

THE CARIBBEAN COMMUNITY (FREE MOVE-
MENT OF SKILLED PERSONS) ACT

ARRANGEMENT OF SECTIONS

1. Short title.
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8. Effects of entry permission.
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10. Offences and penalties.
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SCHEDULES

THE CARIBBEAN COMMUNITY (FREE MOVE-
MENT OF SKILLED PERSONS) ACT

Acts
18 of 1997,
37 of 2004
S. 29.
27 of 2013.

[15th July, 1997.]

1. This Act may be cited as the Caribbean Community Short title.
(Free Movement of Skilled Persons) Act.

2.—(1) In this Act—

Interpreta-
tion.

“Caribbean Community” means the Caribbean Com- 37/2004
munity established by Article 2 of the Revised Treaty S. 29.
of Chaguaramas signed in the Bahamas on the 5th day
of July, 2001 and includes the CARICOM Single
Market and Economy;

“Caribbean skilled person” means any national who is
recognized by the Minister as being a member or
employee of a recognized organization or is the
holder of a qualification or performs an occupation
specified in the First Schedule.

First
Schedule.

“dependant” in relation to a national means—

(a) the spouse of that national;

(b) any unmarried child or step-child under the age
of eighteen years of that national; and

(c) any unmarried child under the age of eighteen
years adopted by that national in a manner
recognized by law;

“immigration officer” means any immigration officer
appointed by the Governor-General under the Aliens
Act;

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**CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)**

37/2004
S. 29.

“Member State” means a Member State of the Caribbean Community excluding an Associate Member within the meaning of Article 231 of the Revised Treaty of Chaguaramas;

37/2004
S. 29.

“national” means a person who—

- (a) is a citizen of a Member State; or
- (b) has connection with a Member State of a kind which entitles that person to be regarded as belonging to or, if it be so expressed, as being a native or resident of such a Member State for the purposes of the laws thereof relating to immigration;

“property” includes real and personal property;

27/2013
S. 2.

“qualifying certificate” means a certificate of recognition of Caribbean Community skills issued by—

- (a) in relation to Jamaica, the Minister responsible for labour in the form set out in the Third Schedule; or
- (b) in relation to any other Member State of which a Caribbean skilled person is a national, the competent authority of that state;

Third
Schedule.

“recognized organization” means an organization declared by the Minister to be a recognized organization for the purposes of this Act by order published in the *Gazette*;

“spouse” includes—

- (a) a single woman who has lived and cohabited with a single man as if she were in law his wife for a period of not less than five years immediately preceding the date of the application under this Act;

- (b) a single man who has lived and cohabited with a single woman as if he were in law her husband for a period of not less than five years immediately preceding the date of the application under this Act.

(2) For the purposes of this Act, where the qualifying Caribbean Community state is Montserrat, a valid passport or other form of identification approved by the Minister showing the holder—

- (a) to be a citizen of the United Kingdom and Colonies or a British Dependent Territories citizen; and
- (b) to have been born in Montserrat,

shall be deemed to be issued in Montserrat.

3.—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to section 5, permit a national to whom this section applies and any dependant of such national to enter and remain in Jamaica for an indefinite period.

Indefinite
entry of
Caribbean
skilled
persons, etc.
37/2004
S. 29.

(2) This section applies to a national who—

- (a) holds a valid passport issued to him by a Member State or other form of identification approved by the Minister;
- (b) seeks to enter the Island for the purpose of engaging in or finding gainful employment with an employer or as a self-employed person; and
- (c) presents to the immigration officer upon entry into the Island a valid qualifying certificate.

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S. 29.

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*CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)*

Provisional
entry of
Caribbean
skilled persons
and depen-
dants.
37/2004
S. 29.

4.—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to section 5, permit a national to whom this section applies and any dependant of such national to enter and remain in the Island for a period not exceeding six months.

(2) This section applies to a national who—

37/2004
S. 29.

(a) holds a valid passport issued to him by a Member State or other form of identification approved by the Minister;

(b) seeks to enter the Island for the purpose of engaging in or finding gainful employment with an employer or as a self-employed person; and

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S. 3.

(c) presents to the immigration officer upon entry into the Island a valid qualifying certificate.

Prohibited
Caribbean
skilled
persons.

5.—(1) Subject to subsection (2), an immigration officer shall not permit a Caribbean skilled person or any dependant of such person to land in the Island if that person—

(a) is likely, if he enters the Island, to become a charge on public funds;

(b) is a person of unsound mind or a mentally defective person;

(c) is, on the basis of available information communicated to the Minister, suffering from a communicable disease which makes his entry into the Island dangerous;

(d) is, from information or advice, which in the opinion of the Minister is reliable information or advice, deemed by the Minister to be an undesirable inhabitant of, or visitor to, the Island; and

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OF SKILLED PERSONS)*

(e) is a subject of a deportation order in force under the Deportation (Commonwealth Citizens) Act.

(2) Notwithstanding subsection (1), the Minister may exempt any Caribbean skilled person from the provisions of paragraphs (a) to (e) of subsection (1).

