



TURKS AND CAICOS ISLANDS

CHAPTER 5.01
IMMIGRATION ORDINANCE
and Subsidiary Legislation

Revised Edition
showing the law as at 31 March 2021

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance.

This edition contains a consolidation of the following laws—

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CHAPTER 5.01

IMMIGRATION ORDINANCE

(Ordinances 9 of 2015, 33 of 2015, 9 of 2017 and 14 of 2018)

AN ORDINANCE TO REPEAL AND RE-ENACT AN ORDINANCE TO REGULATE IMMIGRATION; AND FOR CONNECTED PURPOSES.

Commencement

[1 April 2016]

PART I

PRELIMINARY

Short title

1. (1) This Ordinance may be cited as the Immigration Ordinance.

Interpretation

2. (1) In this Ordinance—

“advance passenger information (“API”)” means information or data concerning a member of the crew, passenger or any other person travelling on a ship or an aircraft as set out in Schedule 2; *(Inserted by Ord. 9 of 2017)*

“advance passenger information system (“APIS”)” means the automated electronic data interchange of advance passenger information and the screening of the advance passenger information by an immigration officer, IMPACS and JRCC against a Watch List for any API hit; *(Inserted by Ord. 9 of 2017)*

“aircraft” includes an aeroplane or a helicopter or other means of airborne navigation by means of which a person can travel across international borders; *(Inserted by Ord. 9 of 2017)*

“API hit” means a name present in the Watch List Systems; *(Inserted by Ord. 9 of 2017)*

“appropriate authority” means the Board, Commissioner or Director, as the case may be, as specified in section 29;

“authorised port” means a port designated as an authorised port under section 3;

“Board” means any of the two Work Permit Boards established under Part V;

“British Overseas Territories Citizen” means a person who is a British Overseas Territories Citizen under the British Nationality Act 1981 by virtue of a connection with the Islands;

“child” means a person who has not attained the age of eighteen years and who is the child or adopted child of any person; and the fact that a person’s parents are not or have not been married to one another shall be left out of account in establishing whether the person is the child of those parents; and accordingly that person shall be treated as if those parents are or have been married to one another;

“commercial aircraft” means an aircraft which engages in transporting passengers or goods for monetary gain; (*Inserted by Ord. 9 of 2017*)

“Commissioner” means the Commissioner of Labour appointed under section 31 of the Employment Ordinance, and references to the Commissioner in this Ordinance shall be construed as if they were references in the Employment Ordinance;

“dependant”, except in the expression “dependant child”, means, in relation to a person, his spouse and dependant child;

“Director” means the Director of Immigration referred to in section 48 and includes any person for the time being lawfully exercising the functions of that office;

“disembark” means disembark from a ship or aircraft, but—

- (a) references to disembarking in the Islands do not apply to disembarking after a local journey from a place in the Islands; and
- (b) references to embarking in the Islands do not apply to embarking for a local journey to a place in the Islands;

“embark” means embark in a ship or aircraft and includes attempting to embark;

“Freelancer’s Work Permit” means a permit issued under section 31;

“full age” means not less than eighteen years;

“gainful occupation” means the occupation of a person in any capacity in any undertaking, profession, trade or business for or in the expectation of profit, gain or reward in cash or kind or for any other form of consideration, but excludes—

- (a) a person who invests in a business and is not employed in the day-to-day operations of that business; or
- (b) a passive investor, with or without a non-executive seat on the board of director of the business in which he invests;

“Home Owner’s Permit” means a permit issued under section 31;

“immigration officer” includes the Director, the Chief Immigration Officer and any immigration officer;

“IMPACS” means the Implementing Agency for Crime and Security established under the 2006 Agreement establishing the CARICOM Implementing Agency for Crime and Security; *(Inserted by Ord. 9 of 2017)*

“Islander” has the same meaning as assigned under the Turks and Caicos Islander Status Ordinance; and “Islander status” shall be construed accordingly; *(Substituted by Ord. 33 of 2015)*

“Joint Regional Communication Centre (“JRCC”) is a sub-agency of IMPACS; *(Inserted by Ord. 9 of 2017)*

“lien”, in relation to any ship, means a maritime lien;

“member of the crew”, in relation to a ship or aircraft, means any person actually employed in the working or service of the ship or aircraft, including the master of the ship or the commander of the aircraft;

“Minister” means the Minister with responsibility for immigration;

“passenger” means any person arriving in or departing from the Islands in any ship or aircraft other than as a member of the crew;

“Permanent Residence Certificate” means a certificate issued under section 21;

“permanent resident” means a person who holds a Permanent Residence Certificate issued under this Ordinance;

“Permanent Secretary” means the Permanent Secretary with responsibility for immigration;

“permit”, where used generally, means—

- (a) Residence Permit;
- (b) Home Owner’s Permit;
- (c) Work Permit;
- (d) Freelancer’s work permit;
- (e) temporary work permit; or
- (f) business visitor’s permit;

“police officer” has the same meaning as assigned under the Police Force Ordinance;

“port” includes airport;

“private aircraft” means any aircraft which is not a commercial or state aircraft; *(Inserted by Ord. 9 of 2017)*

“refugee” means a person who is a refugee for the purposes of the Refugee Convention;

“Refugee Convention” means the Convention relating to the Status of Refugees done at Geneva on the 28th July 1951 and the Protocol to the Convention;

“reside”, with its grammatical variations and cognate expressions, means being physically present, and, in relation to a period of time, means being

physically present during that period except for reasonable periods of absence for the purposes of holidays, business or medical attention;

“Residence Permit” means a permit issued by the Director under section 31;

“ship” means every description of vessel used in navigation however propelled;

“Stop List” means the list maintained by the Director under section 92;

“technical stop” or “stops for non-traffic purposes” means an aircraft or vessel arriving for purposes of refuelling, repairs, emergency or a similar purpose other than taking on or discharging passengers, baggage, cargo or mail; *(Inserted by Ord. 9 of 2017)*

“Tribunal” means the Immigration Appeal Tribunal whose establishment is continued under section 70;

“Watch List” means a list that is used to watch or track the current activity or movements of criminals, including terrorists and persons who have been found guilty of involvement with stolen and lost travel documents (“SLTD”), criminal deportees and other persons of interest to the intelligence community; *(Inserted by Ord. 9 of 2017)*

“Watch List System” is a secure electronic system designed to store and share information relating to intelligence connected with the Watch List, and contains the Watch List; *(Inserted by Ord. 9 of 2017)*

“Work Permit” means a permit issued under section 31.

(2) A person arriving in the Islands by ship or aircraft shall for the purposes of this Ordinance be deemed not to enter the Islands—

- (a) unless and until he disembarks; and
- (b) if on disembarkation at a port he remains in such area, if any, at the port as may be approved for this purpose by an immigration officer; or
- (c) if he has not otherwise entered the Islands, for so as long as he is detained or temporarily admitted or released while liable to detention under the powers conferred by section 54.

(3) Except in so far as the context otherwise requires, references in this Ordinance to arriving in the Islands by ship extend to arrival by any floating structure, and “disembark” shall be construed accordingly; but the provisions of this Ordinance specially relating to members of the crew of a ship do not by virtue of this provision apply in relation to any floating structure not being a ship.

PART II
CONTROL OF ENTRY

Authorised ports

3. The Governor may by Notice published in the *Gazette*, designate any port of the Islands as an authorised port for the purposes of this Ordinance and may in such Notice specify in respect of a port so designated, the limits of that port as an authorised port.

Leave to enter

4. (1) Except as otherwise provided by this Part, a person shall not enter the Islands from any place outside the Islands unless given leave to do so by an immigration officer in accordance with this Part.

(2) Subsection (1) does not apply to a person who is—

- (a) an Islander;
- (b) a British overseas territories citizen; or
- (c) a permanent resident.

(3) Entry into the Islands shall be from an authorised port or such other place as an immigration officer may in his discretion in any particular case allow.

Immigration officer may give leave to enter

5. (1) Subject to this Ordinance, upon being satisfied that a person complies with the general entry requirements set out in Schedule 1, an immigration officer may give leave to any person to enter and remain in the Islands—

- (a) for such period as he may determine in accordance with subsection (2); and
- (b) subject to such restrictions on gainful occupation as he may impose.

(Amended by Ord. 9 of 2017)

(2) The period for which an immigration officer may give to any person leave to remain in the Islands under subsection (1) shall be—

- (a) where a person produces a permit issued to him under sections 31, 39 or 40 to remain in the Islands, the period specified in the permit; or
- (b) where a person does not produce to the immigration officer a permit and is a *bona fide* visitor, a period not exceeding ninety days which may be extended, on application to the Director, for a further period or periods not exceeding six months in aggregate from the date of the most recent entry, provided that the Director for good reason may reduce any period given under this paragraph.

(3) In exercising his powers under this section, an immigration officer shall have regard to the provisions of this Ordinance and to any regulations governing entry and residence in the Islands as may be prescribed.

Exemption for members of crew and persons in transit

6. (1) Notwithstanding section 4 and subject to subsections (2) and (3), the following persons may enter the Islands without leave—

- (a) a member of the crew of a ship or an aircraft at an authorised port in the Islands, who disembarks (otherwise than for the purpose of being discharged) at any time while the ship or aircraft remains at that port; or
- (b) a person who disembarks from an aircraft at an airport, in-transit to or for purposes of connecting to a flight to a destination outside the Islands.

(Substituted by Ord. 9 of 2017)

(2) Until the departure of a ship or aircraft, a person mentioned in subsection (1) shall remain within an in-transit area or within such other limits as may be authorised for the purpose by an immigration officer. *(Amended by Ord. 9 of 2017)*

(3) An immigration officer may at any time give notice to any person on board any ship or aircraft prohibiting him from disembarking without the leave of an immigration officer.

Entitlement to enter

7. (1) This section applies to a person if he satisfies an immigration officer that he belongs to any of the following classes of persons—

- (a) persons enjoying relevant diplomatic, consular or other similar privileges by or under any Ordinance or in accordance with any recognised international practice, as may be prescribed;
- (b) serving members of any of Her Majesty's Forces on duty in the Islands;
- (c) persons employed in the service of the Government of the Islands; and
- (d) persons employed in the service of any country engaged upon official duties in the Islands.

(2) An immigration officer shall give a person to whom this section applies leave to enter and remain for the duration of his mission or tour of duty, as the case may be, even where that person may otherwise require a visa to enter.

(3) Where an immigration officer gives leave to enter to any person under subsection (2), he must also grant leave to enter and remain on the same terms to the accompanying spouse and any dependant child of such person whether they are travelling together or separately.

(4) Leave to enter granted under subsection (3) does not include any entitlement to engage in gainful occupation unless the spouse or dependant child is also issued a work permit.

Appeal against officer's refusal to give leave to enter

8. (1) Where a person is refused leave to enter the Islands by an immigration officer, he may within seven days from the date of refusal appeal in writing to the Minister.

(2) The Minister may confirm the decision of the immigration officer or may direct the officer, through the Permanent Secretary, to give leave to enter on such terms as the Minister considers appropriate.

(3) Where a person is refused leave to enter the Islands by an immigration officer, the immigration officer shall inform the person of his right of appeal to the Minister.

Immigration facilities at ports

9. (1) The person responsible for the management of an authorised port ("the manager") shall provide the Government free of charge with such facilities at the port as the Governor may direct as being reasonably necessary for, or in connection with, the operation of immigration control there.

(2) Before giving such a direction, the Governor shall consult such persons likely to be affected by it as he considers appropriate.

(3) If the Governor gives such a direction, he shall send a copy of it to the person appearing to him to be the manager.

(4) If the manager persistently fails to comply with the direction (or part of it), the Governor, on the application of the Director may, by Notice published in the *Gazette*, revoke the designation of the port as an authorised port.

(5) A direction under this section is enforceable on the application of the Director by injunction issued by the Supreme Court.

(6) In this section, "facilities" means accommodation, equipment, furnishings and services of a class or description specified in an order made by the Governor.

Fingerprints, photographs, etc.

10. An immigration officer may require a person seeking to enter the Islands—

- (a) to provide an impression of his fingerprints;
- (b) to have a photographic image taken; and
- (c) to provide such other biometric data as may be prescribed.

PART III

ADVANCE PASSENGER INFORMATION

Duty to provide advance passenger information

11. (1) The captain or master of every ship or aircraft which is expected to arrive in the Islands or is expected to leave the Islands shall provide the relevant advance passenger information and data relating to the voyage or flight as set out in Schedule 2—

- (a) to an immigration officer and IMPACS, before the ship or aircraft arrives in the Islands; or
 - (b) to an immigration officer and IMPACS, before the ship or aircraft departs from the Islands.
- (2) A captain or master who—
- (a) fails to provide advance passenger information in accordance with subsection (1); or
 - (b) intentionally or recklessly provides erroneous, faulty, misleading, incomplete or false advance passenger information or transmits the information in an incorrect format,

commits an offence and is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

(3) Where the advance passenger information provided is inaccurate and the captain or master of the ship or aircraft satisfies the immigration officer that the error was not made knowingly or recklessly, notwithstanding any other provision of this Ordinance, the captain or master may not be charged for an offence.

(4) The Governor may waive the requirements of subsection (1) in such circumstances and subject to such conditions as the Minister may prescribe where the ship or aircraft is—

- (a) a military or law enforcement ship or aircraft; or
- (b) on official state business.

(Inserted by Ord. 9 of 2017)

Timeframe

12. The advance passenger information to be provided under section 11 shall be provided as follows—

- (a) in case of commercial aircraft, no later than forty minutes prior to departure from the last port of call;
- (b) in case of a private aircraft, no later than forty minutes prior to the departure from the last port of call;
- (c) in case of a ship arriving from outside the regional space, no later than twenty-four hours prior to arrival;

- (d) in case of a ship arriving from a destination within the regional space, no later than one hour prior to the arrival of the vessel from the last port of call;
- (e) in the event of any changes to the voyage or flight header data or data relating to an individual on board, an updated API file is required prior to departure of the ship or aircraft; and
- (f) in the case of a ship or an aircraft, an API file is required five minutes immediately following take-off.

(Inserted by Ord. 9 of 2017)

Powers of immigration officer for API

13. (1) The advance passenger information provided under section 12 shall be verified by an immigration officer during physical processing at any port by using the travel documents provided by the member of the crew or passenger.

(2) The immigration officer shall, if any discrepancy is found in the advance passenger information, correct the data at the port of entry or exit and update the information in the advance passenger information system after verifying it from the travel or other relevant documents of the member of the crew or passenger.

(3) The captain or master and any member of the crew or passenger of the ship or aircraft shall—

- (a) answer any question asked by the immigration officer relating to the ship or aircraft and its members of crew, passengers, voyage or flight and any persons that are carried by the ship; and
- (b) forthwith, at the request of the immigration officer, produce any documents in that person's possession or control relating to any of those matters.

(4) A person referred to in subsection (3) who—

- (a) refuses to answer any question put to that person by the immigration officer under subsection (3)(a) or knowingly gives a false answer to the question; or
- (b) fails to comply with any request made under subsection (3)(b),

commits an offence and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

(Inserted by Ord. 9 of 2017)

Vessel or aircraft arriving for non-traffic purposes or making a technical stop

14. (1) Nothing in section 11 applies to a ship or an aircraft which makes a technical stop or lands, berths, anchors, or otherwise arrives or stops for non-traffic purposes, if the arrival is—

- (a) required by any statutory or other requirement relating to navigation;

(b) compelled by any emergency, accident, unfavourable weather conditions, or other necessity; or

(c) authorised by the Minister after consultation with the Governor.

(2) Where a ship or an aircraft arrives or stops for any of the reasons outlined in subsection (1), the captain or master shall—

(a) forthwith report to the immigration officer;

(b) not permit any of the member of the crew or passenger to disembark from the ship or aircraft without the consent of an immigration officer; and

(c) comply with any directions given by the immigration officer in respect of any member of the crew or passenger carried on the ship or aircraft.

(3) Subject to any authorisation granted by an immigration officer, a member of the crew and passenger on the ship or aircraft shall not disembark from the ship or aircraft without the consent of the immigration officer, and all such persons shall comply with any directions given by the immigration officer.

(4) A captain or master who contravenes this section commits an offence and is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

(5) Notwithstanding subsection (4), the disembarkation of a member of the crew or passenger from the ship or aircraft shall not constitute an offence, where the disembarkation is necessary for reasons of health, safety or the preservation of life.

(Inserted by Ord. 9 of 2017)

Powers and duties of Director

15. (1) The Director shall—

(a) co-ordinate with IMPACS on all matters relating to the advance passenger information system;

(b) if requested, allow the members of the crew or passengers from a ship or an aircraft access to their personal identifiable information maintained in the advance passenger information system to ensure the information is correct, but this shall not include access to any information provided by IMPACS or JRCC through the screening of the advance passenger information by IMPACS and JRCC against a Watch List for any API hit;

(c) determine, after consultation with IMPACS, the admissibility or otherwise of members of the crew or passengers;

(d) withhold clearance for the departure of an aircraft whose captain has not provided the advance passenger information required under section 11, pending submission of the advance passenger information; and

(e) assess the sufficiency and error rates in review of advance passenger information transmissions for each journey.

(2) Notwithstanding subsection (1)(a) and (c), any decision with respect to the admissibility or inadmissibility of members of the crew or passengers from a ship or an aircraft shall be made by the Director.

(Inserted by Ord. 9 of 2017)

Use and sharing of API with regional and international security agencies

16. (1) IMPACS shall use the advance passenger information system to conduct screening against Watch Lists of members of the crew and passengers on a ship and an aircraft that enters into, departs from and travels within the regional space in order to provide information to assist participating countries.

(2) IMPACS may share the information contained within the advance passenger information system with the International Criminal Police Organization (INTERPOL) and any other national, regional or international intelligence, law enforcement or security agencies or centres approved by CARICOM Council for Security and Law Enforcement (CONSLE) in order to further national, regional or international security.

(3) Advance passenger information shall only be used for the purposes of this Ordinance.

(4) For purposes of this section, “participating countries” means the signatories to—

(a) the Memorandum of Intent Between the Government of the United States of America and the Members of the Caribbean Community on Cooperation regarding the Development of an Advance Passenger Information System; and

(b) the Memorandum of Understanding for the Sharing of Intelligence among Member States of the Caribbean Community.

(Inserted by Ord. 9 of 2017)

Retention of advance passenger information

17. (1) The advance passenger information collected under this Ordinance for entry screening purposes shall be retained for a period not exceeding three years from the date of travel of the member of crew or the passenger.

(2) Nothing contained in subsection (1) shall apply to the data copied from the advance passenger information system into any other security database system to which a different data retention schedule applies.

(Inserted by Ord. 9 of 2017)

PART IV

RESIDENCE AND EMPLOYMENT IN THE ISLANDS

Restriction on residence

18. Except for an Islander, a British overseas territories citizen or a permanent resident, a person shall not remain in the Islands after the expiration of the period during which he is permitted to remain in the Islands by the immigration officer unless the person is in possession of a valid permit issued under section 31, 39 or 40.

Restriction on engaging in gainful occupation

19. (1) Subject to subsection (3), a person shall not engage in any gainful occupation in the Islands unless he is—

- (a) an Islander;
- (b) the spouse of an Islander and the holder of a Residence Permit;
- (c) a British overseas territories citizen;
- (d) the spouse of a British overseas territories citizen holding a Residence Permit;
- (e) a permanent resident whose certificate of permanent residence authorises him to engage in gainful occupation;
- (f) within the classes of persons specified in section 7(1); or
- (g) in possession of a valid permit issued under section 31, 39 or 40.

(2) A person shall not employ, whether on his own behalf, or on behalf of another, another person whether under a contract of employment or a contract for services who, under subsection (1), is prohibited from engaging in any gainful occupation.

(3) The Governor may by Order published in the *Gazette*, and subject to such conditions and restrictions as he deems fit to impose, exempt any person or category of persons from the requirements of subsection (1).

*Permanent Residents***Application for permanent residence**

20. (1) An application for permanent residence may be made to the Governor in the prescribed form.

(2) An applicant shall provide the Governor with any further information that the Governor may require in the particular case.

(3) The Governor may require an applicant to attend personally before him for an interview.

(4) If an applicant fails to provide such information as may be required by the Governor or fails to attend for an interview when required to do so, the Governor may refuse the application.

Issue of Permanent Residence Certificate

21. (1) The Governor may issue a Permanent Residence Certificate to an applicant if—

- (a) the applicant is of full age and capacity;
- (b) the applicant meets the prescribed requirements; and
- (c) the Governor has had regard to the matters specified in section 4(7) of the Turks and Caicos Islander Status Ordinance.

(2) A Permanent Residence Certificate may be made subject to such conditions as may be prescribed or as the Governor may impose, including, without prejudice to the generality of the foregoing, a condition that the applicant shall not engage in any gainful occupation.

(3) On the application of the holder, the Governor may vary any endorsement on his Permanent Residence Certificate.

(4) Without prejudice to the generality of subsection (1), prescribed requirements may include or consist of guidelines for the purpose of evaluating the merits of an application by awarding to or discounting from the applicant, credits based on his personal and occupational attributes as well as his potential value to the community.

(5) For the purposes of subsection (1)(c), in section 4(7) of the Turks and Caicos Islander Status Ordinance, paragraphs (f) and (i) shall be ignored.

(6) For the purposes of this section, “gainful occupation” does not include occupations in the arts as may be specified by the Governor by Notice published in the *Gazette*.

Endorsement of names of spouse and children on Certificate

22. (1) When a Permanent Residence Certificate is issued under section 21 to any person, the Governor may then or on a subsequent application in the prescribed form, endorse the Certificate as applying to the dependant of that person ordinarily resident with him.

(2) An endorsement under subsection (1) may be made subject to such conditions as the Governor may deem fit to impose, including without prejudice to the generality of the foregoing, a condition that the dependant, as the case may be, shall not engage in any gainful occupation without a permit issued by the appropriate authority under section 31.

(3) A person who was a dependant of the applicant at the time of the first application and was not disclosed by the applicant, shall not be endorsed in any subsequent application.

(4) An endorsement of a dependant child shall terminate on him attaining the age of nineteen years.

Duration of Permanent Residence Certificate

23. Unless and until a Permanent Residence Certificate is revoked pursuant to section 25, it remains valid for the duration of the lifetime of the holder.

Entitlement to issue of Permanent Residence Certificate to spouse of deceased holder

24. (1) Where a Permanent Residence Certificate is endorsed as provided in section 22(1) and the holder predeceases the spouse, the spouse may apply, within a period of twelve months from the death of the holder, to the Governor, to be issued a Permanent Residence Certificate.

(2) Where an application is made under subsection (1), the Governor shall issue a Permanent Residence Certificate to the applicant free of charge, and may endorse it as applying to any dependant child of the applicant ordinarily residing with him.

(3) Subject to subsection (4), a Permanent Residence Certificate issued under subsection (2) shall be issued subject to a condition that the applicant may engage in any gainful occupation, as long as he holds a valid work permit.

(4) On the application of the holder of a Permanent Residence Certificate issued under this section, the Governor may vary any endorsement on the Certificate.

Revocation of Permanent Residence Certificate

25. Subject to section 27, the Governor may revoke a Permanent Residence Certificate on any of the following grounds—

- (a) the application for the Certificate was false in a material particular or failed to disclose a material fact;
- (b) the person to whom the Certificate was issued (P) has been convicted in the Islands of an offence (other than an offence under the Road Traffic Ordinance which does not involve death or injury);
- (c) P has been convicted of a criminal offence in any other country and sentenced to imprisonment for a term of not less than twelve months;
- (d) P has become unable to support himself and his dependants;
- (e) P has a mental illness or disorder;
- (f) P has a communicable disease that poses a threat to the public;
- (g) except where authorised by an endorsement on his Certificate, P has, subsequent to the issue of the Certificate, ordinarily resided outside the Islands for a continuous period of two years or more;
- (h) P has breached a condition endorsed on his Certificate requiring him to take up residence in the Islands within a certain period of time;

- (i) having been issued a Certificate containing an endorsement prohibiting him from engaging in any gainful occupation, P has engaged in a gainful occupation;
- (j) that P has failed to retain an investment used in an application for a Permanent Residence Certificate that has been issued, as prescribed; or (*Inserted by Ord. 14 of 2018*)
- (k) for any other reason the Governor considers that it is not in the public interest that P continues to reside on the Islands.

Revocation of endorsement on a Permanent Residence Certificate

26. Subject to section 27, the Governor may revoke an endorsement on a Permanent Residence Certificate on the ground that—

- (a) any condition to which the endorsement is subject has not been fulfilled;
- (b) the holder has engaged in a gainful occupation other than that authorised by the endorsement on his Certificate;
- (c) the person named, having been named as the spouse of a permanent resident—
 - (i) is living apart from the permanent resident under a decree of a competent court or under a deed of separation; or
 - (ii) has ceased to be married to the permanent resident by reason of dissolution or annulment of the marriage.

Permanent resident to show cause why Certificate or endorsement should not be revoked

27. (1) Before revoking a Certificate under section 25 or an endorsement under section 26, the Governor shall, by notice in writing, inform—

- (a) the holder; and
- (b) where it is proposed to revoke the endorsement of the name of the dependant, the person so named,

of the grounds on which it is proposed to revoke the Certificate or endorsement, and shall give the person so informed the opportunity to make representations.

(2) A notice given under subsection (1) shall state that within twenty-one days of service of the notice, the person to whom the notice is addressed may make representations in writing to the Governor concerning the matter, and the Governor shall not determine the matter without considering any representations received within that period of twenty-one days.

Decision of Governor final

28. (1) A decision of the Governor made pursuant to section 21 to refuse to issue a Permanent Residence Certificate or to issue a Certificate subject to conditions, is final and shall not be reviewed or enquired into by any court.

(2) A person aggrieved by a decision of the Governor to revoke a Permanent Residence Certificate under section 25, or to revoke an endorsement on a Permanent Residence Certificate under section 26, may appeal against that decision to the Supreme Court.

(3) Provisions may be made by rules of court with respect to the procedure to be followed on appeals to the Supreme Court pursuant to subsection (2).

Residence, Home Owner's and Work Permits

Application for permit

29. (1) An application for a Residence Permit or Home Owner's Permit may be made to the Director in the prescribed form.

(2) An application for a Work Permit, except a Freelancer's work permit and temporary work permit, may be made to the Board in the prescribed form.

(3) An application for a Freelancer's work permit and temporary work permit may be made to the Commissioner in the prescribed form.

Additional particulars required to be furnished

30. (1) Without prejudice to any other provision of this Ordinance, a person applying for a Residence Permit, Home Owner's Permit or any type of work permit under section 29 may be required by the appropriate authority—

- (a) to furnish it with such evidence of good character in respect of himself and his dependants as the authority may consider necessary;
- (b) to furnish the authority with medical certificates with respect to himself and his dependants certified by medical authorities acceptable to the authority and with such particulars as the authority may consider necessary;
- (c) to satisfy the authority that he is able to maintain himself and his dependants in the Islands;
- (d) to provide—
 - (i) in the case of a person wishing to remain in the Islands for purposes other than engaging in gainful occupation, an undertaking, in writing that he will not engage in any gainful occupation in the Islands; or
 - (ii) in the case of a person wishing to remain in the Islands for the purpose of engaging in any gainful occupation, full particulars of such occupation; and
- (e) to furnish such particulars (whether of the same kind as those hereinbefore referred to or not) as the authority may consider material to the application.

(2) If an applicant fails to furnish the appropriate authority with any of the particulars it has requested pursuant to subsection (1), the authority may refuse the application.

Issue of permit

31. (1) If on an application for a Residence Permit, Home Owner's Permit, Work Permit, Freelancer's work permit or temporary work permit made by a person of full age and capacity, the appropriate authority is satisfied that the applicant fulfils the prescribed requirements for such a permit, the appropriate authority may in its discretion issue him a Residence Permit, Home Owner's Permit, Work Permit, Freelancer's work permit or temporary work permit.

(2) Without prejudice to the generality of subsection (1), prescribed requirements may include or consist of policy guidelines for the purpose of evaluating the merits of an application by awarding to, or discounting from the applicant, credits based on his personal and occupational attributes as well as his potential value to the community.

Permit to authorise to reside or engage in gainful occupation

32. A permit issued under section 31 may authorise a person—

- (a) if issued by the Director, to remain in the Islands for the period specified in the permit otherwise than for the purpose of engaging in any gainful occupation; or
- (b) if issued by the Board or Commissioner, to remain in the Islands for the period specified in the permit for the purpose of engaging in the gainful occupation specified in the permit.

Conditions of permits

33. (1) A permit issued under section 31—

- (a) may be limited in duration to the period specified in the permit;
- (b) shall be issued subject to such conditions or restrictions which may be prescribed; and
- (c) shall be subject to any special conditions or restrictions which the appropriate authority may impose in respect of any particular person.

(2) Any condition or restriction imposed under the provisions of paragraph (b) or (c) of subsection (1) shall be set out in the permit.

Variation of conditions and duration of permit

34. On an application being made in the prescribed form by the holder of a permit issued under section 31, and subject to the provisions of this Ordinance relating to such permit, the appropriate authority may vary any special conditions or restrictions endorsed on the permit and it may extend the duration of the permit or may renew it.

Additional conditions for Work Permits

35. (1) The Board shall not issue a work permit unless the following conditions are satisfied—

- (a) the employer has provided the Board with—
 - (i) details of the job description and salary package;
 - (ii) details of the proposed employee's background, qualifications and experience;
 - (iii) details of any application for the position from an Islander together with an explanation as to why the Islander is considered unsuitable for the post; and
 - (iv) a copy of the draft employment contract, or a copy of the employment contract, where the application is for a renewal.
- (b) the advertisement condition is satisfied;
- (c) the information in the advertisement matches the position in question;
- (d) no Islander has applied for the position or, if an Islander has applied, he is not suitable for the position;
- (e) the consultation condition is satisfied;
- (f) the person in respect of whom the work permit is sought is proficient in written and spoken English; and
- (g) the person in respect of whom the work permit is sought is not the holder of a temporary work permit or a visitor to the Islands.

(2) The advertisement condition is satisfied if the employer has advertised the position in at least two consecutive issues of a newspaper published in and sold or distributed in the Islands, and the advertisement—

- (a) describes the nature of the position available in sufficient detail to enable persons reading the advertisement to have a reasonable indication of the nature of the work and conditions of employment;
- (b) contains the name of the employer and details of the whereabouts of the office or other place to which the application is to be submitted together with contact details, including telephone number or email address and a fax numbers, if any;
- (c) sets out clearly the salary package relating to the position;
- (d) invites prospective applicants who are Islanders to send copies of their applications to the Board; and
- (e) state whether the position is currently held by a work permit holder.

(3) The consultation condition is satisfied if the Board—

- (a) has consulted the relevant body, if any; and

- (b) has taken account of the view of the relevant body, received within the specified time, in respect of the requirements in the Islands of persons engaged in the profession or description of activity concerned.
- (4) A work permit does not permit the person to whom it is issued—
- (a) to work for an employer other than the one specified in the permit; or
- (b) to work in any capacity other than that specified in it.
- (5) Subsection (4)(a) does not apply if—
- (a) not less than two years has elapsed since the work permit was issued; and
- (b) the Board varies the permit so as to permit the person to whom it is issued to work for another employer.
- (6) Subsection (4)(b) does not apply if, on an application to the Board, the Board approves the permit-holder's application to work in a different capacity.
- (7) The Board shall not approve an application as mentioned in subsection (6) unless—
- (a) it is satisfied that it is reasonable for the employer to fill the post with a person who requires a work permit; and
- (b) if the change in capacity involves a promotion, it has considered the effect that approving the application would have on the opportunity for advancement to the promoted level of qualified Turks and Caicos Islanders already engaged in the same profession or field, or work within the business enterprise concerned.
- (8) A reference to a relevant body is to a body or other entity having responsibility for regulating a particular profession or description of employment activity.
- (9) The Board shall, as directed by the Minister or as it deems appropriate, refer certain classes of applications to the Commissioner.
- (10) Where the Board has referred a matter to the Commissioner under subsection (9), the Commissioner shall make a final decision regarding that matter.
- (11) The Governor may by Order published in the *Gazette*, exempt any person or category of persons from the requirements of subsection (1)(f).

