

ANTIGUA AND BARBUDA



THE IMMIGRATION AND PASSPORT (AMENDMENT) (NO. 2) BILL, 2020

NO. OF 2020

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ARRANGEMENT OF CLAUSES

CLAUSES

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AN ACT to amend the Immigration and Passport Act, 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) (No. 2) Act 2020.

2. Interpretation

In this Act, “the principal Act” means the Immigration and Passport Act, 2014

3. Insertion of Section 12A – Remote Work Visa

The principal Act is amended by inserting immediately after section 12 the following new section:

“12A. Remote Work Visa

(1) In this section –

“Nomad Digital Residence Visa” or “NDR Visa” means a Visa granted by the Chief Immigration Officer with the approval of the Minister with responsibility for Immigration for a person to live in and work from Antigua and Barbuda for a period of up to 24 months.

(2) The Chief Immigration Officer may, with the approval of the Minister with responsibility for Immigration, grant a Nomad Digital Residence Visa to an applicant who satisfies the conditions set out in this section.

(3) An applicant for a Nomad Digital Residence Visa must –:

(a) be in possession of a valid passport;

(b) show proof –

(i) of annual income in excess of one hundred and thirty-five thousand dollars (\$135,000.00);

(ii) that his or her income is generated outside of Antigua and Barbuda;

(iii) of valid health insurance coverage for the applicant and all dependants for the entire period for which the NDR Visa is granted.

(4) The Chief Immigration Officer may revoke the NDR Visa if a holder of the visa –

(a) engages in employment in Antigua and Barbuda other than the employment for which the NDR Visa is granted;

(b) offers his or her services for a fee to an Antigua and Barbuda registered business or to any person in Antigua and Barbuda;

(c) operates a business in the domestic market.

(5) The Chief Immigration Officer shall maintain a register of all persons issued with a NDR Visa.

(6) Schedule 6 shall have effect as to the operational provisions and otherwise in relation to the NDR Visa scheme.”

4. Amendment of section 40 - Grant of residence permit

Section 40 of the principal Act is amended by –

(a) in subsection (1) thereof by inserting the words “section 39” between the words, “under” and “subsection (1)”;

(b) repealing paragraph (a) of subsection (3) and substituting the following therefor –

“(a) of any period or periods amounting in total to six months or more during which the applicant was not lawfully resident in Antigua and Barbuda;”

(c) by repealing subsection (4) and replacing it as follows:

“(4) For the purpose of calculating lawful residency, an applicant who was not lawfully resident in Antigua and Barbuda for a period of less than six months of the time required by this section for the grant of a residence permit shall be treated as having been lawfully resident provided the applicant has paid all arrears prior to making the application;”

5. Insertion of Schedule 6

The principle Act is amended by inserting a new schedule immediately after Schedule 5 –