

ANTIGUA AND BARBUDA



THE IMMIGRATION AND PASSPORT (AMENDMENT) ACT, 2023

No. 9 of 2023

*[Published in the Official Gazette Vol. XLIII No. 45
dated 17th August, 2023.]*

Printed at the Government Printing Office, Antigua and Barbuda,
by Noel F. Abraham, Government Printer
— By Authority, 2023.

ANTIGUA AND BARBUDA

IMMIGRATION AND PASSPORT (AMENDMENT) ACT, 2023

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.....	4
2. Interpretation.....	4
3. Amendment of section 2-Interpretation	4
4. Amendment of section 40-Grant of residence permit	5
5. Insertion of section 70A-Change of status	5
6. Insertion of Schedule 7.....	5

[L.S.]



I Assent,

Rodney Williams,
Governor-General.

14th August, 2023.

ANTIGUA AND BARBUDA

IMMIGRATION AND PASSPORT (AMENDMENT) ACT 2023

No. 9 of 2023

AN ACT to amend the Immigration and Passport Act, 2014 No. 6 of 2014.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Immigration and Passport (Amendment) Act, 2023.

2. Interpretation

In this Act—

“principal Act” means the Immigration and Passport Act, 2014 No. 6 of 2014.

3. Amendment of section 2-Interpretation

The principal Act is amended in section 2 by—

(a) repealing the definition of “*bona fide* visitor” and substituting the following—

““*bona fide* visitor” means a person arriving in Antigua and Barbuda for a period of not more than 6 months, or having been granted an extension;”

(b) repealing the definition of “status” and substituting the following—

““status” includes the status of a person as determined by the relevant category of the schedule applicable to that person under this Act;”

4. Amendment of section 40-Grant of residence permit

The principal Act is amended in section 40 (1) (b) by inserting the word “ordinarily” between the words “lawfully” and “resident”.

5. Insertion of section 70A-Change of status

The principal Act is amended by inserting immediately after section 70 the following—

“70A Change of status

(1) A *bona fide* visitor who intends to lawfully ordinarily reside in Antigua and Barbuda for the purposes of—

- (a) work;
- (b) attending an educational institution (student);
- (c) marriage to an Antiguan and Barbudan national;
- (d) a retiree;

shall apply for a change of status.

(2) An individual shall become lawfully ordinarily resident after having been granted a change of status, and after having paid the prescribed fee.

(3) The status of the individual shall be determined by the categories outlined in Schedule 7.

(4) On termination of any of the provisions set out in subsection (1), the Chief Immigration Officer may deem the change of status void and the individual shall no longer be lawfully ordinarily resident.

(5) The Minister may upon the recommendation of the Chief Immigration Officer amend Schedule 7 by an Order published in the *Gazette*.

6. Insertion of Schedule 7

The principal Act is amended by inserting immediately after Schedule 6 the following—

“SCHEDULE 7*Section 70A*

Category	Accumulative Time	Endorse	Cost
CS-1	None	Date granted	\$1500 XCD
CS-2	None	Date granted	\$1500 XCD
CS-3	1 – 4 Years	Date granted	\$750 XCD
CS-3	5 – 7 Years	Date granted	\$300 XCD
CS-3	Residence Permit	Date granted	\$50 processing fee

INELIGIBLE

- Any person who has remained in Antigua and Barbuda illegally.
- Any person deemed to be a prohibited immigrant.

DOCUMENTATION REQUIRED

All applicants must present the following documents and information to the department of immigration for their application to be considered;

- a. A completed application for a Change of Status;
- b. One (1) passport size photo taken not more than 3 months before date of the application;
- c. A copy of the biographical data page of the applicant’s passport
- d. A copy of the time given in the passport on arrival
- e. A copy of the biographical data page of the sponsor or next of kin passport
- f. If sponsor or next kin is not a holder of an Antigua and Barbuda Passport, a copy of the current immigration status is required;
- g. A copy of marriage certificate (both English and foreign copies where applicable)
- h. A copy of birth certificate (both English and foreign copies where applicable)
- i. Proof of guardianship (if applicable)
- j. Proof of address in Antigua and Barbuda
- k. Proof of financial stability

- l.* A letter of intent addressed to the Chief Immigration Officer
- m.* Medical certificate

ADDITIONAL DOCUMENTATION MAY BE REQUIRED AND WILL BE REQUESTED DURING THE INTERVIEW.

Any false or misleading documentation and or information will result in the denial of the application and possible prosecution under the Antigua and Barbuda Immigration and Passport Act # 6 of 2014.

FEES

To change a Bona Fide Visitor status to a Non-Immigrant Residency Status, one would have to make an appointment with the Department of Immigration and be interviewed. The application fee for a **CS-1** or a **CS-2** is \$1500 XCD, and a **CS-3 1 – 4 yrs.** is \$750 XCD; and a **CS-3 5– 7 yrs.** is \$300 XCD and is nonrefundable.

An applicant who wishes to change from one category to another shall pay an application fee of \$100 XCD

An applicant in possession of a residence permit at the date of commencement of this Amendment and who

Passed the House of Representatives on
the 28th day of July, 2023.

Gerald Watt Q, C.,
Speaker.

Rosemarie Smith-Weston,
Clerk to the House of Representatives.

Passed the Senate on the 9th day of
August, 2023.

Alicia Williams-Grant,
President.

Rosemarie Smith-Weston,
Clerk to the Senate.