No right to, or expectation of further permit, extension or renewal

36. (1) This section applies where—

- (a) a permit is issued under section 31 in respect of the gainful occupation or residence of a person, and the earlier gainful occupation or residence of the person had been authorised by a previous permit; or

(b) a permit is extended or renewed under section 34.

(2) The issue of a permit, extension or renewal does not give rise to any right to, or any expectation of a right to, any further new permit or extension or renewal of an existing permit thereafter.

(3) The appropriate authority may refuse an application for such further new permit, extension or renewal without any right arising to the applicant concerned to appeal against the refusal either to the Minister or to the Supreme Court on the grounds that the previous issue of a permit, extension or renewal gave a right or expectation of any right to a further new permit or extension or renewal of an existing one.

Revocation of permit

37. Subject to section 38, the appropriate authority may revoke a permit issued under section 31 if the authority is satisfied that in respect of a permit holder other than a person who is married to an Islander—

- (a) the person to whom it is issued has failed to comply with any condition or restriction to which it is subject;
- (b) any fee payable by or under this Ordinance in respect of it has not been paid;
- (c) the person to whom it is issued has been convicted of an offence against this Ordinance;
- (d) the person to whom it is issued is in any respect no longer a fit and proper person to hold it;
- (e) it is in the public interest to revoke it; or
- (f) a deportation order has been made under section 95(2) in respect of the person to whom it is granted.

Permit holder to show cause why permit should not be revoked

38. (1) Before revoking a permit under section 37, the appropriate authority shall give to the permit holder, notice in writing of its intention to revoke the permit and the reasons for it.

(2) A notice given under subsection (1) shall state that, within thirty days of service, the permit holder may make representations in writing to the appropriate authority concerning the matter and the authority shall not determine the matter without considering any representations received within that period of thirty days.

Temporary work permit

39. (1) This section applies to a person who—

- (a) is eligible for the issue of a work permit by or under this Ordinance;

- (b) is coming to the Islands for up to ten calendar days for the purpose of engaging in gainful occupation or other commercial activity with one or more persons or entities licensed to carry on business in the Islands under the Business Licensing Ordinance or any other law; and
- (c) would otherwise require a work permit for the activity referred to in paragraph (b).

(2) An application for a temporary work permit may be made to the Commissioner in the prescribed form.

(3) Subject to such conditions as may be prescribed or as he may impose, the Commissioner may issue to an applicant to whom this section applies a temporary work permit for a period of ten days, which may be extended in accordance with this section.

(4) An application for an extension of a temporary work permit may be made to the Commissioner in the prescribed form.

(5) Subject to such conditions as may be prescribed or as he may impose, the Commissioner may extend a temporary work permit for such period not exceeding forty-two days from the date of first issue as he considers appropriate.

(6) A person who is dissatisfied with a decision of the Commissioner to refuse to issue or extend a temporary work permit may appeal in writing to the Minister before the end of the period of five days starting with the day on which he is notified of the refusal.

(7) The Minister shall give a decision on an appeal under subsection (5) before the end of the period of five days starting with the day on which he is notified of the appeal.

(8) The decision of the Minister under subsection (6) is final and binding and is not subject to appeal.

Business visitor's permit

40. (1) A person duly carrying on business in or from within the Islands who regularly throughout each year employs persons not legally and ordinarily resident in the Islands on a temporary basis, may make a single application in each calendar year to the Commissioner for the issue, in each calendar year, of one or more business visitor's permit, and for more than one visit.

(2) An application for a business visitor's permit shall be for any number of persons and visits as the company, partnership or firm wishes to have a permit issued to, and shall contain for each person, such information as may be prescribed.

(3) The application shall state—

- (a) the maximum number of times it is desired that each business visitor be admitted to the Islands in that year;
- (b) his occupation; and

- (c) the maximum duration of the stay of each business visitor during each visit.
- (4) A business visitor's permit shall not be issued—
 - (a) for a period exceeding seven days on any one visit; or
 - (b) in respect of a person who is ineligible to be issued a work permit.
- (5) In considering an application under this section, the Commissioner shall take into account such of the matters to be taken into account in relation to the issue of a work permit as he considers relevant.
- (6) When issuing a business visitor's permit, the Commissioner may impose such conditions and limitations as he thinks fit.
- (7) The annual fee for a business visitor's permit shall be such amount as may be prescribed.
- (8) A person who is dissatisfied with a decision of the Commissioner to refuse to issue a business visitors permit may appeal in writing to the Minister before the end of the period of five days, starting with the day on which he is notified of the refusal.
- (9) The Minister shall give a decision on an appeal under subsection (8) before the end of the period of five days, starting with the day on which he is notified of the appeal.
- (10) The decision of the Minister under subsection (9) is final and binding and is not subject to appeal.

Business staffing plan

- 41.** (1) This section applies to an employer (whether an individual, a company or other entity) which—
- (a) employs not less than fifteen employees who hold a work permit; or
 - (b) is designated for the purposes of this section by the Commissioner.
- (2) The employer shall, before the end of the period of six months starting with the date on which this section first applies to the employer, prepare and submit to the Commissioner a business staffing plan.
- (3) The business staffing plan shall contain the following information relating to the business—
- (a) the names and number of employees, including part-time employees and persons employed through a temping agency, on staff as at the date of submission of the plan;
 - (b) the names and number of Islanders and non-Islanders employed;

- (c) the positions occupied by all Islander and non-Islander employees, the nationality of each non-Islander employee and whether such non-Islander employee is—
 - (i) a permanent resident;
 - (ii) a person endorsed on a Permanent Residence Certificate;
 - (iii) the spouse of an Islander; or
 - (iv) the holder of a work permit;
- (d) the length of time each position has been held by the holder of a work permit;
- (e) in respect of posts held by work permit holders other than permanent residents, the likelihood of such posts being filled by Islanders or permanent residents and the anticipated length of time, in respect of each post, before that happens;
- (f) the anticipated growth of the business and its future plans for the next five years;
- (g) the commitment of the business to education and development locally, including scholarships, training schemes and in-house training;
- (h) the recruitment policy of the business;
- (i) the identification by the business of the number of work permits that will be required for the period of the plan, the posts for which they will be required and the desired duration of those work permits; and
- (j) such other information relating to the employment needs of the business as the Commissioner may require.

Appeals against Decisions of Appropriate Authority

Appeal to Tribunal

42. A person aggrieved by a decision of the appropriate authority—

- (a) refusing to issue him a permit;
- (b) imposing any condition or restriction on his permit;
- (c) refusing to vary any term, condition or restriction of his permit;
- (d) refusing to extend the duration of his permit; or
- (e) revoking his permit,

may appeal in writing to the Tribunal within a period of fourteen days following notification to him of the decision appealed against.

Appeal to Tribunal suspends execution of appropriate authority's decision

43. (1) An appeal to the Tribunal shall have the effect of—

- (a) suspending the execution of the decision of the appropriate authority, where the appeal is under section 42(b);
- (b) suspending the refusal to extend the duration of a permit, where the appeal is under section 42(d);
- (c) suspending a revocation, where the appeal is under section 42(e),

until the Tribunal has given its decision on the appeal.

(2) This section does not apply to the refusal of—

- (a) a temporary work permit pursuant to section 39; or
- (b) a business visitor's permit pursuant to section 40.

Powers of Tribunal on appeal

44. (1) The Tribunal may confirm the decision appealed against, or—

- (a) direct the appropriate authority to issue the permit applied for on such terms and conditions as it considers appropriate;
- (b) direct the authority to cancel any condition or restriction it imposed on a permit;
- (c) direct the authority to vary any condition or restriction it imposed on a permit;
- (d) direct the authority to extend the duration of a permit; or
- (e) direct the authority to restore a permit it has revoked on such terms and conditions as it considers appropriate,

and the authority shall comply with any such direction.

(2) The Tribunal shall give its decision before the end of the period of thirty days starting on the day it receives notice of the appeal.

Tribunal's decision final

45. The decision of the Tribunal on an appeal under section 42 shall be final and shall not be reviewed or enquired into by any court.

Minister may give directions to Commissioner

46. The Minister may from time to time, through the Permanent Secretary, give to the Commissioner or any assistants or deputies appointed under section 31 of the Employment Ordinance general or special directions, not inconsistent with the provisions of this Ordinance, as to the exercise or performance of their powers, discretions or functions under this Part, and the Commissioner, assistant or deputy shall comply with any such direction.

Power to require information

47. (1) For the purpose of discharging functions under this Part, the Board, Director or Commissioner may require any person to provide it or him with such information as it or he thinks appropriate.

(2) A person commits an offence if he—

(a) fails or refuses to provide the information; or

(b) provides information which is misleading or false in a material particular.

(3) A person who commits an offence under subsection (2) is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

PART V

IMMIGRATION OFFICERS

Director of Immigration

48. (1) There shall be a Director of Immigration whose office shall be a public office and who shall be responsible, subject to the general direction and control of the Minister, for the management and administration of the department responsible for immigration and, subject to the provisions of this Ordinance, for the general administration of this Ordinance.

(2) A person who is not an Islander is not qualified for appointment as Director.

(3) In the performance of his functions, the Director shall be assisted by immigration officers whose posts shall be public offices.

Minister may give directions

49. Subject to this Ordinance, the Minister may from time to time, through the Permanent Secretary, give to the Director or any immigration officer general or special directions, not inconsistent with the provisions of this Ordinance, as to the exercise or performance of their powers, discretions or functions under this Ordinance and the Director or immigration officer shall comply with any such direction.

*Powers of Immigration Officers***Power of immigration officers to examine persons on entry**

50. (1) An immigration officer may board, and without a search warrant may search any ship or aircraft for the purpose of exercising his functions under this Ordinance.

(2) An immigration officer may examine any person who has arrived in the Islands by ship or aircraft for the purposes of establishing—

- (a) whether the person is not an Islander, a British overseas territories citizen or a permanent resident;
- (b) if he is not a person within paragraph (a), whether he may or may not enter the Islands without leave; or
- (c) if he may not enter without leave, whether he should be given leave and for what period and on what conditions (if any), or should be refused leave.

(3) Any such person may also be examined by—

- (a) the Government Medical Officer; or
- (b) any other person who holds appropriate medical qualifications and is authorised for the purpose by the Government Medical Officer.

(4) A person on being examined by an immigration officer or the Government Medical Officer or other authorised person may be required to submit to further examination.

(5) An authorisation for the purposes of subsection (3) may be made generally or for specific purposes.

Power of immigration officer to examine persons being in the Islands unlawfully

51. (1) An immigration officer may examine a person whom he reasonably suspects—

- (a) of having entered the Islands unlawfully; or
- (b) of being in the Islands in breach of any condition or restriction of his permit to enter or reside in the Islands.

(2) A person on being examined by an immigration officer under this section may be required to produce any documents in his possession, custody or control.

Directions for removal of persons refused leave to enter

52. (1) Where a person arriving in the Islands is refused leave to enter, an immigration officer may, subject to subsection (2) give directions to—

- (a) the master of the ship or commander of the aircraft in which the person arrived in the Islands, requiring him to remove that person immediately from the Islands in that ship or aircraft;
- (b) the owners or agents of the ship or aircraft, requiring them to remove the person immediately from the Islands in any ship or aircraft specified in the directions, being a ship or aircraft of which they are owners or agents; and
- (c) those owners or agents requiring them to make arrangements for the removal of such person from the Islands in any ship or aircraft bound for a country or territory so specified in the directions, being either—
 - (i) a country of which he is a national or citizen;
 - (ii) a country or territory in which he has obtained a passport or other document of identity;
 - (iii) a country or territory in which he embarked for the Islands; or
 - (iv) a country or territory to which there is reason to believe he will be admitted.

(2) A person in respect of whom directions are given under subsection (1) may be placed, under the authority of an immigration officer, on board any ship or aircraft in which he is to be removed in accordance with the directions.

(3) Where an immigration officer refuses leave to enter to any person and the immigration officer gives directions under this section, a person to whom such directions are given shall comply with the directions.

(4) Where an immigration officer refuses leave to enter to any person under Part II and that person is detained pending the implementation of directions given under this section, the local representative, or if there is no local representative, the master, commander, owner or agent of the ship or aircraft from which that person disembarked shall be financially responsible for any public charges reasonably incurred in respect of such person's maintenance during any such detention.

Directions for the removal of unlawful entrants

53. (1) Section 52 applies to a person mentioned in any of the following paragraphs as if he had been refused leave to enter by an immigration officer—

- (a) he is found in the Islands after entering in contravention of this Ordinance;
- (b) he has been permitted to enter after having disembarked from a ship or aircraft of which he was a member of the crew subject to a condition that he should leave the Islands by a specified ship or

aircraft or within a specific period, but fails to comply with that condition or is reasonably suspected of intending so to fail; or

- (c) he has entered the Islands after having disembarked from a ship or aircraft of which he was a member of the crew under section 6(1) without leave of the immigration officer, but fails to leave with that ship or aircraft from the port where he had entered, or is reasonably suspected of intending so to fail.

(2) If a person enters the Islands from a ship or aircraft on which he was a stowaway, section 52 applies to him as if he had been refused leave to enter by an immigration officer:

Provided that in any such case section 52(1)(c) shall be deemed to include a reference to the country in which that person stowed away.

Detention of persons liable to examination or removal

54. (1) A person who may be required to submit to examination under subsection (2), (3) or (4) of section 50 or under section 51 may be detained under the authority of an immigration officer pending his examination and pending—

- (a) in the case of a person to whom section 50 applies, a decision to give or refuse him leave to enter; or
- (b) in the case of a person to whom section 51 applies, a decision whether to recommend his deportation.

(2) A person in respect of whom directions may be given under section 52 or 53 may be detained under the authority of an immigration officer pending the giving of directions and pending his removal in pursuance of any directions given.

(3) Subject to subsection (4), a person on board a ship or aircraft may, under the authority of an immigration officer, be removed from the ship or aircraft for detention under this section.

(4) If an immigration officer so requires, the master of a ship or commander of an aircraft shall prevent from disembarking in the Islands, any person who has arrived in the Islands in the ship or aircraft and been refused leave to enter, and the master or, as the case may be, the commander, may for that purpose detain him in custody on board the ship or aircraft.

(5) The master of a ship or commander of an aircraft, if required by an immigration officer, shall prevent from disembarking in the Islands or before the directions for his removal have been fulfilled, any person placed on board the ship or aircraft under section 52(2), and the master, or as the case may be, the commander, may for that purpose detain him in custody on board the ship or aircraft.

(6) If a decision is taken to recommend the deportation of a person as mentioned in subsection (1)(a) the detention of the person may be continued until a deportation order is made in respect of him.

Arrest without warrant of persons liable to be detained

55. A person liable to be detained under section 54 may be arrested without warrant by an immigration officer, a customs officer or a police officer.

Detention centres

56. (1) Persons may be detained under section 54 in such places as the Minister may direct, except detained in accordance with subsections (3), (4) and (5) of that section on board a ship or aircraft.

(2) An immigration officer, police officer or prison officer, or any person authorised by an immigration officer, may take all such steps as may be reasonably necessary for photographing, measuring, fingerprinting or otherwise identifying a detainee.

(3) A detainee may be taken in the custody of a police officer, or of any person acting under the authority of an immigration officer, to and from any place where his attendance is required for the purpose of ascertaining his citizenship or nationality or of making arrangements for his admission to a country or territory other than the Islands.

(4) A person shall be deemed to be in legal custody at any time when he is a detainee or is being removed in pursuance of subsection (3).

(5) A person or vehicle entering a detention centre may be searched without warrant by an immigration officer or other person authorised for the purpose in respect of evidence mentioned in section 57(1).

(6) The Minister or person appointed by him to have charge of a detention centre may refuse admission to or remove from the detention centre such persons as he directs.

(7) Any property or other possessions seized in consequence of a search under subsection (5) or section 57 may be retained for use in connection with the purposes of this Ordinance.

(8) A person commits an offence if he—

- (a) assaults or obstructs a person for the time being responsible for the custody of detainees;
- (b) assists a detainee to escape or attempt to escape from a detention centre; or
- (c) offers a bribe, inducement or gratuity to a person responsible for the custody of detainees; or
- (d) offers to, or accepts a bribe, inducement or gratuity, from, or on behalf of a detainee.

(9) A person who commits an offence under subsection (8) is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

(10) In this section and section 57—

- (a) a detention centre is a place referred to in subsection (1) of this section; and
- (b) a detainee is a person detained in a detention centre as mentioned in that subsection.

Detainees

57. (1) A detainee may be searched without warrant for any of the following reasons—

- (a) evidence of identity;
- (b) evidence of citizenship;
- (c) evidence of status in the Islands;
- (d) evidence of the commission of an offence;
- (e) evidence of travel;
- (f) anything which could cause injury to the detainee or others;
- (g) anything that may cause damage to property;
- (h) anything that could assist in an escape; or
- (i) anything that may be used to interfere or tamper with evidence relating to the detainee.

(2) If a detainee is detained by virtue of powers conferred by or under this Ordinance the search may include a search of the detainee's body orifices.

(3) A search for anything mentioned in subsection (1) may also be carried out in any part of the detention centre if it is a place—

- (a) which is or has, at any time been occupied by a detainee; or
- (b) it is a place where there are reasonable grounds for believing that evidence relating to any matter mentioned in subsection (1) may have been concealed.

(4) The detainee may be required to submit to examination by a registered medical practitioner.

(5) A detainee commits an offence if he refuses to submit to a medical examination as mentioned in subsection (4) and a person who commits an offence under this subsection is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

Temporary admission or release of persons liable to detention

58. (1) A person liable to detention or detained under section 54 may, under the written authority of the Director—

- (a) be temporarily admitted to the Islands without being detained; or
- (b) be released from detention.

(2) An action under subsection (1) shall not prejudice a later exercise of the power to detain a person.

(3) As long as a person is at large in the Islands by virtue of this section, he shall be subject to such restrictions as to residence and as to reporting to the police or an immigration officer as may be notified to him in writing.

Financial responsibility for unlawful entrants

59. (1) Where a person enters the Islands by ship or aircraft in contravention of any of the foregoing provisions of this Ordinance then, without prejudice to any other provision of this Ordinance, the local representative of the ship or aircraft shall be financially responsible for any public charges reasonably incurred in respect of the person's maintenance, including any detention while in the Islands, and his subsequent repatriation, removal or deportation from the Islands.

(2) Where a person enters the Islands without leave, and the Director directs his removal from the Islands, any money found in his possession shall be used to defray the costs of his removal.

Boarding of ships or aircraft

60. Where any officer of the Royal Navy or any Customs Officer or police officer has reasonable grounds to believe that any person on board a ship or aircraft which is in the territorial waters of the Islands is landing or preparing to land in the Islands in contravention of this Ordinance, he may board the ship or aircraft and exercise the powers conferred on an immigration officer under section 50.

Immigration officers: general powers

61. (1) Without prejudice to any other power under this Part, for the purpose of the exercise of his functions under this Ordinance, an immigration officer has the following general powers—

- (a) without warrant, to enter and search any premises; and
- (b) without warrant to seize and detain any thing, including any ship, aircraft or vehicle.

(2) For the purpose of the exercise of any power conferred by or under this Ordinance, an immigration officer may use such force as is reasonable in the circumstances.

(3) The Governor may from time to time issue guidance as to what constitutes the use of reasonable force in particular circumstances.

(4) In any question as to whether the use of force was reasonable, it shall be presumed (unless the contrary is shown) that a person acting in accordance with such guidance used reasonable force.

Power to require information from an employer

62. (1) An immigration officer may require any person who is an employer or engages another person under a contract for services to provide him with such information (including documents) which he may reasonably require for the purpose of the exercise by the officer of his functions under this Ordinance.

(2) A person commits an offence if, on a requirement being made under subsection (1), he—

- (a) fails or refuses to provide the information; or
- (b) provides information that is false in a material particular.

(3) A person who commits an offence under subsection (2) is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

PART VI

THE TURKS AND CAICOS ISLANDS WORK PERMIT BOARD

Establishment of Work Permit Boards

63. (1) For the purposes of this Ordinance there are established two Turks and Caicos Islands Work Permit Boards.

(2) The boards established under subsection (1) shall be established as follows—

- (a) one board to service the Turks islands, South Caicos, East Caicos and the Ambergris Cay, which shall be called the Zone 1 Work Permit Board; and
- (b) one board to service the remaining islands, which shall be called the Zone 2 Work Permit Board.

Functions of Board

64. (1) A board shall—

- (a) exercise general supervision and control over matters connected with the entry of persons into the Islands for the purposes of taking up or seeking employment;
- (b) be responsible for the issuance of work permits, except Freelancer's work permits and temporary work permits;
- (c) give advice to the Minister relating to the formulation and implementation of policy in connection with the matters under paragraph (a); and
- (d) give advice to the Minister or the Commissioner on any matter referred to it by the Minister or Commissioner.

(2) For the purpose of the exercise of its functions, a board shall provide the Minister with such reports and other information as he requires.

Constitution of Board

65. (1) A board shall consist of—

- (a) the Chairman and three other members appointed by the Governor, acting in accordance with the advice of the Minister;
- (b) the Director of Immigration or his representative;
- (c) the Commissioner of Labour or his representative; and
- (d) the Permanent Secretary, Finance or his representative,

and the appointed members shall be appointed as follows—

- (i) the Zone 1 Work Permit Board, with members representing Grand Turk, South Caicos and Salt Cay; and
- (ii) the Zone 2 Work Permit Board, with members representing Providenciales, North Caicos and Middle Caicos. (*Substituted by Ord. 33 of 2015*)

(2) A person shall be disqualified from appointment as a member if he is not an Islander, or is a member of the Cabinet or the House of Assembly.

(3) The Chairman or an appointed member, unless he sooner resigns or is removed from office shall be appointed for such term not exceeding three years, as may be specified in the instrument of appointment, and may from time to time be re-appointed.

(4) The appointment made under subsection (3) shall be made in such a way that the tenure of half of the board expires at a different date.

(5) The Chairman and members who are not public officers shall be paid such remuneration as the Governor may determine.

(6) The Governor may at any time without cause terminate the appointment of the Chairman and appointed members.

(7) The Chairman or any appointed member may at any time resign by giving notice in writing to the Governor, and his membership shall cease from the date the Governor receives the notice of resignation

Meetings of Board

66. (1) Unless there is no business to transact, a board shall meet at least once in each month and on such occasions as, in the opinion of the Chairman, may be necessary or desirable in the public interest.

(2) The Chairman shall preside at all meetings of a board, and in his absence from a meeting, the members present shall appoint one of their number to preside.

(3) Three members shall form a quorum at any meetings of a board.

(4) At a meeting of a board all questions shall be decided by a majority of the votes of the members present and voting, and in the event of an equality of votes, the member presiding shall have a casting vote.

(5) A board may, with the approval of the Minister make rules to regulate its proceedings.

Secretary of Board

67. (1) The Governor acting on the advice of the Minister shall appoint any public officer to be the Secretary of a board.

(2) The Secretary shall—

- (a) attend all meetings of a board but shall not vote on any matter or question before the board;
- (b) prepare minutes of the meetings of a board;
- (c) keep a record of the proceedings and decisions of a board; and
- (d) attend to such other duties as the Chairman of a board may require.

(3) As soon as is practicable after every meeting of a board, the Secretary shall furnish the Minister with a copy of the minutes of meetings and proceedings of the board.

Conflict of interest and preservation of confidentiality of information obtained by Board

68. (1) A member of a board and a person who is lawfully connected with any business of a board shall regard and deal with any information relating to the business of any other person which he has obtained by virtue of such membership or connection as secret.

(2) A person referred to in subsection (1) shall not disclose or allow to be disclosed any information referred to in subsection (1) to anyone not lawfully entitled thereto.

(3) A member of a board who is directly or indirectly interested in any matter before the board, shall disclose to the board the fact and nature of his interest and shall not take part in any deliberation or any decision of the board relating to the said proceedings, and the disclosure shall forthwith be recorded in the records of the board. (*Amended by Ord. 9 of 2017*)

Financial provisions for Board

69. Any expenses of a board incurred in the performance of its functions under this Ordinance, shall be payable out of money appropriated by the House of Assembly for the purpose.

PART VII

THE IMMIGRATION APPEAL TRIBUNAL

The Immigration Appeal Tribunal

70. The Immigration Appeal Tribunal established by the Immigration Appeal Tribunal Ordinance 2010 is continued in existence.

Composition of Tribunal

71. (1) The Tribunal shall consist of a Chairman and four other members appointed by the Governor from among persons having extensive and relevant professional expertise in matters relevant to the functions of the Tribunal, provided that the members of the Tribunal shall be Islanders.

(2) The Governor shall, acting on the advice of the Minister, appoint a public officer (not being a member) to be the Secretary of the Tribunal.

(3) The Secretary shall be present at all meetings of the Tribunal and take minutes of the business transacted.

Term of appointment of members

72. (1) The members of the Tribunal shall be appointed by instrument for such period not exceeding three years, as may be specified in their respective instruments of appointment.

(2) A member is eligible for re-appointment.

Functions of Tribunal

73. (1) The functions of the Tribunal shall be to hear and determine appeals against decisions of—

- (a) the Director in relation to residence permits; and
- (b) the Board or Commissioner in relation to work permits.

(2) For the purpose of discharging its functions under this Ordinance, the Tribunal may—

- (a) summon any person connected in any material way with a matter or question to attend to give evidence relating to such matter or question;
- (b) administer oaths or affirmations; and
- (c) examine on oath, affirmation or otherwise any person attending before it and require such person to answer all questions put to him.

(3) A person commits an offence if he has been summoned under subsection (2)(a) and, without reasonable excuse—

- (a) fails to attend;
- (b) refuses or fails to be sworn or to make an affirmation; or

(c) refuses, fails to answer or does not answer truthfully a question that he is required to answer under subsection (2)(c).

(4) A person who commits an offence under subsection (3) is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

(5) In carrying out its functions, the Tribunal shall consider such guidance as the Minister may, from time to time issue.

(6) In the exercise and discharge of its functions the Tribunal is not subject to the direction or control of any person or authority, but shall have regard to the policy of the Government in reaching its decision.

(7) The members of the Tribunal shall not disclose to any person other than another member of the Tribunal or the Secretary any information obtained in the course of the exercise of his functions.

Remuneration

74. There may be paid to the Chairman and each member who is not a public officer such remuneration as the Governor may determine.

Resignation and removal from office

75. (1) A member of the Tribunal may resign by giving notice in writing to the Governor, but the resignation shall not take effect until the Governor has received the notice.

(2) A member shall vacate his office—

(a) upon termination of his appointment by the Governor;

(b) upon resigning;

(c) if he is declared bankrupt, suspends payment to or compounds with his creditors;

(d) if he is convicted of an offence involving dishonesty, fraud or any indictable offence;

(e) if he fails to disclose a conflict of interest in accordance with this Ordinance;

(f) if he is in breach of section 73(7); or

(g) if he absents himself, except with the leave granted by the Chairman, (or in the case of the Chairman, except with leave granted by the Governor) from three consecutive meetings of the Tribunal.

(3) The Governor shall cause every appointment, removal, resignation and death of a member to be published in the *Gazette*

Meetings of Tribunal

76. (1) The Chairman shall preside at meetings of the Tribunal.

(2) In the case of the absence or inability of the Chairman to act at any meeting, the remaining members shall elect a member to preside at the meeting

(3) The Chairman or person presiding, and two other members shall constitute a quorum at any meeting of the Tribunal.

(4) Every appeal before the Tribunal shall be determined by the opinion of the majority of the members present, but if the members present are equally divided in their opinions, the Chairman or person presiding shall have and exercise a casting vote.

Conflict of interest and preservation of confidentiality of information obtained by the Tribunal

77. (1) A member of the Tribunal and a person who is lawfully connected with any business of the Tribunal shall regard and deal with any information relating to the business of any other person which he has obtained by virtue of such membership or connection as secret.

(2) A person referred to in subsection (1) shall not disclose or allow to be disclosed any information referred to in subsection (1) to anyone not lawfully entitled thereto.

(3) A member of the Tribunal who is directly or indirectly interested in any appeal before the Tribunal, shall disclose to the Tribunal the fact and nature of his interest and shall not take part in any deliberation or any decision of the Tribunal relating to the said proceedings, and the disclosure shall forthwith be recorded in the records of the Tribunal.

Protection of members acting in good faith

78. No action, suit, prosecution or other proceedings shall be brought or instituted personally against the Chairman or any member of the Tribunal in respect of any act done in good faith in the course of the operations of the Tribunal.

Procedure generally

79. Subject to the provisions of this Ordinance, the Tribunal shall have power to regulate its own procedure, including the manner in which matters subject to the determination of the Tribunal are determined by it.

Records of decisions

80. The Tribunal shall keep a full and complete record of its meetings and of any decision taken on an appeal.

Financial provisions of Tribunal

81. Any expenses of the Tribunal incurred in the performance of its functions under this Ordinance, shall be payable out of money appropriated by the House of Assembly for the purpose.

PART VIII

ASYLUM

Application for asylum

82. (1) A person who is in legal custody under section 54(1) or a person to whom leave to enter the Islands has been granted under section 58(1) may apply to the Minister for asylum, and in considering such application, the Minister shall have regard to the Refugee Convention and any directions given by the Governor relating to asylum applications.

(2) For the purposes of this Part, a person is eligible to apply for asylum if—

- (a) he is at least eighteen years of age or is an unaccompanied minor;
- (b) he is in the Islands; and
- (c) the application for asylum has been made by him at a place designated by the Governor.

(3) A person specified under subsection (4) may also apply for asylum for his dependant child who is under eighteen years of age, that is with him in the Islands.

(4) Where an application is made for asylum, the Minister shall cause it to be recorded by the Director.

Grant of exceptional leave pending grant of asylum

83. (1) If subsection (2) applies to the applicant, the Minister shall, through the Permanent Secretary, direct the Director—

- (a) to grant the applicant exceptional leave to remain in the Islands; and
- (b) make arrangements for his support, accommodation and upkeep.

(2) This subsection applies to an applicant if the Minister is satisfied—

- (a) that the application for asylum was made as soon as reasonably practicable after the applicant's arrival in the Islands;
- (b) that for obvious and compelling reasons the applicant cannot be returned to his country of origin or nationality, or
- (c) that the Islands are the first country where the applicant would reasonably be expected to apply for asylum after leaving his country of origin or nationality.

(3) The grant of exceptional leave under this section—

- (a) does not confer on the grantee any right to gainful occupation in the Islands; and
- (b) may be revoked, varied or modified by the Director.

Grant of asylum

84. (1) The Minister may grant or refuse asylum after consideration of an application submitted under section 82.

(2) If the Minister grants an application for asylum under subsection (1), the Director shall grant the applicant leave to remain indefinitely in the Islands and the right to work for any employer in any occupation.

Revocation of indefinite leave to remain in Islands

85. The Director may revoke a person's indefinite leave granted under section 84 if someone of whom he is a dependant ceases to be a refugee as a result of—

- (a) voluntarily availing himself of the protection of his country of nationality;
- (b) voluntarily acquiring a lost nationality;
- (c) acquiring the nationality of a country other than the Turks and Caicos Islands and availing himself of its protection; or
- (d) voluntarily establishing himself in a country in respect of which he was a refugee.

Appeal for refusal of grant of asylum

86. (1) Notwithstanding section 8, a person whose application for asylum has been refused may appeal to the Governor, within fourteen days of his being notified of the decision, against the refusal on the grounds that requiring him to leave the Islands would be contrary to the Refugee Convention.

