



CAYMAN ISLANDS
GOVERNMENT

**APPLICATION FOR EXPUNGEMENT OF CRIMINAL RECORD:
CRIMINAL RECORDS (SPENT CONVICTIONS) LAW (2018 REVISION)**

NOTES

- Please fill in the sections of the form that pertain to your application. If there is not enough space for your answer, use a separate sheet. Please write clearly and in **BLOCK LETTERS**. Use **black** ink.
- Please submit your completed application form, the fee and accompanying documents to the Office of the Deputy Governor, by placing them in the drop box marked Expungement Board, on the Ground Floor of the Government Administration Building, or you can email in the information to Expungement@gov.ky.
- Please note that only local KYD cheques or bankers drafts made payable to the Cayman Islands Government; and any Payments made at any of our Post Office, in Cayman Islands Dollars, will be accepted as payment.
- If you are applying outside of the Cayman Islands an International Wire or an EFT with the relevant currency equivalent to KYD, will be accepted as payment. The International wiring instructions can be located on our website www.odg.gov.ky.

CHECKLIST

Please check that you have included all of the items below:

- ☐ Cover Letter
- ☐ Completed Application Form
- ☐ An application fee of CIS \$25.00 (non-refundable)
- ☐ Certified copy of a birth certificate
- ☐ Certified copy of deed poll evidencing change of name (if applicable)
- ☐ Certified copy of a Police Record (only applicable if you are applying outside of the Cayman Islands)
- ☐ Certified copy of a current photo ID

WARNING:

To give false information on this form knowingly or recklessly is a criminal offence.

**PLEASE SEE GUIDANCE NOTES
BEFORE COMPLETING THE APPLICATION FORM**



Privacy Notice

Personal information you provide to the Cayman Islands Expungement Board

When you make an application to the Cayman Islands Expungement Board for an expungement of a criminal record, you give the Office of the Deputy Governor information about yourself. We have to protect the privacy of that information in accordance with the Data Protection Act (2021 Revision). This Privacy Notice tells you how we will use the information you give us when you make an application to the Expungement Board.

What information do we collect?

The application form asks you to provide identifying personal data: name, alias, address, email, DOB, country of birth, nationality, previous addresses (5 years) occupation, criminal convictions, and third party referees.

Why do we collect this information and what do we do with it?

As the data controller, we need to collect, use, and store the personal information you give us in order to process your application. Our legal basis for the collection of your personal data is to implement a public function in accordance with the Criminal Records (Spent Convictions) Law (2018 Revision). We also produce statistics on the total number and type of applications that we get, but this does not include any personal data about you or the detail of your application.

Who has access to your personal information?

We have put in place appropriate technical, physical and organisational measures in order to keep your personal data secure. These safeguards are to maintain the confidentiality, integrity and availability of your personal data, such as the storage of your application in a restricted access folder. Your personal data will only be accessed by those that need to see it in order to carry out the duties of the Office of the Deputy Governor, and those that we are required to share it with.

Who might we share your information with?

In order to process your application, we share your information with law enforcement agencies, Board members and the Criminal Records office.

How long do we hold your information?

Applications made to the Cayman Islands Expungement Board are held by the data controller indefinitely (s.47 Criminal Records (Spent Convictions) Law (2018 Revision)).

What are your rights? You have the right to:

- ask for any incorrect information we hold about you to be made accurate
- ask for copies of any information we hold about you.

Questions about your personal data?

Please email expungement@gov.ky or call (345) 244 2403





CAYMAN ISLANDS
GOVERNMENT

APPLICATION FOR EXPUNGEMENT OF CRIMINAL RECORD

| | |
|---|--|
| 1. Surname | |
| 2. Given Names | |
| 3. Aliases or any other names by which you may be known | |
| 4. Contact numbers | |
| 5. Email Address | |
| 6. Date of Birth | |
| 7. Country of Birth and current Nationality | |
| 8. Residential Address | |
| 9. Previous residential addresses in the last 5 years | |
| 10. Postal address | |
| 11. Occupation | |
| 12. Address of employer | |

| | | | | |
|---|--------------------------|--|------------------------------|--|
| 13. Where possible, please provide as much information below in respect of your convictions. | | | | |
| Offence(s) for which convicted | Sentence Received | Date and place convicted (City & Country) | Convicting Court | Number of years crime-free following the expiry of the sentence |
| | | | | |
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| 14. Offence(s) for which you are requesting expungement: Please note that pursuant to section 42 of the Law, “a person shall not be eligible to obtain more than two expungements unless the convictions are for multiple offences for which concurrent sentences were imposed, in which case those sentences shall be considered to be one.” | Offence 1: | | | |
| | Offence 2: | | | |
| 15. Have you been arrested for or charged with any offences following the expiry of the above referenced sentence(s)? | | | <div>Yes</div> <div>No</div> | |
| 16. If you answered yes to question 15, please provide the details: | | | | |
| | | | | |

17. References (Optional)

1. I, (referee's full name in BLOCK LETTERS) _____

of (current address) _____

have known the applicant personally for _____ years and I support his/her application for Expungement of Record.

Occupation: _____

Referee's Telephone number: _____

Signature of referee: _____

Please note that a letter of reference may also be submitted.

2. I, (referee's full name in BLOCK LETTERS) _____

of (current address) _____

have known the applicant personally for _____ years and I support his/her application for Expungement of Record.

Occupation: _____

Referee's Telephone number: _____

Signature of referee: _____

Please note that a letter of reference may also be submitted.

18. Statement of Consent

I (name of applicant or parents if the applicant is under 18 years of age) _____

do hereby give my consent to inquiries being made by the Expungement Board of the Cayman Islands which are relevant to determining:

- a. whether I am eligible to make this application;
- b. whether the provisions of Section 13 of the Criminal Records (Spent Convictions) Law, (2018 Revision) apply to my application; and,
- c. whether approving an expungement of my criminal record would bring the administration of justice into disrepute

Signed: _____

19. Declaration (if the applicant is 18 years of age or over)

I, (full name) _____ declare that to the best of my knowledge, the information given in this application is correct. I promise to inform the Expungement Board in writing of any change in circumstance which may affect the accuracy of the information given while the application is being processed.

Signature: _____

Date: _____

20. Declaration (if the applicant is under 18 years of age)

I/we, (full name of parent(s)) _____ declare that to the best of my/our knowledge the information given in this application is correct. I/we promise to inform the Expungement Board in writing of any change in circumstance which may affect the accuracy of the information given while the application is being processed.

Signature: _____

Date: _____

Signature: _____

Date: _____