6.—(1) A person who satisfies the requirements for recognition as a Caribbean skilled person may apply to the Minister for a qualifying certificate.

Application for qualifying certificate.

(2) An application under this section shall be in such form and be accompanied by such fee as the Minister may, by order, prescribe.

7.—(1) Subject to subsection (2), the Minister shall grant a qualifying certificate to every applicant who satisfies the requirements for recognition as a Caribbean skilled person.

Minister to grant certificate to qualified applicants.

(2) The Minister may refuse to issue a qualifying certificate to a person referred to in section 5 and to any person who has been convicted of an offence against section 10 or a similar offence under the laws of a Member State.

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S. 4.
37/2004
S. 29.

8. Notwithstanding the provisions of any other Act a Caribbean skilled person and every dependant of such person who are permitted to enter the Island under this Act shall not be subject to any restriction on—

Effects of entry permission.

- (a) freedom of movement, including the freedom to leave and re-enter Jamaica without further permission;
- (b) the freedom to acquire property for use as the residence or business of such persons; or
- (c) the right to engage in gainful employment or other occupation,

which would not apply if those persons were nationals of Jamaica.

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OF SKILLED PERSONS)*

Revoca-
bility of
permission.

9. Notwithstanding the provisions of any other law, permission granted under this Act to a Caribbean skilled person to enter the Island and the rights conferred on that person under section 8 shall not be revocable except for cause and by procedure which would, apart from this Act, render a national of Jamaica liable to deportation, extradition or other form of expulsion from the Member State of which the Caribbean skilled person is a national.

37/2004
S. 29.

Offences
and penal-
ties.

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

- (a) for the purpose of procuring a qualifying certificate or for the purpose of seeking permission under this Act to enter the Island, he—
 - (i) makes any statement, for himself or any other person, knowing such statement to be false in a material particular; or
 - (ii) recklessly makes any statement which is false in a material particular;
- (b) uses a certificate issued by the competent Minister of a Member State knowing that it has been cancelled by the Government of that state;
- (c) uses a qualifying certificate knowing that it has been cancelled by the Minister.

37/2004
S. 29.

(2) Conviction of an offence under this section shall—

- (a) render a qualifying certificate liable to cancellation at the discretion of the Minister;
- (b) render a permission granted under this Act revocable at the discretion of the Minister; and
- (c) disentitle any person so convicted of the right to any permission under this Act.

(3) Any person who commits an offence under this Act shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one million dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

27/2013
S. 5(a).
27/2013
S. 5(b).

11.—(1) The Minister may make regulations generally for giving effect to the provisions of this Act and without prejudice to the generality of the foregoing may make regulations—

Regulations.

- (a) regulating the issue, amendment, revocation or replacement of qualifying certificates and for the payment of fees by the person applying therefor;
- (b) providing for the establishment and maintenance of a register of persons to whom or in respect of whom qualifying certificates have been issued, amended, revoked or replaced;
- (c) providing for the issue to any person who is exempt from any of the provisions of this Act a certificate stating the nature of the exemption;
- (d) with respect to the surrender or cancellation of any qualifying certificate issued by the Minister;
- (e) amending the First, Third and Fourth Schedules;
- (f) prescribing the forms to be used for the purposes of this Act;
- (g) prescribing any other matter or thing required to be prescribed under this Act.

First, Third
and Fourth
Schedules.
27/2013
S. 6(a).

(2) Regulations made under this section shall be subject to negative resolution.

(3) Until varied or revoked by regulations made under this section, the regulations contained in the Fourth Schedule shall be in force.

27/2013
S. 6(b).
Fourth
Schedule.

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(4) Notwithstanding section 29 of the Interpretation Act, regulations made under subsection (1) may provide for the imposition of penalties on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Minister
may by
order amend
monetary
penalty.
27/2013
S. 7.

12. The Minister may by order, subject to affirmative resolution, amend any monetary penalty specified in this Act.

FIRST SCHEDULE

(Sections 2, 4, 8 and 11)

*Qualifications and Occupations Required for the Issue of a
Qualifying Certificate*

27/2013
S. 8(a).

1.—(1) A degree designated as an Associate, a Bachelor's, Master's or doctoral degree of the—

- (a) University of the West Indies;
- (b) University of Technology, Jamaica;
- (c) Northern Caribbean University;
- (d) Mico University College; or
- (e) University of Guyana.

(2) A degree of Doctorandus, Meester, Licentiatuſ or Doctor of the University of Suriname.

27/2013
S. 8(b).

2. Any qualification or combination of qualifications specified in a list—

- (a) complied from time to time by the University Council of Jamaica for purposes of this Act; and
- (b) prescribed by the Minister by order published in the *Gazette* as a list of qualifications and combinations of qualifications satisfying the qualification requirements of this Act.

