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CORRIGENDUM

Take note that S.I. No. 6 of 2011 contained in the Extraordinary Gazette dated 14th January, 2011 is hereby reprinted due to administrative errors contained in the original document.

C.O. 818 A and C.O. 1867

IMMIGRATION (GENERAL) (AMENDMENT) REGULATIONS, 2011

Arrangement of Sections

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OFFICE OF THE DEPUTY PRIME MINISTER
AND MINISTRY OF FOREIGN AFFAIRS

S.I. No. 6 of 2011



IMMIGRATION ACT
(CHAPTER 191)

IMMIGRATION (GENERAL) (AMENDMENT) REGULATIONS, 2011

The Minister, in exercise of the powers conferred by section 45 of the Immigration Act, makes the following regulations —

1. Citation.

These Regulations, which amend the Immigration (General) Regulations¹, may be cited as the Immigration (General) (Amendment) Regulations, 2011.

2. Amendment of regulation 2 of the principal Regulations.

Regulation 2 of the principal Regulations is amended as follows —

- (a) by the deletion of the word “certificate” together with its definition and the substitution of the following —

“**certificate**” means a document issued to a person to whom permanent residence, citizenship or naturalisation status has been granted;”;

- (b) by the insertion in the appropriate alphabetical order of the following words and definitions —

“**annual home owner resident card**” means a biometric card granted pursuant to section 11 of the International Persons Landholding Act (*Ch. 140*) permitting the holder, his spouse and minor children (if any), to enter and remain in The Bahamas for the duration of the card;

“**biometric card**” means a card containing biometric data and features;

“**biometric data and features**” means —

- (i) digitized fingerprints;

¹(*Sub. Leg., Vol. 11, Ch. 191-3*).

- (ii) machine-readable facial images;
- (iii) machine-readable biographical data; and
- (iv) digital signatures.”;

“permit” includes —

- (i) a residence biometric card issued to a person who has been granted permission to remain in The Bahamas pursuant to subsection (1) of section 30 of the Act;
- (ii) a resident spouse biometric card issued to a person who has been granted permission to engage in gainful occupation in The Bahamas pursuant to subsections (2) and (3) of section 30 of the Act;
- (iii) a work visa biometric card issued to a person who has been granted permission to engage in gainful occupation in The Bahamas;
- (iv) a short-term work visa biometric card issued to a person who has been granted permission to engage in gainful occupation in The Bahamas;
- (v) an annual home owner resident biometric card:”.

3. Amendment of regulation 3 of the principal Regulations.

Regulation 3 of the principal Regulations is amended by the deletion of paragraph (3) and the substitution of the following paragraphs —

- “(3) Every application for an annual home owner resident card shall be made to the Director of Immigration in Form IIA in the First Schedule.
- (4) Subject to subsection (5), every application for a certificate, permit or resident card shall be accompanied by two copies of a photograph of the applicant taken within a six-month period immediately preceding the application.
- (5) Where an application pursuant to subsection (4) includes a request for permission to engage in gainful occupation in The Bahamas, it shall additionally be accompanied by the applicant’s National Insurance Number.
- (6) Photographs accompanying applications shall —
 - (a) be taken full face, front view, head centered within frame, without hat or head covering and with eyes open and without eyewear;
 - (b) be taken with the entire face in focus, fine facial features discernible, subject and background accurately presented and with natural skin tones reproduced;

- (c) present full head from top of hair to bottom of chin with height of head measuring one inch to 13/8ths of an inch;
 - (d) be taken with eye level between 11/8ths of an inch and 13/8ths of an inch from the bottom of the photograph;
 - (e) be two inches by two inches in size and shall not be mounted;
 - (f) be in colour, set against a plain white or off-white background and printed on normal thin photographic paper or stock;
 - (g) be of clear print with a continuous tone quality;
 - (h) not be retouched or otherwise enhanced or softened; and
 - (i) if digitally printed, be produced without discernible pixels or dot patterns.
- (7) All photographs accompanying an application for certificate, permit or resident card shall become the property of the Government.”.

4. Amendment of regulation 4 of the principal Regulations.

Regulation 4 of the principal Regulations is repealed and replaced as follows —

“4. Forms of residence, work visa, resident spouse permits and annual resident card.

