

**BERMUDA IMMIGRATION AND PROTECTION (LICENCE
APPLICATION) REGULATIONS 2007**

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BERMUDA IMMIGRATION AND PROTECTION ACT 1956

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**BERMUDA IMMIGRATION AND PROTECTION (LICENCE
APPLICATION) REGULATIONS 2007**

The Minister responsible for immigration, in exercise of the powers conferred by section 102D(1)(a) of the Bermuda Immigration and Protection Act 1956, makes the following Regulations:

Citation

1 These Regulations may be cited as the Bermuda Immigration and Protection (Licence Application) Regulations 2007.

Application

2 (1) An application under section 84 of the Bermuda Immigration and Protection Act 1956 for the issue of a licence to hold or acquire land in Bermuda shall —

(a) in the case of a restricted person, be in the form and contain the information and documents set out in the First Schedule or the Second Schedule, as applicable; and

(b) in the case of a trustee, be in the form and contain the information and documents set out in the Third Schedule or the Fourth Schedule, as applicable.

(2) In the case of land that is purchased, the application shall include

(a) copies of any advertisements for the sale of the land; and

(b) a written statement provided by the seller confirming that persons who possess Bermudian status have been provided with a fair opportunity to acquire the land.

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

**FIRST SCHEDULE
Bermuda Immigration and Protection Act 1956**

APPLICATION BY A RESTRICTED PERSON WHO IS AN INDIVIDUAL FOR
A LICENCE TO HOLD OR ACQUIRE LAND

- 1 Name of applicant
- 2 Nationality—
 - (a) at birth
 - (b) at date of application
- 3 Place of birth
- 4 Date of birth
- 5 Permanent address
- 6 Profession, trade or occupation (if any)
- 7 Nationality and place of birth of applicant's father
- 8 Maiden name, nationality at birth and place of birth of applicant's mother
- 9 Nationality at birth and place of birth of applicant's spouse, and maiden name in case of applicant's wife
- 10 Whether applicant has previously held or acquired any land in Bermuda, and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 11 Whether applicant's spouse has previously held or acquired any land in Bermuda, and if so, what quantity; whether any of such land is still held, and if so, the quantity and description thereof
- 12 Purpose for which applicant desires to hold or acquire the land
- 13 Full description, including the address, of the land intended to be acquired or held and the area thereof, together with three plans drawn to scale by a registered professional surveyor and the grid reference of the approximate centre of the parcel of land using the Bermuda National Grid 2000
- 14
 - (1) In the case of land sought to be acquired by deed —
 - (a) the name and address of the vendor of the land sought to be acquired; and
 - (b) the purchase price.
 - (2) In the case of land acquired by devise or inheritance —
 - (a) the name and last permanent address of deceased testator or intestate; and

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

(b) where applicable, a copy of the last will and testament

15 The land valuation assessment number of each valuation unit on the land

16 A notarised, signed copy of the sale/purchase agreement

17 A bank reference

18 Two personal references from referees who have known the restricted person for three or more years and, to the satisfaction of the Minister, are of sufficient standing in their community. If at least one of the referees does not possess Bermudian status, the applicant shall provide a written statement to the Minister to explain why referees who do not possess Bermudian status are being used.

Declaration

I declare that to the best of my knowledge and belief the particulars contained in this application are true.

Dated this [blank] day of [blank] 20 [blank].

[blank]
Signature of applicant

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

**SECOND SCHEDULE
Bermuda Immigration and Protection Act 1956**

APPLICATION BY A RESTRICTED PERSON WHO IS NOT AN INDIVIDUAL
FOR A LICENCE TO HOLD OR ACQUIRE LAND

- 1 Name of applicant
- 2 Place of incorporation
- 3 Date of incorporation
- 4 Street address
- 5 Mailing address
- 6 Name of contact person
- 7 Whether applicant has previously acquired any land in Bermuda, and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 8 Object or purpose for which applicant desires to acquire or hold the land
- 9 Full description, including the address, of the land intended to be acquired or held and the area thereof, together with three plans drawn to scale by a registered professional surveyor and the grid reference of the approximate centre of the parcel of land using the Bermuda National Grid 2000
- 10 Name and address of the vendor of the land sought to be acquired
- 11 Purchase price
- 12 Land valuation assessment number of each valuation unit on the land
- 13 A notarised, signed copy of the sale/purchase agreement
- 14 Copy of applicant's audited financial statements.

Declaration

I declare that to the best of my knowledge and belief the particulars contained in this application are true.

Dated this [blank] day of [blank] 20 [blank].

[blank]
Signature of individual signing for the applicant

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

THIRD SCHEDULE

Bermuda Immigration and Protection Act 1956

APPLICATION BY A TRUSTEE WHO IS AN INDIVIDUAL FOR A LICENCE TO HOLD OR ACQUIRE LAND ON BEHALF OF A RESTRICTED PERSON

A Particulars relating to the Trustee

- 1 Name of applicant
- 2 Nationality—
 - (a) at birth
 - (b) at date of application
- 3 Place of birth
- 4 Date of birth
- 5 Permanent address
- 6 Profession, trade or occupation (if any)
- 7 A bank reference
- 8 Two personal references from referees who have known the trustee for three or more years and, to the satisfaction of the Minister, are of sufficient standing in their community. If one or both of the referees do not possess Bermudian status, the trustee shall provide a written statement to the Minister to explain why referees who do not possess Bermudian status are being used.