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FIRST SCHEDULE, *contd.*

3. Any qualification or combination of qualifications possessed by an applicant which is certified by the University Council of Jamaica as satisfying the conditions for recognition of Caribbean Community skills qualification, whether or not any such qualification or combination of qualifications is prescribed under paragraph 2. 27/2013 S. 8(b).
27/2013 S. 8(c).
4. Persons certified by the competent authority of a Member State as representing that state in sports. 37/2004 S. 29.
5. Musicians, artistes and media workers certified as such by the competent authority of the Member State of which such persons are nationals. 37/2004 S. 29.
6. Teachers and nurses holding a qualification under paragraph 2 or 3. 27/2013 S. 8(d).
7. Artisans and domestic workers awarded a Caribbean Vocational Qualification (CVQ) certificate or equivalent. 27/2013 S. 8(d).

SECOND SCHEDULE [*Deleted by Act 37/2004, S. 29.*]

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OF SKILLED PERSONS)**

THIRD SCHEDULE

(Sections 2, 4, and 11)

JAMAICA

THE CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED PERSONS) ACT

Certificate of Recognition of Caribbean Community Skills

WHEREAS has applied to the Minister for a Certificate of Recognition of Caribbean Community Skills, in reliance on the requirements set out in the Schedule, and has satisfied the Minister that the conditions laid down in the Caribbean Community (Free Movement of Skilled Persons) Act for the grant of a Certificate of Recognition of Caribbean Community Skills have been fulfilled:

NOW, THEREFORE, I,, the Minister, in exercise of the power conferred upon me by the said Act, hereby grant to the said this Certificate of Recognition of Caribbean Community Skills.

SCHEDULE

Particulars Relating to Caribbean Skilled Person

27/2013
S. 9(a).

27/2013
S. 9(b).

<p>Photograph of Caribbean skilled person</p>

FULL NAME:

ADDRESS:

PLACE OF BIRTH:

DATE OF BIRTH:

NATIONALITY:

PASSPORT NO.:

MARITAL STATUS:

OCCUPATION:

QUALIFICATION:

NAMES AND AGES OF ACCOMPANYING DEPENDANTS:

PASSPORT NO. OF DEPENDANTS:

PASSPORT NO. OF DEPENDANTS:

DANTS:

In witness whereof I hereto subscribe my name this day of
, 19 ..

Minister responsible for labour.

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OF SKILLED PERSONS)**

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FOURTH SCHEDULE

(Section 11) 27/2013
S. 10.

*The Caribbean Community (Free Movement of Skilled Person)
Regulations, 2013*

1. These Regulations may be cited as the Caribbean Community (Free Movement of Skilled Persons) Regulations, 2013. Citation.
- 2.—(1) Every application to the Minister for a qualifying certificate pursuant to section 6(1) of the Act shall be in the form set out as Form 1 in the Appendix and shall be accompanied by the non-refundable application fee of two thousand dollars. Application Form. Form 1. Appendix.
- (2) There shall be paid in respect of the issue of a qualifying certificate, as regards—
- (a) the applicant, a fee of eight thousand dollars; and
 - (b) each dependant, if any, of the applicant, a fee of two thousand dollars.
3. A qualifying certificate which is lost, stolen or destroyed, may be replaced upon payment of a fee of three thousand dollars. Replacement of qualifying certificate.
- 4.—(1) Where there has been a change in the circumstances of a— Amendment of a qualifying certificate.
- (a) Caribbean skilled person to whom a qualifying certificate has been issued (in relation to a dependant, such person being hereinafter referred to as the “primary holder”); or
 - (b) dependant of the primary holder,
- as a result of which the information appearing on a qualifying certificate issued to the Caribbean skilled person or in respect of the dependant of that person, as the case may be, or in the Schedule to a qualifying certificate, is no longer accurate, the Caribbean skilled person or the dependant of that person in respect of whom the qualifying certificate was issued, may apply in the form set out as Form 2 in the Appendix to have the relevant qualifying certificate or Schedule thereto amended. Form 2. Appendix.
- (2) There shall be paid in respect of the issue of every amended qualifying certificate a fee of two thousand dollars.
- 5.—(1) The fee payable in respect of a qualifying certificate under regulations 2(2), 3 and 4(2) shall be paid in full before delivery of the qualifying certificate, into the appropriate account at any branch of a bank approved in accordance with the Financial Administration and Audit Act. Mode of payment of fees.
- (2) An applicant who seeks to take delivery of a qualifying certificate shall submit to an authorized person the voucher issued by the bank specified

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FOURTH SCHEDULE, *contd.*

in paragraph (1), as proof of payment in full of the fee payable under these Regulations.

(3) In this regulation “authorized person” means a person appointed as such by the Minister for the purposes of the Act.

Verification
of qualifying
certificate
issued by
Member
State.

6.—(1) Where a Caribbean skilled person is permitted to enter and remain in Jamaica under section 4 of the Act, that person shall within six months of the date of entry into the Island present his qualifying certificate and those issued in respect of his dependants, if any, to the Minister for verification of the validity thereof.

(2) Verification of a qualifying certificate under paragraph (1) shall be made, free of charge, on presentation to the Minister of—

(a) the qualifying certificate of the Caribbean skilled person and those of his dependants, if any; and

Form 3.
Appendix.

(b) the completed verification data form in the form set out as Form 3 in the Appendix.

