

M O N T S E R R A T

I M M I G R A T I O N (A M E N D M E N T) A C T

No. 16 of 2023

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Montserrat
Immigration (Amendment) Act, 2023
No. 16 of 2023

I ASSENT

(Sgd.) Sarah Tucker
Governor

DATE: 27.12.23

M O N T S E R R A T

No. 16 of 2023

AN ACT TO AMEND THE IMMIGRATION (CAP. 13.01).

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows:—

1. Short title

This Act may be cited as the Immigration (Amendment) Act, 2023.

2. Interpretation

In this Act “principal Act” means the Immigration Act (Cap. 13.01).

3. Section 2 amended

Section 2 of the principal Act is amended by inserting the following definitions in the correct alphabetical sequence—

“**family member**” means a spouse, partner or a child under the age of 18;

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“**self-employment**” means employment on one’s own behalf and not under a contract of employment, expressed or implied;”.

4. Section 22 amended

Section 22 of the principal Act is amended by inserting the following as subsections (3A), (3B), (3C) and (3D)—

- (3A)** A person who has been granted a permit to remain in Montserrat under subsection (1), (2) or (3) shall not engage in employment or self-employment unless he has a work permit.
- (3B)** A person who has been granted a permit to remain in Montserrat under subsection (1), (2) or (3) may apply for a work permit and is not required to leave Montserrat for the purpose of applying for a work permit.
- (3C)** An application for a work permit shall be in accordance with Part 11 of the Labour Code and regulations made under this Act.
- (3D)** If the Governor acting on the advice of Cabinet approves a work permit with respect to a person, the Chief Immigration Officer—
- (a) shall grant the person; and
 - (b) may grant a family member of the person;
- a permit to enter or remain in Montserrat for such a period as the work permit remains valid.”.

(Sgd.) Charliena White
SPEAKER

Passed by the Legislative Assembly this 19th day of December, 2023.

(Sgd.) Judith Baker
CLERK OF LEGISLATIVE ASSEMBLY