

FORM 18

section 29(3)

NOMINATION PAPER

Name of electoral district _____

Surname of candidate _____

Other names of candidate _____

Street address of candidate _____

We, the undersigned being duly registered electors for the above named electoral district do hereby-

- (a) nominate the above-named person as a proper person to be elected as a member of the Legislative Assembly for the electoral district;
- (b) declare that to the best of our belief the above named person is qualified to be elected as a member of the Legislative Assembly for the electoral district pursuant to section 61 of the Constitution; and
- (c) declare that to the best of our belief the above named person is not disqualified from being elected as a member of the legislative Assembly for the electoral district pursuant to section 62 of the Constitution.

**It is an offence under section 30(1) of the Elections Law (2013 Revision) to knowingly nominate a person who, pursuant to the Constitution, is not qualified to be or is disqualified from being elected as a member of the Legislative Assembly*

Signature of first person nominating _____

Full name _____

Signature of second person nominating _____

Full name _____

I, the above-named person, nominated as above to be elected as a member of the Legislative Assembly for the above named electoral district-

- (a) hereby consent to the nomination for the above-named electoral district;
- (b) declare that to the best of my belief I am qualified to be elected as a member of the Legislative Assembly pursuant to section 61 of the Constitution; and
- (c) declare that to the best of my knowledge and belief, I am not disqualified from being elected as a member of the legislative Assembly pursuant to section 62 of the Constitution.

** It is an offence under section 30(2) of the Elections Law (2013 Revision) to knowingly consent to be nominated if, pursuant to the Constitution, you are not qualified to be or are disqualified from being elected as a member of the Legislative Assembly.*

Signature of candidate _____

Signature of witness _____

Full name of witness _____

Address of witness _____

Telephone Number of witness _____

Voter ID Number of witness _____

Date _____, 20_____.

**For note as to qualifications to be elected as a member of the Legislative Assembly see reverse side of this form.*

Note of qualifications to be, and disqualification from being elected as a member of the Legislative Assembly

(As set out in sections 61 and 62 of Schedule 2 to the Cayman Islands (Constitution) Order, 2009.)

Qualifications for elected membership of the Legislative Assembly

61 - (1) Subject to section 62, a person shall be qualified to be elected as a member of the Legislative Assembly if, and shall not be qualified to be so elected unless -

- (a) he or she is a Caymanian; and
- (b) he or she has attained the age of 21 years; and
- (c) he or she is, at the date of his or her nomination for election, domiciled and resident in the Cayman Islands;
- (d) he or she is a qualified citizen; and either
- (e) he or she was born in the Cayman Islands, or was born outside the Cayman Islands in the circumstances mentioned in subsection (2)(b), has resided in the Cayman Islands for a period of not less than seven years immediately preceding the date of his or her nomination for election and, subject to subsection (3), the number of days on which he or she was absent from the Cayman Islands in that period does not exceed 400; or
- (f) if he or she was born outside the Cayman Islands, has resided in the Cayman Islands for a period or periods amounting to not less than fifteen years out of the twenty years immediately preceding the date of his or her nomination for election, and, subject to subsection (3), in the seven years immediately preceding the date of his or her nomination for election the number of days on which he or she was absent from the Cayman Islands does not exceed 400.

(2) For the purposes of subsection (1)(d), a qualified citizen is a British overseas territories citizen by virtue of a connection with the Cayman Islands, who either—

- (a) at the date of his or her nomination for election possesses no other citizenship and is pursuing no claim to any other citizenship for which he or she may be eligible; or
- (b) was born outside the Cayman Islands, has or had at least one parent or grandparent who was born in the Cayman Islands and is a Caymanian (or if deceased would if alive have been a Caymanian at the date of nomination for election), and who at the date of his or her nomination for election possesses no other citizenship save for any right he or she may have to some other citizenship by virtue of his or her birth outside the Cayman Islands;

and in this subsection the words “other citizenship” do not include British citizenship acquired by virtue of the British Overseas Territories Act 2002(3).

(3) In ascertaining whether a person has been absent from the Cayman Islands for the purposes of subsection (1)(e) or (f), any period of absence by reason of the following shall be disregarded—

- (c) the performance of duty on behalf of the Government;
- (d) attendance as a student at any educational establishment;
- (e) attendance as a patient at any hospital, clinic or other medical institution;
- (f) employment as a seaman aboard an ocean-going vessel; or
- (g) employment as a crew member on any aircraft.

Disqualifications for elected membership

62. - (1) No person shall be qualified to be elected as a member of the Legislative Assembly who—

- (a) is, by virtue of his or her own act, under any acknowledgement of allegiance, obedience or adherence to a foreign power or state;
- (b) holds, or is acting in, any public office;
- (c) has been adjudged or otherwise declared bankrupt under any law in force in any part of the Commonwealth or the United States of America and has not been discharged;
- (d) is a person certified to be insane or otherwise adjudged to be of unsound mind under any law in force in the Cayman Islands;
- (e) subject to subsection (2), is serving or has served a sentence of imprisonment (by whatever name called) exceeding twelve months imposed on him or her by a court in any country or substituted by competent authority for some other sentence imposed on him or her by such a court, or is under such a sentence of imprisonment the execution of which has been suspended, or has been convicted by any court in any country of an offence involving dishonesty;
- (f) is disqualified for election by any law in force in the Cayman Islands by reason of his or her holding, or acting in, any office the functions of which involve—
 - (i) any responsibility for, or in connection with, the conduct of any election; or
 - (ii) any responsibility for the compilation or revision of any electoral register;
- (g) is a party to, or a partner in a firm or a director or manager of a company which is a party to, any contract with the Government for or on account of the public service and has not, within the period of one month immediately preceding the date of an election in which he or she is a candidate, caused to be published a Government Notice setting out the nature of such contract and his or her interest, or the interest of any such firm or company, in it; or
- (h) is disqualified for membership of the Assembly by any law in force in the Cayman Islands relating to offences connected with elections.

(2) For the purposes of subsection (1)(e) and section 63(g)—

- (a) where a person is serving two or more sentences of imprisonment that are required to be served consecutively he or she shall, throughout the whole time during which he or she so serves, be regarded as serving a sentence exceeding twelve months if (but not unless) any one of those sentences exceeds that term; and
- (b) no account shall be taken of a sentence of imprisonment imposed as an alternative to or in default of the payment of a fine.