

TURKS AND CAICOS ISLANDS

CHAPTER 5.05

TURKS AND CAICOS ISLANDER STATUS ORDINANCE

Revised Edition
showing the law as at 31 March 2021

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance.

This edition contains a consolidation of the following laws—

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Amended by Legal Notice: 60/2021 .. in force 11 March 2021

No Subsidiary Legislation has been made under this Ordinance

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Published in 2022
On the authority and on behalf of the Government of the Turks and Caicos Islands
By
The Regional Law Revision Centre Inc.

Available for purchase from—

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Grand Turk
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Printed on the authority and on behalf of the Government of the Turks and Caicos Islands
by
The Regional Law Revision Centre Inc.
P.O. Box 1626, 5 Mar Building,
The Valley, AI-2640, Anguilla
Authorised Printers for this Revised Edition

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CHAPTER 5.05

TURKS AND CAICOS ISLANDER STATUS ORDINANCE

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CHAPTER 5.05

TURKS AND CAICOS ISLANDER STATUS ORDINANCE

(Ordinances 18 of 2015, 15 of 2018, 1 of 2020 and Legal Notice 60/2021)

AN ORDINANCE TO PROVIDE FOR THE TURKS AND CAICOS ISLANDER STATUS, ESTABLISHMENT OF THE TURKS AND CAICOS ISLANDER STATUS COMMISSION AND FOR CONNECTED PURPOSES.

Commencement

[1 April 2016]

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the Turks and Caicos Islander Status Ordinance.

Interpretation

2. In this Ordinance—

"British Overseas Territories Citizen" means a person who is a British Overseas Territories Citizen under the British Nationality Act 1981 by virtue of a connection with the Islands;

"child" means a person who has not attained the age of eighteen years and who is the child or adopted child of any person; and the fact that a person's parents are not or have not been married to one another shall be left out of account in establishing whether the person is the child of those parents; and accordingly that person shall be treated as if those parents are or have been married to one another;

"Commission" means the Turks and Caicos Islander Status Commission established under section 12;

"dependant", except in the expression "dependant child" or "dependant children", means, in relation to a person, his spouse and dependant children;

"Islander" means a person who has acquired Turks and Caicos Islander status as mentioned in section 3 or 4; and "Islander status" shall be construed accordingly;

"Islander Status Card" means a National Turks and Caicos Islander Status Card issued under section 8;

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"Islander Status Certificate" means a Turks and Caicos Islander Status Certificate issued under section 7;

"member" means a member of the Commission;

"Minister" means the Minister responsible for the administration of this Ordinance; *(Substituted by Ord. 15 of 2018)*

"Ministry" means the Ministry responsible for the administration of this Ordinance; *(Inserted by Ord. 15 of 2018)*

"Permanent Residence Certificate" means a certificate granted under the Immigration Ordinance;

"Secretary" means the Secretary of the Commission appointed under section 19;

"settled in the Islands" shall be construed in accordance with section 3(3).

PART II

TURKS AND CAICOS ISLANDER STATUS

Islander status: acquisition as of right

3. (1) A person who has Turks and Caicos Islander status (Islander status) immediately before 1 April 2016, has that status for the purposes of this Ordinance.

(2) A person (P) acquires Islander status if any of the following applies—

(a) P is born in the Islands and at the time of P's birth at least one of P's parents has Islander status;

(b) P is born outside the Islands and, at the time of P's birth—

(i) at least one of P's parents has Islander status; and

(ii) at least one of P's parents or grandparents was born in the Islands;

(c) P is born outside the Islands and at the time of P's birth at least one of P's parents—

(i) has Islander status; and

(ii) was settled in the Islands; or

(d) P is adopted in the Islands by a person who has Islander status at the time of the adoption, and P has not attained the age of eighteen years at the time of the adoption.

(3) For the purposes of subsection (2)*(c),* a person is settled in the Islands if—

(a) subsection (4) applies;

(b) he is not subject to any immigration restriction or control on the duration of his stay in the Islands; and

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(c) he has not voluntarily emigrated with the intention of making his home elsewhere.

(4) This subsection applies to a person who has uninterrupted voluntary physical presence in the Islands for a period of time without legal impediment (other than as a tourist visitor or transit passenger) during which period the Islands are regarded as his normal place of abode for the time being.

(5) For the purposes of subsection (4)—

(a) absence abroad for purposes such as education and health are to be treated as included in the period mentioned in that subsection;

(b) absence abroad for a period not exceeding six consecutive months for purposes such as vacation or business are to be treated as included in the period mentioned in that subsection;

(c) absence abroad for a period exceeding six consecutive months but not exceeding twelve consecutive months creates a presumption that the period mentioned in that subsection has been interrupted;

(d) absence abroad for a period exceeding twelve consecutive months interrupts the period mentioned in that subsection;

(e) a person is a tourist visitor if he enters the Islands for a period not exceeding six months other than—

(i) for professional, financial trade or business purposes; or

(ii) for the purpose of seeking or engaging in employment; and

(f) a person is a transit passenger if—

(i) he has entered the Islands for a period not exceeding twenty-four hours;

(ii) he is in possession of the required travel documents; and

(iii) he is on his way to a destination other than the country from which he arrived.

(6) This section does not affect a person who has acquired Islander status before 1 April 2016.

Islander status: acquisition by grant

4. (1) The Governor may grant Islander status—

(a) to a person who is the spouse of an Islander, to whom subsection (3) applies; or

(b) to a person to whom any of subsections (2), (4), (5) and (6) apply, on the recommendation of the Commission.

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(2) This subsection applies to a person if he is a British overseas territories citizen by virtue of a connection with the Islands or a British Citizen who—

(a) has held a permanent residence certificate for a period of at least five years; or

(b) has been legally resident in the Islands for a period of at least ten years; and

(c) is neither serving a sentence imposed by a court for an offence against the law in force in any country, nor has been adjudged or otherwise declared bankrupt under any law in force in any country and has not been discharged.