(2) Neither an applicant for asylum nor an appellant against the decision of the Minister shall be required to leave the Islands pending the outcome of his application or appeal.

(3) For the purposes of this section, an application or appeal is pending—

- (a) beginning on the date when it is submitted or instituted; and
- (b) ending on the date when the applicant or appellant—
 - (i) is formally notified of the outcome of the application or appeal; or
 - (ii) withdraws or abandons the application or appeal.

Deportation of asylum seeker

87. (1) Where an applicant under this Part is to be deported to a country of which he is a national or citizen and—

- (a) he does not possess a passport or other travel document; and
- (b) the country to which he is to be deported requires the Director to provide identification data in respect of the applicant as a condition of the admission of the applicant to that country,

the Director shall provide the requested data but shall not disclose whether the applicant had sought asylum.

(2) The Governor's deportation order in respect of a person who has been refused asylum may require the master of a vessel—

- (a) to remove the person from the Islands; and
- (b) to bear the cost of such removal, including the cost of providing escorts to and from the receiving country.

Asylum seeker's intent to apply elsewhere for asylum or to voluntarily leave Islands

88. Where a person who has applied for or intends to apply for asylum is desirous of voluntarily leaving the Islands for a country in which he hopes to take up residence, the Director may render to him—

- (a) advice and other help in relation to his proposed journey; and
- (b) financial assistance to defray the cost of his travel and upkeep.

Directions of Governor under this Part

89. For the purposes of this Part, the Governor may give directions to the Minister in relation to the consideration of applications for asylum and make rules for the hearing of appeals under section 86, and such directions and rules shall be published in the *Gazette*.

Limitation of rights of appeal under section 86

90. Section 86 does not entitle a person to appeal against a refusal of an application if—

- (a) the Governor has certified that the appellant's departure and exclusion from the Islands would be in the interest of national security; or
- (b) the reason for the refusal was that he was a person to whom the Refugee Convention did not apply by reason of Article 1(F) of that Convention,

and the Governor has certified that the disclosure of material on which the refusal was based is not in the interest of national security.

Helping asylum seeker to enter Islands

91. (1) A person commits an offence if—

- (a) knowingly and for gain, he facilitates the arrival in the Islands of an individual; and
- (b) he knows or has reasonable cause to believe that the individual intends to apply for asylum under section 82(1).

(2) Subsection (1) does not apply to anything done by a person acting on behalf of an organisation which—

- (a) aims to assist individuals seeking asylum pursuant to the Refugee Convention; and
- (b) does not charge for its services.

(3) A person who commits an offence under subsection (1) is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

PART IX

STOP LIST: PROHIBITED IMMIGRANTS: DEPORTATION AND PROVISIONS RELATING TO THE REMOVAL OF PERSONS FROM THE ISLANDS

Stop List

92. (1) Where the Director is satisfied that any person, other than an Islander, a British overseas territories citizen or a permanent resident, who is for the time being outside the Islands—

- (a) is a person who has, while in the Islands conducted himself in an undesirable manner; or
- (b) is a person whose entry into the Islands in the opinion of the Director appears undesirable in view of information or advice received from any source which the Director considers reliable,

the Director may cause that person's name to be entered on a list to be called "the Stop List" to be maintained by him, whereupon such person shall be prohibited from entering the Islands.

(2) In the exercise of his special responsibilities under the Constitution the Governor may, in his discretion, require the Director to include or remove from the Stop List the name of such person as the Governor thinks fit, and the Director shall forthwith comply with such requirement.

(3) If a deportation order has been made against a person and he is removed from the Islands, his name shall be entered in the Stop List.

Distribution of copies of Stop List, etc., to shipping agents

93. The Director may cause copies of the Stop List, or notification of the entry in or removal of any name from the Stop List, to be given to the agents or representative of ships or aircraft ordinarily calling at the Islands or to *bona fide* travel agencies.

Prohibited immigrants

94. In the exercise of his special responsibilities under the Constitution, the Governor may by Order published in the *Gazette*, declare any person or class of

persons to be prohibited immigrants, and thereafter such person or class of persons shall be prohibited from entering the Islands.

Procedure where deportation is desirable

95. (1) A person, other than an Islander, a British overseas territories citizen or a permanent resident, shall be liable to deportation from the Islands if he—

- (a) has remained in the Islands contrary to any provision of this Ordinance, and the Director has recommended that he be deported;
- (b) has been convicted of any offence under this Ordinance or any other Ordinance, and the court convicting that person has recommended that he be deported;
- (c) is a person whose presence in the Islands would in the opinion of the Director be undesirable and not conducive to the public good and the Director has recommended that he be deported;
- (d) has applied for and been refused asylum under Part VIII; or
- (e) is a person whose presence in the Islands would in the opinion of the Governor, acting in his discretion in the exercise of his special responsibilities under the Constitution, be undesirable and not conducive to the public good.

(2) If the conditions in subsection (3) are satisfied, the Minister may make an order (hereinafter referred to as a “deportation order”) requiring such person to leave the Islands within the time fixed by the order and thereafter to remain out of the Islands.

(3) The conditions are that—

- (a) the Minister serves on the person a notice of his intention to make the order; and
- (b) having considered any representations made by the person, the Minister thinks it is appropriate to make the order.

(4) A person on whom a notice is served as mentioned in subsection (3)(a) may, before the end of the period of three days starting with the date on which he receives the notice, make representations to the Minister in such form as is specified in the notice as to why a deportation order should not be made.

(5) Where the Minister makes a deportation order in respect of any person, he may further order that the dependant of that person be deported.

(6) Notwithstanding subsection (1), a deportation order shall not be made in respect of any person who is the spouse of an Islander and who is living together with the Islander unless—

- (a) that person has been convicted of a criminal offence and sentenced to not less than twelve months’ imprisonment; and
- (b) the court which has convicted such person has recommended deportation.

(7) For the purposes of subsection (1)(b), if a person is convicted of an offence against this Ordinance the court which convicts him must (unless he is an Islander, a British Overseas Territories citizen or a permanent resident) recommend his deportation.

(8) Where a deportation order is made in respect of a person who immediately before the making thereof was lawfully within the Islands under the provisions of this Ordinance, a copy of the order shall be served upon him by an immigration officer or police officer.

Revocation of deportation orders

96. (1) A deportation order shall not be enforced until the period of seven days has elapsed from the date of service.

(2) A person on whom a deportation order is served may, not later than seven days after the date of service, give notice to the Governor that he requests the Governor to revoke the order.

(3) A notice given as mentioned in subsection (2) shall include the reasons why the person considers that the deportation order should be revoked.

(4) The Governor may, in his discretion, revoke a deportation order if he is satisfied—

- (a) that there are circumstances relating to the person against whom the order was made or his family that render removal from the Islands unreasonable or unfair; and
- (b) that there is no prejudice to public interest if the person is not removed.

(5) This section does not apply to a deportation order if the Governor certifies that in the interests of defence, public safety or public order it is not appropriate for him to do so.

(6) The Governor shall give his decision before the end of seven days starting with the day he receives notice under subsection (2).

Detention of persons subject to deportation orders

97. (1) A person in respect of whom a deportation order has been made may be detained by an immigration officer until such time as—

- (a) the order is enforced; or
- (b) the order is revoked.

(2) A person detained pursuant to subsection (1)—

- (a) is to be detained at a place directed by the Minister for the purposes of section 56; and
- (b) is deemed to be in legal custody.

Removal of persons subject to deportation orders

98. (1) A person in whose case a deportation order has been made may, under the authority of the Director, be placed on board any ship or aircraft which is about to leave the Islands and the master of the ship or the commander of the aircraft shall, if required by the Director or an immigration officer, take such steps as may be necessary for preventing the person from disembarking before the ship or aircraft leaves the Islands, and may for that purpose detain the person in custody on board the ship or aircraft.

(2) The Director or an immigration officer may give directions to the master of any ship or commander of any aircraft which is about to leave the Islands, requiring him to afford to any person in whose case a deportation order has been made and to his dependants, if any, a passage to any port specified in the directions (being a port to which the ship or aircraft is to call in the course of its voyage) and proper accommodation and maintenance during the passage.

(3) The Governor may, if he thinks fit, apply any money or property belonging to any such person as aforesaid in payment of the whole or any part of the expenses of or incidental to the voyage from the Islands and the maintenance until departure of the person and his dependants, if any.

(4) Subject to subsection (3) any person in whose case a deportation order has been made may be detained, under the authority of the Director, until he is dealt with under subsection (1), and a person in whose case a recommendation for deportation has been made by the court shall, (unless the court in any case where the person is not sentenced to imprisonment, otherwise directs) be detained until the Governor makes a deportation order in his case or directs him to be released.

Lien on ship or aircraft landing passengers contrary to this Ordinance

99. (1) If a passenger enters or attempts to enter the Islands, or does any act preparatory to entering the Islands to the knowledge of the master of a ship or the commander of an aircraft by which such passenger arrived and such entry is, or would be, in contravention of this Ordinance, the master or commander commits an offence and the ship or aircraft shall be subject to a lien in favour of Her Majesty for the sum of \$1,500 in respect of each passenger so entering, attempting to enter or making preparation to enter, and the amount charged may be sued for and recovered by the Director in the Supreme Court.

(2) An immigration officer or police officer, acting under instructions of the Permanent Secretary, Finance, shall detain, by force if necessary, any ship or aircraft charged with the payment of any sum under this section:

Provided that such detainer shall cease upon payment to the officer detaining such ship or aircraft, or the person placed by him in actual charge of such ship or aircraft, of all sums charged upon such ship or aircraft, being arrested under the process of the Supreme Court issued in any action for the recovery of the sums.

(3) For the purpose of an action for the recovery of any sum charged upon an aircraft under this section, the aircraft shall be deemed to be a ship and the law relating to Admiralty actions *in rem* shall apply to the action accordingly.

(4) Where the sum charged upon a ship or aircraft under this section exceeds the value of the ship or aircraft, it shall be lawful for the Supreme Court on the application of the Director to order the forfeiture of the ship or aircraft.

Lien to cease if passenger returned on board

100. If a passenger enters the Islands from any ship or aircraft contrary to this Ordinance, and the passenger is, on the complaint of the master or commander, apprehended and conveyed on board the ship or aircraft under section 52 or 53, the lien arising under section 99 on the entry of such passenger shall cease to exist on his being so conveyed on board as aforesaid, but shall revive if such passenger again enters contrary to this Ordinance.

Power of Governor to remit lien

101. In the event of any ship or aircraft becoming subject to a lien in respect of any passenger under section 100, the Governor may, either before or after any suit has been commenced for the recovery of such amount, remit the whole or such part thereof as he shall deem expedient, and order the release of the ship or aircraft on such terms and conditions as he shall think fit.

PART X

CRIMINAL PROCEEDINGS; OFFENCES AND PENALTIES

Unlawful entry and other offences

102. (1) If any person—

- (a) in contravention of section 4(1), 6(2) or 6(3) knowingly enters the Islands without leave;
- (b) in contravention of section 4(2) knowingly enters the Islands from an unauthorised port;
- (c) having been granted leave to enter under section 5 without reasonable excuse fails to observe a restriction or condition of the leave;
- (d) in contravention of section 18 knowingly remains in the Islands beyond the time permitted by the immigration officer;
- (e) in contravention of section 19(1) engages in any gainful occupation;
- (f) without reasonable excuse fails to comply with any directions given under section 52(4);
- (g) without reasonable excuse discloses or allows to be disclosed information contrary to section 68(2) or 77(2);
- (h) being a person whose name appears on the Stop List, knowingly enters the Islands;

- (i) being a member of a class of persons declared prohibited immigrants under section 94, knowingly enters the Islands;
- (j) contrary to a deportation order made by the Minister under section 95(2), knowingly enters the Islands; or
- (k) without reasonable excuse fails to observe any restriction or condition imposed on his Permanent Residence Certificate or permit,

he commits an offence and is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both; and if the offence is a continuing one, to a further fine not exceeding \$100 for every day or part of a day on which the offence has continued.

(2) If any person, in contravention of section 19(2), employs a person prohibited by section 19(1) from engaging in any gainful occupation, he commits an offence and—

- (a) is liable to a fine of \$10,000 or to imprisonment for a term of two years, or to both;
- (b) if the offence is a continuing one, is liable to a further fine not exceeding \$100 for every day or part of a day on which the offence has continued; or
- (c) if he is convicted of a second or subsequent offence under this subsection and he holds at the time of the offence a business licence issued under the Business Licensing Ordinance, the court before which he has been convicted may, in addition to any other penalty it may impose, order the suspension of the business licence for such period not exceeding six months as it considers appropriate in the circumstances, and it shall cause a copy of the order to be sent to the Permanent Secretary, Finance.

(3) A person whose licence has been suspended under subsection (2), and who carries on any business in or from within the Islands during the period of suspension commits an offence, and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

Marriage designed to gain immigration advantage

103. A person who enters into a marriage with the sole or main purpose of benefiting from, or avoiding, the effect of any provision of this Ordinance, or for enabling another person to do so, commits an offence and is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

Making false statements, furnishing false information

104. (1) A person commits an offence if, he knowingly makes a false or misleading statement or knowingly furnishes false or misleading information in connection with an application for—

- (a) a Permanent Residence Certificate;

- (b) a residence permit;
 - (d) a home owner's permit
 - (c) a work permit;
 - (d) a freelancer's work permit;
 - (e) a temporary work permit; or
 - (f) business visitor's permit.
- (2) A person commits an offence if—
- (a) without lawful authority he alters any certificate, permit or document issued under this Ordinance; or
 - (b) he uses for the purposes of this Ordinance or has in his possession for such use any forged, altered or irregular certificate, passport, visa or other document (whether or not issued under this Ordinance).

(3) A person who commits an offence under this section is liable on summary conviction to a fine of \$20,000 or to imprisonment for a term of four years, or to both.

Assisting illegal entry

105. (1) In this section the following definitions shall apply—

- (a) “unlawful entrant” means a person entering or seeking to enter in contravention of this Ordinance or in contravention of a deportation order or the Stop List and includes a person who has so entered;
- (b) in subsection (3), but not subsection (4), “owner” in relation to a ship or aircraft which is the subject of a hire-purchase agreement, includes the person in possession of it under the agreement, and also includes a charterer; and
- (c) in subsection (4) “operating weight” means, in relation to an aircraft the maximum total weight of the aircraft and its contents at which the aircraft may take off anywhere in the world, in the most favourable circumstances, in accordance with the certificate of airworthiness in force in respect of the aircraft.

(2) A person knowingly concerned in making or carrying out arrangements for securing or facilitating the entry into the Islands of anyone whom he knows or has reasonable cause for believing to be an unlawful entrant, commits an offence and is liable on summary conviction to a fine of \$20,000 or to imprisonment for a term of four years, or to both.

(3) If a person convicted of an offence under subsection (2) is, at the time of the offence—

- (a) the owner or one of the owners of the ship or aircraft, used or intended to be used in carrying out the arrangements in respect of which the offence is committed;

(b) a director or manager of a company which is the owner or one of the owners of any such ship or aircraft; or

(c) master of such ship or commander of such aircraft,

then subject to subsections (4) and (5), the court before which he is convicted may order the forfeiture of the ship or aircraft.

(4) A court shall not order a ship or aircraft to be forfeited under subsection (3) on a person's conviction, unless—

(a) in the case of a ship, it is less than 500 tons gross tonnage or, in the case of an aircraft it is of less than 5,700 kilogrammes operating weight; or

(b) the person convicted is at the time of the offence the owner or one of the owners, or a director or manager of a company which is the owner or one of the owners, of the ship or aircraft.

(5) A court shall not order a ship or aircraft to be forfeited under subsection (3) where a person claiming to be the owner of the ship or aircraft or otherwise interested in it applies to be heard by the court, unless an opportunity had been given to him to show cause why the order should not be made.

Harbouring

106. A person who knowingly harbours another person who is in the Islands in contravention of this Ordinance commits an offence and is liable on summary conviction to a fine of \$20,000 or to imprisonment for a term of four years, or to both.

Offences against immigration officers

107. (1) A person commits an offence if he—

(a) assaults an immigration officer in the exercise of his duty;

(b) obstructs an immigration officer in the exercise of his duty; or

(c) threatens or attempts to intimidate an immigration officer in the exercise of his duty.

(2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

Failure to comply with directions

108. (1) A person to whom this section applies commits an offence if he—

(a) fails or refuses to comply with any direction given in pursuance of this Ordinance; or

(b) otherwise fails or refuses to comply with any provision of this Ordinance which applies to him.

- (2) This section applies to a person who is—
- (a) the owner of an aircraft or vessel;
 - (b) the operator of an aircraft or vessel; or
 - (c) acting under the authority of the owner or operator of an aircraft or vessel.

(3) A person who commits an offence under subsection (1) is liable on summary conviction to a fine of \$10,000 or to imprisonment for a term of two years, or to both.

Immigration officers to have powers of police officers

109. An immigration officer investigating any offence or alleged or suspected offence under this Ordinance, shall have all the powers, privileges, protection and authority conferred by law on a police officer for and in relation to the investigation of an offence.

Powers of arrest

110. If an immigration officer, customs officer or police officer has reasonable cause to suspect that any person has committed an offence under this Ordinance and if it appears to him to be necessary to arrest such person immediately in order to secure that the ends of justice for the purposes of this Ordinance are not defeated, he may arrest such person without warrant, whereupon the provisions of section 31 of the Magistrate's Court Ordinance shall apply in every such case.

Customs officers to aid immigration officers

111. It shall be the duty of every customs officer to aid and assist generally in carrying out the provisions of this Ordinance, and if any contravention of, or failure to comply with, any of the provisions of the Ordinance shall become known to any customs officer, it shall be his duty to report the same forthwith to an immigration officer.

Evidence by certificate

112. In any proceedings for an offence under this Ordinance, a certificate signed by or on behalf of the Board, Director or Commissioner and stating—

- (a) that, on any date, a person was or was not the holder of a Permanent Residence Certificate or a permit issued under this Ordinance;
- (b) the date of issue and expiration of the Permanent Residence Certificate or permit;
- (c) the conditions or restrictions to which the Permanent Residence Certificate or permit is subject, and any endorsements thereon,

shall be evidence of the facts stated, and a certificate stating that any of the matters mentioned and purporting to be signed by or on behalf of the Director, shall be presumed to be so signed unless the contrary is proved.

Offences by corporations

113. Where a person convicted of an offence against this Ordinance is a body corporate, then every person who, at the time of the commission of the offence, was a managing director, manager, secretary or other officer of the body corporate, shall be deemed to have committed that offence unless he proves that the offence was committed without his knowledge or that he exercised all reasonable diligence, having regard to his office, to prevent the commission of the offence.

Court's power to recommend revocation etc.

114. (1) Where under section 37(c) a person convicted of an offence is liable to have his permit revoked on the recommendation of the court, any court having power to sentence him may recommend that his permit be revoked.

(2) Where under section 95(1)(b) a person convicted of an offence is liable to be deported on the recommendation of the court, any court having power to sentence him may recommend that he be deported.

Presumption of gainful occupation

115. Where, in any proceedings under section 102(1)(e) or 102(2), it is proved that a person engaged in any occupation, in any capacity, undertaking, profession, trade or business at a time when he was not the holder of a Work Permit or a Permanent Residence Certificate authorising him to engage in that gainful occupation, it shall be presumed unless the contrary is proved—

- (a) that that person engaged in that occupation, at that time, for or in the expectation of profit, gain or reward in cash or in kind, or for some other form of consideration; and
- (b) where the proceedings are under section 102(2) and it is proved that that person engaged in any gainful occupation which either benefited the defendant, or engaged in such occupation under his direction and control, that that person was in the employment of the defendant.

PART XI

GENERAL

Immigration services

116. (1) A person shall not provide or purport to provide immigration advice or immigration services for a fee, gain or reward unless he is a qualified person.

(2) A person is qualified if—

- (a) he is registered with the Director or is employed by, or works under the supervision of, such a person;

- (b) he is a member or employee of a body which is licensed, or exempted by the Business Licensing Ordinance or works under the supervision of such a member or employee;
 - (c) he is a person admitted as an Attorney under the Legal Profession Ordinance.
- (3) Subsection (1) does not apply to a person who—
 - (a) is certified by the Director as exempt (“an exempt person”);
 - (b) is employed by an exempt person;
 - (c) works under the supervision of an exempt person or the employee of an exempt person; or
 - (d) falls within a category of persons specified in an order made by the Governor for the purposes of this subsection.
- (4) A certificate under subsection (3)(a) may relate only to a specified description of immigration advice or services.
- (5) Subsection (1) does not apply to a person—
 - (a) holding office under the Crown when acting in that capacity;
 - (b) employed by, or for the purposes of a Government department when acting in that capacity;
 - (c) acting under the control of a Government department; or
 - (d) otherwise exercising functions on behalf of the Crown.
- (6) An exemption under subsection (3)(a) may be modified or withdrawn by the Director.
- (7) In this section—
 - (a) “immigration advice” means advice which—
 - (i) relates to a particular individual;
 - (ii) is given in connection with one or more relevant matters;
 - (iii) is given by a person who knows that he is giving it in relation to a particular individual and in connection with one or more relevant matters; and
 - (iv) is not given in connection with representing an individual before a court in legal proceedings or matters ancillary to such proceedings; and
 - (b) “immigration services” means the making of representations on behalf of a particular individual—
 - (i) in civil proceedings before a court, tribunal or adjudicator in the Islands; or
 - (ii) in correspondence with a Government department in connection with one or more relevant matters.

(8) A person commits an offence if he contravenes subsection (1) and is liable on summary conviction to a fine of \$5,000 or to imprisonment for a term of twelve months, or to both.

Conflict by Minister

117. (1) Where the Minister is in conflict of interest in any matter under consideration by him under this Ordinance, the Minister shall refer the matter to the Governor in Cabinet, and shall act in relation to that matter, in accordance with the decision of the Governor.

(2) Notwithstanding subsection (1), where the Minister is unable to act under section 95 because of a conflict of interest in the matter, the Minister shall refer that matter to the Premier for determination.

Regulations

118. (1) The Governor may make regulations for carrying out or giving effect to this Ordinance, and may make regulations—

- (a) prescribing anything which is to be, or may be, prescribed under this Ordinance;
- (b) prescribing the fees to be paid in respect of any matter or thing done under this Ordinance;
- (c) exempting any person or category of persons from the requirement to pay any fees payable under this Ordinance;
- (d) remitting the fees payable by any person or category of persons under this Ordinance;
- (e) providing further provisions relating to an application for asylum;
- (f) providing penalties for contraventions of any regulations under this Ordinance;
- (g) for further provisions relating to the transit of passengers; and
(Inserted by Ord. 9 of 2017)
- (h) providing for procedures for collaboration and coordination of gathering and sharing advance passenger information under this Ordinance. *(Inserted by Ord. 9 of 2017)*

(2) Different provision may be made for different purposes.

(3) Regulations under this or any other section may create offences and may prescribe a maximum penalty for such offences not exceeding a fine of \$10,000 or imprisonment for a term of two years.

Amendment of Schedules

119. The Governor may by Order published in the *Gazette*, amend a Schedule.

SCHEDULE 1

GENERAL ENTRY REQUIREMENTS

(Section 5)

1. Before issuing a permit to enter the Islands, the immigration officer shall satisfy himself that a person

- (a) is not likely to behave in a manner prejudicial to the peace, order or good government of the Islands;
- (b) is not suffering from mental disorder nor is a mental defective;
- (c) is not suffering from any contagious or infectious disease which, in the opinion of a government medical officer, makes his presence in the Islands dangerous to the community;
- (d) is not a person who is reasonably believed to have come to the Islands for any immoral purpose, or who is not reasonably believed to be a prostitute or to have come to the Islands for the purpose of prostitution;
- (e) has not been convicted in any place of murder or an offence punishable in the Islands with imprisonment for a term of three years or more and who by reason of such conviction is deemed by the immigration officer to be undesirable;
- (f) is not a person whose name is for the time being on the Stop List;
- (g) is not a person or a member of a class of persons declared to be prohibited immigrants by the Governor under section 94;
- (h) is not a person whose presence in the Islands would in the opinion of the Director be undesirable and not conducive to the public good;
- (i) is capable of supporting himself and his dependants, if any, during such time as he may be permitted to remain in the Islands;
- (j) is not the dependant of any person who is precluded from being given leave to enter by reason of any of the provisions of this Schedule.

2. For the purposes of paragraph 1, an immigration officer may require a person

- (a) to furnish him with medical certificates with respect to himself and his dependants as he considers necessary;
- (b) to furnish him with evidence of good character in respect of himself and his dependants;
- (c) to furnish him with evidence of his ability to maintain himself and his dependants in the Islands;
- (d) to furnish him with such other particulars as he considers material to the consideration of any application.

(Amended by Ord. 9 of 2017)

SCHEDULE 2*(Section 11)***ADVANCE PASSENGER INFORMATION**

1. **Data relating to the voyage or flight (Header Data):**
 - (a) **Flight Identification**
(IATA Airline code and flight number)
 - (b) **Ship/Vessel Identification**
(Ship/Vessel name and voyage number)
 - (c) **Country of Registration**
(Country where vessel is registered)
 - (d) **Agent/Owner (Where applicable)**
(Name of Agent for the vessel or where no Agent, Name of owner)
 - (e) **Call Sign (If applicable)**
 - (f) **Schedule Departure Date**
(Date of scheduled departure of vessel based on local time of departure location)
 - (g) **Scheduled Departure Time**
(Time of scheduled departure of vessel based on local time of arrival location)
 - (h) **Scheduled Arrival Date**
(Date of scheduled arrival of vessel based on local time of arrival location)
 - (i) **Scheduled Arrival Time**
(Time of scheduled arrival of vessel based on local time of arrival location)
 - (j) **Last Place/Port of Call of Vessel or Aircraft**
(Vessel departed from this last foreign place/port of call to go to “place/port of vessel initial arrival”)
 - (k) **Place/Port of Vessel or Aircraft Initial Arrival**
(Place or Port in the country of destination where the vessel arrives from the “last place or Port of call of vessel or aircraft”)
 - (l) **Subsequent Place/Port of Call within the country/regional space**
 - (m) **Number of Passengers on board**
(Total number of passengers on board)
 - (n) **Number of crew on board**

2. **Data relating to each individual on board**

- (a) **Official Travel Document Number**
(Passport, or other Government approved travel documents)
- (b) **Issuing State or Organization of the Official Travel Document**
(Name State or Organisation responsible for the issuance of the official document)
- (c) **Official Travel Document Type**
(Indicator to identify type of official travel document)
- (d) **Expiration Date of Official Travel Document**
(Expiration date of the official travel document)
- (e) **Surname/Given Name(s)**
(Family name and given name(s) of the holder as it appears on the travel document)
- (f) **Nationality**
(Nationality of the holder of the travel document)
- (g) **Date of Birth**
(Date of birth of the holder)
- (h) **Gender**
(Gender of the holder)
- (i) **Place of Birth**
(Please give City and Country of birth)
- (j) **Traveller's Status**
(Passenger, crew, in-transit)
- (k) **Place/Port of Original Embarkation**
(Place/Port on that journey where traveller first boarded for foreign travel)
- (l) **Port/Place of Clearance**
(Place/Port where the traveller is cleared by the border control agencies)
- (m) **Place/Port of Onward Foreign Destination**
(Foreign place/port where the traveller is transiting)
- (n) **Passenger Name Record (PNR) Data**
(As available in the traveller's Passenger Name Record in the carrier's Reservation System including all historical changes to the PNR listed) Must include:
 - (i) PNR record locator
 - (ii) Date of reservation/issue of ticket

- (iii) Date(s) of intended travel
- (iv) Name(s)
- (v) Address and contact information (telephone number, e-mail address)
- (vi) All forms of payment information, including billing address
- (vii) Complete travel itinerary for specific PNR
- (viii) Frequent flyer information
- (ix) Travel agency/Travel agent
- (x) Travel status of passenger, including confirmations, check-in status, no show or go show information
- (xi) Split/divided PNR information
- (xii) General remarks (including all available information on unaccompanied minors under 18 years, such as name and gender of the minor, language(s) spoken, name and contact details of guardian on departure and relationship to the minor, name and contact details of guardian on arrival and relationship to the minor, departure and arrival agent)
- (xiii) Ticketing field information, including ticket number, date of ticket issuance and one way tickets, Automated Ticket Fare Quote fields
- (xiv) Seat number and other seat information
- (xv) Code share information
- (xvi) All baggage information
- (xvii) Number and other names of travellers on PNR
- (xviii) Any Advance Passenger Information (API) data collected
- (xix) All historical changes to the PNR listed in numbers 1 to 18

3. **Additional Data Elements**

- (a) **Visa Number (if applicable)**
- (b) **Issue Date of Visa**
(Date Visa issued)
- (c) **Place of Issuance of the Visa**
(Place where Visa was issued)
- (d) **Other Document Number used for Travel (if applicable)**
(The other document number used for travel when the official travel document is not required)
- (e) **Type of Other Document used for Travel (supporting travel document)**
(Indicator to identify type of other document used for travel)

(f) **Primary Residence**

(i) Country of Primary Residence

(Country where Passenger resides most of the year)

(ii) Address

(Location identification such as: street name and number)

(iii) City

(iv) State/Province/County

(v) Postal Code

(g) **Destination Address**

(i) Address where Passenger will be staying in territory of Disembarkation

(ii) City

(iii) State/Province/County

(iv) Postal Code

4. **Data relating to the Reporting Party**

(a) Reporting Party Name

(b) Reporting Party Telephone Number

(c) Reporting Party Facsimile Number

(d) Reporting Party Electronic Mail Address

(Inserted by Ord. 9 of 2017)

DESIGNATION OF AUTHORISED IMMIGRATION PORTS — SECTION 3

(Legal Notice 25/2016)

Commencement

[1 April 2016]

Citation

1. This Notice may be cited as the Designation of Authorised Immigration Ports.

Designation of authorised immigration ports

2. The following ports are designated as authorised ports for the purposes of the Immigration Ordinance—

- | | |
|----------------|---|
| GRAND TURK | - South Dock |
| | - JAGs McCartney International Airport |
| | - Grand Turk Cruise Centre |
| NORTH CAICOS | - North Caicos Airport |
| PROVIDENCIALES | - South Dock |
| | - Turtle Cove Marina |
| | - Caicos Marina and Shipyard, Juba Salina |
| | - Blue Haven Marina |
| | - Providenciales International Airport |
| SOUTH CAICOS | - The docks at Cockburn Harbour |
| | - South Caicos International Airport |

IMMIGRATION REGULATIONS
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IMMIGRATION REGULATIONS - SECTION 118

(Legal Notices 28/2016, 6/2017, 71/2017, 34/2018 and 2/2020)

Commencement

[1 April 2016]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Immigration Regulations.

Interpretation

2. In these Regulations—

“appropriate authority” means—

- (a) in relation to a Residence Permit or a Home Owner’s Permit, a reference to the Director;
- (b) in relation to a Work Permit, except a Freelancer’s work permit and temporary work permit, a reference to the Board; and
- (c) in relation to a Freelancer’s work permit and temporary work permit, a reference to the Commissioner;

“certificate” means a Permanent Residence Certificate issued by the Governor under the Ordinance;

“date of application” means the date that the prescribed fee is paid to the Government for the product or services requested;

“designated approved public sector project” means a project declared as such by the Governor from time to time under regulation 22, from the list of public sector projects in the Islands;

“distressed property” means—

- (a) any real property which the owner intends to convert to a home for himself and his dependants that is substantially incomplete or is damaged or in a poor physical condition, the renovations of which require an investment of not less than the sum specified in regulation 13(2)(f)(i) and (ii) as the case may be; or
- (b) any other real property as the Governor may designate as distressed;

“permit” means a permit issued by the appropriate authority under the Ordinance.

