



Government of Bermuda
Ministry of Home Affairs
OFFICE OF THE MINISTER

PARLIAMENTARY QUESTIONS

RESPONSES BY
The Hon. Sylvan D. Richards, JP, MP
Junior Minister for Home Affairs in the House of Assembly

TO QUESTIONS TABLED BY
Hon. Wayne Furbert, JP, MP
Shadow Minister of Economic Development

February 27, 2015

Question 1: *Will the Honourable Minister please provide this Honourable House with the following statistics regarding applications under Section 5(1) of the Economic Development Act, specifically, date received, company position and approval status?*

Answer: See ANNEX I attached.

Question 2: *Will the Honourable Minister please provide this Honourable House with the statistics regarding applications under Section 3B of the Economic Development Act, specifically, date approved, company, and number of exempted employees?*

Answer: See ANNEX II attached.

Question 3: *Will the Honourable Minister please table in this Honourable House the guidelines issued by the Minister under Section 5(4A) of the Economic Development Act?*

Answer: No, the guidelines are on the Economic Development website.

ANNEX I

Date Received	Company Position	Approval Status
13-Mar-12	Senior Vice President, Underwriter	Approved
13-Mar-12	Chief Financial Officer	Approved
18-Mar-12	Senior Vice President, Underwriting (International)	Approved
1-Apr-12	Chief Executive officer	Approved
27-Apr-12	Chief Actuary and Chief Risk Officer	Approved
1-May-12	Chief Executive Officer	Approved
3-May-12	President and Chief Executive Officer	Approved
6-Jun-12	Chief Underwriter, Reinsurance	Approved
27-Jun-12	President, Underwriting	Approved
27-Jun-12	Executive Director, Global Property	Approved
2-Oct-12	Chief Executive officer	Held
15-Oct-12	Director of Bermuda Operations	Approved
30-Oct-12	Partner	Approved
5-Dec-12	General Manager	Held
5-Dec-12	Chief Executive Officer	Approved
14-Dec-12	Group Chief Actuary	Approved
14-Dec-12	President and Chief Executive Officer	Approved
14-Dec-12	Group Strategy and Business Development	Approved
2-Jan-13	Co-Head of Portfolio and Analytics	Approved
2-Jan-13	Chief Operations Officer and Compliance Officer	Approved
18-Feb-13	Chief Accounting Officer	Approved
22-Feb-13	Executive Chairman	Approved
1-Mar-13	Senior Vice President and Manager Risk Management Division	Approved
11-Apr-13	Managing Director	Approved
11-Apr-13	Managing Director	Approved
11-Apr-13	Managing Director	Approved
11-Sep-13	Chief Executive Officer	Approved
18-Sep-13	Chief Financial Officer	Approved
7-Nov-13	President and Chief Executive Officer	Approved
10-Nov-13	CFO	Approved
3-Dec-13	President and Chief Financial Officer	Approved
3-Dec-13	Senior Vice President	Approved
3-Dec-13	President	Approved
9-Dec-13	Vice President, Controller and Assistant Secretary	Approved
9-Dec-13	Senior Vice President and Chief Actuary	Approved
11-Dec-13	President & Chief Executive Officer	Approved
17-Dec-13	Director and Chief Operating Officer	Approved
10-Jan-14	Global Head of Business Development	Approved
16-Jan-14	Chief Executive Officer	Approved
5-Feb-14	Sales Manager	Approved
7-Feb-14	Chief Executive Officer	Approved
7-Feb-14	President and Chief Operations Officer	Approved
7-Feb-14	Chief Financial Officer	Denied
6-Mar-14	President	Approved
10-Mar-14	Managing Director of ICM	Denied
11-Mar-14	Chief Financial Officer	Approved
19-Mar-14	Chief Financial Officer	Approved
25-Mar-14	Chief Executive Officer	Approved
25-Mar-14	Vice President of Sales	Approved
25-Mar-14	Senior Corporate Counsel	Approved
25-Mar-14	Vice President, Services	Approved
25-Mar-14	Senior Corporate Counsel	Approved
3-Apr-14	Senior Vice President, Country Chief Financial Officer	Approved
4-Apr-14	Leading Class Underwriter Specialty and Proportional lines	Approved
9-Apr-14	Chief Financial Officer	Approved
29-Apr-14	Chief Executive Officer	Approved
6-May-14	Senior Vice President and Chief Executive Officer	Approved
6-May-14	Executive Vice President International Practice Leader	Approved