- (1) Subject to paragraph (2), and to any general or special directions given by the Board, the Director of Immigration shall issue residence, work visa, and resident spouse permits in biometric card form as set out in Forms III, IV and V in the First Schedule.
- (2) The Director of Immigration may issue short-term work visas for periods of three months or less in biometric card form as set out in Form IV (A) in the First Schedule.
- (3) The Director of Immigration shall issue annual home owner resident biometric cards as set out in Form VA in the First Schedule and in accordance with the provisions of section 11 of the International Persons Landholding Act (*Ch. 140*).

5. Amendment of regulation 8 of the principal Regulations.

Regulation 8 of the principal Regulations is amended by the deletion of paragraph (2) and the substitution of the following —

- “(2) Paragraphs (4), (5) and (6) of regulation 3 shall apply *mutatis mutandis* to an application for a permanent residence certificate.”

6. Insertion of new regulation 9A into the principal Regulations.

The principal Regulations are amended by the insertion immediately after Regulation 9 of the following new regulation —

“9A Issue of identity cards to permanent residents.

The Board shall issue to the applicant together with a permanent residence certificate issued pursuant to section 13 an identity card containing biometric data and features as set out in Form VIIIA in the First Schedule.”

7. Replacement of words “work permit” by “work visa”.

The principal Regulations are, unless the context otherwise requires, amended by the deletion of the words “work permit” wherever they appear in the Regulations and the substitution of the words “work visa”.

8. Amendment of First Schedule to the principal Regulations.

The First Schedule to the principal Regulations is amended as follows —

- (a) by the insertion immediately after Form II of the following new form —

“Form IIA

APPLICATION FOR HOME OWNER RESIDENT CARD

A PROCESSING FEE

OF \$100.00 IS REQUIRED.

Applicants wishing to be issued a Resident Card are requested to complete the whole form and to submit with this application the following:

- (a) Letter of request
- (b) Two passport size, machine-readable, colour photographs (under six (6) months old) with signature on reverse prints
- (c) A police character certificate (under six (6) months old)
- (d) Certificate from The Bahamas Investment Authority
- (e) Copy of valid passport/s

PERSONS INTENDING TO RESIDE IN THE BAHAMAS

MUST BE IN POSSESSION OF A VALID PASSPORT

1. Full Name (Mr.,Mrs.,Miss) _____
2. Place of Birth _____
3. Date of Birth _____
4. Present Nationality _____
5. Previous Nationality _____
6. Particulars of any change of name _____

7. Local Address (home telephone, street address, email address)

8. Home Address _____

9. Marital Status (single, married, divorced) _____

10. Full name of wife/husband (including maiden name of wife)

11. Nationality of wife/husband _____

12. Particulars of children under 18 years of age:

NAME	DATE OF BIRTH	PLACE OF BIRTH
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13. Profession or Occupation _____

14. Particulars of Passport: (number, place and date of issue):

15. Have you been convicted of any criminal offence? State YES or NO

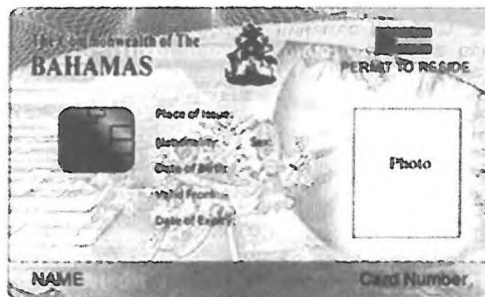
16. If YES, give full details of the offence (s)

Signature: _____ Date: _____
(b) by the repeal of Forms III, IV, AND V and replacement by the following-

FORM III (Regulation 4)

