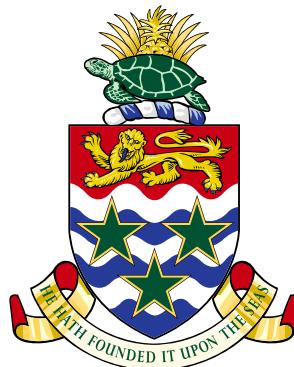


CAYMAN ISLANDS



Public Service Pensions Act
(2023 Revision)

PUBLIC SERVICE PENSIONS (*EX-GRATIA* PENSIONS) REGULATIONS

(2026 Revision)

Supplement No. 2 published with Legislation Gazette No. 9 of 12th February, 2026.

PUBLISHING DETAILS

The Public Service Pensions (*Ex-Gratia* Pensions) Regulations 2004, consolidated with the —

Public Service Pensions (*Ex-Gratia* Pensions) (Amendment) Regulations, 2009
Public Service Pensions (*Ex-Gratia* Pensions) (Amendment) Regulations, 2011
Public Service Pensions (*Ex-Gratia* Pensions) (Amendment) Regulations, 2018
Public Service Pensions (*Ex-Gratia* Pensions) (Amendment) Regulations, 2025
Public Service Pensions (*Ex-Gratia* Pensions) (Amendment) (No. 2) Regulations, 2025.

Revised under the authority of the *Law Revision Act (2020 Revision)*

Originally made —

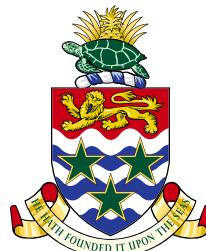
Regulations, 2004-1st June, 2004
Regulations, 2009-12th May, 2009
Regulations, 2011-13th December, 2011
Regulations, 2018-12th June, 2018
Regulations, 2025-21st May, 2025
Regulations, 2025-22nd October, 2025.

Consolidated and revised this 31st day of December, 2025.

Note (not forming part of these Regulations): This revision replaces the 2019 Revision which should now be discarded.



CAYMAN ISLANDS



Public Service Pensions Act (2023 Revision)

PUBLIC SERVICE PENSIONS (*EX-GRATIA* PENSIONS) REGULATIONS

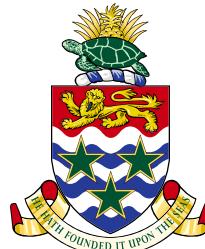
(2026 Revision)

Arrangement of Regulations

Regulation	Page
1. Citation	5
1A. Definitions	5
2. Eligibility for <i>ex-gratia</i> pensions	5
2A. Eligibility for <i>ex-gratia</i> defined benefit pensions	6
3. Application for <i>ex-gratia</i> pension and grant	7
3A. Application for <i>ex-gratia</i> defined benefit pension and grant	8
4. Savings and transitional provisions	10
SCHEDULE	13
ENDNOTES	17
Table of Legislation history:	17



CAYMAN ISLANDS



Public Service Pensions Act (2023 Revision)

PUBLIC SERVICE PENSIONS (*EX-GRATIA* PENSIONS) REGULATIONS

(2026 Revision)

Citation

1. These Regulations may be cited as the *Public Service Pensions (Ex-Gratia Pensions) Regulations (2026 Revision)*.

Definitions

1A. “principal Act” means the *Public Service Pensions Act (2023 Revision)*.

Eligibility for *ex-gratia* pensions

2. (1) Any Caymanian (as defined in the *Immigration (Transition) Act (2022 Revision)*) who —
 - (a) is sixty five years of age or older; or
 - (b) is not sixty five years of age but who has been certified by the Chief Medical Officer as being permanently disabled,and who —
 - (i) held an office in the Public Service or the Other Public Service for any period of at least four or more years in the aggregate; and



(ii) during at least four years (in the aggregate) of that person's said service, was not entitled to a pension or did not receive a contracted officer's supplement or similar compensation,

may, in accordance with these regulations, apply for an *ex-gratia* pension in respect of the period of that person's said service that is prior to the date when that person attained the age of sixty years and in respect of which that person was not entitled to a pension and did not receive a contracted officer's supplement or similar compensation.