(3) This subsection applies to a person if—

(a) the person's spouse has Islander status otherwise than by virtue of marriage; and

(b) the Governor is satisfied that the person—

(i) has lived together with the spouse for a period of ten years ending with the date of the application; and

(ii) has been resident in the Islands for a period of two years ending with that date.

(4) This subsection applies to a person if he is the dependant child of a person who is accorded Islander status by virtue of subsection (3).

(5) This subsection applies to a person who—

(a) is born in the Islands to parents who at the time of his birth were legally resident in the Islands;

(b) has acquired British Overseas Territories Citizenship by virtue of section 15(4) of the British Nationality Act 1981;

(c) has been legally resident in the Islands for a period of at least ten years; and

(d) has attained the age of eighteen years.

(6) This subsection applies if—

(a) the person is married to a person who has been granted Islander status by virtue of residency, and that person was endorsed on the Residence Permit as the spouse;

(b) the person is under the age of eighteen years, and was endorsed on a Permanent Residence Certificate; or

(c) the person is the child of a person who is the spouse of an Islander, who has not been adopted by the spouse who is an Islander or who is not the biological child of the Islander, who was endorsed in that person's Residence Permit.

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(7) In considering an application from a person to whom subsection (2) applies, the Governor shall have regard to the following matters—

(a) whether it is in the public interest to grant the Islander status;

(b) whether the applicant—

(i) is of good character and conduct;

(ii) has to his credit three good character references received by the Governor directly from three Islanders; and

(iii) has a clean criminal record;

(c) whether the applicant suffers from any form of communicable or mental disease that would make him a danger to the community;

(d) whether the applicant has been involved in organising or engaging in any subversive political activity, or has organised, caused or promoted racism or any illegal activity within the Islands;

(e) whether the economic situation of the Islands and the protection of persons already engaged in similar gainful occupations have been duly considered;

(f) the desirability of granting the right to be an Islander to applicants with different backgrounds and from different geographical areas so that a suitable balance in the social and economic life of the Islands may be maintained;

(g) whether the applicant brings any exceptional skill to the Islands;

(h) the desirability of retaining the economic resources of the Islands in the control of Islanders; and

(i) whether the applicant meets any prescribed evaluation criteria.

(8) Subsection (7) does not apply if the applicant is the child, stepchild or parent of an Islander.

(9) In subsection (7)(*i*), prescribed evaluation criteria are any guidelines issued by the Governor, for the purpose of evaluating the merits of an application by awarding to or discounting from the applicant, credits based on his personal and occupational attributes as well as his potential value to the community.

Application for Turks and Caicos Islander Status

5. (1) An application for the grant of Islander status may be made by or on behalf of an applicant to the Governor—

(a) in respect of a spouse of an Islander, in Form 1 set out in Schedule 1; and

(b) in respect of any other person, in Form 2 set out in Schedule 1.

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(2) An application made under subsection (1) shall be submitted as follows—

(a) in respect of an application made under paragraph *(a)*, to the Ministry; and

(b) in respect of an application made under paragraph *(b)*, to the Secretary of the Commission.

(Substituted by Ord. 15 of 2018)

(3) An application for the grant of Islander status, except an application for grant by marriage, shall be made between 1 June and 30 September of every year.

Publication

6. (1) Upon receipt of an application made under section 5(1)*(b)*, the Secretary shall cause a notice of the application to be published in at least two issues of a local newspaper circulating in the Islands, which publication shall include—

(a) the fact of application;

(b) a photograph of the applicant;

(c) the name of the island on which he resides;

(d) the name of spouse if any, and number of dependants; and

(e) any other particulars as may be prescribed.

(2) A publication made under subsection (1) shall request submissions to be made to the Secretary within thirty days of the last publication, and no application shall be considered by the Commission unless it has been published.

(3) When the Commission makes a recommendation to the Governor, of persons to be granted Islander status, the Secretary shall cause a notice of the list of names to be published in at least one issue of a local newspaper circulating in the Islands.

(4) The Governor shall not grant Islander status in respect of an application made under section 5(1)*(a)* unless he first caused a notice of his intention to do so in relation to the applicant, to be published in at least two issues of a local newspaper circulating in the Islands. *(Amended by Ord. 15 of 2018)*

(5) The notice published pursuant to subsection (4) shall include a photograph of the applicant and request any submissions to be made not later than thirty days after the date of the last publication.

Islander Status certificate

7. (1) The Governor shall cause to be issued, a Turks and Caicos Islander Status Certificate, as the Governor shall determine, to any person who is accorded Islander status under section 4.

(2) A Turks and Caicos Islander Status Certificate issued under subsection (1) shall be in Form 3 set out in Schedule 1.

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(3) A Turks and Caicos Islander Status Certificate is evidence that a person has been granted Islander status.

Islander Status card

8. (1) The Governor shall cause to be issued, a National Turks and Caicos Islander Status Card to any Islander who makes an application for the issue of such a card.

(2) An application for the issue of a National Turks and Caicos Islander Status Card may be made by or on behalf of an applicant to the Governor in Form 4 set out in Schedule 1.

(3) The Governor may cause to be issued, a National Turks and Caicos Islander Status Card in Form 5 set out in Schedule 1.

(4) A National Turks and Caicos Islander Status Card is evidence that the person named in it is an Islander.

Fees

9. An application made under section 5 or 8 shall be accompanied by a fee specified in Schedule 2.

Revocation of Islander status

10. (1) Subject to subsection (3), this section applies where a person has been granted Islander status otherwise than by virtue of being the spouse of another person.