Date Received	Company Position	Approval Status
6-May-14	Chief Actuary	Approved
6-May-14	President & Chief Operating Officer	Approved
6-May-14	Head of World Treaty Property	Approved
6-May-14	Chairman & CEO – Arch Worldwide Reinsurance & Mortgagee Groups	Approved
6-May-14	President & Chief Executive Officer	Approved
6-May-14	Executive Vice President and Chief Financial Officer	Approved
6-May-14	CEO Reinsurance Group	Approved
6-May-14	Head of Life Insurance	Approved
6-May-14	Senior Vice President- Professional Lines	Approved
6-May-14	Catastrophe Modelling Group Manager	Approved
8-May-14	Partner	Approved
8-May-14	Partner	Approved
8-May-14	Partner	Approved
8-May-14	Partner	Approved
8-May-14	Partner	Approved
12-May-14	Information Technology Manager and Senior Vice President	Approved
16-May-14	Executive Vice President and Chief Underwriting Officer	Approved
16-May-14	Broker (Partner Status)	Approved
16-May-14	Broker (Partner Status)	Approved
19-May-14	Managing Director	Approved
19-May-14	Managing Director	Approved
22-May-14	Managing Director	Approved
23-May-14	Global Head of Technology	Approved
23-May-14	Group Chief Executive Officer	Approved
23-May-14	Head of Operations, Bermuda and Cayman	Approved
28-May-14	Senior Vice President and Chief Financial Officer	Approved
3-Jun-14	Director and Finance Manager	Approved
4-Jun-14	Director, Chief Executive Officer and Attorney	Approved
6-Jun-14	Chief Operating Officer	Approved
12-Jun-14	President and Director	Approved
4-Jul-14	Vice President Finance and Administration	Approved
15-Jul-14	Senior Vice President Group Chief Underwriting Officer U.S. and Specialty	Approved
18-Jul-14	Chairman and Chief Executive Officer	Approved
18-Jul-14	Chief Financial Officer	Approved
11-Aug-14	Vice President, Senior Property Treaty Underwriter	Approved
19-Aug-14	Executive Vice President Underwriting and Claims	Approved
19-Aug-14	Executive Vice President Insurance Management Division (Partner)	Approved
20-Aug-14	Group Head of Compliance	Approved
26-Aug-14		Approved
2-Sep-14	Managing Director and Team Leader	Approved
25-Sep-14	Partner	Approved
26-Sep-14	Chief Financial Officer	Approved
7-Oct-14	Chairman & CEO	Approved
13-Oct-14	Executive Vice President	Approved
13-Oct-14	Head of Bermuda and Head of Underwriting	Approved
13-Oct-14	Chief Information Officer	Approved
15-Oct-14	Senior Vice President, Chief Credit Officer for Butterfield Group	Approved
15-Oct-14	Chief Financial Officer	Approved
12-Nov-14	Senior Corporate Attorney	Approved
17-Dec-14	SVP, Head of Global Property Treaty	Approved
19-Dec-14	Senior Vice President	Approved

Date Received	Company Position	Approval Status
22-Dec-14	Chief Audit Officer	Approved
22-Dec-14	Group Controller	Approved
30-Dec-14	Managing Director	Denied
5-Jan-15	Chairman & CEO	Approved
14-Jan-15	Chairman	Approved
21-Jan-15	Executive Director	Denied
22-Jan-15	Chartered Accountant, Partner	Approved
22-Jan-15	Partner Audit Leader and Professional Practice Director	Approved
22-Jan-15	Principal, Audit Services	Approved
26-Jan-15	Chief Executive Officer (Bermuda) Chief Operating Officer and Chief Financial Officer	Approved
26-Jan-15	Chief Risk Officer	Held
28-Jan-15	Executive Vice President Mergers and Acquisitions	Held
28-Jan-15	Group Chief Financial Officer	Held
28-Jan-15	Executive Vice President Mergers and Acquisitions	Held
28-Jan-15	Chief Investment Officer	Held
13-Feb-15	Global Investment Analyst and Investment Process Specialist	Approved
13-Feb-15	President and Chief Investment Officer	Approved
		Total Held*
		Total Denied*
		Total Approved***

