



**GOVERNMENT OF THE
VIRGIN ISLANDS**

Ministry of Financial Services, Economic
Development and Digital Transformation

GUIDANCE FOR APPLICANTS OF RESIDENCE AND BELONGER STATUS IN THE VIRGIN ISLANDS

Version: 31 May 2024

Acknowledgement

The Ministry of Financial Services, Economic Development and Digital Transformation would like to thank the Ministry of Tourism, Culture and Sustainable Development for their hard work in creating the Guidance for Applicants of Residence and Belonger Status in the Virgin Islands. This guide shows the Ministry's commitment to making the process clear and more transparent for everyone.

For Inquiries

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Introduction

The process for applying for Residence and Belonger Status in the Virgin Islands based on tenure, involves demonstrating various aspects of integration, contribution, and commitment to the Territory. To assist applicants in preparing their applications, a range of potential sources of evidence has been outlined. These examples are intended to guide applicants in compiling the necessary documentation to support their eligibility. It is important to note that not all examples need to be provided; the list serves as an indicative guide, and applications will be considered on their individual merits by the Board of Immigration who will make a recommendation to the Cabinet of the Virgin Islands for approval. This flexible approach ensures that applicants can present a comprehensive picture of their qualifications and dedication to the Virgin Islands.

These guidelines will not affect pending applications that were made to the Department of Immigration prior to the adoption of the Immigration and Passport (Amendment) Act, 2024 in the House of Assembly.

Good Character

The Immigration and Passport Act (hereinafter referred to as “the Act”) provides the conditions in granting a Certificate of Residence and Certificate of Belonger. One of the requirements is ‘**of good character**’. Section 16(3) of the Act provides the conditions in granting a Certificate of Belonger, as follows:

a person may be granted a certificate [referred to in subsection (1)] where the person –

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- a. is of good character;*
 - b. is not less than 18 years of age;*
 - c. has been ordinarily resident in the Territory for a period of not less than 10 years immediately prior to his or her application;*
 - d. has held a certificate of residence granted under section 18 for a period of not less than 12 months immediately preceding the date of the application; and*
 - e. has, in his or her application, restated his or her intention of making the Territory his or her permanent home and has satisfied the Board that it is his or intention to do so.*
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Section 18 of the said Act provides the conditions in granting a Certificate of Residence, as follows:

18. (1) Whilst to the other provisions of this section, the Cabinet may, after consultation with the Board, grant a certificate of residence to any person who applies for the same in the prescribed manner and who –

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- a. is of good character; and*
 - b. in his or her application has stated an intention to reside permanently in the Territory.*
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In the Virgin Islands, good character shall be demonstrated by the following general guidelines:

1. Community Participation and Solidarity
2. Respect for Cultural Heritage and Integration
3. Law-Abiding Behaviour
4. Environmental Responsibility
5. Economic Contribution and Community Integration
6. Demonstrated Inclusivity and Respect for Diversity
7. Financial Stability and Responsibility
8. No History of Exploitation or Abuse

Guidelines for Applicants for the Grant of Residence and Belonger Status

Guidelines steer individuals through a process or a task. They give general recommendations of how to perform and satisfy a task, or advice on how to proceed in a situation. They usually provide a good overview of how to act in a situation. They should outline best practices. It is important to note that any guidelines should lead to better understanding of the concept of good character and how it may be applied in determining grants of status. The *Belonger Status and Residence Policy for the Virgin Islands*¹ articulates those guidelines which prospective individuals seeking status should demonstrate.