(3) Upon completion of the verification process, if the Minister is not satisfied as to the validity of the qualifying certificate the qualifying certificate shall be deemed invalid.

(4) Upon completion of the verification process, the Minister shall notify the applicant in writing, within a reasonable time thereafter of the outcome of the verification process, and in particular, whether the applicant’s qualifying certificate is valid for the purposes of the Act.

Revocation
or
cancellation
of a
qualifying
certificate.

7.—(1) The Minister may—

(a) revoke a qualifying certificate issued under section 7 of the Act if he is satisfied that the person to whom the qualifying certificate was issued, at the time it was issued, did not satisfy the requirements for recognition as a Caribbean skilled person; or

(b) cancel a qualifying certificate so issued if the person to whom it was issued has been convicted of an offence under section 10 of the Act.

(2) Before revoking or cancelling a qualifying certificate under paragraph (1), the Minister shall notify the person to whom it was issued, in writing—

(a) specifying the reasons for revocation or cancellation; and

FOURTH SCHEDULE, *contd.*

- (b) giving an opportunity to make representations, in writing, within—
 - (i) fourteen days; or
 - (ii) such longer period as the Minister may specify.

8.—(1) Where the holder of a qualifying certificate issued under section 7 of the Act—

Surrender of
qualifying
certificate.

- (a) ceases to be a national; or
- (b) is notified in writing of the revocation or cancellation of his qualifying certificate,

he shall, within thirty days after the date on which he ceased to be a national or the date of receipt of notification of cancellation or revocation, as the case may be, surrender his qualifying certificate to the Minister, as well as the qualifying certificates of his dependants, if any, available to him for surrender.

(2) Where a person is granted a qualifying certificate by virtue of being a dependant of a primary holder on—

- (a) ceasing to be a dependant of the primary holder;
- (b) the primary holder ceasing to be a national; or
- (c) cancellation, revocation or surrender of the qualifying certificate held by the primary holder,

that person shall surrender his qualifying certificate to the Minister.

9.—(1) There is hereby established a register of qualifying certificates issued under section 7 of the Act or verified under these Regulations (to be known as the Register of Recognized Caribbean Skilled Persons) for the purpose of recording the—

Register.

- (a) name of every Caribbean skilled person holding such a qualifying certificate;
- (b) date of grant of the qualifying certificate held by that skilled person;
- (c) names of any dependants appearing on the qualifying certificate; and
- (d) particulars as to status of the qualifying certificate, including whether a certificate is valid, has been amended, surrendered, replaced, revoked or cancelled.

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OF SKILLED PERSONS)*

FOURTH SCHEDULE, *contd.*

(2) The Register shall be kept by a public officer designated by the Minister as Registrar who may be assisted by such other public officers as may be duly appointed for ensuring the proper keeping of the Register.

(3) The Register shall be—

- (a) kept at the office of the Ministry responsible for labour;
- (b) open to inspection by any member of the public and a copy of an excerpt made available, upon request in writing accompanied by payment of such fee as the Minister may determine.

Offence.

10. Every person who contravenes regulation 8 commits an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

APPENDIX

(Regulations 2, 4 and 6)

FORM 1

(Regulation 2)



THE CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED
PERSONS) ACT

The Caribbean Community (Free Movement of Skilled
Persons) Regulations, 2013

*Application Form Requesting Grant of Qualifying Certificate to
Person Who Satisfies the Requirement for Recognition
as a Caribbean Skill Person*

*Please Read Notes Overleaf Before Completion of
this Application Form*

PART A. *General Information*

1. Name of applicant: _____ / _____ / _____
(Surname) (First) (Middle)
2. Address: _____
3. Date of application: _____
4. Telephone contact: _____
5. E-mail: _____
6. Sex: Male Female
7. Date of birth: _____ / _____ / _____
(year) (month) (day)
8. Nationality: _____
9. Country of birth: _____
10. Marital status: Single Married Divorced
 Widowed Common law union

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PART B. Dependants

11. Do you have any dependants? Yes No

If Yes, how many dependants? _____

12. Please list dependants, if any, below:

1. (a) Name: _____

(b) Age: _____

(c) Sex: Male Female

(d) Nationality: _____

(e) Passport No.: _____

(f) Relationship to applicant: _____

2. (a) Name: _____

(b) Age: _____

(c) Sex Male Female

(d) Nationality: _____

(e) Passport No.: _____

(f) Relationship to applicant: _____

3. (a) Name: _____

(b) Age: _____

(c) Sex Male Female

(d) Nationality: _____

(e) Passport No.: _____

(f) Relationship to applicant: _____

4. (a) Name: _____

(b) Age: _____

(c) Sex: Male Female

(d) Nationality: _____

(e) Passport No.: _____

(f) Relationship to applicant: _____

PART C. *Education*

13. What is your highest educational qualification?

Diploma (secondary level)

Caribbean Vocational Qualification

Diploma (tertiary level)

Associate degree

University/College degree

Master's degree

Master of philosophy (M. Phil.)

Doctor of philosophy (Ph. D.)

