



CUSTOMS & BORDER CONTROL SERVICE



Delivery Address:

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CAYMAN ISLANDS

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CAYMAN ISLANDS

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Customs and Border Control Service Privacy Notice

The Cayman Islands Government's Customs and Border Control Service (CBC) adheres to the [Data Protection Act \(DPA\)](#) and the [Data Protection Regulations](#). This privacy notice applies only to data controlled by CBC and should not be interpreted as a notice on behalf of the Cayman Islands Government.

As part of our obligation under this legislation we provide information to individuals whose data is collected. This relates to the kind of personal information we collect, what we do with it, and what rights individuals whose data we hold have with respect to its accuracy and use. Further details on these topics can be found below:

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1. Who We Are

Cayman Islands Customs and Border Control (CBC) is charged with collecting and protecting revenue, facilitating legitimate travel and trade, while providing effective border management for the safety of our environment, citizens and visitors.

2. What Data We Collect

The personal data we collect from you includes:

- Money declarations or disclosures,
- Biographical Data (for example: name, date of birth, nationality),
- Travel History,
- Particulars of Traders,
- Particulars of Import and Export Activity,
- Your flight arrival details,
- Your passport country of issue, number, and dates of issue/expiry,
- Your passport photo,
- Your live photo, if using an ABC (Automated Border Control) Kiosk,
- Your home address,
- Your address during your stay in the Cayman Islands,
- Details of items subject to customs duty or other legal restrictions that you are bringing into the Cayman Islands and,
- Any arrivals by sea where CBC processes passengers for landing.

Aside from the personal data which you submit to us, we may also receive your personal data from partner agencies (for example: from airlines during your period of travel). Customs and Border Control Service is the Data Controller of all information collected, even if third parties process it for us. A data controller determines how and why personal data is collected and processed. For more information, please read the Office of the Ombudsman's guidance on the Cayman Islands [Data Protection Act \(DPA\)](#)

3. Why We Need Your Data

The Customs and Border Control Service will collect; process and share personal information so we can carry out our legal duties. The information you provide will be used to:

- Make informed decisions on any application you have submitted to us (for example: to provide clearance on imported goods or entry and landing during travel),
- Assist with verifying your identity,

- Secure our Borders,
- For the detection and prevention of Crime,
- To help improve the service and provide training for CBC staff members.

The information we collect can also be used for the purposes of enforcement in accordance with the following laws:

- Customs and Border Control Law (2018 Revision),
- Advance Passenger Information Law (2018 Revision),
- Immigration Transition Law (2018),
- Animals Law (2015 Revision), and
- Any other relevant Law or Regulations, pursuant to Section 11 of the Customs and Border Control Law, 2018.

4. Our Legal Basis for Processing Your Data

The legal basis for processing your personal data is that it's necessary:

- To perform a task in the public interest and,
- In the exercise of our functions as a government department.

5. Sharing Personal Information With Third Parties

Any personal information you provide will be held securely and processed in accordance with data protection and other relevant legislation. We may disclose your information to other organisations so that we can carry out our functions, or to enable others to perform theirs. Other organisations include, but are not limited to:

- Other government departments and agencies,
- Local authorities,
- Police and other law enforcement agencies,
- Courts and other judicial bodies,
- Foreign governments and other authorities,
- Foreign law enforcement and judicial bodies and,
- Fraud prevention bodies

Further details on Domestic Agreements for Information Sharing can be found on our website under [Internal Cooperation](#).

6. What We Do With Your Data

The data we collect may be shared with other government departments, agencies and public bodies, including other law enforcement agencies. It may also be shared with our technology suppliers, for example our hosting provider. Also refer to the above section on [Sharing Personal Information with Third Parties](#).

We will not:

- Sell, rent or lease your data to third parties or,
- Use your data in analytics.

We will share your data if we are required to do so by law (for example: by court order, to prevent fraud or another crime).

7. How Long We Keep Your Data

We will only retain your personal data for as long as:

- It is needed for the purposes set out in this notice,
- Required in accordance with approved Disposal Schedules.