PART II

CONTROL OF ENTRY

Duty to give notice of arrival of ship or aircraft

3. (1) It shall be the duty of the local agent or representative of every ship or aircraft arriving in the Islands to give notice, of not less than twenty-four hours of the arrival of the ship, and of not less than one hour of the arrival of the aircraft to the Director, and, if so required, to furnish such particulars as he may then have in his possession regarding the passengers and crew on board such ship or aircraft.

(2) A person who, without reasonable excuse, fails to comply with subregulation (1) or with any requirement duly given under that subregulation, commits an offence and is liable on summary conviction to a fine of \$1,500 for each person of whom he fails to furnish information on.

Inward passenger and crew manifest

4. (1) The master of every ship or the commander of an aircraft in the Islands and, if so required by an immigration officer, the local agent or representative of the ship or aircraft, must, not later than thirty minutes before the arrival of the ship or aircraft, deliver to an immigration officer, a list showing separately—

- (a) the names and particulars of the passengers on board and of the passengers whose journey by that ship or aircraft is to be completed in the Islands or who are in-transit;
- (b) the names and particulars of the members of the crew;
- (c) in the case of a person who is required to have a visa as a condition of being given leave to enter, the details of the visa; and
- (d) the names and particulars of any other person (including persons rescued at sea and stowaways) on board the ship or aircraft.

(2) A passenger or crew member must not enter the Islands until the information required under subregulation (1) has been delivered to an immigration officer.

(3) An immigration officer may, before a list is duly delivered, allow a person on board a ship or aircraft to enter the Islands without prejudice to any other provision of these Regulations.

(4) A list to be provided under subregulation (1) shall be—

- (a) in electronic form; or
- (b) if specifically requested, in hard copy.

(5) A person who fails to comply with any requirement duly given under subregulation (1) commits an offence and is liable on summary conviction to a fine of \$1,500 for each person of whom he fails to furnish information on.

Control of entry from ships or aircraft

5. (1) It is an offence for the master of a ship or commander of an aircraft to cause or allow a passenger, or member of the crew, or other person on board the ship or aircraft, to enter the Islands before permission to enter has been given by an immigration officer.

(2) A person convicted of an offence under subregulation (1) is liable on summary conviction to a fine of \$1,500 for each person of whom he causes or allows to enter the Islands.

(3) It shall be a defence for a person charged with an offence under subregulation (1) to prove that the entry took place in an emergency, and was, at the earliest time practicable, notified to an immigration officer.

Carrier's liability for persons without proper documents

6. (1) This regulation applies if an individual requiring leave to enter the Islands arrives in the Islands by ship or aircraft and, on being required to do so by an immigration officer, fails to produce—

- (a) an immigration document which is in force and which satisfactorily establishes his identity and his nationality or citizenship; and
- (b) if the individual requires a visa, a visa of the required type.

(2) The Director shall fine the owner of the ship or aircraft, in respect of the individual under subregulation (1), the sum of \$3,000.

(3) The fine under subregulation (2) shall be payable to the Government.

(4) A fine shall not be payable in respect of an individual who is shown by the owner to have produced the required document or documents to the owner or his employee or agent when embarking on the ship or aircraft for the voyage or flight to the Islands.

(5) For the purposes of subregulation (4), an owner shall be entitled to regard a document as—

- (a) being what it purports to be unless its falsity is reasonably apparent; and
- (b) relating to the individual producing it unless it is reasonably apparent that it does not relate to him.

(6) For the purposes of this regulation, an individual requires a visa if in terms of regulation 9 he requires a visa for entry into the Islands.

(7) In this regulation “immigration document” means—

- (a) a passport; or
- (b) a document which relates to a national of a country other than the Islands and which is designed to serve the same purpose as a passport.

Entry and departure card

7. (1) Every person arriving in or departing from the Islands shall complete and submit to an immigration officer, an entry and departure card in the Form set out in Schedule 1, and shall submit one copy on arrival to an immigration officer and shall retain the other copy until immediately before his departure from the Islands when he shall submit it to a person authorised by the Director to accept the card.

(2) It shall be the duty of the owner of the ship or aircraft in or from which a person embarks or disembarks, to provide such person at such owner's expense with the entry and departure card.

(3) Notwithstanding subregulation (1), an Islander departing from the Islands shall not complete and submit a departure card.

(4) A person who in completing the entry and departure card knowingly makes a false statement or representation, commits an offence and is liable on summary conviction to a fine of \$2,000 or to imprisonment for a term of six months, or to both.

Duty of persons arriving or departing to produce passports, etc.

8. (1) A person intending to enter or, as the case may be, depart from the Islands shall, if required to do so by an immigration officer, produce for inspection—

- (a) a passport, visa, or document evidencing nationality or identity, or a document evidencing permission to enter any country, in his possession; or
- (b) a ticket, or some other means of travelling to some other country which he will be able to enter, in his possession.

(2) A person who fails to comply with any requirement under subregulation (1) commits an offence and is liable on summary conviction to a fine of \$500.

Entry clearance

9. (1) Except for the nationals of the countries and territories specified in Schedule 2, all other foreign nationals and stateless persons shall produce to an immigration officer a passport endorsed with an entry clearance which shall take the form of a Turks and Caicos Islands visa, issued for the purpose for which they seek entry, and shall be refused leave to enter if they have no such current visa:

Provided that—

- (a) nationals of countries and territories not specified in Schedule 2 who hold a valid Work or Residence Permit may be granted leave to enter the Islands without a Turks and Caicos Islands visa; or
- (b) nationals of countries and territories not specified in Schedule 2 who are lawful residents of the United Kingdom, United States of America or Canada, or who are holders of a valid visa permitting their travel to any of these three countries, may be granted leave to enter the Islands without a Turks and Caicos Islands visa.

(2) An application for a visa shall be made from outside the Islands—

- (a) to the nearest British High Commission, Embassy or Consulate;
- (b) to the Director of Immigration, Grand Turk; or
- (c) to the Turks and Caicos Islands representative at the Turks and Caicos Islands office in London, England, or New York, United States of America.

(3) An application for a Turks and Caicos Islands visa shall be made in the form to be determined by the Director and shall be accompanied by a non-refundable application fee and the applicable fee specified in Schedule 7.

(4) On the issue of a Turks and Caicos Islands visa, a visa bond in writing shall be made for the duration of the stay of a person in the Islands, in such form as may be determined by the

Director, which may include a cash bond specified in Schedule 7, to be paid in such manner and at such time as the Director may determine.

(5) Where a person fails to leave the Islands at the end of the period he has been given leave to enter, the Director shall take the necessary steps to enforce the visa bond.

Outward passenger and crew manifest

10. (1) The local representative of every ship or aircraft departing from the Islands must, not later than thirty minutes before the scheduled (or, if earlier, actual) departure time of the ship or aircraft, furnish to the Director, a list showing separately—

- (a) the names and particulars of the passengers on board the ship or aircraft;
- (b) the number of passengers on board the ship or aircraft;
- (c) the names and particulars of the members of the crew of the ship or aircraft; and
- (d) the names and particulars of any other person on board the ship or aircraft.

(2) A list to be provided under subregulation (1) must be—

- (a) in electronic form; or
- (b) if specifically requested, in hard copy.

(3) A person who fails to comply with any requirement duly made under subregulation (1) commits an offence and is liable on summary conviction to a fine of \$1,500 for each person of whom he fails to furnish information on.

Duty to report failure of persons to continue journey

11. (1) Where a ship or aircraft arrives in the Islands from a place outside, carrying a person whose destination is outside the Islands but who fails to continue his journey in the ship or aircraft in circumstances which raise a reasonable presumption that the person has remained in the Islands, the person in charge of the ship or aircraft or the agent thereof shall, as soon as practicable, notify an immigration officer of the failure of such person to continue the journey.

(2) A person in charge of a ship or aircraft, or an agent, who wilfully fails, or without reasonable excuse neglects, to notify an immigration officer of the failure of a person to continue a journey as required by subregulation (1), commits an offence and is liable on summary conviction to a fine of \$1,000.

PART III

PERMANENT RESIDENTS

Application for Permanent Residence Certificate

12. (1) An application for a Permanent Residence Certificate may be made by or on behalf of an applicant to the Governor in Form 1 set out in Schedule 3.

(2) An application form shall be accompanied by—

- (a) a non-refundable administrative fee specified in Schedule 7;
- (b) the applicable fee specified in Schedule 7;

- (c) two recent passport-sized photographs of the applicant;
- (d) evidence of the applicant's good character;
- (e) evidence of the applicant's good health; and
- (f) evidence of the applicant's sound knowledge of the English language and of the Islands.

(3) The applicable fee paid in terms of regulation (2)(b) shall be refundable if the application is not successful, except for \$1,000 which shall be a non-refundable fee.

Requirements for issue of Permanent Residence Certificate

13. (1) The requirements for the application of the issue of a Permanent Residence Certificate under section 21(1)(b) of the Ordinance are—

- (a) the requirements specified in subregulation (2);
- (b) that the applicant is of good character;
- (c) that the applicant is in good health;
- (d) that the applicant has sound knowledge of the English language and of the Islands;
- (e) that the applicant's intentions are such that, in the event of a certificate being issued to him, his home or (if he has more than one) his principal home will be in the Islands; and
- (f) that the applicant is capable of supporting himself and his dependants in the Islands.

(2) The requirements referred to in subregulation (1)(a) are—

- (a) that the applicant has been resident in the Islands for a period of not less than ten consecutive years and one of the following conditions is satisfied—
 - (i) that the applicant has held a Work Permit for a period of not less than ten consecutive years ending with the date of application;
 - (ii) that the applicant has been within the class of persons specified in section 7(1) of the Ordinance for a period of not less than ten consecutive years; or
 - (iii) that the applicant has held a Residence Permit for a period of not less than ten consecutive years;
- (b) that the applicant—
 - (i) entered the Islands before the age of seven years;
 - (ii) has completed his primary education and secondary education in the Islands; and
 - (iii) is below the age of twenty-one years on the date of application;
- (c) that the applicant has attained the age of eighteen years having been named for not less than five years as a dependant child in an endorsement of a Permanent Residence Certificate, and—
 - (i) is of good character;

- (ii) intends to make his home in the Islands; and
- (iii) at the date of the application has not attained the age of twenty-five years;
- (d) that the applicant has attained the age of eighteen years having been named for not less than ten years as a dependant child in an endorsement of a Work Permit and—
 - (i) is of good character; and
 - (ii) intends to make his home in the Islands;
- (e) that the applicant was married for a period of not less than five years to an Islander who has died;
- (f) having been given an undertaking by the Governor pursuant to regulation 21, he has invested—
 - (i) not less than \$300,000 in the actual construction of a new home or the purchase or renovation of a distressed property as a home for himself and his dependants in the island of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos; or (*Amended by L.N. 6/2017*)
 - (ii) not less than \$1,000,000 in the actual construction of a new home or the purchase or renovation of a distressed property as a home for himself and his dependants in any of the islands, other than the island of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos; and (*Amended by L.N. 6/2017*)
 - (iii) does not seek to engage in any gainful occupation without a Work Permit;
- (g) having been given an undertaking by the Governor pursuant to regulation 21, he has invested—
 - (i) not less than \$750,000 in a business or enterprise in the island of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos, which business or enterprise generates employment for persons in the Islands, of which not less than 60% of its employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case); or
 - (ii) not less than \$1,500,000 in a business or enterprise in any of the islands other than the island of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos, which business or enterprise generates employment for persons in the Islands of which not less than 60% of its employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case); and
 - (iii) does not seek to engage in any gainful occupation other than in such business or enterprise;
- (h) having been given an undertaking by the Governor pursuant to regulation 22, he has contributed not less than \$1,000,000 in a designated approved public sector project in the Islands;

- (i) that the applicant—
 - (i) is the great grandchild of a person who was born in the Islands and who at the time of the applicant's birth had, or had he still been alive, would have had, Islander status;
 - (ii) has no criminal convictions; and
 - (iii) has been lawfully resident in the Islands for not less than three years; or
- (j) that the applicant has a child who is an Islander by virtue of birth or descent, and the following conditions are satisfied—
 - (i) the child has lived in the Islands for a period of not less than ten years;
 - (ii) the applicant has lived in the Islands for a period of not less than fifteen years;
 - (iii) the applicant has invested not less than \$250,000 in a home or business in the Islands; and
 - (iv) the applicant has no criminal convictions; and
- (k) that the applicant—
 - (i) has invested an amount of not less than \$1,000,000 in a home or business in the Islands; and
 - (ii) has no criminal convictions.

(3) Subregulations (1)(c) and (d) do not apply in the case of an applicant who satisfies the requirements of subregulations (2)(b), (c), (d), (i) or (j).

(4) Regulation 12(2)(f) and subregulation (1)(f) do not apply to an applicant who satisfies the requirements of subregulations (2)(f), (g), (h) or (k).

Retention of investment used to obtain Permanent Residence Certificate

14. (1) Where a person was issued a Permanent Residence Certificate based on his investment in a home, business or enterprise under regulation 13(2)(f),(g) and (k), that person shall not—

- (a) in the case of a home as an investment under regulation 13(2)(f) and (k), sell, transfer title or otherwise dispose of such home; or
- (b) in the case of a business or enterprise in regulation 13(2)(g) and (k), sell, transfer the right or interest in or otherwise dispose of such business or enterprise,

for a period of at least five years after the person has been issued the Permanent Residence Certificate.

(2) Notwithstanding subregulation (1), a person may dispose of a home, business or enterprise before the period specified in that subregulation has passed, subject to a condition that the person shall within a period of twelve months of such disposal, reinvest a sum equivalent to the original prescribed amount into another home, business or enterprise in the Islands.

(3) Where a home, business or enterprise has been the subject of an application for a Permanent Residence Certificate, the home, business or enterprise shall not be eligible for use in a

subsequent application by another person for a Permanent Residence Certificate through investment unless—

- (a) the period specified in subregulation (1) has passed; or
- (b) the initial owner has re-invested in another home, business or enterprise as specified in subregulation (2).

(4) For purposes of calculating whether the period specified in subregulation (1) has passed and if a home, business or enterprise is eligible to be used in a subsequent application for a Permanent Residence Certificate the following shall apply—

- (a) the period of five years is calculated from the date the Permanent Residence Certificate was issued;
- (b) where a person has disposed of a home, business or enterprise before the expiration of the five years and has re-invested an equivalent sum as stated under subregulation (2), the period of five years is still calculated from the date the Permanent Residence Certificate was issued.

(Inserted by L.N. 34/2018)

Notification of disposal of investment

15. (1) Where a person disposes of an investment that has been used for an application of a Permanent Residence Certificate which has been granted as specified in section 14, the person shall—

- (a) within thirty days of such disposal, notify the Permanent Secretary of the Ministry with responsibility for immigration of such disposal, in writing; and
- (b) where a disposal was made and a person has re-invested, the person shall give the same notification as in paragraph (a), but shall give further notification, within fourteen days of the reinvestment.

(2) A person who gives notification under subregulation (1) shall submit with the written notification, such documentation to show evidence of the disposal and method of disposal, and where applicable, the re-investment made.

(Inserted by L.N. 34/2018)

Annual reporting of retention of investment

16. (1) A person who holds a Permanent Residence Certificate issued through an investment category which is required to be retained as specified in regulation 14, shall on an annual basis, submit to the Permanent Secretary of the Ministry with responsibility for immigration documentation to show that he still has ownership of, holds title to, or has a right or interest in the home, business or enterprise.

(2) To determine the date of submission under subregulation (1), the annual date is a period of one year from the date of issue of the Permanent Residence Certificate.

(3) A person who fails to comply with this regulation is liable to an administrative fine of \$1,500. *(Inserted by L.N. 34/2018)*

Application of regulations 14 to 16

17. Regulations 14 to 16 do not apply to an investment in a home, business or enterprise which was subject of an application of a Permanent Residence Certificate issued prior to 15 June 2018.

(Inserted by L.N. 34/2018)

Permanent Residence Certificate

18. A Permanent Residence Certificate shall be in Form 2 set out in Schedule 3.

Permanent Resident Identification Card

19. There shall be issued to every permanent resident a Permanent Resident Identification Card which shall be in Form 3 set out in Schedule 3.

Endorsement of Permanent Residence Certificate

20. (1) A Permanent Residence Certificate issued to an applicant by virtue of the applicant meeting the requirement in regulation 13(2)(a)(iii), 13(2)(f) and (h), shall be endorsed by the Governor with the condition that the applicant shall not engage in any gainful occupation without a permit issued under section 31 of the Ordinance.

(2) A Permanent Residence Certificate issued by virtue of the applicant meeting the requirement in regulation 13(2)(g) shall be endorsed by the Governor with an authorisation to engage in gainful occupation in the business or enterprise which is the basis of his application.

(3) Any other Permanent Residence Certificate shall be endorsed by the Governor with an authorisation to engage in gainful occupation without any limitation or restrictions.

(4) In pursuance of section 22 of the Ordinance, the Governor may endorse the dependant on a Permanent Residence Certificate upon the issue of such Certificate, or on a subsequent application made in Form 4 set out in Schedule 3.

(5) An endorsement by the Governor on a Permanent Residence Certificate, of—

(a) a dependant may be made with a condition that the dependant shall not engage in any gainful occupation without a permit issued by the appropriate authority under section 31 of the Ordinance; or

(b) a dependant spouse shall be for a period of eleven years and may be renewed as necessary.

Undertaking for issue of Permanent Residence Certificate

21. (1) A person wishing to invest in accordance with regulation 13(2)(f) or (g) may apply to the Governor in Form 5 set out in Schedule 3, for an undertaking that on production of satisfactory evidence that the investment was made before the expiry date of the undertaking, the Governor will issue the person a Permanent Residence Certificate with or without the right to engage in gainful occupation, subject to the relevant regulation.

(2) An application made under subregulation (1) shall be accompanied by a fee specified in Schedule 7.

(3) The Governor may grant the undertaking to the applicant by issuing a certificate in Form 6 set out in Schedule 3.

- (4) For the purposes of subregulation (1), satisfactory evidence—
- (a) in the case of applications made under regulation 13(2)(f), shall include a certificate of occupancy issued under the Physical Planning Ordinance and a certificate from a Quantity Surveyor licensed to practise in the Islands, that the value of the construction of the completed dwelling house meets the minimum investment threshold; and
 - (b) in the case of applications made under regulation 13(2)(g), shall include audited financial statements of the business or enterprise and a certificate from the Commissioner confirming the details of the employment of non-work permit holders that have been generated as a result of the investment.

Declaration of designated approved public sector project

22. (1) The Governor may declare a public sector project in the Islands to be a designated approved public sector project for the purposes of this regulation, if he is satisfied that the public sector project will have a substantial and beneficial impact on the social and economic development of the Islands.

(2) The Governor shall cause a declaration made under subregulation (1) to be published in the *Gazette*.

(3) A person desirous of contributing not less than \$1,000,000 in a designated approved public sector project may apply to the Governor in Form 5 set out in Schedule 3 for an undertaking that on production of satisfactory evidence, that such an amount has been contributed, the Governor would issue the person a Permanent Residence Certificate with or without the right to engage in gainful employment.

(4) An application made under subregulation (3) shall be accompanied by a fee specified in Schedule 7.

(5) The Governor may, if he thinks fit, grant the undertaking to the applicant by issuing a certificate in Form 6 set out in Schedule 3.

Quota of Permanent Residence Certificate issued on ground of investment

23. The Governor shall establish a quota that will restrict the number of Permanent Residence Certificates issued by virtue of any of the investment or contribution conditions set out in regulation 13(2)(f) to (h), and such quota shall be published in the *Gazette*.

PART IV

RESIDENCE AND HOME OWNER'S PERMIT

Residence Permit

Application for Residence Permit

24. (1) An application for a Residence Permit may be made by or on behalf of an applicant to the Director in Form 1 set out in Schedule 4, and shall contain the particulars required therein.

(2) An applicant must show to the satisfaction of the Director that condition A, B or C is met.

- (3) Condition A is that—
- (a) the applicant owns, rents or has available for his own use a house, condominium or apartment in the Islands;
 - (b) neither he nor any of his dependants intend to engage in any gainful occupation; and
 - (c) he can maintain himself and his dependants for the duration of his residence in the Islands without engaging in any gainful occupation.
- (4) Condition B is that—
- (a) the applicant has invested—
 - (i) not less than \$500,000 in a business or a home for himself and his dependants in the island of Providenciales or West Caicos; or
 - (ii) not less than \$250,000 in a business or a home for himself and his dependants in the island of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos;
 - (b) neither he nor any of his dependants intend to engage in any gainful occupation other than the applicant undertaking such activities as are necessary to oversee his investment; and
 - (c) he can maintain himself and his dependants for the duration of his residence in the Islands without engaging in any gainful occupation other than activities necessary to oversee his investment.
- (5) Condition C is that the applicant is the spouse of an Islander or a British Overseas Territories Citizen, and lives with that spouse.

Submissions with application

25. (1) An application form under regulation 24 shall be accompanied by—
- (a) a non-refundable administrative fee specified in Schedule 7;
 - (b) the applicable fee specified in Schedule 7; and
 - (c) two recent passport-sized photographs of the applicant.
- (2) If the application is for the issue of a Residence Permit because the investment condition applies, the application form shall also be accompanied by—
- (a) evidence of the applicant's financial standing;
 - (b) evidence of the applicant's good character; and
 - (c) evidence of the applicant's good health.
- (3) If the application is for the issue of a Residence Permit because the spouse condition applies, the application form shall also be accompanied by an undertaking in writing that the applicant, while resident in the Islands, will not engage in any gainful occupation other than undertaking such activities as are necessary to oversee his investment.

(4) If the application is for the grant of a Residence Permit by reason of the applicant complying with condition A or B in regulation 24(3) and (4), the application form shall also be accompanied by—

- (a) evidence of the applicant's financial standing;
- (b) evidence of the applicant's good character; and
- (c) evidence of the applicant's good health.

(5) If the application is for the grant of a Residence Permit by reason of the applicant complying with condition A in regulation 24(3), the application form shall also be accompanied by an undertaking in writing that the applicant, while resident in the Islands, will not engage in any gainful occupation.

(6) If the application is for the grant of a Residence Permit by reason of the applicant complying with condition B in regulation 24(4), the application form shall also be accompanied by an undertaking in writing that the applicant, while resident in the Islands, will not engage in any gainful occupation other than undertaking such activities as are necessary to oversee his investment.

Conditions attached to Residence Permit

26. (1) A Residence Permit issued by reason of the applicant complying with condition A in regulation 24(3) is subject to the following conditions, which shall be endorsed on the permit—

- (a) a condition that the holder shall not engage in any gainful occupation;
- (b) a condition that the holder shall ordinarily reside in the Islands; and
- (c) such other special conditions as the Director may impose.

(2) A Residence Permit issued by reason of the applicant complying with condition B in regulation 24(4) is subject to the following conditions, which shall be endorsed on the permit—

- (a) a condition that the holder shall not engage in any gainful occupation other than undertaking such activities as are necessary to oversee his investment; and
- (b) such other special conditions as the Director may impose.

Variation of conditions of Residence Permit

27. (1) The holder of a Residence Permit may apply in writing to the Director to vary any condition imposed by the Director under regulation 26(1)(c) and (2)(b).

(2) Where the Director varies a condition pursuant to an application under subregulation (1), the Permit shall be endorsed accordingly.

Issue of Residence Permit

28. (1) A Residence Permit shall be in Form 2 set out in Schedule 4.

(2) A Residence Permit issued by reason of the applicant complying with condition A in regulation 20(3) may be issued for a period of not less than one year and not more than three years as the Director may determine, and may be extended or renewed.

(3) A Residence Permit issued by reason of the applicant complying with condition B in regulation 24(4) may be issued for a period of not less than one year and not more than ten years as the Director may determine, and may be extended or renewed.

(4) A Residence Permit issued by reason of the applicant complying with condition C in regulation 24(5) may be issued for a period of not less than one year and not more than eleven years as the Director may determine, and may be renewed.

(5) The Director may issue an annual residence permit.

Endorsement of dependant on Residence Permit

29. (1) Where an applicant for a Residence Permit to be issued by reason of the applicant complying with condition A or B in regulation 24(3) and (4) has indicated in the application form that the applicant's dependant intends to reside with the applicant in the Islands and has provided particulars in the application form, if the Director issues the permit, the Director may endorse it to authorise the dependant to reside with the applicant in the Islands for the duration of the Residence Permit, but shall not authorise the dependant to engage in any gainful occupation.

(2) Where an applicant for a Residence Permit to be issued by reason of the applicant complying with condition C in regulation 24(5) has indicated in the application form that the applicant's dependant child intends to reside with the applicant in the Islands and has provided particulars in the application form, if the Director grants the permit, they may endorse it to authorise the dependant child to reside with the applicant in the Islands for the duration of the Residence Permit but shall not authorise the dependant child to engage in any gainful occupation.

Extension or renewal of Residence Permit

30. (1) An application for the extension or renewal of a Residence Permit shall be made in writing, thirty days before the expiration of the existing permit.

(2) Where an application for the extension or renewal of a Residence Permit is made after the Residence Permit expires, the applicant shall be liable to pay a penalty fee of \$250 in addition to the fee for the Residence Permit.

Resident Identification Card

31. A person issued with a Residence Permit shall be issued a Resident Identification Card which shall be in Form 3 set out in Schedule 4.

Special provisions: spouse of an Islander

32. (1) The holder of a Residence Permit who is the surviving spouse of an Islander who—

- (a) was married to the deceased for at least seven years;
- (b) immediately before the death of the deceased was not living apart from the deceased—
 - (i) under a decree of a competent court; or
 - (ii) under a deed of separation; and
- (c) immediately preceding the death of the deceased had been legally and ordinarily resident in the Islands,

shall be permitted to continue to hold that Residence Permit for such further period until ten years has elapsed on that Residence Permit.

- (2) The holder of a Residence Permit who—
 - (a) is married to an Islander for at least seven years;
 - (b) is living apart from the spouse, but is not living apart from the spouse—
 - (i) under a decree of a competent court; or
 - (ii) under a deed of separation;
 - (c) can demonstrate that the reason for living apart from the spouse is because he or she has been battered or subject to exceptional hardship by the spouse; and
 - (d) immediately preceding the application, the person has been legally and ordinarily resident in the Islands for a period of two years,

shall be permitted to continue to hold that Residence Permit for such further period until ten years has elapsed on that Residence Permit.

Home Owner's Permit

Application for Home Owner's Permit

33. (1) An application for a Home Owner's Permit may be made by or on behalf of an applicant to the Director in Form 1 set out in Schedule 4 and shall contain the particulars required therein.

- (2) An application form shall be accompanied by—
 - (a) a non-refundable administrative fee specified in Schedule 7;
 - (b) the applicable fee specified in Schedule 7; and
 - (c) two recent passport-sized photographs of the applicant.

(3) An applicant for a Home Owner's Permit must show to the satisfaction of the Director that he owns a home in the Islands that was purchased or built for a value of not less than \$300,000.

Issue of Home Owner's Permit

34. (1) The Director may, when satisfied with the requirements under regulation 33, issue a Home Owner's Permit in Form 4 set out in Schedule 4.

(2) Subject to subregulation (3), a Home Owner's Permit shall be valid for five years and may be extended or renewed.

(3) The holder of a Home Owner's Permit shall provide evidence to the satisfaction of the Director that he continues to own a home in the Islands for the value specified in regulation 29(3).

(4) A Home Owner's Permit is subject to the following conditions, which shall be endorsed on the permit—

- (a) a condition that the holder shall not engage in any gainful occupation; and

- (b) such other special conditions as the Director may impose.

Home Owner's Permit Identification Card

35. A person issued with a Home Owner's Permit shall be issued a Home Owner's Identification Card which shall be in Form 5 set out in Schedule 4. (*Inserted by L.N. 71/2017*)

Endorsement of dependant on Home Owner's Permit

36. The Director may, on the issue of a Home Owner's Permit, endorse the dependant of the person issued with a Home Owner's Permit, without cost.

Extension or renewal of Home Owner's Permit

37. (1) An application for the extension or renewal of a Home Owner's Permit shall be made in writing, thirty days before the expiration of the existing permit.

(2) Where an application for the extension or renewal of a Home Owner's Permit is made after the Home Owner's Permit expires, the applicant shall be liable to pay a penalty fee of \$250 in addition to the fee for the Home Owner's Permit.

PART V

WORK PERMITS

Application for Work Permit (Self-employed person)

38. (1) An application for a Work Permit by a self-employed person may be made by or on behalf of an applicant to the Board in Form 1 set out in Schedule 5, and shall contain the particulars required therein.

(2) An application form under subregulation (1) shall be accompanied by—

- (a) a non-refundable fee, which shall either be the non-refundable administrative fee specified in Schedule 7 or 10% of the annual work permit fee specified in the same Schedule, whichever is the greater;
- (b) two recent passport-sized photographs of the applicant;
- (c) evidence of the applicant's financial standing;
- (d) evidence of the applicant's qualifications and experience;
- (e) evidence of the applicant's good character; and
- (f) evidence of the applicant's good health.

(3) The applicant must show to the satisfaction of the Board—

- (a) that there is a genuine need in the Islands for his skills, services or investment;
- (b) that he will bring money of his own which he will put into his business;
- (c) that he has the necessary qualifications and experience in the field in which he proposes to establish himself; and
- (d) that he is able to support himself and his dependants.

Conditions or restrictions attached to Work Permit (Self-employed person)

39. (1) A Work Permit (Self-employed person) is subject to the following conditions which shall be endorsed on the permit—

- (a) a condition that the holder shall not engage in any gainful occupation other than that endorsed on his permit;
- (b) a condition that the holder shall ordinarily reside in the Islands for the duration of the permit; and
- (c) such other special conditions as the Board may impose.

(2) A Work Permit (Self-employed person) is subject to such restrictions as the Board may impose, which shall be endorsed on the permit.

Variation of conditions or restrictions of Work Permit (Self-employed person)

40. (1) The holder of a Work Permit (Self-employed person) may apply in writing to the Board to vary any condition or restriction imposed by the Board under regulation 39(1)(c) and (2).

(2) Where the Board varies a condition or restriction pursuant to an application under subregulation (1), the permit shall be endorsed accordingly.

Work Permit (Self-employed person)

41. (1) A Work Permit (Self-employed person) shall be in Form 2 set out in Schedule 5.

(2) A Work Permit (Self-employed person) may be issued for such period not exceeding five years as the Board may determine, and may be extended or renewed.

Endorsement of dependant on Work Permit (Self-employed person)

42. Where an applicant has indicated in his application form that his dependant intends to reside with him in the Islands and has provided particulars regarding the dependant in his application form, then, if the Board issues the permit, they may endorse it to authorise any dependant to reside with the applicant in the Islands for the duration of the permit, but shall not authorise the dependant to engage in any gainful occupation.

Extension or renewal of Work Permit (Self-employed person)

43. (1) An application for the extension or renewal of a Work Permit (Self-employed person) must be made in writing, thirty days before the expiration of the existing permit.

(2) Where an application for the extension or renewal of a Work Permit is made after the Work Permit expires the applicant shall be liable to pay a penalty fee of \$250 in addition to the fee for the Work Permit.

(3) If an application for the extension or renewal of a Work Permit has been made before the expiry of the existing permit but has not been dealt with by the Board when the permit is due to expire, the permit continues in force until the application for extension or renewal is dealt with and any extension or renewal in such case shall be taken to have commenced from the day when the permit would have expired, but for the extension or renewal.

Application for Work Permit (Employed person)

44. (1) An application for a Work Permit (Employed Person) may be made to the Board in Form 1 set out in Schedule 5 and shall contain the particulars requested therein.

(2) The application shall be lodged by the employer on behalf of the person he is employing.