Held* = Held can be such that we are awaiting supplementary information, or awaiting further expansion of the business whereby the company will be increasing staffing and will supplement their original application

Denied** = if the Company does not meet the requirements to be approved for concession then the executive application for exemption cannot be approved as, the exemption is dependant on the company gaining concession

Approved*** = each exemption application attracts a fee of \$20,000 therefore present revenue to date is \$20,000*115)
\$2,300,000

Employer	Exemptions Awarded	Date Subscribed
Hiscox Limited and Subsidiaries	5	26-Apr-2012
Ariel Re Bermuda Limited	5	23-Jul-2012
Renaissance Re Services Limited	5	23-Jul-2012
Equinoxe Alternative Investment Services	2	27-Jul-2012
Flagstone Reassurance Suisse SA	3	15-Aug-2012
Strategic Risk Solutions	1	31-Jan-2013
Partner Reinsurance Company Limited	5	18-Feb-2013
The Validus Group of Companies		
Validus Holdings Ltd.	5	3-May-2013
Validus Reinsurance Ltd.	5	3-May-2013
AlphaCat Managers Ltd.	1	3-May-2013
Hanover Re (Bermuda) Limited	2	17-Dec-2013
Ernst & Young Ltd.	5	17-Dec-2013
JLT Holdings (Bermuda) Ltd.	4	17-Dec-2013
American International Group		
American International Company Limited	5	17-Dec-2013
Chartis Excess Limited	5	17-Dec-2013
Opus Fund Services (Bermuda) Ltd.	2	13-Jan-2014
Nephilia Capital Ltd.	3	15-Jan-2014
Catlin Group Limited	5	28-Jan-2014
Cable Management Limited	1	21-Mar-2014
Horseshoe Insurance Services Holdings Ltd.	1	1-Apr-2014
Australia-Japan Cable (Management) Limited	1	1-Apr-2014
KPMG Internal Services Limited	10	7-Apr-2014
Granite Management Limited	1	1-May-2014
Tokio Millennium Re Ltd.	5	2-May-2014
PricewaterhouseCoopers Professional Services Ltd.	5	2-May-2014
Oil Management Services Ltd.	5	29-May-2014
Montpelier Group of Companies		
Montpelier Re Holdings Ltd.	2	2-Jun-2014
Montpelier Reinsurance Ltd.	4	2-Jun-2014
Blue Capital Management Ltd.	0	2-Jun-2014
Mayflower Management Services (Bermuda) Limited	1	20-Jun-2014
Bowring Marsh (Bermuda) Limited	5	26-Jun-2014
L & F Indemnity Limited	1	26-Jun-2014
Anchor Investment Management Limited	2	30-Jun-2014
World-Wide Shipping (Bermuda) Limited	1	15-Jul-2014
Pearman Watlington & Company Limited	1	17-Jul-2014
Amlin Bermuda Ltd.	5	17-Jul-2014
Ace Group of Companies		
ACE Bermuda Insurance Ltd.	5	23-Jul-2014
ACE Tempest Life Reinsurance Ltd.	1	23-Jul-2014
ACE Tempest Reinsurance Ltd.	4	23-Jul-2014
Ace Group Management and Holdings Ltd.	5	23-Jul-2014
Sovereign Risk Insurance Ltd.	1	23-Jul-2014