Other (please specify): _____

14. State name of highest educational qualification and date awarded:—

15. Name and address of institution which awarded qualification:—

PART D. *Employment*

16. Please indicate below your current employment status:—

Self-employed Employed

Unemployed Student

Self-employed and Employed Persons:

17. If self-employed or employed, please specify your current occupation:

18. If self-employed, please state main address(es) from which business activities are conducted: _____

19. If employed, please specify your employer and provide address and contact information below:

(a) Name of employer: _____

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- (b) Address of employer: _____
- (c) Telephone number: _____
- (d) Fax number: _____
- (e) Email address: _____

20. Please describe the nature of employment:

Student:

21. If you indicated "Student" for your employment status, please specify educational institution, type and course of educational programme:

(a) type of educational programme:

Academic degree programme:

Vocational training:

Other (please specify): _____

(b) specify degree or certification to be awarded on completion of educational programme: _____

(c) indicate commencement date of participation in educational programme: _____

(d) please indicate below name, address and contact details of educational institution:

Name: _____

Address: _____

Telephone number: _____

Fax number: _____

Email address: _____

PART E. Destination Caribbean Community State

22. Please specify the Caribbean Community state to which the applicant initially intends to relocate: _____

23. Please specify the purpose for the relocation to the Caribbean Community state: Self-employment Employment

Study

Family/personal relationship

24. In the case of employment, please specify:

- (a) Occupation: _____
(b) Nature of business or activity: _____

25. In the case of self-employment, please specify the nature of the professional or business activity you intend to undertake in the Caribbean Community state:

PART F. Documents in Support of Application

26. I attach, in support of my application, the following documents:

PART G. Declaration and Signature

I declare that the information given in this application is true and correct to the best of my knowledge and belief.

Name of applicant: _____

Signature of applicant: _____

Date: _____

Notes for Completion of Application Form:

1. It is a criminal offence under section 10 of the Caribbean Community (Free Movement of Skilled Persons) Act to make a false statement in order to procure a qualifying certificate.

2. Where there are inapplicable questions or sections, please indicate by "N/A".

3. Additional pages may be appended where required to provide a full response to any question posed in form. The applicant shall specify on the additional page the question to which the information contained therein relates.

4. An application form is to be accompanied by an application fee of JA\$2,000.00. Where an application is successful, a fee of JA\$8,000.00 is payable in respect of the issue of a qualifying certificate and in the case of a dependant, an additional fee of JA\$2,000.00

5. Question 10—

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“common law union” means an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived and co-habited with an unmarried woman for at least five years, as if they were, in law, married.

6. Question 11—

“dependants” means the spouse of the applicant or any unmarried child of the applicant under 18 years of age.

7. Question 12—

“child” means an unmarried child under the age of 18 years, including a step-child or an adopted child;

“spouse” includes an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived or co-habited with an unmarried woman for at least five years, as if they were, in law, married.

Regarding relationship of dependant to applicant (see Question 12, *etc.*) state whether the dependant is—

- (a) husband;
- (b) wife;
- (c) common law ‘wife’;
- (d) common law ‘husband’;
- (e) child of applicant;
- (f) adopted child of applicant;
- (g) step-child of applicant (*i.e.*, child of wife or husband);
- (h) child of common law ‘wife’ or ‘husband’, as applicable.

8. Documents in support of an application for a qualifying certificate, to the extent applicable, include—

- (1) For applicant—
 - (a) Police report from country of residence for the past three years;
 - (b) to establish identity and nationality—
 - (i) where there has been a change in name, if applicable, certified copies of—
 - (A) a deed poll;
 - (B) marriage certificate;

- (C) decree absolute (divorce); or
- (D) other documents to support the change of name, if any;
- (ii) certified copy of the bio-data page of valid passport;
- (iii) certified copy of birth certificate;
- (c) in respect of recognized skill qualification—
 - (i) of an academic qualification, certified copy of an academic degree certificate from the—
 - (A) University of the West Indies;
 - (B) University of Technology, Jamaica;
 - (C) Northern Caribbean University;
 - (D) Mico University College;
 - (E) University of Guyana; or
 - (F) University of Suriname;
 - (ii) for vocational training, certified copy of Caribbean Vocational Qualification (CVQ) certificate or equivalent;
 - (iii) for other skill qualification certification, assessment of qualification equivalency from the University Council of Jamaica (UCJ).
- (2) For dependants of an applicant to establish the relevant relationship to the applicant—
 - (a) in respect of a spouse—
 - (i) marriage certificate; or
 - (ii) declaration under the Voluntary Declarations Act of two persons stating that the applicant and spouse are both unmarried and have co-habited with each other for a period of no less than 5 years. (Where the applicant or spouse of a common law union is a divorced person, include certified copy of decree absolute);

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(b) in respect of each child—

- (i) to establish parental relationships, certified copy of birth certificate;
- (ii) to establish identity of each child, bio-data page of valid passport;
- (iii) in the case of an adopted child, include proof of adoption;
- (iv) in the case of a step-child, include marriage certificate;
- (v) in the case of a child of a spouse of a common law union, the relevant relationship is established by the child's birth certificate or adoption papers, if applicable and the voluntary declaration mentioned above (see Note 8(2)(a)(ii) above).