GUIDELINE	DESCRIPTION
Community Participation and Solidarity	Applicants should demonstrate a history of active and positive participation in their current communities. This can include volunteering, involvement in community projects, or other forms of civic engagement that reflect a commitment to communal well-being and solidarity. Volunteerism may be demonstrated through significantly sustained contributions with registered Non-Profit Organisations, Civic Society or Community Based Organisations and Religious Organisations
Respect for Cultural Heritage and Integration	Applicants should demonstrate a history of respect for and integration into the local culture and traditions where they have lived. For Virgin Islands applicants, this includes an understanding and appreciation of the Virgin Islands' culture, history, and societal norms. Applicants may be required to attend Virgin Islands History classes and/or taking a Virgin Islands History test. Applicants should show a willingness to engage in cultural and social orientation programmes about the Virgin Islands, demonstrating their commitment to understanding and integrating into the community. For those who are non-English speakers, there must be a desire to learn English, which will assist with the integration process. Government must ensure that programmes encouraging and facilitating integration are available and accessible
Law-Abiding Behaviour	A clear record of law-abiding behaviour is crucial. This includes the absence of criminal convictions and adherence to legal obligations in their current and past places of residence. Respect for the rule of law is paramount. This is confirmed by a clean criminal record in BVI and/or overseas and or current charges awaiting hearing
Environmental Responsibility	Demonstrated commitment to environmental stewardship and sustainable practices. This might include involvement in environmental conservation efforts or adherence to eco-friendly practices, reflecting the Virgin Islands' value of environmental protection
Economic Contribution and Community Integration	While a stable work history and strong work ethic remain valuable, we recognise the diverse ways individuals can contribute to the Virgin Islands beyond traditional employment. This includes not only business investments and entrepreneurship but also cultural, social, and community contributions that enrich the BVI. Contributions through arts, sports, philanthropy, or other forms of public service are equally significant. Recognising the roles of individuals in various life stages and circumstances, such as retirees with past contributions or dependents engaging in community life, underscores our inclusive approach. We also emphasise the importance of integration, understanding, and respect for the BVI's culture and

¹ https://bvi.gov.vg/sites/default/files/belonger_status_and_permanent_residence_policy_for_the_virgin_islands.pdf

GUIDELINE	DESCRIPTION
	history, ensuring that applicants are well-aligned with the Territory's values and societal fabric. This broader perspective allows us to appreciate the full spectrum of contributions, from economic to cultural, ensuring that our policies are equitable and reflective of the diverse roles individuals play within our community
Demonstrated Inclusivity and Respect for Diversity	An attitude of inclusivity and respect for diversity, evidenced by past interactions and commitments, aligns with the Virgin Islands' value of harmonious social relations among people of diverse backgrounds
Financial Stability and Responsibility	Applicants should demonstrate not only a history of financial responsibility, including the timely fulfilment of financial obligations such as taxes, debts and any development commitment under a Non-Belonger Land Holding Licence. Evidence of financial stability and the capacity for self-sufficiency is paramount. This ensures that applicants possess the means to support themselves and contribute to the Territory's economy without imposing a burden on public resources. The assessment of financial stability may consider various factors, including but not limited to, consistent income sources, household income, savings, investments, and property ownership. While a level of debt may not automatically disqualify an applicant, excessive indebtedness that suggests financial imprudence or instability may be considered unfavourably. The goal is to ensure applicants can maintain a stable and independent financial standing that aligns with the economic sustainability and prosperity of the Virgin Islands.
No History of Exploitation or Abuse	A history free from any involvement in exploitation or abuse, either in personal or professional capacities, is crucial. This aligns with the ethical and moral standards upheld in the Virgin Islands

Examples of Sources of Evidence for Applications for Residence and Belonger Status

Applicants are not required to provide all the examples listed. The list is meant to illustrate the types of evidence that can be used, offering flexibility in how applicants can substantiate their claims. Each application will be considered on its own merits, and not all examples of evidence mentioned are necessary for a successful application.

The guidelines for determining eligibility for Residence and Belonger status in the Virgin Islands emphasize the need for applicants to provide robust and diverse evidence supporting their claims. This section delineates examples of evidence required to substantiate various aspects of the guidelines, including community participation, cultural integration, law-abiding behaviour, environmental responsibility, economic contributions, inclusivity, financial stability, and personal conduct.

The following list of examples of sources of evidence, is provided as a guide to support applications for Residence and Belonger Status in the Virgin Islands. The list may not be exhaustive and other examples may be used to support applications. The following list therefore, includes various examples of documentation that applicants **may** use to demonstrate their eligibility.