Employer	Exemptions Awarded	Date Subscribed
Paget Reinsurance Ltd.	1	23-Jul-2014
Roche Services Holdings Ltd.	2	24-Jul-2014
Orbis Investment Management limited	8	29-Jul-2014
MJM limited	5	29-Jul-2014
Endurance Specialty Insurance Ltd.	10	29-Jul-2014
Schroders (Bermuda) limited	1	29-Jul-2014
ISIS Law Group		
ISIS law limited	3	11-Aug-2014
ISIS limited	0	11-Aug-2014
OSIRIS limited	0	11-Aug-2014
TOPS Ltd.	4	26-Aug-2014
The Argus Group of Companies	5	8-Sep-2014
The Bank of N.T. Butterfield Son Ltd.	5	8-Sep-2014
Everest Re Group, Ltd.		
Everest Re Group, Ltd.	0	8-Sep-2014
Everest Reinsurance (Bermuda), Ltd.	3	8-Sep-2014
Everest Re Advisors, Ltd.	0	8-Sep-2014
Mt. Logan Re, Ltd.	0	8-Sep-2014
AirCare Ltd.	5	16-Sep-2014
Dunkley & Pioneer Dairies Limited	5	8-Oct-2014
BGS Services (Bermuda) Limited	1	16-Oct-2014
MUFG Fund Services (Bermuda) Limited	3	22-Oct-2014
Arthur Morris & Company Limited	3	22-Oct-2014
The Aon Group of Companies		
Aon Insurance Managers (Bermuda) Ltd.	5	27-Oct-2014
Aon (Bermuda) Ltd.	5	27-Oct-2014
Aon Group (Bermuda) Ltd.	3	27-Oct-2014
The Arch Capital Group Ltd.		
Arch Capital Group Ltd.	4	28-Oct-2014
Alternative Re Limited	1	28-Oct-2014
Arch Reinsurance Ltd.	8	28-Oct-2014
Arch Insurance (Bermuda)	3	28-Oct-2014
Arch Investment Management Ltd.	3	28-Oct-2014
Wakefield Quin limited	5	28-Oct-2014
Applied Computer Technologies Ltd.	3	19-Nov-2014
Cox Hallett Wilkinson Group		
Cox Hallett Wilkinson limited	5	4-Dec-2014
Coson Corporate Services limited	3	4-Dec-2014
State House Trust Company limited	1	4-Dec-2014
liberty Mutual Management (Bermuda) Ltd.	1	22-Dec-2014
FII limited	8	14-Jan-2015
Ironshore Insurance Ltd.	6	17-Feb-2015
Deloitte Ltd.	10	17-Feb-2015
General International limited	1	17-Feb-2015



GOVERNMENT OF BERMUDA
The Ministry of Economic Development

Incentives for Job Makers Guidelines for Employers



GOVERNMENT OF BERMUDA
The Ministry of Economic Development

Question	Page
1. When will the new law be operational?	2
2. What are the benefits?	2
3. When do the benefits take effect?	2
4. What are the criteria that companies must meet to obtain concessions for work permit exemptions for their employees under Section 38 of the Economic Development Act, Concessions for certain businesses which employ and train Bermudians?.....	2
5. What is the maximum number of exemptions from work permits that can be provided at any one time?	3
6. What are the criteria that an employee must meet to be eligible for an exemption from Part V of the Bermuda Immigration and Protection Act 1956, i.e. an exemption from requiring a work permit?	4
7. How and where does one apply?	4
8. What must be submitted?	4
9. What is the process once application is made?	5
10. What is the anticipated turnaround for the processing of a company's concessions and exemptions?	6
11. What does one receive? What about the spouses and children? What will they receive?	6
12. When does the exemption from a work permit expire?	6
13. When can one apply for a PRC?.....	6
14. Are there any changes that have to be made to existing certificates for persons who already have been granted exemptions to be able to apply for the Permanent Resident Certificate?	6
15. What is required to apply for a PRC?	7
16. When can the spouse and children apply?	7
17. Where is application made for the PRC?	8
18. If a person thinks that he is eligible for the PRC but he or she and his or her Company has not yet applied for the concessions or exemptions, can he or she make application for the PRC?	8
19. Who should questions regarding applications be addressed to?	8



GOVERNMENT OF BERMUDA

The Ministry of Economic Development

Guidelines for Employers to make application for Incentives for Job Makers as amended in the 2013 Act

1. *When will the new law be operational?*

The 2013 Act became operational on December 17th 2013.