(3) The application shall be accompanied by—

- (a) a non-refundable fee, which shall either be the non-refundable administrative fee specified in Schedule 7 or 10% of the annual work permit fee specified in the same Schedule, whichever is the greater;
- (b) two recent passport-sized photographs of the applicant;
- (c) evidence of the applicant's good character;
- (d) evidence of the applicant's good health;
- (e) a description of the work which the applicant is expected to perform; and
- (f) a covering letter from the employer explaining why he requires the services of the applicant.

(4) A person who is the holder of a Temporary Work Permit shall not apply for and obtain a Work Permit (Employed Person) until three months have expired following the date of expiry of the Temporary Work Permit.

(5) An application under this regulation shall be processed after completion of the labour clearance process and the Labour Clearance has been issued under regulation 53.

Requirements for Work Permit (Employed person)

45. (1) The employer must show to the satisfaction of the Board that the labour clearance process as set out under regulation 53 has been completed and that the Commissioner has issued a Labour Clearance in respect of the applicant.

(2) The Board shall not issue a Work Permit (Employed Person) unless it is satisfied that the employer has informed the Commissioner of his intention to recruit the applicant for the position and the Commissioner is satisfied that the requirements for advertising and Islander preference have been met and the Commissioner has issued a Labour Clearance in respect of the applicant.

Conditions or restrictions attached to Work Permit (Employed person)

46. (1) A Work Permit (Employed Person) is subject to the following conditions which shall be endorsed on the permit—

- (a) a condition that the holder shall not change his employer;
- (b) a condition that the holder shall not engage in any gainful occupation other than that endorsed on his permit;
- (c) a condition that the holder shall ordinarily reside in the Islands; and
- (d) such other special conditions as the Board may impose.

(2) A Work Permit (Employed Person) is subject to such restrictions as the Board may impose, which shall be endorsed on the permit.

Variation of conditions or restrictions of Work Permit (Employed person)

47. (1) The holder of a Work Permit (Employed Person) may apply in writing to the Board to vary any condition or restriction imposed by the Board under regulation 46(1)(d) and (2).

(2) Where the Board varies a condition or restriction pursuant to an application made under subregulation (1), the permit shall be endorsed accordingly.

Work Permit (Employed person)

48. (1) A Work Permit (Employed Person) shall be in Form 3 set out in Schedule 5.

(2) A Work Permit (Employed Person) may be issued—

- (a) in respect of a skilled worker, for such period not exceeding five years as the Board may determine; or
- (b) in respect of an unskilled worker, for such period not exceeding three years, as the Board may determine.

(3) A Work Permit issued under this regulation may be extended or renewed.

Endorsement of dependant on Work Permit (Employed person)

49. (1) Where an applicant has indicated in his application form that his dependant intends to reside with him in the Islands and has provided particulars regarding the dependant on his application form, then, if the Board issues the permit, they may endorse it to authorise the dependant to reside with the applicant in the Islands for the duration of the permit, but shall not authorise the dependant to engage in any gainful occupation.

(2) The Board shall issue an Endorsee Identification Card to the dependant endorsed on the Work Permit, in the form set out in Schedule 6.

Work Permit Holder's Identification Card

50. There shall be issued to the holder of a Work Permit, a Work Permit Holder's Identification Card which shall be in Form 4 set out in Schedule 5.

Extension or renewal of Work Permit (Employed person)

51. (1) The Board shall not extend or renew a Work Permit (Employed Person) unless it is satisfied that the employer has informed the Commissioner of his intention to seek an extension or renewal of a permit and that the Commissioner is satisfied that the requirements for advertising and Islander preference have been met and the Commissioner has issued a Labour Clearance in respect of the applicant.

(2) An application for the extension or renewal of a Work Permit (Employed Person) shall be lodged by the employer on behalf of the employee and must be made in writing, thirty days before the expiration of the existing permit.

(3) An application under this regulation shall be processed after completion of the labour clearance process and the Labour Clearance has been issued under regulation 53.

(4) Where an application for an extension or renewal of a Work Permit is made after the Work Permit expires, the applicant shall be liable to pay a penalty fee of \$250 in addition to the fee for the Work Permit.

(5) If an application for the extension or renewal of a Work Permit has been made before the expiry of the existing permit but has not been dealt with by the Board when the permit is due to expire, the permit continues in force until the application for extension or renewal is dealt with and any extension or renewal in such case shall be taken to have commenced from the day when the permit would have expired, but for the extension or renewal.

Expiry of Work Permit (Employed person)

52. (1) Subject to subregulation (2), a Work Permit (Employed Person) shall automatically expire in circumstances where the holder of the permit has resigned from his employment or where his employer has dismissed him, with effect from the date of resignation or dismissal.

(2) In the event of such circumstances, the Director, may, on the application of the holder of a Work Permit, permit him to reside in the Islands for a period not exceeding thirty days following the date of expiry of the permit.

(3) The permission to reside in the Islands under subregulation (1) shall not be subject to extension or renewal.

Labour Clearance

53. (1) On the submission for an application for the issue, extension or renewal of a Work Permit (Employed Person) the Commissioner shall conduct labour clearance for the types of work permit requiring labour clearance.

(2) Where the Commissioner is satisfied that the requirements for advertising Islander preference have been met in that, the employer—

- (a) has made every effort to recruit an Islander to fill the position;
- (b) has placed an advertisement for the position in two consecutive issues of a local newspaper sold or distributed in the Islands; and
- (c) no suitably qualified Islander has applied for the position,

the Commissioner shall issue a Labour Clearance in Form 5 set out in Schedule 5.

(3) Where a Labour Clearance is issued, the application for the work permit, extension or renewal shall continue to be processed.

Appeal against Commissioner's refusal to issue Labour Clearance

54. (1) A person aggrieved by the decision of the Commissioner not to issue a Labour Clearance may appeal in writing to the Minister within fourteen days following notification to him of the decision appealed against.

(2) The Minister may confirm the decision appealed against or direct the Commissioner to issue the Labour Clearance applied for, and the Commissioner shall comply with any such direction.

Freelancer's Work Permit

55. (1) There shall be a Freelancer's Work Permit which shall be issued to—
- (a) a person who has graduated from a public secondary school or a secondary school registered in the Islands, who does not qualify for a Permanent Residence Certificate in terms of regulation 13(2)(b), and who has been resident in the Islands for a period of not less than five years; or
 - (b) a person who is a great grandchild of a person who was born in the Islands and who at the time of the applicant's birth had, or had he still been alive, would have had Islander status, and the person has not yet qualified for a Permanent Residence Certificate.
- (2) An application for a Freelancer's Work Permit shall be made to the Commissioner in Form 6 set out in Schedule 5 and accompanied by a fee specified in Schedule 7.
- (3) A Freelancer's Work Permit shall be in Form 7 set out in Schedule 5.
- (4) A Freelancer's Work Permit—
- (a) shall allow a person to engage in any occupation or business not reserved or restricted for an Islander;
 - (b) may be endorsed to include a dependant; and
 - (c) shall be for a period of five years and may be extended or renewed.
- (5) A person issued a Freelancer's Work Permit shall not be allowed to hold another Work Permit in another category until the expiry of three years from the date of expiry of their last permit, unless the person qualifies to apply for the issue of a Permanent Residence Certificate at the end of such permit, in which case, the person is eligible for one further extension.

Freelancer's Identification Card

56. A person issued with a Freelancer's Permit shall be issued a Freelancer's Identification Card which shall be in Form 8 set out in Schedule 5.

Endorsee Identification Card

57. (1) An application for endorsement as a dependant shall be made in Form 1 set out in Schedule 6—
- (a) in the case of an endorsee for a Permanent Residence Certificate, resident permit or home owner's permit, to the Director;
 - (b) in the case of an endorsee for a work permit, to the Board; and
 - (c) in the case of an endorsee for a freelancer's permit, to the Commissioner.
- (2) The Board, Director or Commissioner, whichever is applicable, shall issue to every person endorsed in a permanent residence certificate or any permit, an Endorsee Identification Card in Form 2 set out in Schedule 6. (*Inserted by L.N. 71/2017*)

Duty of employer to inform Commissioner of cessation of employment

58. (1) Where a Work Permit (Employed Person) is endorsed with a condition permitting the holder thereof to be employed in a gainful occupation by an employer, and such holder thereafter ceases to be employed by that employer, it shall be the duty of—

- (a) the employer, if he is a person resident within the Islands;
- (b) the principal officer, manager, or director of the employer resident within the Islands, if the employer is a company registered in the Islands; or
- (c) the principal manager, servant or other representative in the Islands of the employer, if then resident outside the Islands,

to inform the Commissioner in writing within fourteen days, that such permit holder has ceased to be employed by that employer.

(2) A person who fails to comply with the requirements of subregulation (1) commits an offence and is liable on summary conviction to a fine of \$1,000.

Duty of employee to inform Commissioner of cessation of employment

59. (1) Where a Work Permit (Employed Person) is endorsed with a condition permitting the holder to be employed in a gainful occupation by a particular employer and the holder thereafter ceases to be employed by that employer before the expiry of the permit, it shall be the duty of the holder, within seven days of ceasing to be employed, to present his permit to the Commissioner for cancellation.

(2) A permit presented for cancellation under subregulation (1) shall be deemed to have been cancelled with effect from the expiration of the period of seven days specified in that subregulation.

(3) Subregulation (2) shall not prejudice the power of the Commissioner to extend the duration of the permit under section 34 of the Ordinance.

(4) The holder of a permit who fails to comply with the requirements of subregulation (1) commits an offence and is liable on summary conviction to a fine of \$1,000.

Application for temporary Work Permit

60. (1) An application for a Temporary Work Permit may be made by or on behalf of an applicant to the Commissioner in Form 9 set out in Schedule 5.

(2) An application under subregulation (1) shall be accompanied by a fee specified in Schedule 7.

(3) An applicant for a Temporary Work Permit shall provide the Commissioner with such information as the Commissioner may require which shall include—

- (a) information regarding the purpose of his proposed visit to the Islands;
- (b) his proposed contact in the Islands;
- (c) the nature of his business; and
- (d) the duration of his proposed visit.

(4) A temporary Work Permit shall be in Form 10 set out in Schedule 5.

Extension or renewal of temporary Work Permit

61. An application for the extension or renewal of a Temporary Work Permit may be made by or on behalf of an applicant to the Commissioner in Form 11 set out in Schedule 5.

Application for Business Visitor's permit

62. (1) An application for a business visitor's permit may be made to the Commissioner in Form 12 set out in Schedule 5.

(2) The application shall be lodged by the employer on behalf of the person he is employing.

(3) An application under subregulation (1) shall be accompanied by—

- (a) a non-refundable administrative fee and the applicable permit fee as specified in Schedule 7;
- (b) two recent passport-sized photographs of the person who is the subject of the application;
- (c) a copy of the person's valid passport (biography page);
- (d) evidence of the person's good character (police record valid for six months);
- (e) a description of the work which the person is expected to perform;
- (f) a covering letter from the employer explaining why he requires the services of the person;
- (g) the person's curriculum vitae;
- (h) health insurance (proof of coverage while in the Islands);
- (i) the employer's identification or a business licence; and
- (j) where the employer used an agent—
 - (i) a letter of consent from the company or individual; and
 - (ii) the business licence for the agency. (*Inserted by L.N. 71/2017*)

PART VI

GENERAL

Cancellation of certificate or permit

63. (1) Where a permit has ceased to be valid, or where a certificate or a permit has been revoked under section 25 or 37 of the Ordinance, as the case may be, the Board, Director or Commissioner, as the case may be, shall require the holder thereof, if within the Islands, to present the certificate or permit for cancellation.

(2) Upon receipt of the certificate or permit under subregulation (1), the Board, Director or Commissioner, shall cancel it by writing down on the face of the certificate or permit, the word "Cancelled".

(3) Where the endorsement of a Permanent Residence Certificate has been revoked under section 26 of the Ordinance, the Director shall require that the certificate be forwarded to him by the holder and shall strike out the endorsement by writing across the certificate, the words “Endorsement cancelled”, and shall thereupon return the certificate to the holder.

Biometric authentication

64. (1) An immigration officer, police officer or prison officer, or any person authorised by an immigration officer, may request a person entering the Islands, a detainee or any other person required to be identified for other immigration purposes to undergo biometric authentication, including DNA testing, fingerprinting and face recognition.

(2) Notwithstanding subregulation (1), where an issue arises regarding the identification of a person in the processing of any permit issued under the Ordinance, the appropriate authority may require the person to undergo biometric authentication as provided under subregulation (1).

Repatriation fee

65. (1) The appropriate authority may, on the issue of a permit, require the payment of a non-refundable repatriation fee specified in Schedule 7, in respect of each permit.

(2) Every fee may if necessary, be used to defray any expenses incurred or likely to be incurred by the Government in connection with the detention, maintenance, medical treatment or removal from the Islands of the holder of the permit or his dependants.

Inspection of records

66. (1) A person may apply to the Commissioner or Director, whichever is applicable, to inspect or search records pertaining to dates of issue of work or residence permits, in such form as may be determined by the Commissioner or Director.

(2) An application made under subregulation (1) shall be accompanied by a non-refundable fee specified in Schedule 7. (*inserted by L.N. 6/2017*)

Fees

67. (1) Schedule 7 has effect with respect to fees.

(2) For a work permit fee, in addition to the fee paid on submission of an application under regulation 38, on the issue of a work permit, a fee amounting to the difference of the fee paid on application and the work permit fee specified in Schedule 7, shall be paid.

(3) An attendance fee specified in Schedule 7 shall be payable by the operator or agents of ships or aircraft requiring the attendance of an immigration officer at ports and airports outside the normal working hours.

SCHEDULE 1

(Regulation 7(1))

ENTRY AND DEPARTURE CARD



Turks and Caicos Islands

Immigration Department
International Embarkation
Disembarkation Card

Welcome to the Turks and Caicos Islands

PLEASE PRINT CLEARLY

ALL passengers are required to complete clearly in English in BLOCK CAPITAL letters and BLACK or BLUE INK.

Surname/Last: _____

Given/First Name: _____

Other Names: _____

Gender: Male Female

Date of Birth: DD MM YYYY

Country of Birth

Country of Citizenship

Passport Number

Country/Place of Issue

Occupation/Profession

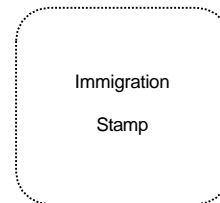
Email Address

City and Country where you boarded

Flight/Ship Number (eg. AA1234)

Intended length of stay # of nights: _____

Signature





TO BE COMPLETED BY VISITORS ONLY

PURPOSE OF VISIT:

- Vacation/Pleasure
- Scuba Diving
- Visit Friends/Relatives
- Honeymoon
- Business
- Conference/Convention
- Seeking Employment
- Other _____

HOW DID YOU LEARN OF THE TURKS AND CAICOS ISLANDS?

- Referral
- Travel Agent
- Website
- Other: _____
- Magazine (title) _____
- TV
- Social Media

BOOKING METHOD:

- Travel Agent
- Other
- Internet/Booking Site: _____
- Check if you wish to receive information on Turks and Caicos

Email Address: _____

MODE OF TRAVEL :

- Commercial Air
- Private Flight
- Cruise Ship
- Private Yacht

INTENDED ADDRESS IN THE TURKS & CAICOS ISLANDS:

- Hotel
- Guest House
- Apartment/Condo
- Private Home
- Villa

Name and /Address: _____

Telephone No: _____

TCI CARES – Please provide Emergency contact # _____

Have you visited the
Turks & Caicos
Islands in the past?
 Yes. ___ times
 No

PLEASE PRINT CLEARLY & RETAIN THIS CARD FOR DEPARTURE

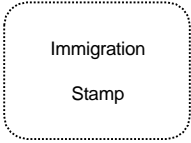


Surname: _____

First Name: _____

Other Name: _____

Date of Birth: DD/MM/YYYY Citizenship: _____



SCHEDULE 2

(Regulation 9(1))

**COUNTRIES AND TERRITORIES WHOSE NATIONALS OR
CITIZENS DO NOT REQUIRE VISAS FOR THE TURKS AND CAICOS ISLANDS**

Anguilla	Lithuania
Antigua and Barbuda	Luxembourg
Argentina	Malta
Austria	Mauritius
Australia	Mexico
Bahamas	Monaco
Barbados	Montserrat
Belgium	Netherlands
Belize	Netherlands Antilles (the former)
Bermuda	New Zealand
Botswana	Norway
Brazil	Oman
British Virgin Islands	Pitcairn Islands
Bulgaria	Poland
Canada	Portugal
Cayman Islands	Panama
Czech Republic	Qatar
Chile	Romania
China	Russia
Colombia	Saint Christopher (Kitts) and Nevis
Costa Rica	Saint Helena, Ascension and Tristan da Cunha
Croatia	Saint Lucia
Cyprus	Saint Vincent and the Grenadines
Denmark	Saudi Arabia

Dominica	Seychelles
Ecuador	Singapore
Estonia	Slovakia
Falkland Islands	Slovenia
Fiji	Solomon Islands
Finland	South Africa
France	South Korea
Germany	Spain
Gibraltar	Suriname
Greece	Sweden
Grenada	Switzerland
Guyana	Taiwan
Hong Kong	Trinidad and Tobago
Hungary	Turkey
Iceland	United Arab Emirates
Ireland	United Kingdom of Great Britain and Northern Ireland
Israel	United States of America
Italy	Ukraine
Japan	Vatican City
Latvia	
Lesotho	
Lichtenstein	

(Amended by L.N. 2/2020)

SCHEDULE 3

PERMANENT RESIDENCE CERTIFICATE

APPLICATION FOR PERMANENT RESIDENCE CERTIFICATE

(Regulation 12(1))

FORM 1



APPLICATION FOR PERMANENT RESIDENCE CERTIFICATE

**TURKS AND CAICOS ISLANDS
IMMIGRATION ORDINANCE**

APPLICATION FOR A PERMANENT RESIDENCE CERTIFICATE

INSTRUCTIONS: Questions 1 to 22 must be completed by all applicants.

1. First Name(s): _____
2. Family Name/Surname: _____
3. Current Address: _____

4. Telephone Number(s): _____
5. Email Address: _____
6. Place of Birth: _____
7. Date of Birth: _____
8. Nationality at Birth: _____
9. Current Nationality: _____
10. Passport Number: _____
11. Place & Date of Issue: _____

1. Marital Status: Single Married Divorced

2. Are you a resident of the Turks and Caicos Islands? [please circle]

YES NO

3. If the answer is YES, how long have you been resident? _____

4. Please give the date(s) of any period(s) of absence(s) from the Turks and Caicos Islands during your stay as a resident, in the table below:

Date Left TCI	Date Returned to TCI	Where Travelled To	Reason for Travel

5. If you were to be granted a Permanent Residence Certificate, please indicate where your principal home will be:

6. If your spouse intends to reside with you, please answer the following questions:
 - (a) Spouse's First Name: _____
 - (b) Spouse's Family Name/Surname: _____
 - (c) Spouse's Place of Birth: _____

(d) Spouse's Date of Birth: _____

(e) Spouse's Nationality: _____

(f) Spouse's present address: _____

7. Do you wish your spouse to be endorsed on the Permanent Residence Certificate, if it is granted? **If so, you must ensure that you have paid the correct fee for endorsement.** [please circle]

YES

NO

8. If you have any dependant children, please complete their details in the table below. You must provide details of **all** dependant children, even if you do not wish to endorse them on your PRC if granted.

Full Name	Male or Female	Date of Birth	Place of Birth	Present Address

9. Please indicate if you wish for any of the dependant children above to be endorsed on your PRC certificate, if granted. Please list the names of the children you wish to be endorsed. **You must ensure that you have paid the correct endorsement fee.**

10. Do you or any named in this application have any criminal convictions recorded against you? [If yes, please complete in the table below]

Name	Date of Conviction	Place Conviction Issued	Offence	Penalty Issued

11. Please provide below the details of THREE referees, who must have known you for at least 3 years.

Name of Referee	Referee's Address	Referee's Tel Number	How Long Has the Referee Known You?

WORK AND RESIDENCE IN THE ISLANDS ROUTE

NOTE: This section must also be completed by those applying under the former dependant child on a work permit route. (See question 26 (e)).

12. If you have been issued with any of the following documents, over the last 10 years, please insert details in the table below:
- (a) Residence permit(s)
 - (b) Government stamp(s)
 - (c) Unskilled work permit(s)
 - (d) Skilled work permit(s)
 - (e) Endorsee as a Spouse or Child Dependant on a PRC or Work Permit

Year	Type of Document	Document Number (if applicable)	Date Issued	Valid From Date	Valid To Date
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

PRIMARY AND SECONDARY SCHOOL ROUTE

13. If you are applying under the **Primary and Secondary School Route**, please provide details of your schooling in the table below. Please note that this schooling must have been **fully** completed before 10 September 2012.

Name and Location of School	Date Started	Date Finished

WIDOW/WIDOWER OF A TURKS AND CAICOS ISLANDER ROUTE

If you are applying because you are the spouse of a Belonger/Turks and Caicos Islander who has deceased, please provide the following information. **Please note that you must have been together for at least five years at the time of his/her death.**

- (a) Spouse's First Name(s): _____
- (b) Spouse's Family Name/Surname: _____
- (c) Spouse's Place of Birth: _____
- (d) Spouse's Date of Birth: _____
- (e) Date of Marriage: _____
- (f) Date Spouse Deceased: _____
- (g) Were you still legally married at the time of death? [please circle]

YES

NO

FORMER CHILD DEPENDANT ON A PERMANENT RESIDENCE ROUTE

14. If you are applying as a person who is over 18 years of age and was previously endorsed on your parent's PRC, please provide the following information:

(a) Parent's First Name(s): _____

(b) Parent's Family Name/Surname: _____

(c) Parent's Date of Birth: _____

(d) Date PRC was Issued: _____

(e) Certificate Number: _____

FORMER CHILD DEPENDANT ON A WORK PERMIT ROUTE

15. If you are applying as a person who is over 18 years of age and was previously endorsed on your parent's work permit, please provide the following information:

(a) Parent's First Name(s): _____

(b) Parent's Family Name/Surname: _____

(c) Parent's Date of Birth: _____

(d) Parent's Last Work Permit Number: _____

(e) Complete the table in question 23.

GREAT GRAND CHILDREN ROUTE

16. If you applying under the great grandchild route, complete the table below.

(a) Name of Mother: _____

(b) Name of Father: _____

In the space below, please give the name of your PARENT given in (a) or (b) above whose grandmother or grandfather was born in the Turks and Caicos Islands below. = (A)	
Your Parent	A (i) Insert the name of (A) here. _____ First Name Middle Name Surname
	Give the name of (A)'s mother or father whose grandparent/s was born in the Turks and Caicos Islands below. = (B)

**Your
Grandparent**

B	(ii) Insert the name of (B) here. _____		
	First Name	Middle Name	Surname
In the space below, please provide the following information regarding the person (B), who you have named above.			
(iii) B's Mother's Name			
(iv) B's Father's Name			
(v) B's Date of Birth	Day:	Month:	Year:
(vi) B's Sex	<input type="checkbox"/> Male <input type="checkbox"/> Female		
(vii) B's Town of Birth			
(viii) B's Country of Birth			
In the space below, please write the name of ONE of (B)'s parents who you have identified in (iii) or (iv) above AND who was born in the Turks and Caicos Islands =(C)			
C	(ix) Insert the name of (C) here. _____		
	First Name	Middle Name	Surname
Provide the following information regarding (C)			
(x) C's Date of Birth	Day:	Month:	Year:
(xi) C's Sex	<input type="checkbox"/> Male <input type="checkbox"/> Female		
(xii) C's Town of Birth			
(xiii) Country of Birth			

**Your great
grandparent**

INVESTOR ROUTE

17. Were you granted a Certificate of Undertaking: YES NO

(a) PRIVATE INVESTMENT

What is the nature and total amount invested?

- Not less than \$300,000 in the actual construction, purchase or renovation of a distressed property as a home for himself and dependants in any of

the islands other than the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos. This investment is:

- Complete Incomplete
- Not less than \$1,000,000 in the actual construction, purchase or renovation of distressed property as a home for himself and dependants in any of the islands other than the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos. This investment is:

Complete Incomplete

- Not less than \$750,000 in a business or enterprise in the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos, which business or enterprise generates employment for persons in the islands of which not less than 60% of employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case).

Complete Incomplete

- Not less than \$1,500,000 in a business or enterprise in any of the islands other than the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos or North Caicos which business or enterprise generates employment for persons in the islands of which not less than 60% of employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case).

Complete Incomplete

(b) DESIGNATED APPROVED PUBLIC SECTOR PROJECT

Please provide the following information.

(i) Name of the project: _____

(ii) Certificate of Undertaking No: _____

Not less than \$1,000,000 in a designated approved public sector project in the Islands.

Complete Incomplete

18. Please list and attach ALL documentary evidence to support the fact that the investment identified above has been made.

Declaration:

I _____ (full name of applicant) hereby declare that the information I have provided in this application is true to the best of my knowledge and belief and I make it knowing that if I have made any false or misleading statements I am liable to be prosecuted under the Immigration Ordinance.

Signature of Applicant: _____

Dated: _____

In the presence of:

Full Name of Witness: _____

Signature of Witness: _____

Dated: _____

FORM 2

(Regulation 25)

PERMANENT RESIDENCE CERTIFICATE

PERMANENT RESIDENCE CERTIFICATE

Photo

This is to certify that: _____

of: _____

having satisfied the conditions of the Immigration Ordinance in that behalf is hereby declared to be entitled to reside permanently in the Turks and Caicos Islands, and to enjoy the rights and privileges accorded by the said Ordinance to a Permanent Resident subject only to the provisions of the said Ordinance and to any conditions or restrictions endorsed herein.

Permission to work: The holder (has/does) not have permission to work

Given this _____ day of _____ 20_____

Permanent Secretary

Governor

(If reissued to include endorsement of spouse or child insert the text box below)

NOTE: THIS IS A REPRODUCTION OF CERTIFICATE NUMBER ____ THAT WAS ISSUED ON (day) (month) 20___. THIS CERTIFICATE IS RE-ISSUED IN ORDER TO FACILITATE THE ENDORSEMENT OF THE HOLDER'S (Spouse/Child/Children) TO (his/her) CERTIFICATE.

This certificate is issued under the provisions of section 21 of the Immigration Ordinance.

In accordance with section 22 of the Immigration Ordinance any spouse or dependant child listed below may not engage in gainful occupation without a permit issued by the Board.

OFFICIAL USE ONLY

<u>Date of</u>		<u>Endorsee(s)</u>
<u>Fee Paid</u>	<u>GR Number</u>	<u>(Spouse/Children)</u>
<u>Endorsement</u>		

FORM 3

PERMANENT RESIDENT IDENTIFICATION CARD

(Regulation 19)

PERMANENT RESIDENT IDENTIFICATION CARD

FRONT OF CARD

PERMANENT RESIDENT IDENTIFICATION CARD
Turks and Caicos Islands

Ref No: Name:

PHOTO Date of Birth: Sex:

Nationality:

Category:

Permission to work:

Holder's Signature

BACK OF CARD

This card is a verification that the holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands indefinitely, unless revoked by the Governor of the Turks and Caicos Islands acting on the recommendation of the Minister under whose portfolio the responsibility for Permanent Residence Certificate lies.

(Substituted by L.N 71/2017)

FORM 4

APPLICATION FOR ENDORSEMENT OF A PERMANENT RESIDENCE CERTIFICATE

(Regulation 20(4))

APPLICATION FOR ENDORSEMENT ON A PERMANENT RESIDENCE CERTIFICATE

-
1. Name of original PRC holder: _____
 2. PRC Number: _____
 3. Current Address: _____
 4. Telephone Number(s): _____
 5. Email address: _____
 6. Please indicate in the table below who you wish to endorse on your PRC:

Name of Child/Spouse	Relationship (son/daughter/wife/husband)	Dependant's Date of Birth	Place of Birth	Where is the Dependant Currently Living?

7. Do you or any of the endorsees (spouse or dependants) have any criminal convictions recorded? [If yes, please complete in the table below]

Name of Individual	Date of Conviction	Place Conviction Issued	Offence	Penalty Issued

Declaration:

I _____ (full name of applicant), who is the holder of the original Permanent Residence Certificate, hereby declare that the information I have provided in this application is true to the best of my knowledge and belief and I make it knowing that if I have made any false or misleading statements I am liable to be prosecuted under the Immigration Ordinance. I confirm that any dependants I wish to endorse on my Permanent Residence Certificate are presently residing in the Turks and Caicos Islands, and did not enter the islands as a visitor.

Signed by: _____ Dated: _____

In the presence of: _____ Dated: _____

I have attached the following documents:

- Original PRC certificate (not a copy – original only as it will be replaced)
- 2 x passport photos for each dependant
- Spouse's medical certificate (if endorsing spouse)
- Spouse's police certificate (if endorsing spouse)
- Marriage certificate (if endorsing spouse)
- Spouse/children's birth certificates Spouse/children's passport
- If aged 0 to 5 years, child's immunisation record

() If aged 5 years plus, child's school letters

() Spouse/child's evidence here in the islands legally and not as a visitor (residence permit/work permit endorsee/work permit)

You must take a photocopy and the original documents to the One-Stop Shop, along with this application form. The officer at the One-Stop Shop will verify your original documents, and return them to you.

FORM 5

(Regulations 21(1) and 22(3))



Ref No:

APPLICATION FORM
for
CERTIFICATE OF UNDERTAKING (PRIVATE OR PUBLIC
INVESTMENT) IN THE TURKS AND CAICOS ISLANDS

Please read this Form carefully and ensure that you understand what is required to complete this Application Form. If the investment is being made as a group you are required to complete a separate form for each person and reference the Principal Investor where indicated.