GUIDELINE	SOURCES	EXAMPLES
Community Participation and Solidarity	Letters of Endorsement	<ol style="list-style-type: none"> 1. Letters from community organizations or groups attesting to the applicant's active involvement and contributions. 2. Recommendations from leaders of non-profit organizations, civic groups, or religious organizations highlighting the applicant's role and impact.
	Volunteer Work Documentation	<ol style="list-style-type: none"> 3. Certificates of participation or appreciation from volunteer organizations. 4. Records or logs of volunteer hours, including details of the activities performed and the duration of involvement.
	Participation in Community Events	<ol style="list-style-type: none"> 5. Photographs, programs, or tickets from community events, cultural festivals, and public meetings attended by the applicant. 6. Certificates or acknowledgments of participation in local events or initiatives.
	Neighbourhood Initiatives	<ol style="list-style-type: none"> 7. Documentation of involvement in neighbourhood improvement projects, such as clean-up drives, safety programs, or local committees. 8. Testimonials from neighbours or community leaders regarding the applicant's engagement in neighbourhood activities.
	Solidarity Actions	<ol style="list-style-type: none"> 9. Evidence of participation in actions supporting community welfare, such as blood drives, food distribution, or emergency response efforts. 10. Letters or certificates from organizations coordinating these efforts, detailing the applicant's role and contributions.

GUIDELINE	SOURCES	EXAMPLES
	Community Awards and Recognitions	11. Awards, plaques, or public recognitions received for community service or participation. 12. Media articles or press releases mentioning the applicant's contributions to the community.
	Project Leadership	13. Evidence of leadership roles in community projects or initiatives, such as project plans, reports, or acknowledgments from project team members. 14. Letters from project coordinators or community leaders attesting to the applicant's leadership and impact.
	Public Contributions	15. Copies of articles, newsletters, or social media posts showcasing the applicant's contributions to community discussions or awareness campaigns. 16. Testimonials from community members or organizations appreciating the applicant's public contributions.
	Community Impact Reports	17. Detailed reports or summaries of the applicant's contributions to specific community projects or initiatives, including outcomes and impact. 18. Evaluation or feedback forms from community projects highlighting the applicant's involvement and effectiveness.
Respect for Cultural Heritage and Integration	Cultural Knowledge	19. Certificates of completion from courses or workshops on Virgin Islands history and culture. 20. - Results of written or oral tests assessing knowledge of the Virgin Islands' history, cultural practices, and traditions
	Participation in Cultural Events	21. Photographs, programs, or tickets from local cultural events, festivals, and traditions the applicant has attended. 22. - Certificates or acknowledgments of participation in cultural events from event organizers.
	Language Proficiency	23. Language proficiency certificates or test results indicating proficiency in English or other primary languages used in the Virgin Islands. 24. Records of participation in language courses, including attendance certificates and progress reports.
	Community Endorsements	25. Letters of endorsement from local community leaders, cultural organizations, or prominent figures attesting to the applicant's respect for and integration into the local culture. 26. -Testimonials from community members or neighbours highlighting the applicant's cultural integration efforts.
Inclusivity And Diversity Engagement	Cultural Adaptation	27. Documentation of volunteer work or involvement with cultural preservation projects or organizations. 28. Evidence of participation in artistic endeavours that highlight and promote the Virgin Islands' culture, such as music, dance, theatre, or visual arts. 29. Personal statements or essays detailing experiences with and contributions to local cultural practices and traditions. 30. Recommendation letters from community members or leaders affirming the applicant's adoption of local customs and etiquette.