2. *What are the benefits?*

- The Company will obtain the concessions of having their senior executives, who are responsible for the continued presence of jobs for Bermudians in Bermuda, exempt from needing a work permit. The indicative maximum number that each company can obtain is dependent on the criteria defined in Question 4 and Question 5.
- A successful executive will be exempt from needing a work permit and his or her family has permission to reside with the exempt employee, provided that (1) they continue to have a familial relationship, (2) live in the same household; (3) their dependent children are under the age of 19 years old; 25 years old if they are in college.

Please note that a spouse, once given permission to reside, can seek employment with no requirement for specific permission, although interested employers will continue to be required to obtain a work permit to employ the spouse. In addition, please note that all bona-fide residents have permission to volunteer for not-for-profit organisations, such as charities, schools, sports clubs, churches, if this is for no remuneration.

- Serving executives can apply for a Permanent Resident's Certificate (PRC) once they meet the eligibility requirements. Their spouse and children may apply immediately after the executive has received their PRC, provided each has met the requirements for eligibility.

3. *When do the benefits take effect?*

The exemption from a work permit occurs immediately after issuance if the applications are successful. Eligibility for a PRC will commence immediately if the eligibility requirements are met. Any company that would have met the requirements for concessions, on or before January 1st 2002 and has obtained the designation, and any employee that would have met the requirements for exemption on or before 1 January 2002 may apply for a PRC immediately on enactment.

4. *What are the criteria that companies must meet to obtain concessions for work permit exemptions for their employees under Section 38 of the Economic Development Act, *Concessions for certain businesses which employ and train Bermudians?**

Companies that have a minimum of 10 Bermudian staff are eligible if they meet the following conditions:

- (a) They have at least 10 Bermudians on its staff;
- (b) they have Bermudians at all levels, i.e. entry, middle and senior levels, of the company, subject to the availability of suitably qualified Bermudians;
- (c) they have entry level positions held by Bermudians graduating from high school or college;
- (d) they have programmes to develop and promote Bermudians; and
- (e) they employ fair employment practices.

In acknowledging that there is not a one size fits all model, the Economic Development Act further allows for discretion to provide smaller companies and newly incorporated companies that may not have as many staff but are still making a tangible and significant contribution to Bermuda. In fact, account can be taken of relevant factors such as:

- i. the size of the company;
- ii. the significance of the company to the economy of Bermuda;
- iii. the existing or likely economic situation in Bermuda;
- iv. the protection of local interests; and
- v. generally, the interests of the community as a whole.

These factors will also be taken into account when calculating the maximum number of exemptions for a company.

5. What is the maximum number of exemptions from work permits that can be provided at any one time?

- Please note that when considering an application, the Minister has discretion to specify different maximum numbers as noted in Question 4, generally the total maximum number of exemptions of senior executives in relation to the number of Bermudian staff may be calculated using the following criteria, in addition to the criteria outlined in Question 4:
 - 1 to 6 Bermudian staff up to 2 executives exempted, at any one time
 - 7 to 12 Bermudian staff up to 3 executives exempted, at any one time
 - 13 to 25 Bermudian staff up to 5 executives exempted, at any one time
 - Over 25 Bermudian staff up to 5 executives exempted, at any one time, for each additional 25 Bermudian staff
- It should be noted that the phrase, "at any one time", means that if a person, who has been granted the exemption from needing a work permit, leaves the company or, alternatively obtains a Permanent Resident

Certificate, the company can then apply for another person to obtain the exemption, provided he or she meets the requirements of the Act.

