

- Cabinet Secretariat
- Constitutional Review Secretariat
- Freedom of Information Coordination Unit
- FOI Steering Committee
- Leader of Government Business
- Policy Coordination Unit
- Protocol Office

5. Cayman Airways

- Cayman Airways Board

6. Cayman Islands Airport Authority

- Airports Authority Board
- Meteorological Office

7. Cayman Islands Cadet Corps

8. Cayman Islands Crisis Centre

9. Cayman Islands Development Bank

- Cayman Islands Development Bank Board

10. Cayman Islands Investment Bureau

- Growth Management/Investment Advisory Board

- Overseas Offices

11. Cayman Islands Monetary Authority

- CIMA Board of Directors

12. Cayman Islands National Archive

- Records Advisory Committee

13. Cayman Islands National Insurance Company

- CINICO Board of Directors

14. Cayman Islands National Museum

- Museum Board of Control
- Museum Trustees

15. Cayman Islands Stock Exchange

16. Cayman National Cultural Foundation

- CNCF Board

17. Children and Family Services Department

18. Civil Aviation Authority

- Air Transport Licensing Authority & Board
- Civil Aviation Authority Board

19. Civil Service Appeals Commission

- Civil Service Appeals Commission Secretariat

20. Community Rehabilitation Department

- Community Rehabilitation Brac Office

21. Complaints Commissioner Office

22. Computer Services Department

23. Counselling Services Department

- Caribbean Haven Residential Centre
- The Counselling Centre

24. Customs Department

- Cayman Brac Customs

25. Department of Environment

26. Department of Sports

27. District Administration Department Cayman Brac

- Cayman Brac Community Park Committee

- Civic Centre Management Committee, Aston Rutty Centre, Cayman Brac
- Sister Islands Annual Agriculture Show Committee

28. Economics and Statistics Office

29. Education Department

- Early Childhood Department
- Alternative Education
- Bodden Town Primary School
- Cayman Brac High School
- East End Primary School
- Education Service Little Cayman
- Financial Services Committee
- George Town Primary School
- Heritage Junior high School
- John A Cumber Primary School
- John Gray High School
- Leading Edge Junior High School
- Lighthouse School
- Pace Junior High School
- New Horizons Junior High School
- North Side Primary School
- Prospect Primary School
- Red Bay Primary School
- Savannah Primary School
- Spot Bay & Creek Primary School
- West End Primary School

30. Electricity Regulatory Authority

31. Emergency 911 unit

32. Employment Relations Departments

- Employment Forum
- Labour Appeals Tribunal
- Labour Tribunal of Cayman Brac & Little Cayman
- Labour Tribunal of Grand Cayman

33. Environment Health Department

- Derelict Vehicles Committee

34. Financial Services Secretariat

- Financial Services Council
- *Private Sector Consultative Committee (ceased)*

35. Fire Services

36. General Registry

- Births, Marriages, Deaths
- Companies Registry
- Patents, Trademarks

37. Government Information Services

38. Governor's Office

39. Hazard Management Cayman Islands

40. Health Insurance Commission

- Health Insurance Commission Board

41. Health Practice Commission

- Council for Professions Allied with Medicine
- Medical & Dental Council
- Nursing & Midwifery Council
- Pharmacy Council

42. Health Services Authority

- Health Services Authority Board
- Public Health

43. Immigration Department

- Business Staffing Plan Board
- Caymanian Status & Permanent Residency Board
- Immigration Board Cayman Brac & Little Cayman
- Immigration Boards of Grand Cayman
- Passport Office
- Trade & Business Licensing Board
- Work Permit Board
- Work Permit Committee

44. Information Communications Technology Authority

- Information and Communications Technology Authority Board

45. Internal Audit Office

46. Judicial Administration

- Legal Advisory Council
- Grand Court Rules Committee

47. Lands and Survey Department

- Land Surveyors Board

48. Legislative Assembly

- Commonwealth Parliamentary Association (CPA) of the

Legislative Assembly

- (CPA) Executive Committee of the Legislative Assembly
- Legislative Assembly Standing Business Committee
- Legislative Assembly Standing House Committee
- Legislative Assembly Standing Public Accounts Committee
- Legislative Assembly Standing Register of Interests Committee
- Legislative Assembly Standing Select Committee on Privileges
- *Price Gouging Control Commission (ceased)*

49. London Office

50. Maritime Authority/ Cayman Islands Shipping Registry

- Cayman Islands Ship-Owners Advisory Committee
- Cayman Islands Yacht-Owners Advisory Committee
- Marine Patrol Strategy Workgroup
- Maritime (Shipping) Sector Consultative Committee
- Maritime Authority Board of Directors
- National Maritime Security Council
- Red Ensign Group

