



**BELIZE**

**CARIBBEAN COMMUNITY (FREE MOVEMENT OF  
SKILLED PERSONS) ACT  
CHAPTER 17:02**

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**CHAPTER 17:02**

**CARIBBEAN COMMUNITY (FREE  
MOVEMENT OF SKILLED PERSONS)**

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**CHAPTER 17:02**

**CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED PERSONS)**

45 of 1999.

*[18<sup>th</sup> December, 1999]*

Short title. **1.** This Act may be cited as Caribbean Community (Free Movement of Skilled Persons) Act.

Interpretation. **2.**—(1) In this Act, unless the context otherwise requires,  
“Caribbean skilled person” means any national who is recognised by the Minister as being a member or employee of a recognised Organisation or is the holder of a qualification or performs an occupation specified in the First Schedule;

“dependant” in relation to a national means,

- (a) the spouse of that national;
- (b) any unmarried child or step-child under the age of eighteen years of that national; and
- (c) any unmarried child under the age of eighteen years adopted by that national in a manner recognized by law;

“immigration officer” means any immigration officer appointed pursuant to the provisions of the Immigration Act, Cap. 121;

“Minister” means the Minister responsible for immigration;

“national” means any individual who is a,

- (a) citizen, by birth, descent or naturalization, of;
- (b) national of; or

(c) person belonging to,

a qualifying Caribbean Community state within the meaning of the laws of that state;

“property” includes real and personal property;

“qualifying Caribbean Community state” means a member state of the Caribbean Community specified in the Second Schedule;

“qualifying certificate” means a certificate of recognition of Caribbean Community skills issued by the Minister in the form specified in the Third Schedule;

“recognized organization” means an organization declared by the Minister to be a recognized organization for the purposes of this Act by Order published in the *Gazette*;

“spouse” includes,

(a) a single woman who has lived and cohabited with a single man as if she were in law his wife for a period of not less than five years immediately preceding the date of the application under this Act;

(b) a single man who has lived and cohabited with a single woman as if he were in law her husband for a period of not less than five years immediately preceding the date of the application under this Act.

(2) For the purposes of this Act, where the qualifying Caribbean Community state is Montserrat, a valid passport or other form of identification approved by the Minister showing the holder,

(a) to be a citizen of the United Kingdom and Colonies or a British Dependent Territories citizen; and

Indefinite entry of Caribbean skilled persons etc.

- (b) to have been born in Montserrat, shall be deemed to be issued in Montserrat.

**3.**—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to sections 5 and 12, permit a national to whom this section applies entry of and any dependant of such national to enter and remain in Belize for an indefinite period.

(2) This section applies to a national who,

- (a) holds a valid passport issued to him by a qualifying Caribbean Community state or other form of identification approved by the Minister;
- (b) seeks to enter Belize for the purpose of engaging in or finding gainful employment with an employer or as a self-employed person; and
- (c) presents to the immigration officer on entry into Belize a qualifying certificate certifying that he is recognized by the Minister as a Caribbean skilled person.

Provisional entry of Caribbean skilled persons and dependants.

**4.**—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to sections 5 and 12, permit a national to whom this section applies and any dependant of such national to enter and remain in Belize for a period not exceeding six months.

(2) This section applies to a national who,

- (a) holds a valid passport issued to him by a qualifying Caribbean Community state or other form of identification approved by the Minister;
- (b) seeks to enter Belize for the purpose of engaging in or finding gainful employment with an employer or as a self-employed person; and

- (c) presents to the immigration officer on entry into Belize a certificate issued by the competent Minister of a qualifying Caribbean Community state certifying that the holder of the passport is recognized by the Government of that qualifying Caribbean Community state as being a Caribbean skilled person,

**5.-(1)** Subject to subsection (2), an immigration officer shall not permit a Caribbean skilled person or any dependant of such person to land in Belize if that person, skilled,

Prohibited Caribbean skilled persons.

- (a) is likely, if he enters Belize, to become a charge on public funds;
- (b) is a person of unsound mind or a mentally defective person;
- (c) is, on the basis of available information communicated to the Minister, suffering from a communicable disease which makes his entry into Belize dangerous;
- (d) is, from information or advice, which in the opinion of the Minister is reliable information or advice, deemed by the Minister to be an undesirable inhabitant of or visitor to, Belize; and
- (e) is a subject of a deportation order in force under the Deportation (British Subjects) Act, Cap. 107.

(2) Notwithstanding subsection (1) of this section, it shall be lawful for the Minister to exempt any Caribbean skilled person from the provisions of paragraphs (a) to (e) of subsection (1) of this section.

**6.-(1)** A person who satisfies the requirements for recognition as a Caribbean skilled person may, subject to section 12 of this Act, apply to the Minister for a qualifying certificate.

Application for qualifying certificate.

(2) An application under this section shall be in such form and be accompanied by such fee as the Minister may prescribe by Order published in the *Gazette*.

Minister to grant certificate to qualified applicant.

7.-(1) Subject to subsection (2) of this section and section 12 of this Act, the Minister shall grant a qualifying certificate to every applicant who satisfies the requirements for reconnection as a Caribbean skilled person.

(2) The Minister may refuse to issue a qualifying certificate to a person referred to in section 5 of this Act and to any person who has been convicted of an offence against section 11 of this Act or a similar offence under the laws of a qualifying Caribbean Community state,

Effects of entry permission.

8. Notwithstanding the provisions of any other law but subject to section 12 of this Act, a Caribbean skilled person and every dependant of such person who are permitted to enter Belize under this Act shall not be subject to any restriction on,

- (a) freedom of movement, including the freedom to leave and re-enter Belize without further permission;
- (b) the freedom to acquire property for use as the residence or business of such persons; or
- (c) the right to engage in gainful employment or other occupation,

which would not apply if those persons were nationals of Belize.