References to a "certified copy" means a copy certified by a Justice of the Peace, a Notary Public or by an officer designated by the Minister, on being presented with the original document for his examination. The phrase 'certified copy' does not preclude submission of original documents in support of an application.

FORM 2

(Regulation 4)



THE CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED
PERSONS) ACT

The Caribbean Community (Free Movement of Skilled Persons)
Regulations, 2013

*Application Form for Amendment of Certificate of Recognition
of Caribbean Community Skills*

Please Read Notes Overleaf Before Completion of this Application Form

PART A. *General Information*

1. Name of applicant: _____ / _____ / _____
(Surname) (First) (Middle)
2. Address: _____
3. Date of application: _____
4. Telephone contact: _____
5. E-mail: _____
6. Sex: Male Female
7. Date of birth: _____ / _____ / _____
(year) (month) (day)
8. Nationality: _____
9. Country of birth: _____
10. Marital status: Single Married Divorced
 Widowed Common law union
11. Date of issue of qualifying certificate: _____
12. Please state the capacity in which the qualifying certificate for which
amendment is sought is held:
 primary holder dependant of a primary holder

*CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)*

13. Where the applicant for amendment is a dependant, state the name of the primary holder by virtue of whom the certificate was granted to the applicant and the date of issue of that person's qualifying certificate:

Full name of primary holder: _____

Date of issue of qualifying certificate: _____

PART B. Amendment

14. Please specify nature of amendment requested (for example, amendment to the certificate, amendment of the Schedule to the certificate or both):

15. Please specify the particulars relating to applicant in Schedule of qualifying certificate on the certificate held by applicant:

Full name: _____

Address: _____

Place of birth: _____

Date of birth: _____

Nationality: _____

Passport No.: _____

Marital status: _____

Occupation: _____

Qualification: _____

Names and ages of accompanying dependants: _____

Passport Nos. of accompanying dependants: _____

16. In the case of an amendment to the qualifying certificate (excluding the Schedule), please specify the desired amendment:

**CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)**

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17. In the case of an amendment of the Schedule to the qualifying certificate, please indicate and specify the amendment being sought to the particulars relating to applicant in the Schedule to the qualifying certificate:

- Full Name: _____
- Address: _____
- Place of birth: _____
- Date of birth: _____
- Nationality: _____
- Passport No.: _____
- Marital status: _____
- Occupation: _____
- Qualification: _____
- Names and ages of accompanying dependants: _____

- Passport nos. of accompanying dependants: _____

18. Please specify the reason for the requested amendment:—

19. Where the amendment sought concerns an entry relating to a dependant, please state:

- (a) Name: _____
- (b) Age: _____
- (c) Sex: Male Female
- (d) Nationality: _____
- (e) Passport No.: _____
- (f) Relationship to applicant: _____

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PART C. Documents in Support of Application

20. I attach, in support of my application, the following documents:—

PART D. Declaration and Signature

I declare that the information given in this application is true and correct to the best of my knowledge and belief.

Name of applicant: _____

Signature of applicant: _____

Date: _____

Notes for Completion of Application Form

1. An application for an amendment of a qualifying certificate need not be made in respect of typographical errors appearing therein attributable to the issuing authority.
2. It is a criminal offence under section 10 of the Caribbean Community (Free Movement of Skilled Persons) Act to make a false statement in order to procure a qualifying certificate.
3. Where there are inapplicable questions or sections, please indicate by "N/A".
4. Additional pages may be appended where required to provide a full response to any question posed in form. The applicant shall specify on the additional page the question to which the information contained therein relates.
5. Note that a successful applicant is required to pay a fee of JA\$2,000.00 in respect of the issue of an amended qualifying certificate.
6. Question 9—

"common law union" means an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived and co-habited with an unmarried woman for at least five years, as if they were, in law, married.

7. Re Question 15, 17 and 18—

“child” means an unmarried child under the age of 18 years, including a step-child or an adopted child;

“dependants” means the spouse of the applicant or any unmarried child of the applicant under 18 years of age;

“spouse” includes an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived or co-habited with an unmarried woman for at least five years, as if they were, in law, married.

Regarding relationship of dependant to applicant (see Question 19) state whether the dependant is—

- (a) husband;
- (b) wife;
- (c) common law ‘wife’;
- (d) common law ‘husband’;
- (e) child of applicant;
- (f) adopted child of applicant;
- (g) step-child of applicant (*i.e.*, child of wife or husband);
- (h) child of common law ‘wife’ or ‘husband’, as applicable.