(Note: Notes in italics are intended for general guidance only)

PART A	INVESTOR INFORMATION	OFFICIAL USE
	<i>A person wishing to invest or contribute in accordance with regulation 13(2) (f), (g) or (h) may apply to the Governor for an undertaking that on production of satisfactory evidence that investment or contribution was so made before the expiry date of the undertaking, the Governor would, on payment of the prescribed fee, grant that person a Permanent Residence Certificate.</i>	
1	Is this application for a group investment? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, state the full name of the Principal Investor: Full Name of Principal or Subsidiary Applicant: Date of Birth: Position (for example, Director and/or Shareholder, Prospective Homeowner): Country of Citizenship:	

	Residential Address:			
2	Intended Address of the Home/Business Site:			
	Lot Number:	Street Name:	Island:	
CONTACT INFORMATION				
3	Mailing Address in the Turks and Caicos Islands:			
	Authorised Contact Person:			
	Business Phone:		Fax:	
	Mobile:		Home Phone:	
	Email Address:			
	Postal Box/Lot Number:	Street Number and Name:	Island:	
4	Mailing Address (Overseas):			
	Authorised Contact Person:			
	Business Phone:		Fax:	
	Mobile:		Home Phone:	

Email Address:		
Postal Box/Lot Number:	Street Name and Number:	Town/City:
<p><i>(A foreign investor must notify the Governor of the Turks and Caicos Islands of any change in the information provided in this Form, for example, the actual address when known.)</i></p>		
TYPE OF INVESTMENT OR CONTRIBUTION		
5	<p>What type of investment or contribution do you intend to make:</p> <p><input type="checkbox"/> Not less than \$300,000 in the actual construction, purchase, renovation of a distressed property as a home for the applicant and his dependants on the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos, or North Caicos</p> <p><input type="checkbox"/> Not less than \$1,000,000 in the actual construction, purchase or renovation of a distressed property as a home for the applicant and his dependants on the islands other than the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos, or North Caicos</p> <p><input type="checkbox"/> Not less than \$750,000 in a business or enterprise in the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos, or North Caicos which generates employment for persons in the islands of which not less than 60% of its employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case)</p> <p><input type="checkbox"/> Not less than \$1,500,000 in a business or enterprise in the islands of Grand Turk, Salt Cay, South Caicos, Middle Caicos, or North Caicos which generates employment for persons in the islands of which not less than 60% of its employees are non-work permit holders (or such lesser number as the Governor may determine in a particular case)</p>	

	<input type="checkbox"/> Not less than \$1,000,000 in a designated approved public sector project in the Islands	
TO BE FILLED OUT <u>IF</u> YOU ARE INVESTING IN A BUSINESS		
6	<p>The Proposed Type of Business Entity of the Foreign Investor: <i>(For example, sole proprietorship, partnership, private company, public company, etc.)</i></p> <p>Are you involved in any other business enterprise/entity in the Turks and Caicos Islands or overseas?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please provide the following details (wherever applicable): Name and location of the Business:</p> <p>Name(s) of Partner(s)/Shareholder(s):</p> <p>Type of Business Activity:</p>	
7	<p>Have you worked in the Turks and Caicos Islands before?:</p> <p>If yes, please provide details of the <u>name</u>, <u>telephone contact</u>, and <u>street address</u> of the company worked in.</p>	

8	<p>Have you or any person associated with you declared bankrupt, an undischarged bankrupt under management and/or receivership and/or liquidation under the laws of the Turks and Caicos Islands or any other country?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please provide details.</p>	
9	<p>Has any of the shareholder(s) or anyone associated with any of your businesses been convicted of any crime?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please provide details.</p>	

PART B	BUSINESS ACTIVITY INFORMATION																	
10	List all the activities to be undertaken in the Turks and Caicos Islands																	
	Description of Activity (List 'Principal Activity' first)																	
11	<p>Is any of the business activity to be undertaken for a Restricted Activity under the Business Licensing Ordinance?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please provide details.</p>																	
12	<p>Please provide the following:</p> <p>Authorised Capital: USDS _____ (minimum: USDS 300,000 - inclusive of offshore branches)</p> <table border="0" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%; text-align: center;">LOCAL</th> <th style="width: 20%; text-align: center;">FOREIGN</th> </tr> </thead> <tbody> <tr> <td>Issued Capital</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Paid-up Capital: (For companies)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Loans:</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Owner's Contributions: (Other than companies)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </tbody> </table>			LOCAL	FOREIGN	Issued Capital	_____	_____	Paid-up Capital: (For companies)	_____	_____	Loans:	_____	_____	Owner's Contributions: (Other than companies)	_____	_____	
	LOCAL	FOREIGN																
Issued Capital	_____	_____																
Paid-up Capital: (For companies)	_____	_____																
Loans:	_____	_____																
Owner's Contributions: (Other than companies)	_____	_____																

Additional Important Information and Requirements for Applicants (to be provided with this Application).

1. Investors are encouraged to reserve their business name with the *Registrar of Companies*.
2. If a company is being listed as a Shareholder, then the name(s) of those associated with that Shareholding Company must be provided.
3. A copy of the Shareholders Agreement and a copy of the Declaration of Shareholders, witnessed/certified by a Justice of Peace, Lawyer and/or Chartered Accountant, are to be submitted if local equity contribution is required.
4. A Certified Copy of the Passport Bio-data Page, together with a recent coloured passport size photo, of all those associated with the business must be provided,
5. The Police Clearance Report from the country where you have been residing in the last 12 months or more is to be provided.
6. Proof of company registration from abroad (if applicable) is to be provided.

The granting of a Permanent Residence Certificate does not qualify the investor(s)/company to qualify for or be automatically granted permits from the various approving agencies.

DECLARATION

I/We, the undersigned, being duly authorised as the foreign investor, hereby declare that the information contained in this application is correct and complete and I/We authorise the Governor of the Turks and Caicos Islands to make all the necessary enquiries and to conduct all the necessary checks in relation to this Application.

Name(s):	Position(s): <i>(if applicable)</i>	Signature(s):
-----------------	--	----------------------

.....
-------	-------	-------

Signedat thisday of 20 (year)

Company Seal (if applicable):

Only fully completed, original and signed Application Forms, together with the full payment of which USD \$1,500 shall be a non-refundable Administrative Fee.

The completed Form should be submitted either in person or by post to:

OFFICIAL USE

1. Does the foreign investor qualify for a Foreign Investment Registration Certificate (FIRC)?

[] YES

[] NO

If not, why?

Signature: _____ **Date:** _____
Registrar

2. DECISION

[] Grant

[] Refuse

Signature: _____ **Date:** _____
The Governor
Turks and Caicos Islands

FORM 6
(Regulations 21(3) and 22(5))



Turks and Caicos Islands

Certificate of Undertaking to Grant a Permanent Residence Certificate

WHEREAS....., **the Applicant,**

of:**(the Applicant's address)** has on theday of
20..... applied for a Permanent Residence Certificate in the Investor category:

WHEREAS the applicant has undertaken to invest the sum of
\$.....in an approved public or private enterprise:

AND WHEREAS the applicant has satisfied the requirements of regulation 13(2)(f),
(g) or (h).

NOW THEREFORE, I.....Governor of the Turks and Caicos
Islands, hereby undertake within a period of.....years from the date hereof to grant
the said applicant a Permanent Residence Certificate in the Investor Category(private or
public) if the said applicant satisfies me that he or she has expended the sum of
\$.....on an approved public or private enterprise and
the construction of which is completed.

GIVEN this day of 20....

Governor

OFFICIAL USE ONLY

Fee Paid


GR Number

SCHEDULE 4
RESIDENCE AND HOME OWNER'S PERMITS

FORM 1

APPLICATION FOR RESIDENCE AND HOME OWNER'S PERMIT

(Regulations 24(1) and 33(1))

Office Use Only	Reference No:	Date received	DD MM YYYY	Received by:
 Turks and Caicos Islands	RESIDENCE PERMIT APPLICATION <input type="checkbox"/> Independent Means <input type="checkbox"/> Spouse of a Turks and Caicos Islander <input type="checkbox"/> Home Owner			
Name of Applicant				
Payment Voucher No.				
INSTRUCTIONS: Please write in BLOCK letters and tick (✓) where relevant. Complete the form in its entirety. Ensure that the following documents are attached. Kindly indicate the persons for whom endorsements are requested and for whom you have paid the relevant fees: Spouse _____ Child 1 _____ Child 2 _____ Child 3 (additional sheet required) _____ Child 4 (additional sheet required) _____				

You are required to complete each section below regarding your present and/or previous immigration status in the islands.

Immigration history details for the person to be resident in the Turks and Caicos Islands.

A12 Work Permit Holder	<input type="checkbox"/> Temporary	<input type="checkbox"/> Annual	<input type="checkbox"/> Never Worked
Employer	Job Title/Occupation		
A13 Last Permit Number	Date of Issue	Expiration Date	
	DD MM YYYY	DD MM YYYY	
A14 National Health Insurance Number	A15 National Insurance Number		

A16 Residence Permit Holder	<input type="checkbox"/> Never Resided		
A17 Permit Number	Date of Issue	Expiration Date	
	DD MM YYYY	DD MM YYYY	
A18 Endorsed on	<input type="checkbox"/> Work Permit <input type="checkbox"/> Residence Permit <input type="checkbox"/> Permanent Residence Cert. (PRC) <input type="checkbox"/> Never Endorsed		
A19 Name of Permit Holder	Relationship to you		
A20 Permit Number	Date of Issue	Expiration Date	
	DD MM YYYY	DD MM YYYY	

A21	<input type="checkbox"/> Visitor <input type="checkbox"/> Never Visited		
A22 In which country are you residing at the time of this application?	Last date of entry into the Turks and Caicos Islands	Last date of departure from the Turks and Caicos Islands	
	DD MM YYYY	DD MM YYYY	
A23 Do you have a pending arbitration/reconciliation at the Employment Services Department or Labour Tribunal case?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

SECTION B CONTACT INFORMATION FOR THE PERSON TO BE RESIDENT

B1 Residential address and contact information in home country.	
Telephone Number	Email

B2 If already in the Turks and Caicos Islands, provide TCI contact information below.

Address

Telephone Number

Email

B3 Name and address for communication concerning this application.

Family/last name

Given/first name

Company Name and address (if applicable)

Telephone Number

Email

SECTION C

DETAILS FOR SPOUSE OF THE PERSON TO BE RESIDENT

C1 Name of person (as printed in the Passport):

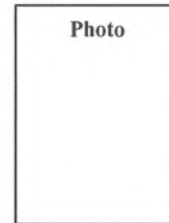
TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____

Family/last name

Given /first names

C2 Other names you are known by or have ever been known by

Photo



C3 Date of Birth: **C4** Sex/Gender: Male Female

C5 Country of Birth (including province/state): _____

C6 Country of Citizenship (if more than 1, list all):(1) _____ (2) _____

C7 Race/Ethnicity: _____ **C8** Languages spoken: _____, _____

C9 Occupation _____ **C10** Present country of residence _____

C11 Address _____

Telephone No. _____

C12 Details of all passports held. You are required to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

NOTE : ALL APPLICANTS EXCEPT THE SPOUSE OF A TURKS AND CAICOS ISLANDER are required to answer questions **C13** to **C23**.

Previous or current immigration details for the spouse of the person to be resident in the Turks and Caicos Islands.

C13 Work Permit Holder Temporary Annual Never Worked

Employer _____ Job Title/Occupation _____

C14 Last Permit Number _____ Date of Issue _____ Expiration Date _____
 DD MM YYYY DD MM
 YYY

C15 National Health Insurance Number _____ **C16** National Insurance Number _____

C17 Residence Permit Holder Never Resided

C18 Permit Number _____ Date of Issue _____ Expiration Date _____
 DD MM YYYY DD MM YYY

C19 Endorsed on Work Permit Residence Permit Permanent Residence Cert. (PRC)
 Never Endorsed

C20 Name of Permit Holder Relationship to you

C21 Permit Number Date of Issue Expiration Date
DD MM YYYY DD MM YYYY

C22 Visitor Never Visited

C23 In which country are you residing at the time of this application? Last date of entry into the Turks and Caicos Islands DD MM YYYY Last date of departure from the Turks and Caicos Islands DD MM YYYY

SECTION D DETAILS FOR DEPENDANT CHILDREN OF THE PERSON TO BE RESIDENT

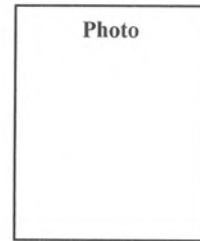
DEPENDANT CHILD 1

D1 Name of person (as printed in the Passport):

Family/last name

Given /first names

D2 Other names you are known by or have ever been known by



D3 Date of Birth: DD MM YYYY **D4** Sex/Gender: Male Female

D5 Country of Birth (including province/state):

D6 Country of Citizenship (if more than 1, list all):(1) (2)

D7 Present country of residence

D8 Name of school currently attending.

D9 Details of all passports held. You are require to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

If this child is residing in the Turks and Caicos Islands what is his/her current immigration status? _____

D10 Endorsed on Work Permit Residence Permit Never Endorsed

D11 Visitor Never Visited

Last date of entry into the Turks and Caicos Islands DD MM YYYY

Last date of departure from the Turks and Caicos Islands DD MM YYYY

D12 Are you seeking an endorsement for this child?
 Yes No No, I intend to do so in a subsequent application.

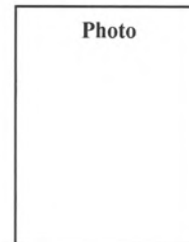
DEPENDANT CHILD 2

D13 Name of person (as printed in the Passport):

Family/last name

Given /first names

D14 Other names you are known by or have ever been known by



D15 Date of Birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

D16 Sex/Gender: Male Female

D17. Country of Birth (including province/state): _____

D18. Country of Citizenship (if more than 1, list all):(1) _____ (2) _____

D19. Present country of residence _____

D20. Name of school currently attending. _____

D21 Details of all passports held. You are required to give all information as printed in each passport

	PASSPORT 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

D22 If this child is residing in the Turks and Caicos Islands what is his/her current immigration status? _____

D23 Endorsed on Work Permit Residence Permit Never Endorsed

D24 Visitor Never Visited

Last date of entry into the Turks and Caicos Islands
DD MM YYYY

Last date of departure from the Turks
and Caicos Islands DD MM YYYY

D25 Are you seeking an endorsement for this child ?

Yes No No, I intend to do so in a subsequent application.

D26 Are you separated or divorced from the parent of any of the children in this application?

Yes No

SECTION E EDUCATION AND OCCUPATION OF THE PERSON TO BE RESIDENT

If more space is required please attach an additional page.

E1 Post-Secondary Education (If you need to provide additional information, please attach an additional page.)

Name of Institution 1			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

Name of Institution 2			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

E2. List ALL Trade or Professional Bodies or Associations with which the person to be employed are affiliated:

Name of Association			
Address of Institution			
Country		Date of Membership	DD MM YYYY

Name of Association			
Address of Institution			
Country		Date of Membership	DD MM YYYY

E3 Current occupation _____

E4 Place of work and work address _____

SECTION F CHARACTER DETAILS

F1 For ANY offence, including any driving offence, has the person to be employed, or anyone included in this application, ever been :

- arrested? Yes No
- charged? Yes No
- convicted? Yes No

F2 For ANY offence, in any country, is anyone included in this application currently:

- under investigation? Yes No
- wanted for questioning? Yes No
- facing charges? Yes No

F3 Does anyone included in this application, currently have an outstanding arrest warrant in any country?

Yes No

F4 With respect to any country, including the Turks and Caicos Islands, has anyone included in this application ever been

- repatriated? Yes No
- refused entry? Yes No
- removed or deported ? Yes No

If your response to any of the above is Yes, provide details below. Insert a new sheet for each person where required.

Name of Person:	
F5 Was the person refused entry, removed or departed? <input type="checkbox"/> Yes <input type="checkbox"/> No	F6 If yes, briefly state the date, the country removed from and the reason for denial or removal.
F7 Was the person arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No	F8 If yes, briefly state the reason/circumstance of the arrest.
F9 Was the person charged? <input type="checkbox"/> Yes <input type="checkbox"/> No	F10 If yes, please state the nature of the offence charged.

F11 Was the person convicted? <input type="checkbox"/> Yes <input type="checkbox"/> No	F12 What was the date/s of conviction? DD MM YYYY
--	---

DETAILS ABOUT THE CONVICTION	
F13 What was the nature of the offence?	
F14 What was the date of sentence?	DD MM YYYY
F15 What was municipality/city/county /province/country where convicted	
F16 Has the sentence been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
F17 Date sentence completed:	DD MM YYYY
F18 Is the conviction spent?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION G RESIDENCE PERMIT VIA INDEPENDANT MEANS

- G1** Are you able to sustain yourself (and family) in the Turks and Caicos Islands without seeking employment here?
 Yes No
- G2** How much funding in US dollars do you have available to maintain yourself (and family) in the Turks and Caicos Islands annually.
 less than \$75 - \$150,000 \$150-250,000
 More than \$250,000
- G3** What is the source of your income? _____
- G4** Tick the living accommodation that applies.
 I live/will be living in a rented apartment/condominium/house
 I own my own home
 I live/ will be living with relatives or a friend
- G5** Please indicate the length of time you will be spending in the Turks and Caicos Islands each year.
 Less than 6 months 6-12 months

I understand that it is an offence to provide false or misleading information under Section 97 of the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative

Date: DD MM YYYY

J2 Declaration by an Agency:

(Applicable if the Employer engages the services of an Agency/Agent)

I hereby declare that I am authorised to bind the Employer for the Foreign Worker named in **Section A** to the following:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work Permit, as specified in the Immigration Ordinance to the Foreign Employee and the Authorised Officer of the Employer.

The information as set out in this application is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under Section 97 of the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name, Signature and Designation of Authorised Agency Personnel

Date: DD MM YYYY

Authorised Agency Personnel Contact Details

FORM 2

(Regulation 28)

RESIDENCE PERMIT

FRONT PAGE (PAGE ONE)

The following shall appear on the front of the permit:

TURKS AND CAICOS ISLANDS RESIDENCE PERMIT

This permit must be available for presentation to an immigration officer or a police officer on demand.

Loss or damage to this permit should immediately be reported to the Director of Immigration in writing.

When travelling, it is advisable to keep this permit with your passport to facilitate your passage through immigration.

Any condition or restriction specified in this permit must be strictly adhered to.

INSIDE FRONT PAGE (PAGE TWO)

The following shall appear on the inside front page:

Permit No:

Immigration reference:

Issued to: (Holder's full name)

Date:

Valid until:

*This permit authorises the holder (and his dependants *) to reside in the Turks and Caicos Islands otherwise than for the purpose of engaging in gainful occupation.*

Any extension to the period or duration of this permit must be authorised by the Director and endorsed hereon.

This permit may be cancelled if the holder engages in any gainful occupation.

** Delete if not applicable*

Fee paid \$ Date:

Signed by:

(DIRECTOR OF IMMIGRATION)

PAGE THREE

The following shall appear on page three:

Photograph of Holder

Holder's signature:

EXTENSIONS

1. Valid until:
Fee paid: \$ Date of payment:
Authorised by:
(DIRECTOR OF IMMIGRATION)
 2. Valid until:
Fee paid: \$ Date of payment:
Authorised by:
(DIRECTOR OF IMMIGRATION)
-

FORM 3

RESIDENT IDENTIFICATION CARD

(Regulation 31)

RESIDENT IDENTIFICATION CARD

FRONT OF CARD

RESIDENT IDENTIFICATION CARD

Turks and Caicos Islands

Ref No:

PHOTO

Name: _____ **Sex:** _____

Date of Birth: _____

Nationality: _____

Category: _____

Permission to Work: _____

Location: _____

Date of Issue: _____ **Expiration Date:** _____

Holder's Signature _____

(Substituted by L.N. 71/2017)

BACK OF CARD

STIPULATION:

1. The holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands until the expiration date printed on this card.
2. This permit does not confer any entitlement to, or preference in connection with, the granting of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.
3. This permit is subject to the following conditions—
 - a. that the holder will not be allowed work during the term of this permit EXCEPT where the holder is the spouse of a Turks and Caicos Islander and is living together with the Islander ;
 - b. without the prior consent of the Director of Immigration the holder's authority to remain in the Islands ceases in the event that the permit is revoked or expires;

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE DIRECTOR OF IMMIGRATION.

FORM 4

(Regulation 34(1))

HOME OWNER'S PERMIT

FRONT PAGE (PAGE ONE)

The following shall appear on the front of the permit:

TURKS AND CAICOS ISLANDS HOME OWNERS PERMIT

This permit must be available for presentation to an immigration officer or a police officer on demand.

Loss or damage to this permit should immediately be reported to the Director of Immigration in writing.

When travelling, it is advisable to keep this permit with your passport to facilitate your passage through immigration.

Any condition or restriction specified in this permit must be strictly adhered to.

INSIDE FRONT PAGE (PAGE TWO)

The following shall appear on the inside front page:

Permit No:

Immigration reference:

Issued to: (Holder's full name)

Date:

Valid until:

*This permit authorises the holder (and his dependants *) to reside in the Turks and Caicos Islands otherwise than for the purpose of engaging in gainful occupation.*

Any extension to the period or duration of this permit must be authorised by the Director and endorsed hereon.

This permit may be cancelled if the holder engages in any gainful occupation.

** Delete if not applicable*

Fee paid \$ Date:

Signed by:

(DIRECTOR OF IMMIGRATION)

PAGE THREE

The following shall appear on page three:

Photograph of Holder

Holder's signature:

EXTENSIONS

1. Valid until:
Fee paid: \$ Date of payment:
Authorised by:

(DIRECTOR OF IMMIGRATION)

2. Valid until:
Fee paid: \$ Date of payment:
Authorised by:

(DIRECTOR OF IMMIGRATION)

FORM 5

HOME OWNER'S IDENTIFICATION CARD
(Regulation 35)

HOME OWNER'S IDENTIFICATION CARD

FRONT OF CARD

HOME OWNER'S PERMIT CARD
Turks and Caicos Islands

Ref No: _____

PHOTO

Name: _____ **Sex:** _____

Date of Birth: _____

Nationality: _____

Location: _____

Date of Issue: _____ **Expiration Date:** _____

Holder's Signature _____

BACK OF CARD

STIPULATION:

1. The holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands until the expiration date printed on this card.
2. This permit does not confer any entitlement to, or preference in connection with, the granting of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.
3. This permit is subject to the following conditions—
 - a. that the holder shall not engage in any gainful occupation;
 - b. such other conditions as are imposed by the Director and specified on the permit.
4. Holder should be in possession of this card at all times.

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE DIRECTOR OF IMMIGRATION.

(Inserted by L.N. 71/2017)

SCHEDULE 5

WORK PERMITS

FORM 1

**APPLICATION FOR WORK PERMIT
(SELF-EMPLOYED PERSON AND EMPLOYED PERSON)**

(Regulations 39(1) and 44(1))

Office Use Only	Reference No:	Date received	DD MM YYYY	Received by:
 <p>Turks and Caicos Islands</p> <p>WORK PERMIT APPLICATION</p> <p><input type="checkbox"/> EMPLOYED <input type="checkbox"/> SELF EMPLOYED</p>				
Name of Employer				
Name of Employee				
Payment Voucher No.				
<p>INSTRUCTIONS:</p> <p>Please write in BLOCK letters and tick (✓) where relevant.</p> <p>Complete the form in its entirety.</p> <p>Ensure that the following documents are attached.</p> <p>Kindly indicate the persons who wish to accompany the temporary worker or are already residing in the Turks and Caicos Islands.</p> <p>Spouse _____</p> <p>Child 1 _____</p> <p>Child 2 _____</p> <p>Child 3 (additional sheet required) _____</p> <p>Child 4 (additional sheet required) _____</p>				

REQUIRED DOCUMENTS AND FEES

EMPLOYED PERSON'S APPLICATIONS

- (1) Two photographs of the foreign worker and each person to be endorsed. Only **ONE** photograph of each individual must be certified
- (2) Certified copy of the foreign worker's passport bio data page showing photograph and date and place of birth
- (3) If on island, proof of legal entry and lawful stay in the Islands
- (4) Valid Police record (Local) for renewals. (Local and Overseas-if first time)
- (5) Certificate of Good Health (please contact the Ministry of Health for further information)
- (6) Confirmation of up to date NHIP and NIB contribution (if previously employed or resident in the islands)
- (7) Cover letter outlining the need for the work permit from the prospective employer
- (8) Completed application form signed by the employer and applicant
- (9) Employer's Business license
- (10) News Paper Advertisements
- (11) Job description
- (12) Employment Contract
- (13) Academic/Professional Qualifications Certificates and Diplomas
- (14) If not from an English speaking country evidence of proficiency in both spoken and written English
- (3) If on island, proof of legal entry and lawful stay in the Islands
- (4) Valid Police record (Local) for renewals. (Local and Overseas-if first time)
- (5) Certificate of Good Health (please contact the Ministry of Health for further information)
- (6) Confirmation of up to date NHIP and NIB contribution (if previously employed or resident in the islands)
- (7) Cover letter outlining the need for the work permit
- (8) Completed application form signed by the applicant
- (9) Bank statement
- (10) Valid Business License
- (11) Proof of Ownership of Company
- (12) Listing of Partners/Shareholders/Certificate of Incumbency
- (13) Business and Staffing Plan including organizational structure
- (14) Academic/Professional Qualifications Certificates and Diplomas
- (15) If not from an English speaking country evidence of proficiency in both spoken and written English

FEES

- (1) A non-refundable Administration Fee which will be either \$150.00 or 10% of the work permit fee per application, whichever is greater.
- (2) Labour Clearance Fees \$100.00 per application
- (3) A non-refundable Fast Track Service Fee of \$500 00 for Fast Track Service, if desired (i.e. 7 days processing service)
- (4) A non-refundable Repatriation Fee for each first time work permit application and/or upon a new work permit application involving a change in employer.
- (5) Any other fees owed to the Turks and Caicos Islands Government with respect to work permits
- (1) A non-refundable Administration Fee which will be either \$150.00 or 10% of the work permit fee per application, whichever is greater.
- (2) A non-refundable Fast Track Service Fee of \$500 00 for Fast Track Service, if desired (i.e. 7 days processing service)
- (3) Any other fees owed to the Turks and Caicos Islands Government with respect to work permits

SELF-EMPLOYED APPLICATIONS

- (1) Two photographs of the applicant and each person to be endorsed. Only **ONE** photograph of each individual must be certified
- (2) Certified copy of the foreign worker's passport bio data page showing photograph and date and place of birth
- (1) Two Photographs each
- (2) Marriage certificate
- (3) Copy of spouse / children valid passport (Bio page)
- (4) Medical (certificate of good health)
- (5) Police record (valid for six months)
- (6) In the case of a child police record is need for ten (10) years and older
- (7) A school letter is need for children (private school)

FEES

ENDORSEMENT OF SPOUSE / CHILDREN

- (8) Birth certificate of spouse and child/children
- (9) The applicant/employer has to demonstrate that the employee's income is sufficient to support him/herself and family in the islands and provide for the registration of the children in a private school.
- (10) Applications are submitted in the same manner as work permits.
- (11) The fee structure is a **\$150.00** non-refundable administrative fee, as well as a non-refundable fee of **\$500** with respect to each endorsee. Both are to be paid upon application.

A15 Does the person have step-children? **No** **Yes** – How many?

A16 In which country is the prospective employee residing at the time of this application?

If the person is/was legally resident in the Islands please provide the following.

A17 National Health Insurance Number

A18 National Insurance Number

IMMIGRATION DETAILS FOR THE PERSON TO BE EMPLOYED IN THE TCI

A19 Did the person to be employed ever hold legal residence in the Islands? **Yes** **No**

NB: If the response to A18 is “**YES**,” you are required to complete **ONE** of the relevant sections below regarding the person’s LAST legal immigration status in Turks and Caicos Islands.

SECTION I – WORK PERMIT

A20 If the person’s last legal status was as a **Work Permit Holder** what type of work permit did he or she have? **Temporary** **Annual**

Details of last Work Permit

Name of last Employer		
Job Title/Occupation		
Last Work Permit Number		
Expiration Date		DD MM YYYY

A21 Does the prospective employee have a pending arbitration/reconciliation at the Employment Services Department or Labour Tribunal case? **Yes** **No**

SECTION II – RESIDENCE PERMIT

A22 If the person’s last legal status was as a **Residence Permit Holder** please provide the following information.

A23 Permit Number

A24 Date of Issue

DD MM YYYY

Expiration Date

DD MM YYYY

SECTION III- ENDORSEE

A25 If the person's last legal status was as an **Endorsee**, what type of document was he/she endorsed on? **Work Permit** **Residence Permit** **PRC**

A26 Name of Permit Holder

A27 What is the relationship of the permit holder to the prospective employee?

A28 Permit Number

A29 Date of Issue

DD MM
YYYY

Expiration Date

DD MM YYYY

SECTION IV - VISITOR

A30 Did the prospective employee **visit** the Turks and Caicos Islands in the past? **Yes** **No**

A31 What was his/her last date of entry into the Turks and Caicos Islands?
DD MM YYYY

What was his/her last date of departure from the Turks and Caicos Islands? DD MM YYYY

SECTION B THE PERSON TO BE EMPLOYED CONTACT INFORMATION

B1 What is the person's residential address and contact information in his/her home country?

<input type="text"/>	
Telephone Number	Email
<input type="text"/>	<input type="text"/>

B2 If the person to be employed is residing in the Turks and Caicos Islands, provide TCI contact information below.

Residential address

<input type="text"/>	
Telephone Number	Email
<input type="text"/>	<input type="text"/>

SECTION C DETAILS FOR SPOUSE OF THE PERSON TO BE EMPLOYED

C1 Name of spouse (as printed in the Passport):

TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____
Surname/Last Name

Given/First Names

SECTION II – RESIDENCE PERMIT

If the person's spouse last legal status was as a **Residence Permit Holder** please provide the following information.

C13 Permit Number **C14** Date of Issue Expiration Date
DD MM YYYY DD MM YYYY

SECTION III - ENDORSEE

C15 If the person's spouse last legal status was as an **Endorsee**, what type of document was he/she endorsed on? **Work Permit** **Residence Permit** **PRC**

C16 Name of Permit Holder **C17** What is the relationship of the permit holder to the spouse?
C18 Permit Number Date of Issue Expiration Date
DD MM YYYY DD MM YYYY

SECTION IV - VISITOR

C19 Did the person's spouse visit the Turks and Caicos Islands in the past? **Yes** **No**

C20 What was his/her last date of entry into the Turks and Caicos Islands? What was his/her last date of departure from the Turks and Caicos Islands?
DD MM YYYY DD MM YYYY

IMMIGRATION DETAILS FOR THE CHILDREN OF THE FOREIGN WORKER

SECTION D DETAILS FOR DEPENDENT CHILDREN OF THE PERSON TO BE EMPLOYED

DEPENDENT CHILD 1

D1 Name of person (as printed in the Passport):

Surname/Last Name

Given/First Names

Middle/Other names known by or have ever been known by

D2 Date of Birth: **D3** Sex/Gender: Male Female

D4 Country of Birth: _____ **D5** Country of Citizenship

D6 Passport Number _____ **D7** Expiration

Date DD MM YYYY

D8 Present country of residence _____

D9 Name of school currently
attending. _____

D10 If this child is residing in the Turks and Caicos Islands what is his/her current
immigration status?

Endorsed on ---- Work Permit Residence Permit Not Endorsed

D11 What was his/her last date of entry into the Turks and Caicos Islands? DD MM YYYY

D12 What was his/her last date of departure from the Turks and Caicos Islands? DD MM YYYY

D13 Are you seeking an endorsement for this child? Yes No I intend to do so
in a future application.

DEPENDENT CHILD 2

D14 Name of person (as printed in the Passport):

Surname/Last
Name _____

Given/First Names

Middle/Other names
known by or have
ever been known by

D15 Date of Birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

D16 Sex/Gender: Male Female

D17 Country of Birth: _____ **D18** Country of Citizenship

D19 Passport Number _____ **D20** Expiration Date DD MM
YYYY

D21 Present country of residence _____

D22 Name of school currently attending. _____

D23 If this child is residing in the Turks and Caicos Islands what is his/her current immigration status?

Endorsed on --- Work Permit Residence Permit Not Endorsed

D24 What was his/her last date of entry into the Turks and Caicos Islands? DD MM YYYY

D25 What was his/her last date of departure from the Turks and Caicos Islands? DD MM YYYY

D26 Are you seeking an endorsement for this child?

Yes No I intend to do so on a subsequent application.

SECTION E EDUCATION DETAILS FOR THE PERSON TO BE EMPLOYED

If more space is required please attach an additional page.

E1 What is the person's last level/type of formal education?

Primary School Secondary/High School Vocational/Trade School College/University

E2 Please provide details of the last two institutions attended below.

Name of Institution 1			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

Name of Institution 2			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

E3 List ALL Trade or Professional Bodies or Associations with which the person to be employed are affiliated:

Name of Association 1			
Address of Institution			
Country		Date of Membership	DD MM YYYY
Name of Association 2			
Address of Institution			
Country		Date of Membership	DD MM YYYY

E4 Give details of ALL disciplinary action to which you have been subject by such Body or Association:

SECTION F CHARACTER DETAILS

F1 For ANY offence, including any driving offence, in any country, has the person to be employed, or anyone included in this application, ever been:

- arrested? **Yes** **No**
- charged? **Yes** **No**
- convicted? **Yes** **No**
- under investigation? **Yes** **No**
- wanted for questioning? **Yes** **No**

F2 Name of Person: _____

Please state briefly the reason/circumstance of the arrest; if charged, the nature of the offence charged; if convicted the date of conviction and if sentenced, the date of sentencing.