GUIDELINE	SOURCES	EXAMPLES
	Participation in Cultural Education Programs	31. Certificates of attendance or completion from cultural orientation programs or social integration courses designed for immigrants. 32. Reports or feedback from instructors or program coordinators on the applicant's engagement and progress in these programs.
	Cultural Contributions	33. Copies of articles, essays, or social media posts authored by the applicant promoting or reflecting on Virgin Islands' culture and heritage. 34. Documentation of any cultural events or activities organized or led by the applicant. 35. Documentation of contributions to the local culture through arts, drama, theatre, music, food festivals, or other cultural expressions that highlight diversity. 36. Photographs, programs, or reviews of cultural events organized or performed by the applicant.
	Public Recognitions	37. Awards, plaques, or public recognitions received for contributions to cultural understanding and heritage preservation. 38. Media articles or press releases mentioning the applicant's cultural contributions.
	Community Projects	39. Detailed reports or summaries of the applicant's involvement in community projects focused on cultural preservation or promotion. 40. Feedback forms or evaluations from project participants or community members highlighting the applicant's contributions and impact.
Law-Abiding Behaviour	Criminal Record Check	41. Police clearance certificates or background check reports from all countries where the applicant has resided, indicating no criminal records.
Environmental Responsibility	Community Environmental Engagement	42. Certificates or letters of participation in community environmental initiatives, such as clean-up drives, tree planting events, or conservation projects. 43. Records of membership and active participation in local environmental organizations or groups.
	Environmental Education and Awareness	44. Evidence of involvement in environmental education activities, either as a participant or facilitator, to promote awareness within the community
	Contribution to Environmental Projects	45. Documentation of active contributions to environmental projects, such as reports, photographs, or letters from project leaders. 46. Testimonials from community members or environmental organizations attesting to the applicant's involvement and impact on environmental projects.
	Volunteer Work in Environmental Conservation	47. Records of volunteer hours and activities with environmental organizations, including certificates of participation and letters of appreciation. 48. Photographs or reports documenting the applicant's volunteer work in environmental conservation efforts.
Economic Contribution and	Employment Records	49. Letters of reference from employers detailing the applicant's work ethic, contributions to the workplace, and duration of employment.

GUIDELINE	SOURCES	EXAMPLES
Community Integration	Business Ownership or Entrepreneurship	50. Records of business activities, such as sales reports, customer testimonials, and impact on local employment. 51. Business registration documents demonstrating ownership or investment in local businesses
	Real Estate Investment	52. Property ownership documents, including deeds and titles for residential or commercial properties in the Virgin Islands. 53. Records of property taxes paid
	Community Engagement	54. Certificates of participation in community development projects, local committees, or neighbourhood initiatives. 55. Testimonials from community leaders, neighbours, or members of community organizations highlighting the applicant's contributions and active involvement.
	Volunteer Work	56. Documentation of volunteer activities, including certificates of participation and letters of appreciation from non-profit organizations, civic groups, or religious organizations.
	Participation in Local Events	57. Certificates or acknowledgments of participation from event organizers
	Cultural Education	58. Certificates of completion from programs or courses on the Virgin Islands' history, culture, and values
	Public Service and Philanthropy	59. Evidence of participation in public service initiatives or philanthropic activities, such as organizing fundraisers or supporting community causes. 60. Letters of recommendation from public service organizations or community leaders attesting to the applicant's contributions.
Financial Stability and Responsibility	Bank Statements	61. Bank statements showing regular income, savings, and the ability to manage expenses. 62. Statements from multiple accounts if applicable, indicating overall financial health.
	Charitable Contributions	63. Receipts or records of donations to local charities or non-profits, demonstrating a commitment to social responsibility. 64. Letters of acknowledgment from beneficiary organizations.
No History of Exploitation or Abuse	Compliance with Labour Laws	65. Signed declarations or affidavits affirming that the applicant has not been involved in exploitation or abusive practices. 66. Records from the Department of Labour and Workforce Development confirming compliance with labour laws and regulations. 67. Documentation from previous employers attesting to the applicant's fair treatment of employees and colleagues, ethical conduct and adherence to workplace policies. 68. Police clearance certificates indicating a clean record with respect to such offenses. 69. Letters of recommendation from community leaders, religious figures, or professional associates affirming the applicant's good moral character and ethical behaviour.

GUIDELINE	SOURCES	EXAMPLES
		70. Endorsements from local community groups, non-profit organizations, or civic associations highlighting the applicant's positive contributions and ethical behaviour.