(2) The Governor may revoke an Islander status (with the effect that the person is no longer an Islander) if subsection (3) or (4) applies.

(3) This subsection applies if the application for the grant—

(a) was false in a material particular; or

(b) failed to disclose a material fact.

(4) This subsection applies if the person to whom Islander status was granted—

(a) has been convicted of a criminal offence in any country and sentenced to a term of imprisonment of not less than twelve months; or

(b) has not been resident in the Islands during the period of three years ending with the date of the revocation; and

(c) has been resident in the Islands for less than fourteen years in total.

(5) Before revoking an Islander status the Governor shall, by notice in writing, inform the holder of the grounds on which it is proposed to revoke it and shall give the holder the opportunity to make representations.

(6) A notice given under subsection (5) shall state that, within sixty days of service of the notice, the person to whom the notice is addressed may make

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representations in writing to the Governor concerning the matter, and the Governor shall not determine the matter without considering any representations received within that period of sixty days.

(7) A person aggrieved by a decision of the Governor to revoke an Islander status under this section may appeal against that decision to the Supreme Court.

(8) Provisions may be made by rules of court with respect to the procedure to be followed on appeals to the Supreme Court pursuant to subsection (7).

(9) A reference to a person who has been granted "Islander status" includes a reference to a person who was granted Belonger status (within the meaning of the Immigration Ordinance Cap. 5.01 of the Revision of the Laws dated 31 August 2009 as amended) before the commencement of this Ordinance.

Burden of proof of Islander status

11. In any question under this Ordinance whether a person is an Islander or is entitled to an exemption under this Ordinance, it shall lie on the person asserting it to prove that he is an Islander.

PART III

TURKS AND CAICOS ISLANDER STATUS COMMISSION

Establishment of Turks and Caicos Islander Status Commission

12. For the purposes of this Ordinance there is established a Commission to be called the Turks and Caicos Islander Status Commission.

Functions of Commission

13. (1) The Commission shall—

(a) after 1 January of each year, review applications for the grant of Islander status made under section 5(3);

(b) make recommendations to the Governor for the grant of Islander status, which recommendation shall be made in writing not later than 31 October of each year; and

(c) make recommendations for revocation of Islander status to the Governor on the grounds provided under section 10(3) and (4).

(2) For the purposes of the exercise of its functions, the Commission shall provide the Governor with such reports and other information as he may require.

Constitution of Commission

14. The Commission shall consist of the following members appointed by the Governor—

(a) a Chairman;

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(b) four other members—

(i) two of whom shall be nominated for appointment by the Premier; and

(ii) two of whom shall be nominated for appointment by the Leader of the Opposition; and

(c) the Attorney General or his representative, who shall be an *ex-officio* member.

Disqualification from appointment

15. A person is disqualified from appointment as a member—

(a) if he is not an Islander;

(b) if he is a public officer;

(c) if he is or has been within the preceding three years—

(i) a member of the House of Assembly; or

(ii) the holder of any office in any political party; or

(d) if his name is not on the current Register of Electors in force in the Islands.

(Substituted by Ord. 15 of 2018)

Tenure

16. A member—

(a) unless he sooner resigns or is removed from office, shall be appointed for a term of one year; and

(b) shall not be eligible for re-appointment to the Commission until two years has passed since the expiry or termination of his last appointment to the Commission.

Termination of appointment

17. (1) The Governor may terminate the appointment of an appointed member—

(a) at any time, for inability to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause);

(b) for misbehaviour;

(c) if he becomes a public officer; or

(d) if he becomes a member of the House of Assembly or the holder of any office in any political party.

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(2) An appointed member may at any time resign by giving notice in writing to the Governor, and his membership shall cease from the date the Governor receives the notice of resignation.

Meetings of Commission

18. (1) The Commission shall meet as often as is necessary or expedient for the discharge of its functions, and such meetings shall be held at such place, day and time as the Chairman may determine.

(2) The Chairman shall preside at all meetings of the Commission.

(3) Three members shall form a quorum at any meetings of the Commission.

(4) At a meeting of the Commission all questions shall be decided by a majority of the votes of the members present and voting, and in the event of an equality of votes, the Chairman shall have a casting vote.

(5) The Attorney General or his representative shall attend all meetings of the Commission, but shall have no right to vote.

(6) Subject to this Ordinance, the Commission may make rules to regulate its proceedings.

Secretary of Commission

19. (1) The Governor acting on the advice of the Minister shall appoint any public officer to be the Secretary of the Commission.

(2) The Secretary shall—

(a) attend all meetings of the Commission but shall not vote on any matter or question before the Commission;

(b) prepare minutes of the meetings of the Commission;

(c) keep a record of the proceedings and decisions of the Commission;

(d) receive applications for the grant of Islander status and review whether they are in order before submitting to the Commission for review;

(e) cause publication of notices of applications received; and

(f) attend to such other duties as the Chairman of the Commission may require.

(3) As soon as is practicable after every meeting of the Commission the Secretary shall furnish the Chairman, Minister and Governor with a copy of the minutes of meetings and proceedings of the Commission.

Preservation of confidentiality of information obtained by Commission

20. (1) A member of the Commission or a person who is lawfully connected with any business of the Commission shall regard and deal with any information

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relating to the business of any other person which he has obtained by virtue of such membership or connection as secret.

(2) A person referred to in subsection (1) shall not disclose or allow to be disclosed any information referred to in subsection (1) to anyone not lawfully entitled to the information.

(3) A person who without reasonable excuse discloses or allows to be disclosed information contrary to this section commits an offence and is liable—

(a) on summary conviction to a fine of $10,000 or a term of imprisonment of two years, or to both; and

(b) if the offence is a continuing one, to a further fine of $100 for every day or part of a day on which the offence has continued.