Eligibility for *ex-gratia* defined benefit pensions

2A. (1) Any Caymanian (as defined in the *Immigration (Transition) Act (2022 Revision)*) who —

(a) is eligible for early retirement or normal retirement; or
(b) has been certified by the Chief Medical Officer as being permanently disabled,

and who meets all of the criteria specified in subregulation (2), is eligible to receive remuneration in the form of an *ex-gratia* defined benefit pension for an unpaid contracted officer's supplement.

(2) The criteria referred to in subregulation (1) are that the relevant Caymanian —

(a) held an office in the Public Service prior to 1 January, 2000 (the “**relevant date**”);
(b) was granted Caymanian status after the relevant date;
(c) was employed continuously without a break in contracts, and continued to be employed with the Government when that person obtained the grant of Caymanian status;
(d) was not an active participant in the prior pensions plan on the relevant date and so was not eligible to become an active defined benefit participant as defined in Part II of the *Public Service Pensions Law, 1999* [*Law 6 of 1999*] and pursuant to section 29(1) of the *Public Service Pensions Law, 1999* [*Law 6 of 1999*] ;
(e) was employed under —
(i) a contract of employment that contained a provision for a contracted officer's supplement or was otherwise entitled to the payment of a contracted officer's supplement; or
(ii) contracts that expressly, or otherwise through statutory incorporation, contained a pension award option, or a provision to the effect that, upon being granted Caymanian Status, that person becomes eligible to join the permanent and pensionable Establishment and that person's appointment will be antedated to the date on which that person was granted Caymanian Status;



- (f) at any period before the relevant date, was entitled to the payment of a contracted officer's supplement (either pursuant to that person's contract or pursuant to the General Orders), but was not provided with a contracted officer's supplement;
- (g) has not benefited from any *ex-gratia* payment in relation to the period of time in office, when that person did not receive a contracted officer's supplement and did not receive pension benefits; and
- (h) since the relevant date, has not settled or otherwise executed a Settlement Deed with the Cayman Islands Government and received payments of the settlement sum, in satisfaction of a claim for contracted officer's supplement, or pension benefits, including Defined Benefits equivalent claims.

Application for *ex-gratia* pension and grant

3. (1) An application for an *ex-gratia* pension shall be made in the form set out in the Schedule and shall be submitted to the Chief Executive Officer, Public Service Pensions and such application shall be accompanied by —
 - (a) a letter setting out the applicant's grounds for applying for the grant of an *ex-gratia* pension;
 - (b) where applicable, a medical certificate signed by the Chief Medical Officer stating that the applicant is permanently disabled;
 - (c) the applicant's original birth certificate or passport and, where applicable, the applicant's status certificate; and
 - (d) a letter signed by or on behalf of the Chief Officer of the Portfolio of the Civil Service or the manager of the relevant statutory authority confirming that the applicant, or the person in respect of whose service the application is made, has held an office in the service of the Islands for any period of four or more years in the aggregate.
- (2) If the Board is satisfied that the application is one which ought to be granted it shall grant the application.
- (3) The Board shall not grant an application for an *ex-gratia* pension where —
 - (a) it is of the opinion that the applicant does not meet the conditions set out in regulation 2; or
 - (b) where the applicant has failed to provide the information required under subregulation (1),and the decision of the Board shall be final.
- (4) Where the Board rejects an application it shall give the applicant reasons for that rejection.



(5) Where an application for an *ex-gratia* pension is granted under subregulation (2), there shall be paid out of the Fund to the applicant an *ex-gratia* pension of an amount ascertained in accordance with subregulation (6) which shall become payable with effect from the date the applicant —

- (a) becomes sixty five years of age;
- (b) is certified by the Chief Medical Officer as being permanently disabled; or
- (c) submits that person's application to the Chief Executive Officer,

whichever is later; and if the amount of an *ex-gratia* pension is varied pursuant to an amendment of subregulation (6), the varied amount of the *ex-gratia* pension shall become payable with effect from the date of commencement of the relevant amendment.

(6) Where —

- (a) the office in the service of the Islands in respect of which an *ex-gratia* pension has been granted was held for a period in the aggregate of four or more years but less than ten years, the *ex-gratia* pension shall be the sum of three hundred dollars each month; and
- (b) the office in the service of the Islands in respect of which an *ex-gratia* pension has been granted was held for a period in the aggregate of ten or more years, the *ex-gratia* pension shall be calculated as if the applicant had been eligible to participate in the defined benefits part of the Plan for the period of service but shall not be a sum of less than four hundred and fifty dollars each month.