B Particulars relating to Beneficiaries under the Trust Instrument *(to be completed by the trustee in respect of each person entitled at the date of his application to a benefit under, or a share of the proceeds of, the trust):*

- 9 Name of beneficiary
- 10 Nationality—
 - (a) at birth
 - (b) at date of application
- 11 Place of birth
- 12 Date of birth
- 13 Permanent address
- 14 Profession, trade or occupation (if any)
- 15 Nationality of father
- 16 Place of birth of father

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

- 17 Maiden name, nationality at birth and place of birth of mother
- 18 Whether beneficiary has previously acquired any land in Bermuda and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 19 Whether beneficiary's spouse has previously acquired any land in Bermuda, and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 20 Beneficiary's interest under the Trust Instrument
- 21 A bank reference
- 22 Two personal references from referees who have known the beneficiary for three or more years and, to the satisfaction of the Minister, are of sufficient standing in their community. If at least one of the referees does not possess Bermudian status, the trustee shall provide a written statement to the Minister to explain why referees who do not possess Bermudian status are being used.

C Particulars relating to the land to be acquired or held

- 23 Full description, including the address, of the land intended to be acquired or held and the area thereof, together with three plans drawn to scale by a registered professional surveyor and the grid reference of the approximate centre of the parcel of land using the Bermuda National Grid 2000
- 24 (1) In the case of land sought to be acquired by deed:
- (a) the name and address of the vendor of the land sought to be acquired; and
 - (b) the purchase price;
- or
- (2) In the case of land acquired by devise or inheritance:
- (a) the name and last permanent address of deceased testator or intestate; and
 - (b) where applicable, a copy of the last will and testament
- 25 Land valuation assessment number of each valuation unit on the land
- 26 A notarised, signed copy of the sale/purchase agreement.

Declaration

I declare that to the best of my knowledge and belief the particulars contained in this application are true. I forward herewith a

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

certified true copy of the Trust Instrument and I undertake to submit a further application in respect of any beneficiary who subsequently becomes entitled to any benefit under, or share of the proceeds of, the Trust as set out in the Trust Instrument.

Dated this [blank] day of [blank] 20 [blank].

[blank]

Signature of applicant

FOURTH SCHEDULE
Bermuda Immigration and Protection Act 1956

APPLICATION BY A TRUSTEE WHO IS NOT AN INDIVIDUAL FOR A LICENCE TO HOLD OR ACQUIRE LAND ON BEHALF OF A RESTRICTED PERSON

A Particulars relating to the Trustee

- 1 Name of applicant
- 2 Status of applicant (restricted or non-restricted person)
- 3 Place of incorporation
- 4 Date of incorporation
- 5 Street address
- 6 Mailing address
- 7 Copy of the trust licence issued under the Trusts (Regulation of Trust Business) Act 2001
- 8 Name of contact person.

B Particulars relating to Beneficiaries under the Trust Instrument *(to be completed by the trustee in respect of each person entitled at the date of his application to a benefit under, or a share of the proceeds of, the trust):*

- 9 Name of beneficiary
- 10 Nationality—
 - (a) at birth
 - (b) at date of application
- 11 Place of birth
- 12 Date of birth
- 13 Permanent address

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

- 14 Profession, trade or occupation (if any)
- 15 Nationality of father
- 16 Place of birth of father
- 17 Maiden name, nationality at birth and place of birth of mother
- 18 Whether beneficiary has previously acquired any land in Bermuda and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 19 Whether beneficiary's spouse has previously acquired any land in Bermuda, and if so, what quantity; whether any of such land is still held and if so, the quantity and description thereof
- 20 Beneficiary's interest under the Trust Instrument
- 21 A bank reference
- 22 Two personal references, from referees who have known the beneficiary for three or more years and, to the satisfaction of the Minister, are of sufficient standing in their community. If at least one of the referees does not possess Bermudian status, the trustee shall provide a written statement to the Minister to explain why referees who do not possess Bermudian status are being used.

C Particulars relating to the land to be acquired or held

- 23 Full description, including the address, of the land intended to be acquired or held and the area thereof, together with three plans drawn to scale by a registered professional surveyor, and the grid reference of the approximate centre of the parcel of land using the Bermuda National Grid 2000
- 24 (1) In the case of land sought to be acquired by deed:
- (a) the name and address of the vendor of the land; and
 - (b) the purchase price;
- or
- (2) In the case of land acquired by devise or inheritance:
- (a) the name and last permanent address of deceased testator or intestate; and
 - (b) where applicable, a copy of the last will and testament
- 25 Land valuation assessment number of each valuation unit on the land
- 26 A notarised, signed copy of the sale/purchase agreement.

BERMUDA IMMIGRATION AND PROTECTION (LICENCE APPLICATION) REGULATIONS 2007

Declaration

I declare that to the best of my knowledge and belief the particulars contained in this application are true. I forward herewith a certified true copy of the Trust Instrument and I undertake to submit a further application in respect of any beneficiary who subsequently becomes entitled to any benefit under, or share of the proceeds of, the Trust as set out in the Trust Instrument.

Dated this *[blank]* day of *[blank]* 20 *[blank]*.

[blank]

Signature of individual signing for the applicant

Made this 22nd day of June, 2007

Minister of Labour and Immigration