No. 10 of 2016

VIRGIN ISLANDS

IMMIGRATION AND PASSPORT (AMENDMENT) ACT, 2016

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Section 31 amended.
3. Section 32 amended.

I Assent

(Sgd.) John S. Duncan, OBE,
Governor
17th May, 2016

VIRGIN ISLANDS

No. 10 of 2016

An Act to amend the Immigration and Passport Ordinance (Cap. 130).

[Gazetted 23rd May, 2016]

ENACTED by the Legislature of the Virgin Islands as follows:

Short title.

1. This Act may be cited as the Immigration and Passport (Amendment) Act, 2016.

Section 31 amended. Cap. 130

2. The Immigration and Passport Ordinance (referred to in this Act as "the principal Ordinance") is amended in section 31

(a) in subsection (1),

(i) by inserting immediately after the word "grant" the words "or extend";

(ii) by deleting paragraph (b) and replacing it with the following new paragraph:

"(b) to remain in the Territory for the period specified in the permit for the purpose of engaging in the gainful occupation specified in the permit;";

(iii) by inserting immediately after paragraph (b) the following new paragraph:

"(c) to remain in the Territory for the period specified in the permit for the purpose of seeking to be engaged in a gainful occupation.".

(b) by inserting immediately after subsection (1), the following subsections:

"(1A) The Chief Immigration Officer may grant a permit pursuant to subsection (1)(c), where the person applying for that permit

(a) has resigned from his or her employment, or was dismissed from his or her employment, as the case may be and has held valid permits to engage in gainful occupation, for at least five years, preceding the date of the application; or

(b) has held a valid permit to reside in the Territory other than for the purpose of engaging in any gainful occupation, for at least three years, preceding the date of the application.

(2A) The Chief Immigration Officer may, in exceptional circumstances, grant a permit referred to in subsection (1) (c) to a person who does not satisfy the time limits prescribed in subsection (1A).".

Section 32 amended.

3. Section 32 of the principal Ordinance is amended

(a) in subsection (1)(b) and (c), by inserting immediately after the words "the Minister may" the words "in writing"; and

(b) by inserting after subsection (2) the following new subsection

"(3) Subject to the written approval of the Minister and upon application being made by the permit holder in the prescribed form, the Chief Immigration Officer may vary any conditions or restrictions endorsed on a permit granted under section 31.".

Passed by the House of Assembly this 20th day of April, 2016.

(Sgd.) Ingrid Moses-Scatliffe,
Speaker.

(Sgd.) Phyllis Evans,
Clerk of the House of Assembly.