(7) The provisions of the principal Act relating to the payment of pensions or other benefits under the principal Act, including the circumstances in which benefits cease to become payable but excluding —

- (a) the provisions of the principal Act relating to the payment of benefits to spouses and children; and
- (b) subject to paragraph (5), every *ex-gratia* pension granted under the principal Regulations shall continue to be paid by the Board with the same effect as if the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018] had not come into force,

shall apply (with any necessary modifications) to the payment of *ex-gratia* pensions under these Regulations.

Application for *ex-gratia* defined benefit pension and grant

3A. (1) The application for an *ex-gratia* defined benefit pension shall be made in the form set out in the Schedule and shall be submitted to the Chief Executive Officer, Public Service Pensions and such application shall be accompanied by —



- (a) a letter setting out the applicant's grounds for applying for the grant of an *ex-gratia* defined benefit pension;
- (b) where applicable, a medical certificate signed by the Chief Medical Officer stating that the applicant is permanently disabled;
- (c) the applicant's original birth certificate or passport and, where applicable, the applicant's status certificate; and
- (d) copies of contracts to support *ex-gratia* defined benefit service.

(2) If the Board is satisfied that the application is one which ought to be granted it shall grant the application.

(3) The Board shall not grant an application for an *ex-gratia* defined benefit pension where —

- (a) it is of the opinion that the applicant does not meet the conditions set out in regulation 2A; or
- (b) where the applicant has failed to provide the information required under subregulation (1),

and the decision of the Board shall be final.

(4) Where the Board rejects an application, it shall give the applicant reasons for that rejection.

(5) Where an application for an *ex-gratia* defined benefit pension is granted under subregulation (2), there shall be paid out of the Fund to the applicant an *ex-gratia* defined benefit pension of an amount ascertained in accordance with subregulation (6) which shall become payable with effect from the date the applicant —

- (a) has taken early retirement or normal retirement;
- (b) has retired after having been certified by the Chief Medical Officer as being permanently disabled; or
- (c) submits that person's application to the Chief Executive Officer, whichever is later; and if the amount of an *ex-gratia* defined benefit pension is varied pursuant to an amendment of subregulation (6), the varied amount of the *ex-gratia* defined benefit pension shall become payable with effect from the date of commencement of the relevant amendment.

(6) The *ex-gratia* defined benefit pension shall be calculated on the same basis as if the applicant had been eligible to participate in the defined benefit part of the Plan in accordance with section 29(1) of the *Public Service Pensions Law, 1999* [*Law 6 of 1999*], except that —

- (a) the *ex-gratia* defined benefit pension shall be reduced by the pre-commutation pension benefit of any defined contribution pension entitlements provided to the applicant in accordance with Part 3 of the *Public Service Pensions Law, 1999* [*Law 6 of 1999*]; and



(b) if, for the service period in question, the applicant is in receipt of —

- (i) any pension entitlements provided to an employee in accordance with *the Public Service Pensions Act (2023 Revision)*;
- (ii) any *ex-gratia* pension provided to an employee in accordance with *the Public Service Pensions (Ex-Gratia Pensions) Regulations (2026 Revision)*; or
- (iii) any sum provided to an employee by way of any settlement agreement,

the applicant shall be disqualified.

(7) The provisions of the Act relating to the payment of pensions or other benefits under the Act, including the circumstances in which benefits cease to become payable shall apply (with any necessary modifications) to the payment of *ex-gratia* defined benefit pensions under this regulation

Savings and transitional provisions

4. (1) Nothing in these Regulations shall adversely affect the rights of any person where those rights were acquired under the principal Regulations or any earlier regulations.

(2) Subject to paragraph (5), every *ex-gratia* pension granted under the principal Regulations shall continue to be paid by the Board with the same effect as if the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018] had not come into force.

(3) Every application for an *ex-gratia* pension made under the *Public Service Pensions (Ex-Gratia Pensions) Regulations (2012 Revision)*, and which was not yet dealt with on the date of commencement of the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018] or was partly dealt with by the Board on that date, shall be dealt with or continued, as the case may be, in all respects under the *Public Service Pensions (Ex-Gratia Pensions) Regulations (2012 Revision)* (other than regulation 4 of the principal Regulations).