8. Depending on the nature of the amendment sought, documents in support of an application for amendment of a qualifying certificate, to the extent applicable, include—

- (a) to amend name of Caribbean skilled person, spouse or child, on qualifying certificate or CARICOM nationality, as the case may be, where there has been a change in name, certified copy of birth certificate and if applicable—
 - (i) a deed poll;
 - (ii) marriage certificate;
 - (iii) decree absolute (divorce);
 - (iv) proof of adoption; or
 - (v) other documents, if any, to support the application to amend for change of name;

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- (b) to amend CARICOM nationality or passport number, certified copy of the bio-data page of relevant valid passport;
- (c) to amend entry relating to marital status, certified copy of marriage certificate;
- (d) to amend entry relating to the name of a dependant spouse consequent on marriage, certified copy of marriage certificate;
- (e) to amend entry relating to occupation or qualification, in respect of recognized skill qualification—
 - (i) of an academic qualification, certified copy of an academic degree certificate from the—
 - (A) University of the West Indies;
 - (B) University of Technology, Jamaica;
 - (C) Northern Caribbean University;
 - (D) Mico University College;
 - (E) University of Guyana; or
 - (F) University of Suriname;
 - (ii) for vocational training, certified copy of Caribbean Vocational Qualification (CVQ) certificate or equivalent; or
 - (iii) for other skill qualification certification, certified copy of the assessment of qualification equivalency from the University Council of Jamaica (UCJ);
- (f) to amend entries to include dependants the relevant relationship to the applicant needs to be established—
 - (i) in respect of a spouse—
 - (A) a marriage certificate; or
 - (B) declaration under the Voluntary Declarations Act of two persons stating that the applicant and spouse are both unmarried and have co-habited with each other for a period of no less than 5 years. (Where the applicant or spouse of a common law

union is a divorced person, include certified copy of decree absolute);

(ii) in respect of a child—

- (A) to establish parental relationships, certified copy of birth certificate;
- (B) to establish identity of each child, bio-data page of valid passport;
- (C) in the case of an adopted child, include proof of adoption;
- (D) in the case of a step-child, include marriage certificate;
- (E) in the case of a child of a spouse of a common law union, the relevant relationship is established by the child's birth certificate or adoption papers, if applicable and the voluntary declaration mentioned above (see Note 8(f)(i) (B) above).

References to a "certified copy" means a copy certified by a Justice of the Peace, a Notary Public or by an officer designated by the Minister, on being presented with the original document for his examination. The phrase 'certified copy' does not preclude submission of original documents in support of an application.

**CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)**

FORM 3

(Regulation 6)



**THE CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED
PERSONS) ACT**

The Caribbean Community (Free Movement of Skilled Persons)
Regulations, 2013

Verification of Qualifying Certificate Form

Please Read Notes Overleaf Before Completion of this Application Form.

PART A. General Information

1. Name of Caribbean Skilled Person: _____ / _____ / _____
(Surname) (First) (Middle)
2. Address: _____
3. Date of verification: _____
4. Telephone contact: _____
5. E-mail: _____
6. Sex: Male Female
7. Date of birth: _____ / _____ / _____
(year) (month) (day)
8. Nationality: _____
9. Country of birth: _____
10. Marital status: Single Married Divorced
 Widowed Common law union

PART B. Entry and Work Status

11. Date of entry into Jamaica: _____
12. Port of entry: _____
13. Member state and issuing authority for qualifying certificate: _____

14. Date of issue: _____
15. Particulars in Schedule to qualifying certificate:
- Full Name: _____
- Address: _____
- Place of birth: _____
- Date of birth: _____
- Nationality: _____
- Passport No.: _____
- Marital status: _____
- Occupation: _____
- Qualification: _____
- Names and ages of accompanying dependants: _____
- _____
- Passport Nos. of accompanying dependants: _____
- _____

PART C. *Dependants*

16. Please list dependants, if any, below:

1. (a) Name: _____
- (b) Age: _____
- (c) Sex: Male Female
- (d) Nationality: _____
- (e) Passport No.: _____
- (f) Relationship to Caribbean skilled person: _____
2. (a) Name: _____
- (b) Age: _____
- (c) Sex: Male Female
- (d) Nationality: _____
- (e) Passport No.: _____
- (f) Relationship to Caribbean skilled person: _____

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OF SKILLED PERSONS)**

3. (a) Name: _____
 (b) Age: _____
 (c) Sex: Male Female
 (d) Nationality: _____
 (e) Passport No.: _____
 (f) Relationship to Caribbean skilled person: _____
4. (a) Name: _____
 (b) Age: _____
 (c) Sex: Male Female
 (d) Nationality: _____
 (e) Passport No.: _____
 (f) Relationship to Caribbean skilled person: _____

PART D. Education

17. What is your *highest* educational qualification?

- Diploma (secondary level)
 Caribbean Vocational Qualification
 Diploma (tertiary level)
 Associate degree
 University/College degree
 Master's degree
 Masters of philosophy (M.Phil.)
 Doctor of Philosophy (Ph. D.)
 Other (please specify): _____

18. State name of highest educational qualification and date awarded:—

19. Name and address of institution which awarded qualification:—

PART E. *Employment*

20. Please indicate below your current employment status:—

- Self-employed Employed
 Unemployed Student

Self-employed and Employed Persons:

21. If self-employed or employed, please specify your current occupation:

22. If self-employed, please state main address(es) from which business activities are conducted: _____

23. If employed, please specify your employer and provide address and contact information below: _____

(a) Name of employer: _____

(b) Address of employer: _____

(c) Telephone number: _____

(d) Fax number: _____

(e) Email address: _____

24. Please describe the nature of employment:

Student:

25. If you indicated "Student" for your employment status, please specify educational institution, type and course of educational programme:

(a) type of educational programme:

Academic degree programme

Vocational training

Other (please specify): _____

**CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)**

- (b) specify degree or certification to be awarded on completion of educational programme: _____
- (c) indicate commencement date of participation in educational programme: _____
- (d) please indicate below name, address and contact details of educational institution:

Name: _____

Address: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

PART F. Purpose of Relocation to Jamaica

26. Please specify the purpose for the relocation to Jamaica:

- | | |
|--|---|
| <input type="checkbox"/> Self-employment | <input type="checkbox"/> Employment |
| <input type="checkbox"/> Study | <input type="checkbox"/> Family/personal relationship |

27. In the case of employment, please specify:

(a) occupation: _____

(b) nature of business or activity: _____

28. In the case of self-employment, please specify the nature of the professional or business activity you intend to undertake in Jamaica:

**PART G. Documents in Support of Verification of Validity of Qualifying
Certificate of Member State**

29. I attach, in support of my application, the following documents:

**CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)**

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PART H. Declaration and Signature

I declare that the information given in this application is true and correct to the best of my knowledge and belief.

Name of applicant: _____

Signature of applicant: _____

Date: _____

Notes for Completion of Verification Form

1. It is a criminal offence under section 10 of the Caribbean Community (Free Movement of Skilled Persons) Act to make a false statement in order to procure a qualifying certificate.

2. Where there are inapplicable questions or sections, please indicate by "N/A".

3. Additional pages may be appended where required to provide a full response to any question posed in form. The applicant shall specify on the additional page the question to which the information contained therein relates.

4. Question 10—

"common law union" means an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived and co-habited with an unmarried woman for at least five years, as if they were, in law, married.

5. Questions 15 and 16—

"child" means an unmarried child under the age of 18 years, including a step-child or an adopted child;

"dependants" means the spouse of the applicant or any unmarried child of the applicant under 18 years of age;

"spouse" includes an unmarried woman who has lived or co-habited with an unmarried man for at least five years or an unmarried man who has lived and co-habited with an unmarried woman for at least five years, as if they were, in law, married.

Regarding relationship of dependant to applicant (see Question 16) state whether the dependant is—

*CARIBBEAN COMMUNITY (FREE MOVEMENT
OF SKILLED PERSONS)*

- (a) husband;
- (b) wife;
- (c) common law 'wife';
- (d) common law 'husband';
- (e) child of applicant;
- (f) adopted child of applicant;
- (g) step-child of applicant (*i.e.*, child of wife or husband); or
- (h) child of common law 'wife' or 'husband', as applicable.

7. Documents in support of an application for verification of a qualifying certificate, to the extent applicable, include—

- (1) For Applicant—
 - (a) police report from country of residence for the past three years;
 - (b) to establish identity and nationality—
 - (i) certified copy of the bio-data page of valid passport;
 - (ii) certified copy of birth certificate;
 - (c) where there has been a change in name, if applicable—
 - (i) a deed poll;
 - (ii) marriage certificate;
 - (iii) decree absolute (divorce); or
 - (iv) other documents to support the change of name, if any;
 - (d) in respect of recognized skill qualification—
 - (i) of an academic qualification, certified copy of an academic degree certificate from the—
 - (A) University of the West Indies;
 - (B) University of Technology, Jamaica;
 - (C) Northern Caribbean University;
 - (D) Mico University College;
 - (E) University of Guyana; or

- (F) University of Suriname;
 - (ii) for vocational training, certified copy of Caribbean Vocational Qualification (CVQ) certificate or equivalent;
 - (iii) for other skill qualification certification, assessment of qualification equivalency from the University Council of Jamaica (UCJ);
- (2) For dependants of an Applicant—
- (a) to establish the relevant relationship to the applicant—
 - (i) in respect of a spouse—
 - (A) marriage certificate; or
 - (B) declaration under the Voluntary Declarations Act of two persons stating that the applicant and spouse are both unmarried and have co-habited with each other for a period of no less than 5 years. (Where the applicant or spouse of a common law union is a divorced person, include certified copy of decree absolute);
 - (ii) in respect of each child—
 - (A) to establish parental relationships, certified copy of birth certificate;
 - (B) to establish identity of each child, bio-data page of valid passport;
 - (C) in the case of an adopted child, include proof of adoption;
 - (D) in the case of a step-child, include marriage certificate;
 - (E) in the case of a child of a spouse of a common law union, the relevant relationship is established by the child's birth certificate or adoption papers, if applicable and the voluntary declaration mentioned above (see Note 7(2)(a)(i)(B)above).

References to a "certified copy" means a copy certified by a Justice of the Peace, a Notary Public or by an officer designated by the Minister, on being presented with the original document for his examination. The phrase 'certified copy' does not preclude submission of original documents in support of an application.