Remuneration

21. A member who is not a public officer shall be paid such remuneration as the Governor may determine.

Financial provisions

22. Any expenses of the Commission incurred in the performance of its functions under this Ordinance, shall be payable out of money appropriated by the House of Assembly for the purpose.

PART IV

GENERAL

Making false statements, furnishing false information

23. (1) A person commits an offence if, he knowingly makes a false or misleading statement or knowingly furnishes false or misleading information in connection with an application for—

(a) Islander status; and

(b) a National Turks and Caicos Islander Status Card.

(2) A person commits an offence if—

(a) without lawful authority, he alters any certificate or card issued under this Ordinance; or

(b) he uses for the purpose of this Ordinance or has in his possession for such use, a forged, altered or irregular certificate or card.

(3) A person who commits an offence under this section is liable on summary conviction to a fine of $20,000 or a term of imprisonment of four years, or to both.

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Evidence by certificate

24. In any proceedings for an offence under this Ordinance—

(a) a certificate signed by or on behalf of the Governor stating that, on any date, a person was or was not the holder of a Turks and Caicos Islander Status Certificate or National Turks and Caicos Islander Status Card shall be evidence of the facts stated; and

(b) a certificate stating that any of the matters mentioned and purporting to be signed by or on behalf of the Governor, shall be presumed to be so signed unless the contrary is proved.

Amendment of Schedule

25. The Governor may by Order published in the *Gazette*, amend a Schedule.

Regulations

26. The Governor may make regulations prescribing anything under this Ordinance which is to be prescribed or which is necessary or convenient to be prescribed for the better carrying out of the objects and purposes of this Ordinance, or to give force and effect to its provisions.

(Inserted by Ord. 15 of 2018)

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SCHEDULE 1

FORMS

FORM 1

(Section 5(1)(a))

APPLICATION FOR TURKS AND CAICOS ISLANDER STATUS BY SPOUSE OF TURKS AND CAICOS ISLANDER

1. Name in Full: _____

2. Address: _____

3. Telephone Number: _____

4. E-mail Address: _____

5. Occupation: _____

6. Date of Birth: _____

7. Place of Birth: _____

8. Nationality: _____

9. Passport Number: _____

10. Place and Date of Passport Issue: _____

_____

11. Full Name of Spouse: _____

12. Date and Place of Marriage: _____

_____

13. Nationality of Spouse: _____

14. Spouse's Date of Birth: _____

15. Spouse's Place of Birth: _____

16. Did your spouse become a Turks and Caicos Islander by marrying another Turks and Caicos Islander?

Yes **No** **(Please circle)**

17. Are you currently living apart from your spouse under a deed of separation or a decree?

Yes **No** **(Please circle)**

18. Date of First Entry into the Turks and Caicos Islands: _____

19. Where have you lived in the past 10 (ten) years: _____

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20. Please give details of your place(s) of residence during that period:

_____

_____

21. Please give dates of absence from the Islands during that period:

_____

_____

DECLARATION BY APPLICANT: I, _____

(Name of Applicant)

of _____ (address),

hereby declare that the information I have given in this application is true to the best of my knowledge and belief, and I make it knowing that if I have made any false or misleading statements, I am liable to be prosecuted under section 23 of the Turks and Caicos Islander Status Ordinance.

Signed by:_____ Date:_____

Witnessed:_____ Date:_____

DECLARATION BY SPOUSE OF APPLICANT: I, _____

(Name of Spouse)

of _____(address),

hereby declare that I have read the particulars contained in this application and that the particulars are true to the best of my knowledge and belief, and I make this declaration knowing that I am liable to be prosecuted under section 23 of the Turks and Caicos Islander Status Ordinance.

Signed by:_____ Date:_____

Witnessed:_____ Date:_____

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APPLICATION DOCUMENT SUBMISSION FORM

TURKS AND CAICOS ISLANDER STATUS BY SPOUSE OF A TURKS AND CAICOS ISLANDER

You must take a photocopy and the original documents to the One-Stop Shop.

The officer will verify your original documents, and return them to you.

Name of Applicant:_____

Documents to be submitted by ALL applicants:

( ) 2 x passport photos (must be passport photo size, with a white or cream background).

*Please note that a computerised image is not acceptable – this must be a genuine passport photo.

( ) Birth certificate (if not in English, must be accompanied by a translated copy into English, signed by the translator and certified by a Justice of the Peace or Notary Public)

( ) Police certificate (proving good character and issued in the last 6 months)

( ) Applicant's ID page of passport (photo page)

( ) Marriage certificate

( ) Spouse's ID page of passport (photo page)

( ) Treasury receipt for sum paid on submission of application.

Evidence you have been residing in the islands for at least 2 years at the date of the application

( ) Copy of pages from your passport (including exit and entry stamps) **AND**

( ) Residence permit(s) **OR** ( ) Work permit(s) **OR** ( ) PRC **OR**

( ) Letter from your employer confirming employment and length of time employed

Evidence of your spouse's Turks and Caicos Islander status

( ) Spouse's National Turks and Caicos Islander Status Card

If your spouse does not have a National Turks and Caicos Islander Status Card:

( ) Spouse's birth certificate (if not in English, must be accompanied by a translated copy into English, signed by the translator and certified by a Justice of Peace or Notary Public)

( ) Spouse's mother's and father's birth certificates (if spouse born outside TCI)

( ) Spouse's mother and father's marriage certificate (if spouse born outside TCI)

We may require extra documents to prove your spouse's Turks and Caicos Islander status if he or she does not have a National Turks and Caicos Islander Card.

Please note that you and your spouse will be interviewed by an Investigations Officer as part of the application process.

(X) = to indicate that the document has been submitted with the application.

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FORM 2

(Section 5(1)(b))

APPLICATION FOR TURKS AND CAICOS ISLANDER STATUS

PART I

INFORMATION ABOUT THE APPLICANT

Please write in BLOCK LETTERS WITH BLUE INK and tick where relevant.

