



Ministerial Statement
By
Senator, The Hon. Michael M. Fahy, JP
Minister of Home Affairs

Wednesday, February 18, 2015

Bermudian Status Applications - 20B(2)(b); Processing Update

Madam President, today I am providing an update on the processing of Bermudian Status applications under section 20B(2)(b) of the Bermuda Immigration and Protection Act 1956.

Madam President, further to the Supreme Court ruling by Chief Justice Kawaley in the Rebecca Carne and Antonio Correia (both PRC holders) case on May 2, 2014, the Department of Immigration immediately began to receive applications from other PRC holders. To date, the total number of applications received is in the area of 620. Of this number, only 70 applications have received a decision.

Madam President, the Personal Services Section of the Department of Immigration has remit for all Bermudian Status applications. This Section also processes travel documents (i.e. BOTC passports), Naturalisation as a BOTC, Permanent Resident's Certificates, licences to purchase land, permissions to reside, to seek employment and to attend school, letters for spouses of Bermudians, and landing permits. Being guided by legislation,

the vetting process for all these applications types, to ensure an application is complete, takes considerable time.

Madam President, the current number of 20B(2)(b) applications far exceeds the total number of all Bermudian Status applications the Department of Immigration receives **over a number of years**. Thus, it has become difficult for the technical officers to make significant strides in the processing of the 20B(2)(b) applications. Processing is slow at best with the requirement for the Personal Services Section to create a balance for processing all application types under its remit.

Madam President, in an interview with the Royal Gazette newspaper (published on February 13, 2015), I mentioned some of the aforementioned details. I specifically mentioned that the team would prioritize any applications that may have deadlines looming; for example for land licences and/or where dependants were affected by a decision under a 20B(2)(b) application. Where such circumstances are present, applicants are encouraged to contact the Chief Immigration Officer.

Madam President, today, I further ask for applicants' indulgence on behalf of the Department of Immigration. The focus **is** to get the 20B(2)(b) applications dealt with in the date order in which they were submitted, as expeditiously as possible. The Department of Immigration is considering structural changes, perhaps with the addition of help from within Government to manage the over-abundance of applications.

Madam President, separate and distinct from the 20B(2)(b) processing challenges, I wish to add something else with respect to the Personal Services Section and that is that we are presently working on a policy document which will encapsulate formally written guidance on best practice

for submitting applications (aligned with the list mentioned earlier) that come under the charge of the Personal Services Section. The Personal Services policy document will carry a similar sentiment to that of the new Work Permit Policies which will be implemented on March 1, 2015 – the intent being to clearly communicate what is expected of applicants; including a list of personnel in the Personal Services Section and processing timelines.

Thank you, Madam President.