

IN THE GRAND COURT OF THE CAYMAN ISLANDS

BETWEEN

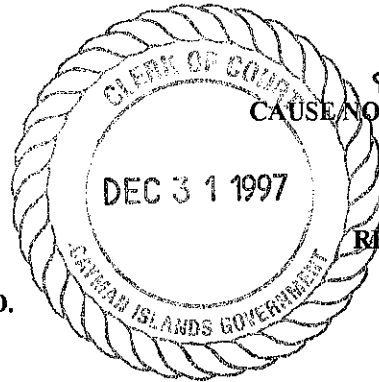
REGINA

AND:

THE IMMIGRATION BOARD

AND:

Ex Parte KIRK FREEPORT PLAZA LTD.



CAUSE NO: 854 OF 1997

RESPONDENT

APPLICANT

APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman	
Name, address and description of applicant(s)	Kirk Freeport Plaza Ltd., P.O. Box 893GT., Grand Cayman, Cayman Islands.
Judgment, order, decision or other proceeding in respect of which relief is sought	The decision of the Immigration Board as noted in the Notice attached hereto, to grant Island Companies Ltd. application under sec. 8(2) of The Local Companies (Control) Law (1995 Revision) for consent to transfer over 51% of its shares to Nuance International Holding Ltd.
Relief Sought 1. An order of certiorari quashing the said decision of the Immigration Board. 2. An order of prohibition to prevent the Board rehearing the sec. 10 application as set out in the attached notice. 3. An order pursuant to order 53 rule 10 (3) that the grant of leave to apply for judicial review shall operate as a stay of the sec. 10 application until the determination of the application. 4. Such further and/or other relief as this Honourable Court deems just.	
Name and address of applicant's attorneys, or, if no attorneys acting, the address for service of the applicant	Orren Merren & Company, Kirk House Third Floor, P.O. Box 481GT., Albert Panton Street, George Town, Grand Cayman, Cayman Islands, British West Indies.
Signed <i>Orren Merren &amp; Company.</i>	Dated 31 <sup>st</sup> December 1997

## GROUNDS ON WHICH RELIEF IS SOUGHT

1. The Immigration Board ("the Board") acted in breach of the order of the Court of Appeal dated 28<sup>th</sup> November 1997 in Cause CICA No. 8 of 1996 ordering a rehearing of the application in accordance with procedural fairness.
2. The Board failed to provide a rehearing by failing to consider the application by Island Companies Ltd. ("ICL") in accordance with circumstances and opinion prevailing at the time of the rehearing in Decemebr 1997.
3. The Board failed to observe procedural fairness by failing to consult interested parties, such as Kirk Freeport Plaza Ltd., who had a legitimate expectation of being consulted on the new application, such legitimate expectation arising out of past practice and an express promise to be consulted in the matter to which the application relates.
4. The Board acted in breach of the rules of natural justice by failing to advertise the application or to permit interested parties to make representations about its merits.

### NOTICE 18/12/97

An application was made to the Immigration Board by Island Companies Ltd. for consent under section 8 of the Local Companies (Control) Law (1995 Revision) and at a recent meeting of the Immigration Board, the Board consented to the transfer of 51% of Island Companies Ltd.'s shares to Nuance International Holding Ltd.

An application will be made to the Immigration Board by Island Companies Ltd. for the grant of a licence under section 10 of the Local Companies (Control) Law (1995 Revision). Before doing so, any person who wishes to make any representations to the Immigration Board in connection with this application should send a written and signed statement of such representation to the Secretary of the Immigration Board, P.O. Box 1098, George Town, Grand Cayman no later than noon 31st December 1997.  
**ISLAND COMPANIES LTD.**

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