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MINISTERIAL STATEMENT

By:

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THE MINISTER OF LABOUR

**Progressing Immigration Reform: Expanding PRC's for
Long-Term Residents**

September 10th, 2021

Introduction

Mr. Speaker,

I rise before this Honourable House to inform you that today the Government will table the Bermuda Immigration and Protection Amendment Act 2021, which makes legislative amendments to *advance*

comprehensive immigration reform by providing a process for Long-Term Residents to apply for Permanent Residency in Bermuda.

Mr. Speaker,

In the Progressive Labour Party's 2020 Platform the Government committed to work with the bipartisan committee to complete comprehensive immigration reform dealing with the issue of long-term residents.

Mr. Speaker,

This Government seeks to make amendments to the Bermuda Immigration and Protection Act 1956 to secure permanency for Long-Term Residents in Bermuda. These amendments are in alignment with the immigration reform strategic priority '*to achieve a simplified, fair, and modern immigration legislative framework*'. As promised in the November 2020 *Speech from the Throne* that was announced to the Bermudian public, this Government is committed to making, "*revisions to the Bermuda Immigration & Protection Act 1956 that will advance comprehensive immigration reform by providing a framework for persons to obtain permanent residency in Bermuda.*"

Mr. Speaker,

In 2016, the former Government attempted to introduce a pathway for certain persons to obtain a Permanent Residency Certificate and Bermudian Status. This effort by the previous administration led to social unrest and was ultimately unsuccessful. It is within this context that this Government is acutely aware that matters of Immigration must be handled carefully and with a nuanced approach that strikes a balance between the needs and aspirations of various groups within our community. That is why this PLP Government has committed ourselves to a bi-partisan and consultative process to only advance changes that enjoy broad support, and not ones that will cause rifts within our community due to lack of consultation and consensus.

This Government supports the view that persons who have contributed to our community for an extended period of time, should have the opportunity to apply for permanent residency. To be clear, this Government's proposal is distinctly different from the former Government's Pathways to Status Plan **as** there is no proposed or automatic pathway to obtain Bermudian Status in the bill I table today.

Mr. Speaker,

This Government is well aware of the circumstances that allowed people to stay here for 20 plus years and instances where Bermudians were denied a genuine opportunity to compete for the jobs of those individuals. The past injustices are acknowledged, and the Government will be revising the Work Permit Policy to ensure they are not repeated in the future. As part of the Strategic Priorities previously outlined in this Honourable House the Government is committed to strengthening enforcement of Immigration laws and policies to ensure that Bermuda's Immigration laws are adhered to and persons who break laws are held accountable.

This Government will always put its people first and we have demonstrated by our actions that we are fully committed to protecting jobs for Bermudians. That is why the Government has placed a moratorium on new work permits of certain jobs categories to ensure that Bermudians have every opportunity to train and work in those positions.

Mr. Speaker,

There is significant interest within the community regarding this legislation and today I hope to assure the public that this Government understands the human aspects of this important subject. We understand that this is not simply about the passage of a piece of legislation amending

an Act from 1956, but it relates to keeping families together who may be separated and creating a fair avenue to permanent residency in Bermuda.

Mr. Speaker,

A real life example of an individual whom this legislation will impact is a resident who moved to Bermuda in the late 1980's from the Caribbean at the age of 13, and lived with Non-Bermudian parents that were on work permits.

The resident attended high school in Bermuda and went on to join the Bermuda Police Service when eligible. They served in various mentoring and community capacities throughout Bermuda over the last 30 years. The resident was married to a Bermudian, and subsequently was divorced and is the parent of a teenage Bermudian Child. The resident holds a Certificate of Spousal Rights, however under current immigration laws will have to leave Bermuda once their child turns 18 in a few short years.

Mr. Speaker,

Having only known Bermuda as their home over the past 34 years, and having contributed to various businesses, community services, and education, this resident will have to relocate and take all of the human capital that otherwise would have been contributed to Bermuda and move it to a new jurisdiction.

More importantly, this resident will be separated from their Bermudian child, and will no longer maintain the physical relationship that has been nurtured thus far. This legislation provides hope for this family.

Mr. Speaker,

The persons impacted by this change are of all colors, backgrounds and socio-economic classes. This change will enable those individuals an opportunity to continually reside in Bermuda.

Mr. Speaker,

This Government has taken the balanced approach needed to provide a simple and effective solution for Long-Term Residents to obtain a Permanent Resident Certificate in a fair and reasonable way. The Change will:

- Expand the eligibility criteria for the granting of PRC to include any person who has been ordinarily resident in Bermuda for 20 years or more;

- Expand the eligibility criteria for the granting of PRC to include a non-Bermudian parent of a child with Bermudian Status who has been ordinarily resident in Bermuda for 15 years or more;
- Expand upon current provisions that allow the granting of PRC to children born to 2nd Generation PRC holders who have been ordinarily resident in Bermuda.

Mr. Speaker,

The Government's changes will provide a more fair and consistent process of applying for a permanent residence certificate. Additionally, the policy proposals eliminate gender, racial and financial bias by giving equal opportunity for all Long-Term Residents. The recommended time period required to grant Permanent Resident Certificates to individuals who have been ordinarily resident in Bermuda is very conservative. Approximately 96% of the 200+ countries in the world have significantly shorter residential requirements for permanent residency.

Mr. Speaker,

In closing, the Government has recently released a Position Paper on Long-Term Residents to formally share the Government's position that I have described today. Although some may believe these proposals go too far, as I articulated in my opening statement, this Government believes the

balanced approach to allowing certain long term residents to apply for a Permanent Residential Certificate is simply the right thing to do.

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