Under what section are you applying?

( ) British Overseas Territory Citizen
( ) British Citizen

Name (as printed in the Passport/Identity Card):

TITLE: ( ) Mr. ( ) Mrs. ( ) Ms. ( ) Other (Please specify)____

SURNAME							

FIRST NAME							

OTHER NAMES:							

1. Date of Birth: ___/___/_____
(DD/MM/YYYY)

2. Sex/Gender: ( ) Male ( ) Female

3. Country of Birth (including province/state): _____

4. Country of Citizenship (if more than 1, list all): (1) _____
(2) _____

5. Race/Ethnicity: _____ **6.** Language spoken _____, _____

7. Principal Address Inside the Turks and Caicos Islands:
_____
_____

Contact Number: _____
Emails Address: _____
National Health Insurance Number: _____
National Insurance Number: _____

8. What is your employment status?
( ) Employed ( ) Self-employed ( ) Unemployed ( ) Retired

9. If you are employed, what is your occupation? _____

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10. If you are employed, what is your average annual income range (in US$)?
( ) over $150,000 ( ) $100,000 ( ) $75,000 to $99,999
( ) $50,000 to $74,999 ( ) $25,000 to $49,999 ( ) under $24,999

Please list below information pertaining to the passport you have over the past five years up to date of this application. If you have two or more valid passports list all of them.

Passport Number	**Issuing Country**	**Date of Issue (DD/MM/YYYY)**	**Expiration Date (DD/MM/YYYY)**

PART II

INFORMATION ABOUT YOUR DEPENDANTS

11. What is your Marital Status (Attach appropriate certificate):

( ) Single ( ) Married ( ) Divorced

12. If married, please provide the following information regarding your Spouse

Name of Spouse (as in the Passport/Identity Card):

SPOUSE'S SURNAME:						

SPOUSE'S FIRST NAME						

OTHER NAMES:						

13. Spouse's Date of Birth: ___/___/___
(DD/MM/YYYY)

14. Sex/Gender: ( ) Male ( ) Female

15. Spouse's Country of Birth (including province/state):_____

16. Spouse's Country of Citizenship (if more than 1, list all): (1)_____ (2)_____

17. Spouse's Race/Ethnicity:_____

18. Languages spoken._____, _____

19. Is your spouse presently residing in the Turks and Caicos Islands?

( ) Yes ( ) No

20. If the answer to above question is "No", does your spouse intend to reside in the Islands with you?

( ) Yes ( ) No

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21. Does your spouse intend to seek employment in the Islands:
( ) Yes ( ) No

22. What is your Spouse's Occupation? _____

23. What is your spouse's employment status?
( ) Employed ( ) Self-employed ( ) Unemployed ( ) Retired

24. If your spouse is employed, what is his/her average annual income range?
( )over $150,000 ( )$100,000 to $150,000 ( )$75,000 to $99,999
( )$50,000 to $74,999 ( )$25,000 to $49,999 ( )under $24,999

Please list below information pertaining to the passport that your spouse has used over the past five years up to date of this application. If he/she has two or more valid passports, you are required to list ALL of them.

Passport Number	**Issuing Country**	**Date of Issue (DD-MM-YYYY)**	**Expiration Date (DD-MM-YYYY)**

Please provide the following information with respect to each of your children under 18 years of age. (Attach extra sheets as required and number children sequentially):

25. How many children do you have?
( ) 3 ( ) 2 ( ) 1 ( ) other (Specify _____)

CHILD 1

SURNAME:						

FIRST NAME						

OTHER NAMES:						

26. Date of Birth: ____/____/_____
(DD/MM/YYYY)

27. Sex/Gender: ( ) Male ( ) Female

28. Country of Birth (including province/state):_____

29. Country of Citizenship (if more than 1, list all): (1)_____ (2)_____

30. Race/Ethnicity:_____ **31.** Languages spoken._____, _____

32. Is the child NAMED ABOVE attending school in the Islands?
( ) Yes ( )No

33. If your answer to question 32 is no, do you intend for this child to reside in the Islands?
( ) Yes ( ) No

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34. If Yes, what provisions will you make for schooling?:
( ) Public School ( ) Private School

35. Intended name and address of school:

_____
_____

Please list below information pertaining to the passport that the above named child has used over the past five years up to the date of this application. If he/she has two or more valid passports, you are required to list ALL of them.

Passport Number	**Issuing Country**	**Date of Issue (DD/MM/YYYY)**	**Expiration Date (DD/MM/YYYY)**

CHILD 2

SURNAME:						

FIRST NAME						

OTHER NAMES:						

36. Date of Birth: ____/_____/_____
(DD/MM/YYYY)

37. Sex/Gender: ( ) Male ( ) Female

38. Country of Birth (including province/state):_____

39. Country of Citizenship (if more than 1, list all): (1)_____ (2)_____

40. Race/Ethnicity:_____ **41.** Languages spoken._____, _____

42. Is the child NAMED ABOVE attending school in the Islands?
( ) Yes ( )No

43. If your answer to question 42 is no, do you intend for this child to reside in the Islands?
( ) Yes ( ) No

44. If Yes, what provisions will you make for schooling?:
( ) Public School ( ) Private School

45. Intended name and address of school:

_____

Please list below information pertaining to the passport that the above named child has used over the past five years up to the date of this application. If he/she has two or more valid passports, you are required to list ALL of them.

