

IMMIGRATION (AMENDMENT) BILL, 2021

Arrangement of Sections

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IMMIGRATION (AMENDMENT) BILL, 2021

A BILL FOR AN ACT TO AMEND THE IMMIGRATION ACT TO PROVIDE FOR THE GRANT OF ECONOMIC PERMANENT RESIDENCE

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act, which amends the Immigration Act, may be cited as the Immigration (Amendment) Act, 2021.
- (2) This Act shall come into force on the 1st day of July, 2021.

2. Insertion of new section 17A into the principal Act.

The principal Act is amended by the insertion immediately after section 17 of the following new section —

“17A. Economic permanent residence certificate.

- (1) Any person, who is not a citizen of The Bahamas or the holder of a permanent residence certificate, and who —
 - (a) has —
 - (i) purchased a residence in The Bahamas for such an amount as may be prescribed from time to time by order of the Minister;
 - (ii) made investments in The Bahamas of such a kind and of such an amount as may be so prescribed; or
 - (iii) purchased a residence and made investments in The Bahamas; and
 - (b) shall reside in The Bahamas for a cumulative period of no less than ninety days per year,

may, upon application to the Board in prescribed form and upon payment of the prescribed fee, be granted an economic permanent residence certificate permitting him to reside permanently in The Bahamas and to engage in gainful occupation where that gainful occupation is in his own business.

- (2) An economic permanent residence certificate shall remain in force during the lifetime of the person to whom it is granted, unless or until it is revoked under section 18, except that every economic permanent residence certificate holder shall —
 - (a) maintain ownership of the residence or qualifying investment referred to under subsection (1), at a value not less than the value prescribed by the Minister in accordance with subsection (1), for a minimum of ten years;
 - (b) every ten years file a declaration confirming that in all material aspects, the information contained in his application on which he relied to obtain economic permanent residency remains unchanged; and where the information has changed, file an affidavit to provide information on the material aspects of that change.
 - (3) Pursuant to the grant of an economic permanent residence certificate, the Board may then, or upon a subsequent application in the prescribed form, endorse the certificate in respect of the spouse and any dependant ordinarily resident with him.
 - (4) An endorsement under subsection (3) may be made subject to such conditions as the Board may impose, including a condition that the spouse shall not engage in gainful occupation without permission granted under this Part.
 - (5) Notwithstanding the duration of the economic permanent residence certificate, any endorsement in favour of a dependant shall be valid until he ceases to be a dependant.
 - (6) The death of the holder of an economic permanent residence certificate shall not affect the validity of an endorsement made under subsection (3) subject to the determination of an application for legal status by the surviving spouse and the dependant within three months of his death.
 - (7) An application shall be deemed to be approved three months after receipt of a completed application under this section.
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- (8) For the purposes of subsection (7), a completed application means an application which contains all of the requisite documents and information required under the Act and any additional documents and information required by the Department prior to the expiration of the three month period referred to in subsection (7).”.

3. Amendment of section 18 of the principal Act.

Subsection (1) of section 18 of the principal Act is amended by the insertion immediately after the word “certificate” of the words “or economic permanent resident certificate”.

OBJECTS AND REASONS

This Bill seeks to amend the principal Act to provide for a new section 17A to provide for the grant of an economic permanent residence.