RESIDENCE PERMIT

Front



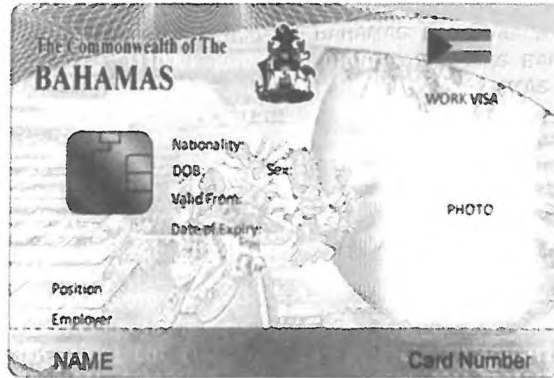
Reverse



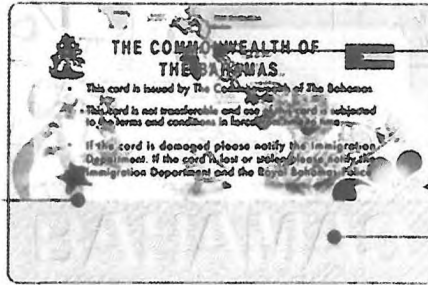
FORM IV (Regulation 4)

WORK VISA

Front



Reverse



FORM IV A (Regulation 4)
SHORT-TERM WORK PERMIT

No.

File No. _____

Fee Paid \$ _____

PERMIT TO ENGAGE IN GAINFUL OCCUPATION

Mr.

Mrs.

Miss. _____

is hereby authorized to enter and remain in the Commonwealth of The Bahamas subject to the provisions of the Immigration Act, Chapter 191 of the statute laws of The Bahamas revised edition 2000, for the purposes of:

This permit is subject to the condition that the holder shall not engage in any gainful occupation other than specified herein. Contravention of this condition will render the holder liable to criminal proceedings and may entail cancellation of this permit.

Special conditions (if any) _____

This permit is valid for the period commencing on the date hereof and ending on
The day of 20 _ _ .

PHOTOGRAPH

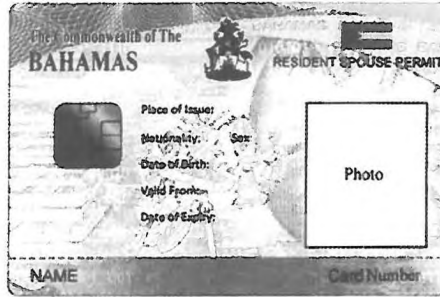
The holder of this permit must surrender same to the Director of Immigration within seven days of his ceasing to be employed by his employer. Failing to comply with the above condition makes the holder liable to a fine of \$100.00.

Director of Immigration

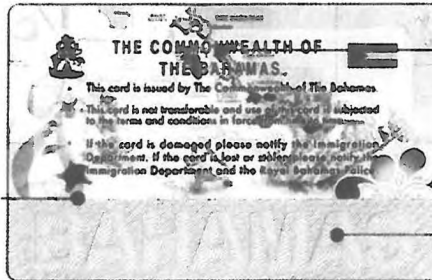
Date: _____

FORM V (Regulation 4)
RESIDENT SPOUSE PERMIT

Front



Reverse



- (c) by the insertion immediately after Form V of the following new form-

**FORM V A (Regulation 4)
HOME OWNER RESIDENT CARD**

Front

The Commonwealth of The
BAHAMAS

E
HOME OWNER'S CARD

Place of Issue:
Nationality: Sex:
Date of Birth:
Valid From:
Date of Expiry:

Photo

NAME Card Number

Reverse

THE COMMONWEALTH OF
THE BAHAMAS

E

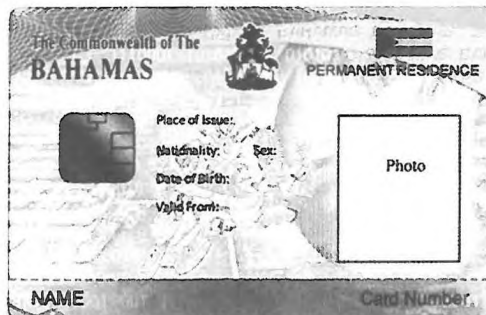
- This card is issued by The Commonwealth of The Bahamas.
- This card is not transferable and the cardholder is subjected to the terms and conditions in force from time to time.
- If the card is damaged please notify the Immigration Department. If the card is lost or stolen please notify the Immigration Department and the Royal Bahamas Police.

BAHAMAS

- (d) by the insertion immediately after Form VIII of the following new form-

FORM VIIIA (Regulation 9A)
PERMANENT RESIDENCE IDENTITY CARD

Front



Reverse