F3 Does anyone included in this application, currently have an outstanding arrest warrant in any country? **Yes** **No**

F4 With respect to any country, including the Turks and Caicos Islands, has anyone included in this application ever been

- repatriated? **Yes** **No**
- refused entry? **Yes** **No**
- removed or deported? **Yes** **No**

F5 If your response to any of the questions in **F3** and **F4** above is **“YES,”** provide details below. Insert a new sheet for each person where required.

F6 Name of Person: _____

Please state briefly the reason/circumstance for the outstanding arrest warrant and or reason for denial of entry or removal from a country.

SECTION G EMPLOYMENT HISTORY DETAILS

G1 Give the following information regarding your PAST working experience starting with the most recent first. (Use extra sheets as needed):

Name of Employer 1			
Job Title			
Main tasks performed			
Country			
Date Employment Started	DD MM YYYY	Date Employment Ended	DD MM YYYY
Reason Employment Ended			

Name of Employer 2	
Job Title	
Main tasks performed	

Country			
Date Employment Started	DD MM YYYY	Date Employment Ended	DD MM YYYY
Reason Employment Ended			

SECTION H DETAILS ABOUT THE EMPLOYER AND THE JOB OFFERED

H1 Name of Company/Firm/Individual (the Employer)

H2 Company Name and address (if applicable)

H3 Telephone Number _____ **H4** Email _____

H5 Fax number

If applicable, please give the following information about Company/Firm/Individual Employer:

H6 Business License Number: _____ **H7** Business License Category _____
H8 Expiration Date _____ DD MM YYYY _____

H9 Company's National Insurance Number: _____
H10 National Health Insurance Number: _____

H11 What will be the foreign worker's employment status in the company/firm if given a work (tick as permit appropriate):
 Employee (including trainee or intern) Partner Sole Proprietor Director
 Shareholder Other (please specify)

H12 What will be the foreign worker's occupation/job title if given a work permit:

H13 What will be the foreign Worker's main duties if given a work permit:

H14 How many days per month will the Foreign Worker be needed to work if given a Work Permit? _____

H15 What is the duration of the Work Permit that being sought?:

Provide the following information on foreign worker's remuneration package if given a work permit:

H16 Basic Salary \$ _____ weekly biweekly monthly

H17 Housing Allowance \$ _____
 \$ _____

H18 Telephone Allowance

H19 Transport Allowance \$ _____

H20 Education Allowance \$ _____

H21 Other Allowances (specify) \$ _____

H22 If the foreign worker's remuneration package includes a bonus program, say how bonus will be calculated:

H23 List the names and qualifications of every Turks and Caicos Islander who applied for the position being offered to the foreign worker (use extra sheet(s) as required :

Name of TCIslander #1	
Contact Information	Tel: _____ Email: _____
Qualifications	_____
Reason why he/she are unable to be hired	_____
Name of TCIslander #2	
Contact Information	Tel: _____ Email: _____
Qualifications	_____
Reason why he/she are unable to be hired	_____
Name of TCIslander #3	
Contact Information	Tel: _____ Email: _____
Qualifications	_____
Reason why he/she are unable to be hired	_____

**SECTION I TO BE COMPLETED BY THE PERSON TO BE SELF EMPLOYED AND
DETAILS ABOUT YOUR BUSINESS/COMPANY**

11 Please provide a brief description of the business, for example, who are the customers, what products/services it sells, how many Turks and Caicos Islanders are likely to be employed.

Attach an additional page if more space is required.

SECTION J DECLARATIONS

11 Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorized to bind the foreign worker named in **Section A**.

I have read and I understand the applicable regulatory conditions of the grant of a Work permit, as specified
In the Immigration Ordinance.

I, the Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organization, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorized agents thereof.

The information as set out in this application are, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Signature of Employer or Authorized Representative

Date: DD MM YYYY

J2 Declaration by an Agency (If applicable):

(Applicable if the Employer engage the services of an Agency/Agent)

I hereby declare that I am authorized to bind the Foreign Worker named in

Section A on behalf of the Employer named in Section H:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance 2015 to the Foreign Employee and the Authorized Officer of the Employer.

The information as set out in this application are, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Date: DD MM YYYY

Name and Signature of Authorized Agency Personnel

J3

I, _____, have provided true and correct answers to the questions in this form to my prospective employer or agent acting on their behalf.

I understand that if false or misleading information is submitted, this application may be declined without further notice.

I agree to abide to all laws pertaining to work and residence in the Islands and to inform Immigration Officials about any changes to my circumstances (including a change in my employment or partnership status) that occur after making this application.

I agree to leave the Turks and Caicos Islands when permission of stay in the Islands has ended. If I remain in the Turks and Caicos Islands, I am to subject deportation by Immigration authorities.

I authorise any agency whether in the Turks and Caicos Islands or overseas, including but not limited to border or immigration agencies, education providers, financial institutions, foreign embassies, government authorities, healthcare providers, police or other law enforcement agencies, that holds information (including personal information) related to information on this application form and/or accompanying documentation to disclose that information to enable a decision on this application to be made and to answer enquiries about my immigration status once my application has been decided.

Date:

DD MM YYYY

Signature of prospective Employee
(Please sign within the box above)

(Substituted by L.N. 6/2017)

FORM 2

(Regulation 41(1))

WORK PERMIT (SELF-EMPLOYED PERSON)

FRONT PAGE (PAGE ONE)

The following shall appear on the front of the permit:

TURKS AND CAICOS ISLANDS
WORK PERMIT (SELF-EMPLOYED PERSON)

This permit must be available for presentation to an immigration officer, a police officer or the Labour Commissioner on demand.

Loss or damage to this permit should immediately be reported to the Commissioner of Labour.

When travelling, it is advisable to keep this permit with your passport to facilitate your passage through immigration.

Any condition or restriction specified in this permit must be strictly adhered to.

INSIDE FRONT PAGE (PAGE TWO)

The following shall appear on the inside front page:

Permit No:

Immigration reference:

Issued to: (Holder's full name)

Date:

Valid until:

PHOTO

*This permit authorises the holder to engage in gainful occupation in the Turks and Caicos Islands in managing a business known as,
..... (Name of business), from premises situate at,
..... (Address of business).*

This permit further authorises the spouse and dependant children of the holder to reside in the Islands for the duration of the permit, provided they do not enter into any gainful occupation.]*

Any extension to the period or duration of this permit must be authorised by the Board and endorsed hereon.

This permit may be cancelled if the holder does not comply strictly with any condition or restriction endorsed on this permit.

** Delete if not applicable.*

Fee paid: \$ Date:

Signed by:

(CHAIRMAN OF WORK PERMIT BOARD)

PAGE THREE

The following shall appear on page three:

Photograph of holder

Holder's signature:.....

EXTENSIONS/ENDORSEMENTS

1. Valid until:

Fee paid: \$ Date of payment:

Authorised by:

(CHAIRMAN OF WORK PERMIT BOARD)

2. Valid until:

Fee paid: \$ Date of payment:

Authorised by:

(CHAIRMAN OF WORK PERMIT BOARD)

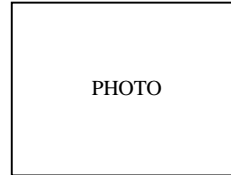
FORM 3

(Regulation 48(1))

WORK PERMIT (EMPLOYED PERSON)

TURKS AND CAICOS ISLANDS
WORK PERMIT (EMPLOYED PERSON)

Permit No:
Issued to:
Ref No:
Fee:



1. The holder of this permit whose photograph appears above, is hereby authorised until the of 20 to enter, re-enter and remain in the Turks and Caicos Islands and there to engage in the occupation of in the employment of

2. The following persons being the spouse and dependant children of the permit-holder have permission to reside with the holder during the currency of this permit.

- (a)
- (b)
- (c)

3. This permit does not confer any entitlement to, or preference in connection with, the issuing of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.

4. This permit is subject to the following conditions—

- (1) that the holder will not be allowed to transfer from one employer to another during the term of this permit except in special extenuating circumstances and with the approval of the Work Permit Board;
- (2) without the prior consent of the Director of Immigration the holder's authority to remain in the Islands ceases in the event that the permit is revoked, expires or if employment is terminated;
- (3) that the holder shall not be permitted to have dependants or relatives not named on this permit, enter and remain or reside with the holder without prior approval of the Work Permit Board;
- (4) that the holder shall not be employed other than by the employer or employers named without the prior approval of the Work Permit Board.

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE WORK PERMIT BOARD.

Signed
CHAIRMAN OF WORK PERMIT BOARD

Date of Issue.....

FORM 4

WORK PERMIT HOLDER'S IDENTIFICATION CARD

(Regulation 50)

WORK PERMIT HOLDER'S IDENTIFICATION CARD

FRONT OF CARD

WORK PERMIT CARD
Turks and Caicos Islands

Ref No:

PHOTO

Name: _____ **Sex:** _____

Date of Birth: _____

Nationality: _____

Employer: _____

Job Title: _____

Category: _____

Location: _____

Holder's Signature _____ **Date of Issue:** _____ **Expiration Date:** _____

BACK OF CARD

STIPULATION:

1. The holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands and there to engage in the occupation until the expiration date printed on this card.
2. This permit does not confer any entitlement to, or preference in connection with, the granting of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.
3. This permit is subject to the following conditions—
 - (a) that the holder will not be allowed to transfer from one employer to another during the term of this permit except in special extenuating circumstances and with the approval of the Work Permit Board;
 - (b) without the prior consent of the Director of Immigration the holder's authority to remain in the Islands ceases in the event that the permit is revoked, expires or if employment is terminated;
 - (c) that the holder shall not be permitted to have dependants or relatives not named on this permit, enter and remain or reside with the holder without prior approval of the Work Permit Board;
 - (d) that the holder shall not be employed other than by the employer or employers named without the prior approval of the Work Permit Board.

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE WORK PERMIT BOARD.

(Substituted by L.N. 71/2017)

FORM 5

LABOUR CLEARANCE

(Regulation 53(2))

TURKS AND CAICOS ISLANDS

LABOUR DEPARTMENT

LABOUR CLEARANCE

To:

A Labour Clearance is hereby issued for the work permit application made on behalf of the following person(s) for—

(a) Renewal of work permit

(b) New work permit

1. Name:

.....

Job Description:

.....

Nationality: Passport No.: Imm. File No.:

2. Name:

.....

Job Description:

.....

Nationality: Passport No.: Imm. File No.:

3. Name:

.....

Job Description:

.....

Nationality: Passport No.: Imm. File No.:

N. B. (a) You are advised that the issue of a Labour Clearance does not in any way constitute approval to commence employment.

(b) You are required to advertise this post (and show proof of advertisement) at least one month before submitting application for renewal.

.....
COMMISSIONER OF LABOUR

FORM 6

APPLICATION FOR FREELANCER'S WORK PERMIT

(Regulation 55(2))

Office Use Only	Reference No:	Date received	DD MM YYYY	Received by:
 Turks and Caicos Islands	WORK PERMIT APPLICATION FREELANCER'S WORK PERMIT <input type="checkbox"/> EDUCATION <input type="checkbox"/> GENEALOGY			
Name of Employer				
Name of Employee				
Payment Voucher No.				
<p>INSTRUCTIONS:</p> <p>Please write in BLOCK letters and tick (✓) where relevant.</p> <p>Complete the form in its entirety.</p> <p>Ensure that the following documents are attached.</p> <p>Kindly indicate the persons for whom endorsements are requested and for whom you have paid the relevant fees:</p> <p>Spouse _____</p> <p>Child 1 _____</p> <p>Child 2 _____</p> <p>Child 3 (additional sheet required) _____</p> <p>Child 4 (additional sheet required) _____</p>				

A14 If you have ever had legal status in the TCI please provide the information below.

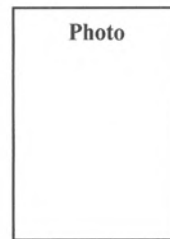
(a) Immigration Status (Tick the status you have held in the Islands below)	(b) Permit Number	Date when it was last issued (DD-MM-YYYY)	Expiration Date (DD-MM-YYYY)
Former endorsee on <input type="checkbox"/> Work Permit			
<input type="checkbox"/> Residence Permit			
<input type="checkbox"/> Permanent Residence Certificate			
<input type="checkbox"/> None			

A15 National Health Insurance No: _____ **A16** National Insurance No: _____

SECTION B **DETAILS FOR SPOUSE OF THE PERSON TO BE EMPLOYED**

B1 Name of person (as printed in the Passport):
 TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____
 Family/last name

 Given /first names



B2 Other names you are known by or have ever been known by

B3 Date of Birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

B4 Sex/Gender: Male Female

B5 Country of Birth (including province/state): _____

B6 Country of Citizenship (if more than 1, list all):(1) _____ (2) _____ (3) _____

B7 Race/Ethnicity: _____ **B8** Languages spoken: _____, _____

B9 Occupation _____ **B10** Present country of residence _____

B11 Details of all passports held. You are required to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

You are required to complete each section below regarding your spouse's present and/or previous immigration status in the islands.

Immigration details for the spouse of the person who is to be employed in the Turks and Caicos Islands.

B12 Work Permit Holder Temporary Annual Never Worked

Employer Job Title/Occupation

B13 Last Permit Number Date of Issue DD MM YYYY Expiration Date DD MM YYYY

B14 National Health Insurance Number **B15** National Insurance Number

B16 Residence Permit Holder Never Resided

B17 Last Permit Number Date of Issue DD MM YYYY Expiration Date DD MM YYYY

B18 Endorsed on Work Permit Residence Permit PRC Never Endorsed

B19 Name of Permit Holder Relationship to you

B20 Permit Number Date of Issue DD MM YYYY Expiration Date DD MM YYYY

B21 Visitor Never Visited

B22 In which country is the spouse residing at the time of this application? Last date of entry into the Turks and Caicos Islands DD MM YYYY Last date of departure from the Turks and Caicos Islands DD MM YYYY

B23 Does your spouse reside or intend to reside in Islands with you? Yes No

NOTE: QUESTION D19 IS TO BE ANSWERED BY THOSE APPLYING ON THE BASIS OF GENEALOGY ONLY, i.e., GREAT GRANDPARENT WHO WAS BORN IN THE ISLANDS (If you require more space to provide additional information, please attach an additional page.)

D19 Your genealogy

Your Parent	Name of your PARENT given in D1 or D10 above whose grandmother or grandfather was born in the Turks and Caicos Islands = (A)				
	(xiii) Insert the name of (A) here.				
	_____		_____		
	First Name	Middle Name	Surname		
Your Grandparent	Give the name of (A)'s mother or father whose grandparent/s was born in the Turks and Caicos Islands below= (B)				
	(xiv) Insert the name of (B) here.				
	_____		_____		
	First Name		Middle Name		Surname
	In the space below, please provide the following information regarding the person (B), who you have named above.				
	(xv) B's Mother's Name	_____			
	(xvi) B's Father's Name	_____			
	(xvii) B's Date of Birth	Day:	Month:	Year:	
	(xviii) B's Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female		
	(xix) B's Town of Birth	_____			
(viii) B's Country of Birth	_____				
Your great grand parent	In the space below, please write the name of ONE of (B)'s parent's who have been identified in (iii) or (iv) above AND who was born in the Turks and Caicos Islands =(C)				
	(ix) Insert the name of (C) here.				
	_____		_____		
	First Name		Middle Name		Surname
	Provide the following information regarding (C)				
	(xx) C's Date of Birth	Day:	Month:	Year:	
	(xxi) C's Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female		
(xxii) C's Town of Birth	_____				
(xiii) Country of Birth	_____				

SECTION E EDUCATION DETAILS FOR THE PERSON TO BE EMPLOYED

If more space is required please attach an additional page.

E1 Primary schools attended (starting with your first primary school)

Name of Primary School			
Address of School			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Reason for leaving	<input type="checkbox"/> Graduation <input type="checkbox"/> Transfer <input type="checkbox"/> Other (please specify): _____ _____		

Name of Primary School			
Address of School			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Reason for leaving	<input type="checkbox"/> Graduation <input type="checkbox"/> Transfer <input type="checkbox"/> Other (please specify): _____ _____		

Name of Primary School			
Address of School			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Reason for leaving	<input type="checkbox"/> Graduation <input type="checkbox"/> Transfer <input type="checkbox"/> Other (please specify): _____ _____		

E2 Secondary/High schools attended (starting with your first secondary/high school)

Name of Secondary School			
Address of School			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Reason for leaving	<input type="checkbox"/> Graduation <input type="checkbox"/> Transfer <input type="checkbox"/> Other (please specify): _____ _____		

Name of Secondary School			
Address of School			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Reason for leaving	<input type="checkbox"/> Graduation <input type="checkbox"/> Transfer <input type="checkbox"/> Other (please specify): _____ _____		

E3 Post-Secondary Education (If you need to provide additional information, please attach an additional page.)

Name of Institution 1			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

Name of Institution 1			
Address of Institution			
Country			
Date Enrolled	DD MM YYYY	Date Completed	DD MM YYYY
Course Pursued			
Certificate/Diploma/Degree Obtained	<input type="checkbox"/> Associate <input type="checkbox"/> Vocational <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate		

SECTION F CHARACTER DETAILS

F1 For ANY offence, including any driving offence, has the person to be employed, or anyone included in this application, ever been:

- arrested? Yes No
- charged? Yes No
- convicted? Yes No

F2 For ANY offence, in any country, is anyone included in this application currently:

- under investigation? Yes No
- wanted for questioning? Yes No
- facing charges? Yes No

F3 Does anyone included in this application, currently have an outstanding arrest warrant in any country? Yes No

F4 With respect to any country, including the Turks and Caicos Islands, has anyone included in this application ever been

- repatriated? Yes No
- refused entry? Yes No
- removed or deported? Yes No

If your response to any of the above is Yes, provide details below. Insert a new sheet for each person where required.

Name of Person:	
F5 Was the person refused entry, removed or deported? <input type="checkbox"/> Yes <input type="checkbox"/> No	F6 If yes, briefly state the date, the country removed from and the reason for denial or removal.
F7 Was the person arrested ? <input type="checkbox"/> Yes <input type="checkbox"/> No	F8 If yes, briefly state the reason/circumstance of the arrest.
F9 Was the person charged ? <input type="checkbox"/> Yes <input type="checkbox"/> No	F10 If yes, please state the nature of the offence charged.
F11 Was the person convicted ? <input type="checkbox"/> Yes <input type="checkbox"/> No	F12 What was the date/s of conviction? DD MM YYYY
DETAILS ABOUT THE CONVICTION	
F13 What was the nature of the offence?	
F14 What was the date of sentence?	DD MM YYYY
F15 What was the municipality/city/county/province/country where convicted	
F16 Has the sentence been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
F17 Date sentence completed:	DD MM YYYY
F18 Is the conviction spent?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION G EMPLOYMENT HISTORY DETAILS

G1 Give the following information regarding your PAST working experience. (Use extra sheets as needed):

Name of Employer 1			
Job Title			
Key tasks performed			
Country			
Date Employment Started	DD MM YYYY	Date Employment Ended	DD MM YYYY
Reason Employment Ended			

Name of Employer 2			
Job Title			
Key tasks performed			
Country			
Date Employment Started	DD MM YYYY	Date Employment Ended	DD MM YYYY
Reason Employment Ended			

SECTION H DECLARATIONS

H1. Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorised to bind the Employer for the foreign worker named in SECTION I to the following:

I have read and I understand the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance.

The Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organisation, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorised agents thereof.

The information as set out in this application, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under Section 97 of the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative

Date: / /
 (DD-----MM----YYYY)

FORM 7

(Regulation 55(3))

WORK PERMIT (FREELANCER)

FRONT PAGE (PAGE ONE)

The following shall appear on the front of the permit:

**TURKS AND CAICOS ISLANDS
WORK PERMIT (FREELANCER)**

This permit must be available for presentation to an immigration officer, a police officer or the Labour Commissioner on demand.

Loss or damage to this permit should immediately be reported to the Commissioner of Labour.

When travelling, it is advisable to keep this permit with your passport to facilitate your passage through immigration.

Any condition or restriction specified in this permit must be strictly adhered to.

INSIDE FRONT PAGE (PAGE TWO)



The following shall appear on the inside front page:

Permit No:

Immigration reference:

Issued to: (Holder's full name)

Date:

Valid until:

*This permit authorises the holder to engage in gainful occupation in the Turks and Caicos Islands in managing a business known as,
..... (Name of business), from premises situate at,
..... (Address of business).*

This permit further authorises the spouse and dependant children of the holder to reside in the Islands for the duration of the permit, provided they do not enter into any gainful occupation.]*

Any extension to the period or duration of this permit must be authorised by the Board and endorsed hereon.

This permit may be cancelled if the holder does not comply strictly with any condition or restriction endorsed on this permit.

** Delete if not applicable.*

Fee paid: \$ Date:

Signed by:

(COMMISSIONER OF LABOUR)

PAGE THREE

The following shall appear on page three:

Photograph of holder

Holder's signature:.....

EXTENSIONS/ENDORSEMENTS

1. Valid until:
Fee paid: \$ Date of payment:
Authorised by:
(COMMISSIONER OF LABOUR)
 2. Valid until:
Fee paid: \$ Date of payment:
Authorised by:
(COMMISSIONER OF LABOUR)
-

FORM 8

FREELANCER'S IDENTIFICATION CARD

(Regulation 56)

FREELANCER'S IDENTIFICATION CARD

FRONT OF CARD

FREELANCER'S PERMIT CARD
Turks and Caicos Islands

Ref No:

PHOTO

Name: _____ **Sex:** _____

Date of Birth: _____

Nationality: _____

Employer: _____

Job Title: _____

Date of Issue: _____ **Expiration Date:** _____

Holder's Signature _____

BACK OF CARD

STIPULATION:

1. The holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands until the expiration date printed on this card.
2. This permit does not confer any entitlement to, or preference in connection with, the granting of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.
1. This permit is subject to the following conditions—
 - (a) the holder shall not be permitted to have dependants not named on the permit, enter and remain or reside with the holder without the prior approval of the Commissioner of Labour.
 - (b) The holder may engage in any occupation or business not reserved or restricted for an Islander.
2. Holder should be in possession of this card at all times.

FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE COMMISSIONER OF LABOUR.

(Inserted by L.N. 71/2017)

SECTION A INFORMATION ABOUT THE PERSON TO BE EMPLOYED

A1 Name of person (as printed in the Passport):

TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____

Family/last name

Given /first names



A2 Other names you are known by or have ever been known by

A3 Date of Birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

A4 Sex/Gender: Male Female

A5. Country of Birth (including province/state): _____

A6. Country of Citizenship (if more than 1, list all):(1) _____ (2) _____

A7. Race/Ethnicity: _____ **A8.** Languages spoken: _____, _____

A9. Principal Address Outside of Turks and Caicos Islands:

A10 Intended Address in Turks and Caicos Islands (if known):

A11 Details of all passports held. You are require to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

A12 Marital Status Single Married - Date DD MM YYYY
 Divorced - Date DD MM YYYY Separated - Date DD MM YYYY

A13 Do you have children? Yes – How many? _____ No

You are required to complete each section below regarding the present and/or previous TCI immigration status of the person who is to be employed in the islands.

Immigration details for the person to be employed in the Turks and Caicos Islands.

A14 Work Permit Holder	<input type="checkbox"/> Temporary	<input type="checkbox"/> Annual	<input type="checkbox"/> Never Worked
Employer	Job Title/Occupation		
<input type="text"/>		<input type="text"/>	
A15 Last Permit Number	Date of Issue	Expiration Date	
<input type="text"/>	DD MM YYYY	DD MM YYYY	
A16 National Health Insurance Number	A17 National Insurance Number		
<input type="text"/>	<input type="text"/>		

A18 Residence Permit Holder Never Resided

A19 Permit Number	Date of Issue	Expiration Date
<input type="text"/>	DD MM YYYY	DD MM YYYY

A20 Endorsed on Work Permit Residence Permit PRC Never Endorsed

A21 Name of Permit Holder	Relationship to you	
<input type="text"/>	<input type="text"/>	
A22 Permit Number	Date of Issue	Expiration Date
<input type="text"/>	DD MM YYYY	DD MM YYYY

A23 Visitor Never Visited

A24 In which country is the prospective employee residing at the time of this application?	Last date of entry into the Turks and Caicos Islands	Last date of departure from the Turks and Caicos Islands
<input type="text"/>	DD MM YYYY	DD MM YYYY

A25 Present Occupation/Job Title: _____

A26 Present Employer: _____

A27 Does the prospective employee have a pending arbitration/reconciliation at the Employment Services Department or Labour Tribunal case in the Turks and Caicos Islands?

Yes No

SECTION B THE PERSON TO BE EMPLOYED CONTACT INFORMATION

B1 Residential address and contact information in home country.

[]	
Telephone Number	Email
[]	[]

B2 If the person to be employed is already in the Turks and Caicos Islands, provide TCI contact information below.

[]	
Telephone Number	Email
[]	[]

B3 Name and address for communication concerning this application.

Family/last name	Given/first name
[]	[]
Company Name and address (if applicable)	
[]	
Telephone Number	Email
[]	[]

SECTION C CHARACTER DETAILS

C1 For ANY offence, including any driving offence, has the **person to be employed**, ever been :

- arrested? Yes No
- charged? Yes No
- convicted? Yes No

C2 For ANY offence, in any country, is the **person to be employed** currently:

- under investigation? Yes No
- wanted for questioning? Yes No
- facing charges? Yes No

C3 Does the **person to be employed**, currently have an outstanding arrest warrant in any country?
 Yes No

C4 With respect to any country, including the Turks and Caicos Islands, has the **person** ever been

- repatriated? Yes No
- refused entry? Yes No
- removed or deported? Yes No

If your response to any of the above is Yes, provide details below.

Name of Person:	
C5 Was the person to be employed refused entry, removed or departed? <input type="checkbox"/> Yes <input type="checkbox"/> No	D6 If yes, briefly state the date, the country removed from and the reason for denial or removal.
C7 Was the person to be employed arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No	C8 If yes, briefly state the reason/circumstance of the arrest.
C9 Was the person to be employed charged? <input type="checkbox"/> Yes <input type="checkbox"/> No	C10 If yes, please state the nature of the offence charged.
C11 Was the person to be employed convicted? <input type="checkbox"/> Yes <input type="checkbox"/> No	C12 What was the date/s of conviction? DD MM YYYY
DETAILS ABOUT THE CONVICTION	
C13 What was the nature of the offence?	
C14 What was the date of sentence?	DD MM YYYY
C15 What was municipality/city/county /province/country where convicted	
C16 Has the sentence been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
C17 Date sentence completed:	DD MM YYYY
C18 Is the conviction spent?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION D DETAILS OF THE URGENT SPECIALIST SKILLS REQUIRED

D1 Which industry sector will you be working in? (Tick one box only)

- Agriculture, forestry and fishing
- Mining
- Manufacturing
- Electricity, gas, water and waste services
- Construction
- Retail trade
- Accommodation and food services
- Transport postal and warehousing
- Information media and telecommunications
- Financial, banking and insurance services
- Rental, hiring and real estate services
- Professional, scientific and technical
- Administrative and support services
- Public administration and safety
- Education and training
- Health care and social assistance
- Arts and recreation services
- Other services, please specify _____

D2 List/provide details of the specialist skills, qualifications and experience that the specialist has that is relevant to the proposed work or activity which is not available on the Islands.

D3 Why is the skill needed urgently?

D4 Will there be a need to recruit this skill on a long term basis in the future?

D5 If your answer is yes, what steps are you taking to recruit locally or overseas and provide training for a Turks and Caicos Islander?

D6 What will be the impact on your business activity if the specialist skill is not acquired?

SECTION E DETAILS ABOUT THE EMPLOYER AND THE JOB OFFERED

E1 Name of Company/Firm/Individual (the Employer)

E2 Company Name and address (if applicable)

E3 Telephone Number

E4 Email

E5 Fax number

E6 Name of person to contact regarding information about this application:

E7 If contact person is employed in an Agency, state the Agency's name and address:

Give the following information about Company/Firm/Individual Employer as applicable:

E8 Business License Number:

E9 Business License Category

E10 Expiration Date

DD MM YYYY

E11 National Insurance Number:

E12 National Health Insurance Number:

E15 Temporary worker's main duties if given a work permit:

E16 How many days per month will the Foreign Worker be needed to work if given a Work Permit? _____

E17 State the duration of the Work Permit sought: _____
Provide the following information on foreign worker's remuneration package if given a work permit:

E18 Basic Salary \$ _____ weekly biweekly monthly

E19 Housing Allowance \$ _____ E20 Telephone Allowance \$ _____

E21 Transport Allowance \$ _____ E22 Education Allowance \$ _____
E23 Other Allowances (specify) \$ _____

SECTION F DECLARATIONS

F1 Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorised to bind the Employer for the foreign worker named in Section A to the following:

I have read and I understand the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance.

The Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organisation, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorised agents thereof.

The information as set out in PART 2 is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative Date: DD MM YYYY

F2 Declaration by an Agency:

(Applicable if the Employer engages the services of an Agency/Agent)

I hereby declare that I am authorised to bind the Employer for the Foreign Worker named in Section A to the following:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance to the Foreign Employee and the Authorised Officer of the Employer.

The information as set out in this application are, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name, Signature and Designation of Authorised Agency Personnel

Date:

DD MM YYYY

Authorised Agency Personnel Contact Details

FORM 10

(Regulation 60(4))

TEMPORARY WORK PERMIT

Letter Head

Your Ref:

Our Reference:

DATE:

The Manager

NAME of Company

REF: EMERGENCY TEMPORARY WORK PERMIT

Permission is hereby granted for the person named below to be gainfully employed as a
OCCUPATION with ***NAME OF COMPANY*** for a period of ten days.

NAME OF EMPLOYEE

DATE OF BIRTH

COUNTRY OF BIRTH

PASSPORT NUMBER

COMMENCING DATE: ***DD/MM/YYYY***

THIS PERMISSION EXPIRES ON: ***DD/MM/YYYY***

Yours Sincerely,

Name of Labour Commissioner

Labour Commission

Cc: Director of Immigration

DECLARATIONS

Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorised to bind the Employer for the foreign worker named in this application to the following:

I have read and I understand the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance.

The Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organisation, or any other source; and further, to the release of all information thereby obtained to the Government of the Turks and Caicos Islands, Statutory Authorities and authorised agents thereof.

The information as set out is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative Date: DD MM YYYY

Declaration by an Agency:

(Applicable if the Employer engage the services of an Agency/Agent)

I hereby declare that I am authorised to bind the Employer for the Foreign Worker named in this application to the following:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work permit, as specified in the Immigration Ordinance to the Foreign Employee and the Authorised Officer of the Employer.

The information as set out in this application is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name, Signature and Designation of Authorised Agency Personnel

Date:

DD MM YYYY

Authorised Agency Personnel Contact Details

FORM 12

(Regulation 62)

APPLICATION FOR BUSINESS VISITOR'S PERMIT

Office Use Only	Reference No:	Date received	DD MM YYYY	Received by:
 Turks and Caicos Islands	BUSINESS VISITOR'S PERMIT APPLICATION			
Name of Employer				
Name of Employee				
Payment Voucher No.				
<p>INSTRUCTIONS:</p> <p>Please write in BLOCK letters and tick (✓) where relevant.</p> <p>Complete the form in its entirety.</p> <p>Ensure that the following documents are attached.</p>				

**DOCUMENTS AND FEES TO BE ATTACHED TO THE BUSINESS
VISITOR'S WORK PERMIT APPLICATION**

FIRST SEVEN (7) DAYS

A. **Employer** shall produce to the Commissioner of Labour

- (1) A complete and signed application form for the applicant
- (2) Two photos (passport size)
- (3) A Copy of applicant valid passport (Bio page)
- (4) Police Record (Must be valid for six (6) months)
- (5) CV (Curriculum Vitae)
- (6) Health Insurance (proof of coverage while in the Turks and Caicos)
- (7) A non-refundable application fee of \$150 and a permit fee of \$200 for a single permit for each visit; or for a multiple entry permit of up to 12 one week visits per year, a fee of \$1200.