6. What are the criteria that an employee must meet to be eligible for an exemption from Part V of the Bermuda Immigration and Protection Act 1956, i.e. an exemption from requiring a work permit?
- (a) the company in which the applicant is employed must be a company that has been designated under section 38(2) of the EDA as being able to apply for the work permit exemptions under Section 5 of the EDA;
 - (b) the applicant must be a person in a senior executive position in that company and will continue to be employed in the company for the duration of the exemption;
 - (c) the applicant must be responsible for making decisions that *are* critical to the continuity of the company in Bermuda;
 - (d) the continued presence of jobs with the company, being held by Bermudians in Bermuda, is dependent on the applicant remaining in Bermuda.

7. How and where does one apply?

Application for the Incentives for Job Makers will be submitted to:

The Minister of Economic Development
c/o Ms. M. Rozy Azhar, Assistant Cabinet Secretary,
The Cabinet Office,
105 Front Street,
Hamilton HM 12, Bermuda.

8. What must be submitted?

- (a) The application for a company to be designated to receive the concessions and the application for the exemptions from needing work permits can be submitted in the same package.
- (b) An application for a company to be so designated as eligible to receive the concessions must be submitted with the following information:
 - i. The number of staff that the company employs;
 - ii. the number of Bermudians that are employed by the company;
 - iii. the job categories that the Bermudians are employed in. Please provide an organisational chart that identifies the Bermudians at each level of the hierarchy;
 - iv. the entry level jobs that are available to Bermudians, including internships and summer employment;

- v. the programs in place to develop and promote Bermudians and a summary of the number of Bermudians that have been promoted in the organisation;
 - vi. details on any investigations by the Department of Immigration, Department of Work Force Development or the Human Rights Commission, with an explanation of the circumstances;
 - vii. any other relevant information to assist the Minister in assessing the significance of the company to the Bermuda economy;
 - viii. a date when the company is believed to have first met the requirements under the Economic Development Act, i.e. the requirements outlined in Question 4. This will streamline the application process for those senior executives who choose to make application for a PRC. The Bermuda Immigration & Protection Act allows for a person to start counting the 10 years from 1 January 2002. To avoid requiring each applicant to prove that they would have been exempt had the Incentives Act been operational between 2002 and 2012, it makes sense that we identify the date when the company first met the requirements. Those companies that have been in Bermuda before 1 January 2002, only need to provide any relevant evidence from 2002.
- (c) An application for each senior executive to be exempted from needing a work permit must be submitted with the following information. It is permissible for the information to be included as part of the company application and not duplicated in each individual application, e.g. a company only needs to submit one organisational chart. However, for each application, the following is required:
- i. A fee of \$20,000 per application for each person;
 - ii. 2 passport photos;
 - iii. His or her job title and position in the organisation, as evidenced by the organisational chart; the date that they were first appointed as a senior executive to the company;
 - iv. A brief summary of his or her role in employing, training and developing Bermudian staff.

9. [What is the process once application is made?](#)

Once the application has been received, the necessary changes will be done to verify that the Department of Immigration, the Department of Work Force Development, the Bermuda Monetary Authority, the Registrar of Companies and the Human Rights Commission have received no complaints about the company or the relevant employee.

A recommendation will then be made to the Minister of Economic Development. The recommendation will also be circulated to the Minister of Home Affairs for comment. If there are concerns expressed by either Minister, then there will be a meeting to discuss the application. Once a decision is made, the company will be notified.

If the application is approved, then the approvals and Certificates will be sent to the company and also placed on the files of the companies and returned to the Department of Immigration. The Department of Immigration will be informed to update the Immigration status of the applicant and his or her family.

10. What is the anticipated turnaround for the processing of a company's concessions and exemptions?

The aim is for a turnaround time of 4 weeks for each application. It is anticipated that a number of companies may apply in the beginning and this may extend the turnaround time for the applications. However, it is expected that applicants will have current work permits that they will continue to use until the process is completed.

11. What does one receive?

Certificates will be issued to both the company and the applicants. The Company's certificate will also note (1) the number of exemptions that they can apply for at any one time; (2) a date that the designation took effect, i.e. if the Minister was satisfied that the company met the criteria between on or before 1 January 2002, then 1 January 2002 will be recorded on the certificate. Individuals will also be issued travel documents for use.