(4) Every appeal relating to an *ex-gratia* pension made under the *Public Service Pensions (Ex-Gratia Pensions) Regulations (2012 Revision)* and which was not dealt with on the date of commencement of the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018] or was partly dealt with on that date, shall be dealt with or continued, as the case may be, in all respects under the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018].

(5) Where, before the commencement of the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018* [SL 24 of 2018], a retired participant who is receiving an *ex-gratia* pension and who was subsequently re-employed in the Public Service or Other Public Service or received a contract renewal at



the same salary grade or higher, the Board shall, after notifying the retired participant, suspend the *ex-gratia* pension of the retired participant until the retired participant attains normal retirement age or is terminated, whichever is earlier.

(6) Where after the date of commencement of the *Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2018 [SL 24 of 2018]* a retired participant returns to employment in the Public Service or Other Public Service that retired participant shall not be entitled to an *ex-gratia* pension until the retired participant attains the normal retirement age or is terminated whichever is earlier.



SCHEDULE

(*regulation 3*)

	<p><i>Ex-Gratia Pension</i> <u>Application Form</u></p>
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In order to complete the application process for *ex-gratia* pension, we need you to complete this form. When you have checked the form and signed it, **please return it to the Chief Executive Officer, Public Service Pensions, along with your Birth Certificate or Passport.** Please **provide us with the original certificate,** which will be returned to you.

Please print clearly on lines below

Name	First Middle Last Salutation	Mr./Mrs./Miss / Other
Employee number	(if known)	
Sex	Male or Female	
Nationality		
Date of Birth	Day Month Year	
Date of Hire	Day Month Year	
Date of Retirement	Day Month Year	
Government Department/ Statutory Authority		
Street Address	House: District: Island: Zip:	
P.O. Box and District:		
Telephone	Work Home	



SCHEDULE

Indicate whether you have ever at any time been the recipient of a pension, contracted officer's supplement or such similar compensation from the Government of the Cayman Islands or from a statutory authority for public service. **Yes or No (Circle One)**. If yes, please provide dates for which payments were received.

The foregoing information is believed to be a true and correct account.

Signature _____ Date _____

Address of the Chief Executive Officer, Public Service Pensions:

Public Service Pensions Board
P.O. Box 912
George Town
Grand Cayman

For official use only:			
<i>Item</i>	Y	N	Follow-up
Applicant's Birth Certificate/Passport			
Status Certificate			
Cover letter			
Contracts or service verification documentation			



Pension Administration		
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Approved: Chief Executive Officer, Public Service Pensions

Signature _____ Date_____

**Publication in consolidated and revised form authorised by the Cabinet this 28th
day of January, 2026.**

Kim Bullings
Clerk of Cabinet



ENDNOTES

Table of Legislation history:

SL #	Act/Law #	Legislation	Commencement	Gazette
40/2025		Public Service Pensions (<i>Ex-Gratia</i> Pensions) (Amendment) (No.2) Regulations, 2025	24-Oct-2025	LG41/2025/s1
28/2025		Public Service Pensions (<i>Ex-Gratia</i> Pensions) (Amendment) Regulations, 2025	25-May-2025	LG24/2025/s1
		Public Service Pensions (<i>Ex-Gratia</i> Pensions) Regulations (2019 Revision)	21-Feb-2019	LG4/2019/s2
24/2018		Public Service Pensions (<i>Ex-Gratia</i> Pensions) (Amendment) Regulations, 2018	18-Jun-2018	G13/2018/s2
		Public Service Pensions (<i>Ex-Gratia</i> Pensions) Regulations (2012 Revision)	22-Oct-2012	G22/2012/s5
29/2011		Public Service Pensions (<i>Ex-Gratia</i> Pensions) (Amendment) Regulations, 2011	15-Dec-2011	GE109/2011/s1
		Public Service Pensions (<i>Ex-Gratia</i> Pensions) Regulations (2011 Revision)	21-Nov-2011	G24/2011/s9
22/2009		Public Service Pensions (<i>Ex-Gratia</i> Pensions) (Amendment) Regulations, 2009	14-May-2009	GE33/2009/s2
19/2004		Public Service Pensions (<i>Ex-Gratia</i> Pensions) Regulations 2004	28-Jun-2004	G13/2004/s5







ENDNOTES

(Price: \$4.00)