B. **Employer** shall produce to the Commissioner of Labour

- (1) Employer ID or a Business Licence
- (2) In the case of an agent—
 - a. A letter of consent from the company or individual
 - b. Business License for their agency

THIS FORM IS NOT TO BE SOLD OR PURCHASED

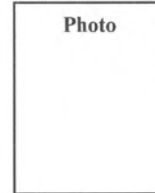
SECTION A INFORMATION ABOUT THE PERSON TO BE EMPLOYED

A1 Name of person (as printed in the Passport):

TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____

Family/last name

Given /first names



A2 Other names you are known by or have ever been known by

A3 Date of Birth:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

A4 Sex/Gender: Male Female

A5. Country of Birth (including province/state): _____

A6. Country of Citizenship (if more than 1, list all):(1) _____ (2) _____

A7. Race/Ethnicity: _____ **A8.** Languages spoken: _____, _____

A9. Principal Address Outside of Turks and Caicos Islands:

A10 Intended Address in Turks and Caicos Islands (if known):

A11 Details of all passports held. You are required to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

A12 Marital Status Single Married - Date DD MM YYYY
 Divorced - Date DD MM YYYY Separated - Date DD MM YYYY

A13 Do you have children? Yes – How many? _____ No

You are required to complete each section below regarding the present and/or previous TCI immigration status of the person who is to be employed in the Islands.

Immigration details for the person to be employed in the Turks and Caicos Islands.

A14 Work Permit Holder Temporary Annual Never Worked
Employer _____ Job Title/Occupation _____

A15 Last Permit Number _____ Date of Issue DD MM YYYY Expiration Date DD MM YYYY

A16 National Health Insurance Number _____ **A17** National Insurance Number _____

A18 Residence Permit Holder Never Resided

A19 Permit Number _____ Date of Issue DD MM YYYY Expiration Date DD MM YYYY

A20 Endorsed on Work Permit Residence Permit PRC Never Endorsed

A21 Name of Permit Holder _____ Relationship to you _____

A22 Permit Number _____ Date of Issue DD MM YYYY Expiration Date DD MM YYYY

A23 Visitor Never Visited

A24 In which country is the prospective employee residing at the time of this application? _____ Last date of entry into the Turks and Caicos Islands DD MM YYYY Last date of departure from the Turks and Caicos Islands DD MM YYYY

A25 Present Occupation/Job Title: _____

A26 Present Employer: _____

A27 Does the prospective employee have a pending arbitration/reconciliation at the Employment Services Department or Labour Tribunal case in the Turks and Caicos Islands?

Yes No

SECTION B THE PERSON TO BE EMPLOYED CONTACT INFORMATION

B1 Residential address and contact information in home country.

[]	
Telephone Number	Email
[]	[]

B2 If the person to be employed is already in the Turks and Caicos Islands, provide TCI contact information below.

[]	
Telephone Number	Email
[]	[]

B3 Name and address for communication concerning this application.

Family/last name	Given/first name
[]	[]
Company Name and address (if applicable)	
[]	
Telephone Number	Email
[]	[]

SECTION C CHARACTER DETAILS

C1 For ANY offence, including any driving offence, has the **person to be employed**, ever been :

- arrested? Yes No
- charged? Yes No
- convicted? Yes No

C2 For ANY offence, in any country, is the **person to be employed** currently:

- under investigation? Yes No
- wanted for questioning? Yes No
- facing charges? Yes No

C3 Does the **person to be employed**, currently have an outstanding arrest warrant in any country?

Yes No

C4 With respect to any country, including the Turks and Caicos Islands, has the **person** ever been

- repatriated? Yes No
- refused entry? Yes No
- removed of deported ? Yes No

If your response to any of the above is Yes, provide details below.

Name of Person:	
C5 Was the person to be employed refused entry, removed or departed? <input type="checkbox"/> Yes <input type="checkbox"/> No	C6 If yes, briefly state the date, the country removed from and the reason for denial or removal.
C7 Was the person to be employed arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No	C8 If yes, briefly state the reason/circumstance of the arrest.
C9 Was the person to be employed charged? <input type="checkbox"/> Yes <input type="checkbox"/> No	C10 If yes, please state the nature of the offence charged.
C11 Was the person to be employed convicted? <input type="checkbox"/> Yes <input type="checkbox"/> No	C12 What was the date/s of conviction? DD MM YYYY
DETAILS ABOUT THE CONVICTION	
C13 What was the nature of the offence?	
C14 What was the date of sentence?	DD MM YYYY
C15 What was municipality/city/county /province/country where convicted	
C16 Has the sentence been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
C17 Date sentence completed:	DD MM YYYY
C18 Is the conviction spent?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION D DETAILS OF THE URGENT SPECIALIST SKILLS REQUIRED

D1 Which industry sector will you be working in? (Tick one box only)

- Agriculture, forestry and fishing
- Mining
- Manufacturing
- Electricity, gas, water and waste services
- Construction
- Retail trade
- Accommodation and food services
- Transport postal and warehousing
- Information media and telecommunications
- Financial, banking and insurance services
- Rental, hiring and real estate services
- Professional, scientific and technical
- Administrative and support services
- Public administration and safety
- Education and training
- Health care and social assistance
- Arts and recreation services
- Other services, please specify _____

D2 List/provide details of the specialist skills, qualifications and experience that the specialist has that is relevant to the proposed work or activity which is not available on the Islands.

D3 Why is the skill needed urgently?

D4 Will there be a need to recruit this skill on a long term basis in the future?

D5 If your answer is yes, what steps are you taking to recruit locally or overseas and provide training for a Turks and Caicos Islander?

D6 What will be the impact on your business activity if the specialist skill is not acquired?

SECTION E DETAILS ABOUT THE EMPLOYER AND THE JOB OFFERED

E1 Name of Company/Firm/Individual (the Employer)

E2 Company Name and address (if applicable)

E3 Telephone Number **E4** Email **E5** Fax number

E6 Name of person to contact regarding information about this application

E7 If contact person is employed in an Agency, state the Agency's name and address:

Give the following information about Company/Firm/Individual Employer as applicable:

E8 Business License Number:

E9 Business License Category

E10 Expiration Date

DD MM YYYY

E11 National Insurance Number:

E12 National Health Insurance Number:

E15 Business Visitor Permit Holder's main duties if given a work permit:

E16 How many days per month will the Foreign Worker be needed to work if given a Work Permit? _____

E17 State the duration of the Business Visitor's Permit sought:

Provide the following information on foreign worker's remuneration package if given a work permit:

E18. Basic Salary \$ _____ weekly biweekly monthly

E19. Housing Allowance \$ _____ **E20.** Telephone Allowance \$ _____

E21. Transport Allowance \$ _____ **E22.** Education Allowance \$ _____

E23. Other Allowances (specify) \$ _____

SECTION F DECLARATIONS

F1 Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorised to bind the Employer for the foreign worker named in **Section A** to the following:

I have read and I understand the applicable regulatory conditions of the grant of a Work permit and a Business Visitor's Permit, as specified in the Immigration Ordinance.

The Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organisation, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorised agents thereof.

The information as set out in PART 2 is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative _____ Date: DD MM YYYY

F2 Declaration by an Agency:

(Applicable if the Employer engages the services of an Agency/Agent)

I hereby declare that I am authorised to bind the Employer for the Foreign Worker named in **Section A** to the following:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work permit and a Business Visitor's Permit, as specified in the Immigration Ordinance to the Foreign Employee and the Authorised Officer of the Employer.

The information as set out in this application is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name, Signature and Designation of Authorised Agency Personnel

Date:

DD MM YYYY

Authorised Agency Personnel Contact Details

(Inserted by L.N. 71/2017)

SCHEDULE 6

ENDORSEMENT

FORM 1

(Regulations 20(6), 29(3), 42(2) and 49(2))

APPLICATION FOR ENDORSEMENT

Office Use Only	Reference No:	Date received	DD MM YYYY	Received by:	
 Turks and Caicos Islands	<p>APPLICATION FOR ENDORSEMENT</p> <p> <input type="checkbox"/> Work Permit <input type="checkbox"/> Residence Permit <input type="checkbox"/> Home Owner <input type="checkbox"/> Permanent Residence Certificate </p>				
Name of Person who has legal status in the TCI					
Names of persons requested to be endorsed		Relationship to You			
Payment Voucher No.					
<p>INSTRUCTIONS:</p> <p>Please write in BLOCK letters and tick (✓) where relevant.</p> <p>Complete the form in its entirety.</p> <p>Ensure that the following documents are attached.</p>					

SECTION B

DETAILS FOR YOUR SPOUSE

B1 Name of person (as printed in the Passport):
 TITLE: Mr. Mrs. Ms. Dr Other (Please specify) _____

Family/last name

Given /first names



B2 Other names you are known by or have ever been known by

B3 Date of Birth:

D	D	M	Y	Y	Y	Y
---	---	---	---	---	---	---

B4 Sex/Gender: Male Female

B5 Country of Birth (including province/state): _____

B6 Country of Citizenship (if more than 1, list all):(1) _____ (2) _____

B7 Race/Ethnicity: _____

B8 Languages spoken: _____

B9 Occupation _____ **B10** Present country of residence _____

B11 Address _____

B12 Telephone No. _____

B13 Location at the time of this submission.
 Inside the TCI Outside the TCI

B14 Details of all passports held. You are required to give all information as printed in each passport

	Passport 1	Passport 2	Passport 3
Country of Issue			
Passport Number			
Family Name			
First/Given name			
Date of Issue	DD MM YYYY	DD MM YYYY	DD MM YYYY
Expiration Date	DD MM YYYY	DD MM YYYY	DD MM YYYY
Place of Issue			

SECTION D CHARACTER DETAILS

D1 For ANY offence, including any driving offence, has the **person to be employed, or anyone included in this application**, ever been :

- arrested? Yes No
- charged? Yes No
- convicted? Yes No

D2 For ANY offence, in any country, is **anyone included in this application** currently:

- under investigation? Yes No
- wanted for questioning? Yes No
- facing charges? Yes No

D3 Does **anyone included in this application**, currently have an outstanding arrest warrant in any country?

Yes No

D4 With respect to any country, including the Turks and Caicos Islands, has **anyone included in this application** ever been

- repatriated? Yes No
- refused entry? Yes No
- removed of deported? Yes No

If your response to any of the above is Yes, provide details below. Insert a new sheet for each person where required.

Name of Person:	
D5 Was the person refused entry, removed or depOrted? <input type="checkbox"/> Yes <input type="checkbox"/> No	D6 If yes, briefly state the date, the country removed from and the reason for denial or removal.
D7 Was the person arrested ? <input type="checkbox"/> Yes <input type="checkbox"/> No	D8 If yes, briefly state the reason/circumstance of the arrest.
D9 Was the person charged ? <input type="checkbox"/> Yes <input type="checkbox"/> No	D10 If yes, please state the nature of the offence charged.
D11 Was the person convicted ? <input type="checkbox"/> Yes <input type="checkbox"/> No	D12 What was the date/s of conviction? DD MM YYYY

DETAILS ABOUT THE CONVICTION	
D13 What was the nature of the offence?	
D14 What was the date of sentence?	DD MM YYYY
D15 What was municipality/city/county /province/country where convicted	
D16 Has the sentence been served?	<input type="checkbox"/> Yes <input type="checkbox"/> No
D17 Date sentence completed:	DD MM YYYY
D18 Is the conviction spent?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION E

DECLARATIONS

E1 Declaration by Employer (Company/Firm/Individual):

I hereby declare that I am authorised to bind the Employer for the foreign worker named in **Section A** to the following:

I have read and I understand the applicable regulatory conditions of the grant of a Work Permit, as specified in the Immigration Ordinance.

The Employer consents, for the purpose of assessing this application, for the Government of the Turks and Caicos Islands and any statutory authorities thereof to obtain from and verify information with any person, organisation, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorised agents thereof.

The information as set out in PART 2 is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name and Designation of Authorised Representative

Date: DD MM YYYY

132 Declaration by an Agency:

(Applicable if the Employer engages the services of an Agency/Agent)

I hereby declare that I am authorised to bind the Employer for the Foreign Worker named in **Section A** to the following:

I, the undersigned, am the Agency personnel handling this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of a Work Permit, as specified in the Immigration Ordinance to the Foreign Employee and the Authorised Officer of the Employer.

The information as set out in this application is, to the best of my knowledge, true and correct; and that all documents submitted in support of this application are true and authentic copies of the original document.

I understand that it is an offence to provide false or misleading information under the Immigration Ordinance and that if found guilty, I am liable on summary conviction to a fine of \$20,000 or a term of imprisonment of four years, or to both.

Name, Signature and Designation of Authorised Agency Personnel

Authorised Agency Personnel Contact Details

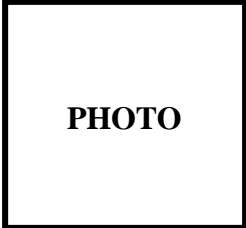
Date: DD MM YYYY

FORM 2
ENDORSEE IDENTIFICATION CARD
(Regulations 49(2) and 57(2))
ENDORSEE IDENTIFICATION CARD

FRONT OF CARD

ENDORSEE CARD

Turks and Caicos Islands

Permit/Ref No:	Name:	
 PHOTO	Date of Birth:	Sex
	Nationality:	
	Endorser:	
	Status:	
Holder's Signature	Date of Issue:	Expiration Date:

BACK OF CARD

1. The holder of this permit whose photograph appears on the other side, is hereby authorised to enter, re-enter and remain in the Turks and Caicos Islands until the expiration date printed on this card.
2. This permit does not confer any entitlement to, or preference in connection with, the granting of any application for the renewal hereof. Applications for extension or renewal are all considered on their own merits and in light of circumstances existing at the relevant time.

This permit is subject to the following conditions—

- a. that the holder will not be allowed work during the term of this permit
- b. without the prior consent of the Director of Immigration the holder's authority to remain in the Islands ceases in the event that the permit is revoked or expires.

3. FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS RENDERS THIS PERMIT SUBJECT TO REVOCATION BY THE DIRECTOR OF IMMIGRATION.

This card will be issued to persons endorsed on all permits or a Permanent Residence Certificate.
(Substituted by L.N. 71/2017)

SCHEDULE 7

(Regulation 67)

FEEs

A Category	B Fees
Permanent Residence Certificates	
Non Refundable Administrative fee	\$150
Skilled Work Permit Route	\$10,000
Unskilled Worker Route	\$10,000
Residence Permit Route	\$10,000
Former Dependant Child Route	\$5,000
Primary and Secondary School Route	\$5,000
Widow/Widower of a TC Islander Route	\$5,000
Applicant who has a child who is an Islander by birth or descent	\$5,000
Investor Route(private)	\$25,000
Certificate of undertaking	1,500 Non-Refundable Application Fee
Endorsement of Spouse or Child	\$200
Residence Permits	
Non Refundable Administrative fee	\$150
Investment/Independent Means	\$1,500
Spouse of TCI Islander/BOTC Citizen	\$1,500
Home Owner's Permit	\$1,500
Endorsement of Spouse or Child	\$500 each plus \$150 administrative fee
Visas	
Non-refundable application Fee	\$100
Single Visitor's Visa	\$150
One Year Multiple Entry Visitor's Visa	\$500
Student Visa	\$300
Seaman's Visa	\$300
Visa-Registered Charity/Sporting/Religious Event	\$25
Visa Bond	\$5,000
Identification Cards	
Endorsee Identification Card	\$100
Replacement for lost, stolen or damaged Identification Card	\$50
Work Permits	
Non-refundable administrative fee	\$150

(Non-refundable annual fee)

SCALE 1 - \$9,500

Accountant	9,500
Actuary	9,500
Architect	9,500
Assistant Vice President	9,500
Attorney	9,500
Attorney	9,500
Auditor	9,500
Banker	9,500
Branch Manager	9,500
Business Consultant	9,500
Casino Manager	9,500
Catering Manager	9,500
Certified Manager	9,500
Certified Public Accountant	9,500
Chartered Accountant	9,500
Chartered Secretary	9,500
Chief Executive Officer	9,500
Chief Financial Officer	9,500
Chief Investment Officer	9,500
Chief Operations Officer	9,500
Chiropodist	9,500
Chiropractor	9,500
Claims Manager	9,500
Commissary Manager	9,500
Company Director	9,500
Company Secretary	9,500
Condominium Manager	9,500
Construction Manager	9,500
Convention Manager	9,500
Credit Manager (Casino)	9,500
Cruise Director	9,500
Data Processing Manager	9,500
Dentist	9,500
District Manager	9,500
Doctor	9,500
Economist	9,500
Employee Relations Manager	9,500
Engineer	9,500
Executive Director	9,500
Finance Administrator	9,500
Financial Advisor	9,500
Financial Controller	9,500
General Manager	9,500
Hotel Manager (400 Rooms plus)	9,500
Hotel Resident Manager (400 Rooms plus)	9,500
Island/Cay Manager	9,500
Managing Director	9,500
President	9,500
Project Manager	9,500
Quantity Surveyor	9,500
Real Estate Manager	9,500
Self-Employed	9,500
Stockbroker	9,500

Systems Engineer	9,500
SCALE 2 - \$7,500	
Accounts Executive	7,500
Analyst	7,500
Assistant General Manager	7,500
Director/Manager/Supervisor of Engineering	7,500
Director/Manager/Supervisor of Human Resources	7,500
Director/Manager/Supervisor of Safety	7,500
Director/Manager/Supervisor of Sales	7,500
Director/Manager/Supervisor of Training	7,500
Estate Management Surveyor	7,500
Group Sales Manager	7,500
Human Resource Manager	7,500
Hydro Geologist	7,500
Industrial Relations Manager	7,500
Insurance Adjuster	7,500
Insurance Underwriter	7,500
Interior Director/ Design	7,500
Inventory Control Manager	7,500
Investment Advisor	7,500
Investment and Research Analyst	7,500
IT Specialist	7,500
Laundry Manager	7,500
Maintenance Manager	7,500
Management Information System Manager	7,500
Manager Trust Department	7,500
Managers (excluding General Manager, Project Manager, District Manager, and any other manager whose job title is stipulated in the Fees Regulations)	7,500
Managing Editor	7,500
Marina Manager	7,500
Materials Control Manager	7,500
Medical Practitioner	7,500
Metal Trader/Shipper	7,500
Network Administrator	7,500
Network Architect	7,500
Office Manager	7,500
Optician	7,500
Optometrist	7,500
Owner's Representative	7,500
Personnel and Relations Manager	7,500
Personnel Manager	7,500
Physical Planner	7,500
PIT Boss (Casino)	7,500
Portfolio Manager	7,500
Power House Manager	7,500
Producer	7,500
Production Manager	7,500
Quality Control Specialist	7,500
Sales Manager	7,500
Securities Trader	7,500

Senior Administrative Officer	7,500
Senior Specialist, Industrial Relations	7,500
Senior Trust Officer	7,500
Statistician	7,500
Superintendent	7,500
Assistant Accountant	7,500
Town Planner	7,500
Treasurer	7,500
Trust Administrator	7,500
Underwriting Manager	7,500
Veterinarian	7,500
Vice President	7,500
Assistant Engineer	7,500
Heavy Equipment Foreman/Supervisor	7,500
Concrete Pump Operator	7,500
Heavy Equipment Operator	7,500

SCALE 3 - \$4,700

Accounts Officer	4,700
Agronomist	4,700
Chemist	4,700
Chief Steward	4,700
Computer Programmer	4,700
Construction Foreman	4,700
Construction Supervisor	4,700
Estate Manager	4,700
Estate Manager Supervisor	4,700
Hotel Manager/Resident Manager less than 50 rooms	4,700
Executive Chef	4,700
Computer Operator/Technician	4,700
Property Manager	4,700
Landscape Architect/ Landscape Design	4,700
Building Inspector	4,700
Real Estate Salesman	4,700
Diving Instructor/ Scuba Diver	4,700
Night Auditor	4,700
Dining Room Manager	4,700
Director/Manager/Supervisor of Activities	4,700
Director/Manager/Supervisor of Convention Services	4,700
Director/Manager/Supervisor of Food and Beverage	4,700
Director/Manager/Supervisor of Golf	4,700
Director/Manager/Supervisor of Interior/Design	4,700
Director/Manager/Supervisor of Promotions	4,700
Director/Manager/Supervisor of Recreational Activities	4,700
Director/Manager/Supervisor of Restaurants	4,700
Director/Manager/Supervisor of Security	4,700
Director/Manager/Supervisor of Spa	4,700
Director/Manager/Supervisor of Stewarding	4,700
Director/Manager/Supervisor of Surveillance	4,700
Engineering Technologist	4,700

Executive Chef	4,700
Executive Housekeeper	4,700
Food and Beverage Manager	4,700
Front Desk Manager	4,700
Group Representative Relationship Manager	4,700
Shop Manager	4,700
Spa Manager	4,700
Special Inventory Controller	4,700
Assistant Investment and Research Analyst	4,700
Auto Salesman/Dealer	4,700
Bank Administrator	4,700
Communications Specialist	4,700
Installation Specialist	4,700
Surveyor	4,700
Trust Officer	4,700
Electronic Superintendent	4,700
Hotel Manager (100 - 199 Rooms)	4,700
Power House Operator	4,700
Secretary	4,700

SCALE 4 - \$3,500

Accounts Clerk	3,500
Accounts Supervisor	3,500
Administrative Assistant	3,500
Air Conditioning Technician/Foreman	3,500
Air Traffic Controller	3,500
Aircraft Ground Equipment Specialist	3,500
Aircraft Mechanic/Technician	3,500
Dental Hygienist	3,500
Airport Representative	3,500
Allied Health Care Professional	3,500
Assessor	3,500
Assistant Analyst	3,500
Assistant Bar Manager	3,500
Assistant Computer Programmer	3,500
Assistant Golf Professional	3,500
Assistant Housekeeping (Hotel - 400 Rooms plus)	3,500
Assistant Housekeeping Inspector	3,500
Scientist	3,500
Assistant Trust Officer	3,500
Auctioneer	3,500
Bank Operations Clerk	3,500
Director/Manager/Supervisor of Laundry Services	3,500
Beautician	3,500
Butcher	3,500
Charge Hand Rigger	3,500
Chief Securities Clerk	3,500
Communications Technician	3,500
Director/Manager/Supervisor of Housekeeping	3,500
Customer Relations Officer	3,500
Data Supervisor	3,500
Meat and Deli Merchandise/Buyer	3,500

Electrician Supervisor/Foreman	3,500
Executive Secretary	3,500
Explosives Technician	3,500
Flight Instructor	3,500
Foreign Exchange Clerk	3,500
Golf Professional	3,500
Harbour Pilot	3,500
Head Bartender	3,500
Director/Manager/Supervisor of Entertainment	3,500
Director/Manager/Supervisor of Sports	3,500
Horticulturist	3,500
Hotel Housekeeping Inspector/Supervisor	3,500
Industrial Electrician/Foreman	3,500
Instrument Technician	3,500
Jeweller	3,500
Laboratory Technician	3,500
Laboratory Technologist	3,500
Maintenance Supervisor/Foreman	3,500
Maitre D'	3,500
Marine Biologist	3,500
Marine Mammal Coordinator	3,500
Medical Representative	3,500
Personal Secretary	3,500
Personnel Officer	3,500
Petroleum Inspector	3,500
Pharmacist	3,500
Physiotherapist	3,500
Plumbing Supervisor/Foreman	3,500
Pyrotechnics Technician	3,500
Radiographer	3,500
Radiologist	3,500
Director/Manager/Supervisor of Rooms	3,500
Refinery Operator	3,500
Sales Clerk	3,500
School Principal or Headmaster	3,500
Senior Cash Custodian	3,500
Sheet Metal Works Foreman	3,500
Ship Broker	3,500
Sous Chef (including Executive Sous Chef)	3,500
Superintendent of Greens	3,500
Technologist	3,500
Tennis Professional	3,500
Tour Representative	3,500
Trainee Analyst	3,500
Trainer	3,500
Training Officer	3,500
Travelling Salesman	3,500
Treasury Assistant	3,500
Ultrasound Technician	3,500
Valet	3,500
Welder Supervisor/Foreman	3,500
Wine Steward	3,500
X-Ray Technician	3,500
Accounts Assistant	3,500
Interpreter/Translator	3,500

Liaison Officer	3,500
Mixologist	3,500
Mortician	3,500
Photographer	3,500
Purchasing Agent	3,500
Credit and Collection Clerk	3,500
Nurse	3,500
Assistant Controller	3,500
Assistant Night Supervisor	3,500
Assistant Food and Beverage Director/Manager	3,500
Assistant Manager (Casinos)	3,500
Assistant Manager (Administration)	3,500
Assistant Manager (Loans)	3,500
Assistant Managers	3,500
Assistant Treasurer	3,500
Accounts Receivable Supervisor	3,500
Aesthetician	3,500
Customs Coordinator	3,500
Group Reservations Supervisor	3,500
Service Technician	3,500
Telephone Operator Supervisor	3,500
Television Technician	3,500
Head Storekeeper (Hotels)	3,500

SCALE 5 - \$2,700

Assistant Maitre D'	2,700
Air Condition / Refrigeration Technician	2,700
Animal/Mammal Trainer	2,700
Assistant Chef	2,700
Assistant Housekeeper (Hotel 300 - 400 rooms)	2,700
Bell Captain/Head Bell Captain	2,700
Boat Captain	2,700
Bookkeeping Clerk	2,700
Brick layer	2,700
Butler	2,700
Cabinet Maker	2,700
Cable Technician	2,700
Carpenter	2,700
Carpet Layer	2,700
Chef (including Pastry Chef)	2,700
Chef De Partie	2,700
Construction Labourer	2,700
Cook	2,700
Dining Room Captain	2,700
Disc Jockey	2,700
Draughtsman	2,700
Dry Cleaning Technician	2,700
Dry Wall Mason	2,700
Electrician	2,700
Electronic Technician	2,700
Elevator Technician	2,700
Entertainer/Comedian	2,700
First Mate	2,700
Flight Attendant	2,700

Front Desk Clerk/Cashier	2,700
Glazier	2,700
Governess (Child - Care)	2,700
Journalist	2,700
Journeyman	2,700
Laboratory Assistant	2,700
Mason	2,700
Masseuse	2,700
Mechanic	2,700
Milliner	2,700
Painter/Wall Finisher/Fabric Painter	2,700
Paymaster	2,700
Pipe Fitter/Plumber	2,700
Purchasing	2,700
Receptionist	2,700
Roofer	2,700
Safety and Fire Officer	2,700
Securities Clerk	2,700
Sheet Metal Worker	2,700
Social Hostess/Hostess	2,700
Steel Erector Worker	2,700
Stenographer	2,700
Steward	2,700
Telephone Operator	2,700
Teller	2,700
Tile Layer/Setter	2,700
Transfer Officer	2,700
Travel Agent	2,700
Truck Driver/Operator	2,700
Watchmaker/Repairman	2,700
Welder/Iron Worker and any other Tradesman or Technician not otherwise specified in these Regulations	2,700
Window Dresser	2,700

SCALE 6 - \$2,000

Airline Pilot	2,000
Assistant Baker	2,000
Assistant Cook	2,000
Auto Body Repair Helper	2,000
Baker	2,000
Bus Driver/Operator Light Vehicle	2,000
Carpenter Helper	2,000
Cigar Roller	2,000
Croupier (Casino)	2,000
Custody Clerk	2,000
Dental Assistant	2,000
Dock Master	2,000
Dry Cleaning Assistant	2,000
Groomer (including Pet Groomer)	2,000
Head Houseman	2,000
Helicopter Pilot	2,000
Maintenance Man	2,000
Manicurist	2,000

Manufacturing/Factory Worker	2,000
Master Charge Clerk	2,000
Mechanic	2,000
Mechanic Helper	2,000
Oiler	2,000
Pedicurist	2,000
Plumber Helper	2,000
Presser	2,000
Pricing Clerk	2,000
Radio Dispatcher	2,000
Receiving Clerk	2,000
Security Officer	2,000
Self Employed Domestic Worker	2,000
Self Employed Labourer	2,000
Tour Guides	2,000
Trainee Operator	2,000
Travel Agent	2,000
Typist	2,000
Upholsterer	2,000

SCALE 7 - \$1,350

Agricultural assistants	1,350
Animator	1,350
Artist (including Sign Painter, Lithographer, Floral)	1,350
Assistant Bell Captain	1,350
Bartender	1,350
Beautician - Hair Stylist	1,350
Shirt Presser	1,350
Commercial Fisherman	1,350
Construction Helper	1,350
Cosmetologist	1,350
Deckhand	1,350
Diver (other than a Certified Scuba Diver)	1,350
Food Checker/Cashier	1,350
Gardener	1,350
Gas Station /Fuel Depot Attendant	1,350
General Worker – Unskilled	1,350
Gentle Organizer (GO)	1,350
Handyman	1,350
Janitor	1,350
Labourers	1,350
Live-in Housekeeper	1,350
Mason Helper	1,350
Musician	1,350
Freelancer (Genealogy-Education)	1,350
Seamstress	1,350
Barber	1,350
Shoe Cobbler	1,350
Tailor	1,350

SCALE 8 - \$1,000 or less

Bellman	700
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Dancer	400
Domestic Worker	400
Farm Labourer	400
Farmer	150
House Keeper	400
Kitchen Helper	400
Launderer	400
Live in Caregiver for Elderly	400
Minister of Religion	300
Pool Attendant	700
Store clerk	700
Waiter/Waitress	400
Registered Charitable Organisation	\$150
All other Government Sanctioned Non-Profit and Civic Organisations and Sporting Bodies	500
Statutory Bodies	\$500 plus non-refundable \$150 administrative Fee
Teachers	\$150 administrative fee to be paid for each year
Fast Track 7 days service	\$500 each plus \$150 administrative Fee
Endorsement of Spouse or Child	\$500 each plus \$150 administrative Fee
Miscellaneous - skilled	\$9,500
Miscellaneous - semi-skilled	\$4,700
Miscellaneous - unskilled Worker	\$1,350
Work Permit Fee Penalty - for failure to apply prior to work permit expiration	\$250
Repatriation fee	\$500 non-refundable
Temporary Work Permit	
Temporary Work Permit – Regular	\$750
Extension Temporary Work Permit - Regular	Free
Fee per Band Member for groups perming at commercial events	\$250
Fee per person performing at a religious, registered charity, island festival event	\$25
Extension of Visitor’s permission to be in Islands	\$50
Attendance fees for immigration officers	\$15 an hour outside normal working hours

Application for search of records	\$50 non-refundable administrative fee
Business Visitor's Permit	
Non Refundable Administrative fee	\$150
Single one week visit (for each one week over 12 visits a year)	\$200
Multiple entry permit (up to 12 one week visits per year)	\$1,200
Fees for issue of Labour Clearance Certificates	\$100

(Amended by L.N. 6/2017)

IMMIGRATION (EXEMPTION) ORDER – SECTION 19(3)

(Legal Notice 43/2019)

Commencement

[8 November 2019]

Citation

1. This Order may be cited as the Immigration (Exemption) Order.

Exemption

2. An expatriate consultant engaged by the Integrity Commission is exempted from the requirements of section 19(1) of the Ordinance - not to engage in any gainful occupation in the Islands unless the person falls within the categories of persons mentioned in that subsection.

**IMMIGRATION ORDINANCE (PLACE OF DETENTION)
DIRECTION - SECTION 56(1)**

(Legal Notice 22/2020)

Commencement

[30 March 2020]

Citation

1. This Direction may be cited as the Immigration Ordinance (Place of Detention) Direction.

Place of Detention

2. The Gustavus Lightbourne Auditorium, Providenciales is designated as a place where persons may be detained.