Revocation of permission.

9. Notwithstanding the provisions of any other law but subject to section 12 of this Act, permission granted under this Act to a Caribbean skilled person to enter Belize and the rights conferred on that person under

section 8 shall not be revocable except for cause and by procedure which would, apart from this Act, render a national of Belize liable to deportation, extradition or other form of expulsion from the qualifying Caribbean Community state of which the Caribbean skilled person is a national.



10.-(1) A person commits an offence if,

Offences and pen-  
alties.

- (a) for the purpose of procuring a qualifying certificate or for the purpose of seeking permission under this Act to enter Belize, he,
  - (i) makes any statement, for himself or any other person, knowing such statement to be false in a material particular; or
  - (ii) recklessly makes any statement which is false in a material particular;
- (b) he uses a certificate issued by the competent Minister of a qualifying Caribbean Community state knowing that it has been cancelled by the Government of that state;
- (c) he uses a qualifying certificate knowing that it has been cancelled by the Minister.

(2). Conviction of an offence under this section shall,

- (a) render a qualifying certificate liable to cancellation at the discretion of the Minister;
- (b) render a permission granted under this Act revocable at the discretion of the Minister; and
- (c) disentitle any person so convicted or the right to any permission under this Act.

(3) Any person who commits an offence under this Act shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Regulations.

**11.**—(1) The Minister may make regulations generally for giving effect to the provisions of this Act and without prejudice to the generality of the foregoing may make regulations,

- (a) regulating the issue, amendment, revocation or replacement of qualifying certificates and for the payment offers by the persons applying therefor;
- (b) providing for the establishment and maintenance of a register of persons to whom or in respect of whom qualifying certificates have been issued, amended, revoked, or replaced;
- (c) providing for the issue to any person who is exempt from any of the provisions of this Act a certificate stating the nature of the exemption;
- (d) with respect to the surrender or cancellation of any qualifying certificate issued by the Minister;
- (e) amending the First, Second and Third Schedules;
- (f) prescribing the forms to be used for the purposes of this Act;
- (g) prescribing any other matter or thing required to be prescribed under this Act.

(2) Regulations made under this section shall be subject to negative resolution.

Reciprocity.

**12.** This Act shall apply only to nationals of a qualifying Caribbean Community state whose laws provide treatment for citizens of Belize which is not less than the treatment provided by this Act for those nationals.

FIRST SCHEDULE

CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED  
PERSONS) ACT.

Qualifications and Occupations Required for the Issue of a Qualifying  
Certificate

*(Sections 2 and 11)*

1. A degree of the University of the West Indies or the University of Guyana designated as a Bachelor's, Master's or Doctor's degree.
2. A degree of Doctorandus, Meester, Licentiatu or Doctor of the University of Suriname.
3. Any qualification or combination of qualifications specified in a list,
  - (a) compiled from time to time by the University of Belize or the University College of Belize for the purposes of this Act; and
  - (b) prescribed by the Minister by Order published in the *Gazette* as a list of qualifications and combinations of qualifications satisfying the qualification requirements of this Act.
4. Any qualification or combination of qualifications, possessed by an applicant which is certified by the University of Belize or the University College of Belize as satisfying the conditions for recognition of Caribbean Community skills qualification, whether or not any such qualification or combination of qualifications is prescribed under paragraph 3.
5. Persons certified by the competent authority of a qualifying Caribbean Community state as representing that state in sports.
6. Musicians, artists and media workers certified as such by the competent authority of the qualifying Caribbean Community state of which such persons are nationals.

## SECOND SCHEDULE

CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED  
PERSONS) ACT.Qualifying Caribbean Community States  
*(Sections 2 and 11)*

1. Antigua and Barbuda
2. Barbados
3. Dominica
4. Grenada
5. Guyana
6. Jamaica
7. Montserrat
8. St. Christopher and Nevis
9. St. Lucia
10. St. Vincent and the Grenadines
11. Suriname
12. Trinidad and Tobago

THIRD SCHEDULE

BELIZE  
CARIBBEAN COMMUNITY (FREE MOVEMENT OF SKILLED  
PERSONS) ACT.

Certificate of Recognition of Caribbean Community Skills  
*(Sections 2 and 11)*

WHEREAS .....has applied to the Minister for a Certificate of Recognition of Caribbean Community Skills, in reliance on the requirements set out in the First Schedule, and has satisfied the Minister that the conditions laid down in the Caribbean Community (Free Movement of Skilled Persons) Act, 1999, for the grant of a Certificate of Recognition of Caribbean Community Skills have been fulfilled:

NOW, THEREFORE, I .....the Minister responsible for Immigration, in exercise of the powers conferred upon me by the said Act, hereby grant to the said ----- this Certificate of Recognition of Caribbean Community Skills.

PARTICULARS RELATING TO APPLICANT

Affix here Passport Photograph of  
national & each dependant

- FULL NAME:
- ADDRESS:
- PLACE OF BIRTH:
- DATE OF BIRTH:
- NATIONALITY:
- PASSPORT NO.:
- MARITAL STATUS:
- OCCUPATION:
- QUALIFICATION:

NAMES AND AGES OF ACCOMPANYING DEPENDANTS:

PASSPORT NO. OF DEPENDANTS:

In witness whereof I hereto subscribe my name this        day of        ,20 \_\_\_\_.

MINISTER RESPONSIBLE FOR IMMIGRATION.

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