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Passport Number	**Issuing Country**	**Date of Issue (DD/MM/YYYY)**	**Expiration Date (DD/MM/YYYY)**

CHILD 3

SURNAME:						
FIRST NAME						
OTHER NAMES:						

46. Date of Birth: ___/___/___
(DD/MM/YYYY)

47. Sex/Gender: ( ) Male ( ) Female

48. Country of Birth (including province/state:
_____

49. Country of Citizenship (if more than 1, list all): (1)_____ (2)_____

50. Race/Ethnicity:_____**51.** Languages spoken._____, _____

52. Is the child NAMED ABOVE attending school in the Islands?
( ) Yes ( )No

53. If your answer to question 52 is no, do you intend for this child to reside in the Islands?
( ) Yes ( ) No

54. If Yes, what provisions will you make for schooling?:
( ) Public School ( ) Private School

55. Intended name and address of school:
_____
_____

Please list below information pertaining to the passport that the above named child has used over the past five years up to the date of this application. If he/she has two or more valid passports, you are required to list ALL of them.

Passport Number	**Issuing Country**	**Date of Issue (DD/MM/YYYY)**	**Expiration Date (DD/MM/YYYY)**

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PART III

INFORMATION ABOUT YOUR EDUCATION AND SKILLS

EARLY EDUCATION (If you require more space to provide additional information, please attach an additional page.)

56. Primary School			
Name of School			
Address of School			
Country			
Date Enrolled	__/__/__ **(DD/MM/YYYY)**	Date Completed	__/__/___ **(DD/MM/YYYY)**
Reason for leaving	( ) Graduation ( )Transfer ( )Other (please specify:_ _____)		

57. Secondary School			
Name of School			
Address of School			
Country			
Date Enrolled	__/__/__ **(DD/MM/YYYY)**	Date Completed	__/__/___ **(DD/MM/YYYY)**
Reason for leaving	( ) Graduation ( )Transfer ( )Other (please specify:_ _____)		

POST SECONDARY EDUCATION (If you need to provide additional information, please attach an additional page.)

Name of Institution 1			
Address of Institution			
Country			
Date Enrolled	__/__/__ **(DD/MM/YYYY)**	Date Completed	__/__/___ **(DD/MM/YYYY)**
Course Pursued	**58.**		
Certificate/Diploma/Degree Obtained	**59. ( )Associate ( )Vocational ( )Bachelor's ( )Master's ( )Doctorate**		
Name of Institution 2			

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Address of Institution			
Country			
Date Enrolled	__/__/__ **(DD/MM/YYYY)**	Date Completed	__/__/___ **(DD/MM/YYYY)**
Course Pursued	**60.**		
Certificate/Diploma/Degree Obtained	**61. ( )Associate ( )Vocational ( )Bachelor's ( )Master's ( )Doctorate**		

List ALL Trade or Professional Bodies or Associations with which you are affiliated:

Name of Association	**62.**
Address of Institution	
Country	
Date of Membership	__/__/__ **(DD/MM/YYYY)**

Name of Association	**63.**
Address of Institution	
Country	
Date of Membership	__/__/__ **(DD/MM/YYYY)**

64. Give details of ALL Disciplinary Action to which you have been subject by such Body or Association:

_____
_____
_____
_____

Give the following information regarding your PAST working experience. (Use extra sheet as needed):

Name of Employer 1			
Job Title			
Key tasks performed	**65.**		
Country			
Date Employed Started	__/__/__ **(DD/MM/YYYY)**	Date Employment Ended	__/__/___ **(DD/MM/YYYY)**
Reason Employment Ended			

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Name of Employer 2			
Job Title			
Key tasks performed	**66.**		
Country			
Date Employment Started	__/__/__ **(DD/MM/YYYY)**	Date Employment Ended	__/__/___ **(DD/MM/YYYY)**
Reason Employment Ended			
Name of Employer 1			
Job Title			
Key tasks performed	**67.**		
Country			
Date Employment Started	__/__/__ **(DD/MM/YYYY)**	Date Employment Ended	__/__/___ **(DD/MM/YYYY)**
Reason Employment Ended			
Name of Employer 1			
Job Title			
Key tasks performed	**68.**		
Country			
Date Employment Started	__/__/__ **(DD/MM/YYYY)**	Date Employment Ended	__/__/___ **(DD/MM/YYYY)**
Reason Employment Ended			

PART IV

INFORMATION ABOUT YOUR RESIDENCE IN THE ISLANDS

69. How long have you been living in the Turks and Caicos Islands?
( ) Under 1 year ( )2 to 5 years ( ) 6 to 10 years
( )11 to 15 years ( ) 16 to 20 years ( )21 to 25 years
( )Above 25 years

70. What type of residence do you live in?
( ) with a relative or friend ( )Rented Apartment/House ( )Own Home

71. If you own your own home, is it mortgaged? ( ) Yes ( )No

72. if you own your own home, what is the title number for your property? (Please attach it)

_____

_____

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73. If you are a **British Overseas Territory Citizen** (TCI) please provide information regarding your absence from the territory over the past 5 years. (Attach an additional sheet if needed.)

Country you travelled to	**Purpose for travel**	**Date of Departure from the TCI (DD/MM/YYYY)**	**Date of Return to Turks and Caicos (DD/MM/YYYY)**

74. If you are a **British Citizen** please list and attach copies of your Work Permit, Residence Permit and PRC establishing your legal residency over the past 10 years ending with the date of application.