51. Ministry of Community Works and Infrastructure

- Recreational Parks and Cemeteries
- Assessment Committee for Roads
- Cinematographic Authority / Board
- Street Naming and Property Numbering Committee
- Utilities Advisory Committee

52. Ministry of District Administration, Planning, Agriculture and Housing

- Planning Appeals Tribunal
- Planning Appeals Tribunal Sister Islands
- Private Finance Initiative Advisory Board
- Sister Islands Affordable Housing Corporation (SIAHC)

53. Ministry of Education, Training, Employment, Youth, Culture and Sports

- Caribbean Examinations Council National Committee
- *Education & Training Board (ceased)*
- Education Appeals Tribunal
- Education Board Cayman Brac & Little Cayman
- Education Council
- Human Rights Commission
- International Financial Services Policy
- Investors in People Steering Committee
- National Sport Council
- National Youth Commission

- TE McField Youth & Community Centre Management Committee
- Tertiary Education Council

54. Ministry of Health and Human Services

- Adoption Board
- Children & Youth Services CAYS Foundation
- Health Appeals Tribunal
- National Council of Voluntary Organizations (NCVO)

55. Ministry of Tourism, Environment, Investment and Commerce

- Beautification Committee
- E-Business Advisory Board
- Liquor Licensing Board (Grand Cayman)
- Liquor Licensing Board (Cayman Brac & Little Cayman)
- Marine Conservation Board
- Miss Cayman Islands Committee
- National Trust Council
- Tourism Advisory Board

56. Mosquito and Research and Control Unit

57. National Drug Council

- NDC Board of Directors

58. National Gallery of the Cayman Islands

- National Gallery of the Cayman Islands Board
- National Gallery Management Board
- National Gallery Trustees

59. National Housing Development Trust

60. National Pensions Office

- National Pensions Board

61. National Roads Authority

- National Roads Authority Board
- Traffic Advisory Panel

62. National Trust

- Marine Parks National Trust

63. Petroleum Inspectorate

- Dangerous Substance Handling and Storage Board

64. Planning Department

- Builders Board
- Central Planning Authority

- Development Control Board
- Electrical Trades Licensing Board of Examiners

65. Port Authority

- Port Authority Board
- Receiver of Wrecks

66. Portfolio of the Civil Service

- Civil Service College
- HR Audit
- Management Support Unit
- Operational HR
- Portfolio Office
- *Public Service Commission (ceased)*

67. Portfolio of Finance and Economics/ Financial Secretary Office

- Asset Sharing Review Committee
- Budget Management Support Unit
- Central Tenders Committee
- Company Sector Consultative Committee
- Corporate Management Unit
- Finance Administration
- Private Sector Investment Committee
- Public Relations Unit
- Public Sector Investment Committee
- Revenue Debt Unit
- Risk Management Advisory Committee
- Risk Management Unit

68. Portfolio of Internal and External Audit Affairs/ Chief Secretary Office

- Elections Office
- Immigration Appeals Tribunal
- National Hurricane Committee
- Parole Commissioners Board
- Prison Inspection Board

69. Portfolio of Legal Affairs

- Legal Department (inc. Solicitor General)
- Attorney General Chambers
- CI Law School
- Legislative Drafting
- Law Reform Commission
- Law Revision Commission
- Financial Reporting Authority
- Anti-Money Laundering Steering Group

70. Postal Services

- Stamp Advisory Committee

71. Prison Services

72. Public Library Service

- Public Library Management Committee

73. Public Service Pension Board

- PSP Board of Trustees

74. Public Works Department

75. Radio Cayman

76. Royal Cayman Island Police Service

- Family Support Unit
- Financial Crimes Unit
- Policing Uniform
- CID
- Neighbourhood Policing
- Traffic Department
- K-9
- USG
- Marine Unit
- Air Operations
- DTF
- Complaints and Discipline
- Management Support
- Scenes of Crime
- Process
- Cayman Brac
- Little Cayman

77. Schools Inspectorate

78. Sunrise Adult Training Centre

79. Tax Information Authority

80. Telecommunication Office

81. Tourism Attraction Board

- Pedro Saint James/Pedro Castle
- Pirates Week Festival Committee
- Queen Elizabeth II Botanic Park

82. Tourism Department

- Cayman Islands Tourism Association
- Hotels Licensing Board

- Land & Sea Cooperative
- Overseas Offices
- Public Transport Board
- Sister Islands Tourism Association

83. Treasury Department / Accountant General

84. University College of the Cayman Islands

- UCCI Board of Governors

85. Vehicle and Drivers' Licensing Department

86. Vehicle and Equipment Services Department

- Vehicle and Equipment Services Board

87. Water Authority

- Plumbers Examination Board
- Water Authority Board

88. Women's Resource Centre

89. Youth Services Unit

Kindly submit all comments on this Consultation Paper to:

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Deadline for comments: Friday, 25th April, 2008