What about the spouses and children? What will they receive?

The spouses and children will also receive a re-entry document at the same time as the exempted employee receives their documents.

12. When does the exemption from a work permit expire?

The exemption does not expire provided the employee and the company continue to meet the criteria of the exemption. If the employee leaves the company, then he or she would no longer be eligible to hold the exemption. However, if he or she is employed in another company that is designated under section 38 of the EDA and has not exceeded the maximum number of exemptions, then the company may apply for that person. In this circumstance, the exemption period when the executive was previously with another company can still be counted.

13. When can one apply for a PRC?

The first time a person will become eligible to apply for a PRC immediately on enactment if they were eligible to apply on the 1st January 2012.

14. Are there any changes that have to be made to existing certificates for persons who already have been granted exemptions to be able to apply for the Permanent Resident Certificate?

There are a number of companies that currently have the eligibility date, for the purposes of the application of the PRC for their employees, of 1st January 2005 on their certificate. Some of these companies may have already demonstrated in their application that they have met the eligibility date of 1 January 2002 and will be sent a new certificate with the date of 1st January 2002. For all others with the date of 1st January 2005, they will be contacted by Ms. Azhar to provide further information. Once they have received the updated certificate, the Department of Immigration will also receive a copy of the updated certificate.

Persons who believe that they have met the eligibility requirements can proceed with making application and request a copy of the amended certificate directly from Ms. Rozy Azhar.

15. What is required to apply for a PRC?

A person may apply to the Minister for the grant of a PRC if:-

- (a) they have been exempted from Part V of this Act, under section 5 of the Economic Development Act 1968 for at least 10 years;
- (b) they have been ordinarily resident in Bermuda for a period of at least 10 years; and
- (c) they have been ordinarily resident in Bermuda during the two years immediately preceding the application.

In the case of a person who was resident in Bermuda before 1 January 2012, the reference to 10 years in subsection (1) (a) may be reduced to correspond with any period since 1 January 2002 during which the person would have been eligible to receive exemption from Part V of the BIPA under the new provision, had it come into force on 1 January 2002.

To make an application, a person must submit the following information:

- i. A completed application form. There already exists an application form for a PRC. That form will be amended to reflect the new criteria for Section 31A;
- ii. The current fee for this application is \$25,000;
- iii. 2 passport photos
- iv. Certified copies of the applicant's valid passport
- v. A letter of support and character reference from 2 sponsors;
- vi. A letter from the employer supporting the residence of the applicant for 10 years;
- vii. A copy of the applicant's exemption certificate and, where the applicant is counting any period between 1 January 2002 and 1 January 2012, a copy of the company's certificate that identifies the date from when the company was assessed as having met the criteria identified in Section 3B of the EDA.

16. When can the spouse and children apply?

The spouse and children can make application immediately after the exempted person obtains a PRC, under section 318 of BIPA, provided that they (1) have reached the age of eighteen; and (2) have been ordinarily resident in Bermuda for ten years immediately preceding the application. The current fee for an application under section 31B is \$1,100.

17. Where is application made for the PRC?

Application is made to the Chief Immigration Officer, The Department of Immigration, P.O. Box HM 1364, Hamilton HMFx

18. If a person thinks that he is eligible for the PRC but he or she and his or her company has not yet applied for the concessions or exemptions, can he or she make application for the PRC?

A person may make application for the PRC at the same time as his or her company applies for the concessions and his or her exemption. Application may be made to the Minister of Economic Development c/o Ms. Rozy Azhar. Ms. Azhar will first process the concessions and exemptions and, once the application has been approved and the certificates signed by the Minister of Economic Development, the application for the PRC will be passed to the Department of Immigration for processing.

19. Who should questions regarding applications be addressed to?

Questions may be directed to Ms. Rozy Azhar at 295-5151 ext: 1443 or email: mazhar@gov.bm.
Questions related to the application for a PRC can also be directed to Dr. Danette Ming at 295-5151 ext: 1444 or email: dwming@gov.bm

As at 17 December 2013