Status (Work Permit/Residence Permit/PRC)	**Date of Issue (DD/MM/YYYY)**	**Expiry Date((DD/MM/YYYY)**
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

PART V

INFORMATION ABOUT YOUR CHARACTER

75. Have you ever been arrested? ( ) Yes ( ) No

76. If yes, please state the circumstances of arrest. (Use additional sheet as needed):_____
_____

77. Have you ever been charged? ( ) Yes ( ) No

78. If yes, please state the nature of the offence charged. (Use additional sheet as needed):
_____
_____
_____

79. Give the following information in respect of **ALL** convictions ever recorded against you (use additional sheet as needed):

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80. Have you ever been convicted: ( ) Yes ( ) No
If yes, date of Conviction: ___/___/_____
(DD/MM/YYYY)

81. Nature of offence:

_____
_____

Date of Sentence: ___/___/_____
(DD/MM/YYYY)

Municipality/City/Country/State/Province/Country where Convicted:
_____
_____

82. Has sentence been served: ( ) Yes ( ) No

83. Date sentence completed: ____/___/_____
(DD/MM/YYYY)

84. Is conviction spent: ( ) Yes ( ) No

Give the following information in respect of all convictions ever recorded against your **SPOUSE**. (Use additional sheet as needed)

85. Was your spouse ever convicted: ( ) Yes ( ) No

If yes, date of Conviction: ____/____/_____
(DD/MM/YYYY)

86. Nature of offence:

_____
_____
_____

Date sentence completed: ____/____/_____
(DD/MM/YYYY)

Municipality/City/Country/State/Province/Country where Convicted:
_____
_____

87. Has sentence been served: ( ) Yes ( ) No

88. Date sentence completed: ____/____/_____
(DD/MM/YYYY)

89. Is conviction spent: ( ) Yes ( ) No

90. Date discharged: ___/____/_____
(DD/MM/YYYY)

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PART VI

DECLARATIONS

Declaration by Applicant:

I have read and I understand the applicable regulatory conditions of the grant of a Turks and Caicos Islander Status as specified in the Immigration Ordinance.

The information as set out in **ALL** Parts is, to the best of my knowledge, true and correct; and all documents submitted in support of this application are true and authentic copies of the original document.

I understand that I commit an offence under the Immigration Ordinance if I knowingly make a false or misleading statement or knowingly furnish false or misleading information or have in my possession and supply any forged, altered or irregular certificate, passport, visa or other document in connection with this application.

I further give consent to the Government of the Turks and Caicos Islands and any statutory authorities thereof, to obtain from and verify information with any person, organization, or any other source; and further, to the release of all information thereby obtained to the Government of Turks and Caicos Islands, Statutory Authorities and authorised agents thereof, for the purpose of assessing this application.

_____ Date: _____/_____/_____
Signature of Applicant DD/MM/YYYY)

Declaration by an Agency:

(Applicable if the Applicant engages the services of an Agency/Agent)

I, the undersigned, am the Agency personnel authorised to handle this application.

I have explained the contents of the application and the applicable regulatory conditions of the grant of Turks and Caicos Islander Status, as specified in the Immigration Ordinance.

The information as set out in this Application is, to the best of my knowledge, true and correct; and that the authorised Public Officer has seen that all of the original documents and all documents submitted in support of this application are true and authentic copies of the original document.

Name of the Authorised Agency Personnel _____

Signature of Authorised Agent _____

Authorised Agency Personnel Cell Number _____

Authorised Agent Email Address_____

Date: _____/_____/_____
(DD/MM/YYYY)

_____

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FORM 3

(Section 7(2))

PHOTO

TURKS AND CAICOS ISLANDER STATUS CERTIFICATE

THIS IS TO CERTIFY THAT_____

of _____**, TURKS AND CAICOS ISLANDS**

has with effect from this day been granted Turks and Caicos Islander Status for all purposes of the Immigration Ordinance.

Given this _____ day of _____20____.

_____ _____
Permanent Secretary Governor

_____

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FORM 4

(Section 8(2))

APPLICATION FOR NATIONAL TURKS AND CAICOS ISLANDER STATUS CARD

1. APPLICANT

(a) **Applicant's Full Name**: _____ _____ _____
First Middle Last

(b) **Date of Birth**: ____/____/_____
DD/MM/YYYY

(c) **Sex** ( ) Male ( ) Female

(d) **Marital Status** ( ) Married ( ) Single ( ) Divorce ( ) Widow/Widower

(e) **Country of Birth: _____**

(f) **Nationality _____**

(g) **Contact Information**

(i) Present Address _____
(ii) Email _____
(iii) Telephone Number _____

(h) **How did you become a Turks and Caicos Islander?**

( ) Birth in the Islands to a Turks and Caicos Islander
( ) Adoption
( ) Marriage
( ) Descent (birth outside the islands to a Turks and Caicos Islander parent who was born in the Islands
( ) Bestowal/Grant
( ) Naturalization/Registration

(i) Were /Are your parents married to each other? ( ) Yes ( ) No

(j) Date you became a Turks and Caicos Islander _____

(k) Certificate number if Turks and Caicos Islander by grant _____

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2. APPLICANT'S FATHER

(a) **Full Name**: _____ _____ _____
First Middle
Last

(b) **Date of Birth**: ____/____/_____
DD/MM/YYYY

(c) **Country of Birth: _____**

(d) **Nationality _____**

3. APPLICANT'S MOTHER

(a) **Full Name**: _____ _____ _____
First Middle Last

(b) **Date of Birth**: ____/____/_____
DD/MM/YYYY

(c) **Country of Birth: _____**

(d) **Nationality _____**

4. APPLICANT's <u>ADOPTED</u> FATHER (if applicable)

(a) **Full Name: _____ _____ _____**
First Middle Last

(b) **Date of Birth**: ____/____/_____
DD/MM/YYYY

(c) **Date of Adoption**: ____/____/_____
DD/MM/YYYY

(d) **Country of Birth: _____**

(e) **Nationality _____**

5. APPLICANT's <u>ADOPTED</u> MOTHER (if applicable)

(a) **Full Name:**_____ _____ _____
First Middle Last

(b) **Date of Birth**: ____/____/_____
DD/MM/YYYY

(c) **Date of Adoption**: ____/____/_____
DD/MM/YYYY

(d) **Country of Birth: _____**

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(e) **Nationality** _____

6. **Are you claiming Turks and Caicos Islander status through marriage?**

( ) Yes ( ) No

If you are the **SPOUSE** or **STEPCHILD** claiming through marriage **please provide information about the Turks and Caicos Islander AND the marriage.**