How are the guidelines to be applied differently between applicants for Residence versus Belonger Status?

The same guidelines apply for both Residence and Belonger Status applications. The distinguishing element between the two, beyond the length of time an individual must be ordinarily resident in the Virgin Islands relates to the deepened and sustained engagement within the aforementioned guidelines.

Submissions for consideration of the grants of Belonger Status, in particular, should highlight a deeper level of integration, contribution, and commitment expected from applicants for Belonger Status compared to those applying for Residence. Here are some suggested distinctions:

GUIDELINE	RESIDENCE	BELONGER STATUS
Community Engagement and Contribution	Evidence of basic community participation and some level of involvement in local activities.	Demonstrated sustained and significant contributions to the community, such as leadership roles in community projects, long-term volunteer work, or major contributions to local organizations.
Cultural Integration and Respect for Heritage	Basic understanding and respect for the Virgin Islands' culture and participation in cultural events.	Deep integration into the cultural fabric of the Virgin Islands, including active promotion and preservation of local culture, participation in cultural leadership roles, and demonstrated cultural knowledge through certifications or tests.
Economic Contribution	Stable employment and financial independence, with contributions to the local economy through work and taxes.	Significant economic impact, such as a good working history, owning or operating businesses, creating jobs, investing in local enterprises, and contributing to economic development projects.
Legal Compliance and Character	Clean criminal record and adherence to local laws and regulations.	Exemplary legal compliance and good character, including endorsements from community leaders and no history of legal issues, with a commitment to upholding the values and laws of the Virgin Islands.
Inclusivity and Diversity Engagement	Basic involvement in promoting inclusivity and respect for diversity.	Active leadership and significant contributions to fostering inclusivity and diversity, participation in advocacy groups, and promoting social harmony within the community.
Environmental Responsibility	Evidence of environmental responsibility.	Leadership or sustained effort in environmental conservation efforts, significant contributions to sustainability projects, and active participation in environmental projects or advocacy.
Commitment to Permanent Residence	Intention to reside permanently in the Virgin Islands	Strong commitment to making the Virgin Islands a permanent home, demonstrated through long-term investments, property ownership, and/or deeper community ties.

Development of Point-Based Criteria to Assess Applications for Residence and Belonger Status

Criteria typically refer to standards on which a judgment can be made. Criteria are about quality. They tell an evaluator what is considered an acceptable level of quality or performance. The presence of clear and transparent criteria for evaluating applicants for Residence and Belonger Status in the Virgin Islands is of paramount importance. The criteria should be fair, consistent, and in line with the goals and values of your immigration policy. The Board of Immigration is tasked with making recommendations to Cabinet for the grant of a *Certificate that a person Belongs to the Territory* under Section 16(1) or a *Certificate of Residence* under Section 18(1).

The Board of Immigration will be tasked to develop a set of quantifiable metrics and a point-based system. This system will offer a more objective and transparent method for evaluating applicants for Residence and Belonger Status based on the established guidelines. Metrics could include but will not be limited to factors such as the duration and nature of employment, participation in community and cultural events, and evidence of cultural knowledge or language proficiency.

Once developed, these metrics will be approved by the Cabinet and officially published by Order in the Virgin Islands Gazette to ensure public accessibility. The Department of Immigration will then be responsible for the dissemination of this information, ensuring that prospective applicants have a clear understanding of how they will be assessed, thereby enhancing the fairness and clarity of the processing of applications. Using these guidelines to make decisions will ensure that migration into the Territory is complementary to our nation building process.

Conclusion

In conclusion, while both Residence and Belonger Status applications require applicants to demonstrate a significant commitment to the Virgin Islands, applicants for Belonger Status must have a deeper level of integration, contribution, and long-term dedication to the community. Applicants can effectively showcase their alignment with the values and expectations of the Virgin Islands through the submission of evidence as detailed above. The examples of evidence provided are intended to guide applicants in substantiating their claims, ensuring a thorough and comprehensive assessment process that upholds the integrity and community spirit of the Virgin Islands.