With regard to live photos obtained at the ABC Kiosks, CBC will only retain the two (2) most recent photos taken; photos obtained prior to the two (2) most recent visits will not be retained.

8. Where Your Data Is Processed and Stored

We take appropriate technical and organisational measures to keep your personal data secure, in accordance with our internal policies and procedures regarding storage of, access to and disclosure of personal data. We may retain your personal data in our electronic systems or paper files.

Our headquarters on 42 Owen Roberts Drive in Grand Cayman, and 19 Kirkconnell Street, Stake Bay in Cayman Brac, will hold and process electronic customs declarations. All of the ABC KIOSKS transmit data directly to the ABC servers using secure encryption and no data is stored locally on the KIOSKS.

Any other information you give us will be held and processed by the relevant CBC Office location designated for doing so. This will usually be the location where you submitted your information. All [locations](#) included in CBC operations can be found on our website.

9. How We Protect Your Data And Keep It Secure

We are committed to doing all that we can to keep your data secure. We have set up systems and processes to prevent unauthorised access or disclosure of your data (for example: only CBC employees with a task oriented need to access your data may do so). We also make sure that any third parties that we deal with keep all personal data they process on our behalf secure.

Where we hold hard copy information, those records are stored within designated facilities under our control.

10. Your Rights To Protect Data

We would like to ensure that you are fully aware of your data protection rights. Every user is entitled to the following:

- The right of access – you can request a copy of your personal data, and other information related to our processing.
- The right to rectification – you have a right to request that we correct any information you believe is inaccurate, including to ensure it is complete or up to date.
- The right to stop or restrict processing - you have the right to request that we cease the processing of your personal data, under certain conditions.
- The right to complain – you have the right to complain to us or to the Ombudsman if you believe we are processing your personal data in a way that breaches the Cayman Islands Data Protection Law.

For additional details concerning the rights you hold in respect of your personal data, and how to complain to the Ombudsman, please visit the [website of the Ombudsman](#).

11. Exemptions

There are exemptions from giving you the personal data you have requested where it concerns:

- Safeguarding National Security,
- Crime,
- Government fees and,

- Duties.

Information about exemptions under the [Data Protection Act](#) can be found on the [website of the Ombudsman](#).

12. Use Of Tracking Technologies

A “cookie” is a small data file transferred by a website to your computer’s hard drive. Our web server for www.cbc.gov.ky creates an essential session cookie. It is essential for your use of some of the interactive elements of the website. The cookie contains a session ID which is a mechanism for distinguishing your visit to our website from any other visitors that may be using the website at the same time. This cookie expires when you leave our website. The webserver for our [Customs Online System](#) (COLS) also creates an essential session cookie.

We may provide links to third-party organisation websites for your convenience and information. CBC does not control use of those sites. We encourage you to review the privacy notice of any organisation before submitting your personal information.

13. Contact Us Or Make A Complaint

We are committed to respect and protect your privacy to the greatest extent possible. Our Freedom of Information (FOI) Manager is also responsible for ensuring your information is used, shared and saved correctly. When we process your information we will comply with the law, including data protection legislation. Should you feel that your data is being processed in breach of data protection law or other legislation, you can report your concern to our FOI Manager by emailing us at FOI.CBCTeam@gov.ky

You may also contact the Office of the Ombudsman at:

Anderson Square,
5th Floor
64 Shedden Road,
George Town,
Grand Cayman

Telephone: 1-345-946-6283
Email: info@ombudsman.ky

You can also visit the [Ombudsman’s website](#).

14. Further Information

This privacy notice has been created to be clear and concise. It does not include exhaustive detail about what information we hold, every organisation CBC shares information with, how the information is collected or how long all information is kept. If you would like more information you should email us at FOI.CBCTeam@gov.ky

Or write to us at:

FOI Manager

Customs and Border Control Service

P.O. Box 898

Cayman Islands

KY1-1103

For further guidance and information about data protection, please visit the [website of the Ombudsman](#).

15. Changes To This Notice

We may update this Notice from time to time and we encourage you to periodically review it. In that case, the 'last updated' date at the bottom of this page will also change. Any changes to this privacy notice will apply to you and your data immediately.

Last Updated: 03 March 2021