(a) Name of Turks and Caicos Islander Spouse **or** Step Parent

_____ _____ _____
First Middle Last

(b) Sex ( ) Male ( ) Female

(c) Date of Birth: ____/____/_____
DD/MM/YYYY

(d) Country of Birth: _____

(e) Nationality: _____

(f) Date of Marriage: ____/____/_____
DD/MM/YYYY

(g) Town where Marriage took place: _____

(h) Country where marriage took place: _____

(i) Marriage certificate number (if applicable) _____

(j) Have you ever been divorced? ( ) Yes ( ) No

(k) What is the name of your former husband or wife? _____

(l) Date of Divorce: ____/____/_____
DD/MM/YYYY

7. (a) Were you naturalised/registered in the Islands before 19 September 1990?
( ) Yes ( ) No

(b) On what date were you naturalised/registered?
____/____/_____
DD/MM/YYYY

8. Are you a Commonwealth citizen, by virtue of your parents AND were born in the Islands before 1 November 1992?

( ) Yes ( ) No

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9. (a) Were you are a Commonwealth citizen who has been ordinarily resident in the Islands before 1 June 1964.

( ) Yes ( ) No

(b) Where did you reside at that time? _____

(c) During which period did you reside in the Islands?

From: ____/____/_____ to ____/____/_____
DD/MM/YYYY DD/MM/YYYY

_____

DECLARATIONS

I hereby certify that all of the information I have furnished on this form is true and correct to the best of my knowledge and belief, and all documents which I have supplied are **authentic.** I understand that any **misleading** information may result in **criminal prosecution.**

10. APPLICANT'S SIGNATURE:

_____

Official use ONLY
Date Processed _____Processing Officer _____

DOCUMENTS TO BE PRODUCED: (Originals MUST be presented)

Please note that laminated documents will not be accepted for National Turks and Caicos Islander Status Card applications.
(a) Applicant's Birth Certificate [ ]
(b) Applicant's Marriage Certificate [ ]
(c) Mother's/Father's Birth Certificate [ ]
(d) Applicant's Adoption Certificate (where applicable) [ ]
(e) Applicant's Divorce Certificate (where applicable) [ ]
(f) Applicant's Turks and Caicos Islander Certificate [ ]
(g) Applicant's Husband's/Wife's Birth Certificate [ ]
(h) 2 certified passport sized photographs of applicant [ ]
(i) Applicant's Naturalization/Registration Certificate [ ]
(j) Evidence of Residence in the Islands (where applicable) [ ]

PHOTOS
If you wish, please note that two recent **(no more than 1 month old)**, identical passport size photos of the applicant are to be produced with this application. **The Photos should be on a light grey or cream background.** IF YOU DO NOT BRING PHOTOS THEY CAN BE TAKEN AT THE REGISTRATION CENTRE.

Photo is to be endorsed by one of the following who has known you personally for at least two years: Minister of Religion, Justice of the Peace, Senior Civil Servant, Principal, Police

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Officer above the rank of Sergeant, Doctor, Notary Public or person of similar standing. **Please note that no member of your family should countersign your photo.**

The endorsement should read:

I certify that this is a true likeness of Mr./Mrs/Ms.

_____
And add his/her signature and the date.

CONDITIONS FOR COLLECTING NATIONAL TURKS AND CAICOS ISLANDER STATUS CARDS

Please note that applicants who are 18 years of age and over are expected to appear in person to receive their Card. If the applicant cannot appear in person and would like to have someone collect his Card, this person must have **a typed and signed letter of consent** from the applicant allowing him to collect the Card as well as a valid picture ID for verification.

In the case of persons under the age of 18, either parent of the child is required to appear in person to receive the child's Card. (Bring along a valid picture ID!) Any other person, who is not the parent of the child, is required to produce **a typed and signed letter of consent** from the mother or father along with a valid picture ID, to collect the child's Card.

All consent letters must be typed on a plain sheet of 8.5" X 11" sized paper. A consent letter should include the date, applicant's name, the collector's name, and the applicant's signature. The National Turks and Caicos Islander Status Card may not be released if the applicant fails to comply.

National Turks and Caicos Islander Status Cards cannot be mailed nor can they be collected by anyone under the age of eighteen.

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NATIONAL TURKS AND CAICOS ISLANDER STATUS CARD

FORM 5

(Section 8(3))

NATIONAL TURKS AND CAICOS ISLANDER STATUS CARD

PHOTO

Number:

Gender:

Place of Birth:

Date of Birth:

Date of Issue:

Name:

BACK OF CARD

This card is issued to the holder in accordance with the Turks and Caicos Islander Status Ordinance.

If found please contact telephone number 1 (649) 946-2801.

Alternatively please refer to Turks and Caicos Islands Government website for additional contact information and guidance on how to return the card.

Signature:

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SCHEDULE 2

(Section 9)

FEES

A **Category**	B **Fees**
Turks and Caicos Islander Status	
Non Refundable Administrative fee	$150
Turks and Caicos Islander Status via Marriage	1,500
Turks and Caicos Islander Status via British Overseas Territory Citizenship	5,000
Turks and Caicos Islander Status via British Citizenship	5,000
Initial issue of Turks and Caicos Islander Status Card	0
Replacement of Turks and Caicos Islander Status Card[1]	50

(Amended by L.N. 60/2021)

[1] Notwithstanding the fee in the Schedule, section 3 of the Turks and Caicos Islander Status Order (L.N. 60/2021) provides that for the period 11 March 2021 until 10 June 2021, the fee for the category listed under column A as "Replacement of Turks and Caicos Islander Status Card"shall be "0".

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