



Bermudian Status Application Form

This form serves to provide information about people who are making application for the grant of Bermudian status under the following sections of the Bermuda Immigration and Protection Act, 1956 ("The 1956 Act"). Section 19, a person possessing a Qualifying Bermudian Connection (QBC); 19A, a spouse, widow or widower of a Bermudian; Section 20, right of persons within section 16(2) to Bermudian status; 20B, the right to Bermudian status in certain other cases.

The qualifications for application under each section of the 1956 Act are listed on the following page. Please read them carefully and check the box below for the Section of the Act under which you are applying. You should also refer to the checklist at the back of this form which details additional documents required to process this application.

APPLICANT'S SURNAME

ALL OTHER NAMES

SECTION 19: Person possessing a Qualifying Bermudian Connection

I WISH TO APPLY UNDER SECTION 19

I WISH TO APPLY UNDER SECTION 19 AND NATURALISATION

SECTION 19A: A Spouse, Widow or Widower of a Bermudian

I WISH TO APPLY UNDER SECTION 19A

I WISH TO APPLY UNDER SECTION 19A AND NATURALISATION

SECTION 20: Deemed Child

I WISH TO APPLY UNDER SECTION 20

I WISH TO APPLY UNDER SECTION 20 AND NATURALISATION

SECTION 20B: Right to Bermudian status in certain other cases

I WISH TO APPLY UNDER SECTION 20B, NATURALISATION REQUIRED

General Enquiries Am I entitled to Bermudian status?

I AM MAKING A GENERAL ENQUIRY

PLEASE REFER TO THE TABLES AT THE BACK OF THIS FORM (SECTION 10) TO DETERMINE WHICH SECTIONS TO COMPLETE

REQUIREMENTS FOR APPLICANTS

APPLYING UNDER SECTION 19: Person possessing a Qualifying Bermudian Connection (QBC)

You must fulfil all the requirements below in order to apply under this section:

- a) Be 18 years of age or older.
- b) Have been ordinarily resident in Bermuda for 10 continuous years immediately preceding the date of the application.
- c) Have a qualifying Bermudian connection.
- d) Be of good conduct and character.

Note: The first schedule A shall have effect for the purpose of determining whether a person has a QBC.

APPLYING UNDER SECTION 19A: A Spouse, Widow or Widower of a Bermudian

You must fulfil all the requirements below in order to apply under this section:

- a) Be married to or be the widow or widower of a Bermudian for 10 continuous years from the date of marriage.
 - b) Have resided in Bermuda for seven years after the date of the marriage, the last two years must be continuous to the date of application. In calculating the remaining five years you must do so in continuous periods of 12 months or more.
 - c) Be living together as husband and wife continuously for the last two years with the Bermudian spouse to the date of application or for the last six months prior to the death of the Bermudian spouse.
 - d) Be of good conduct and character.
-

APPLYING UNDER SECTION 20: Right of persons within Section 16(2) to Bermudian status

You must fulfil all the requirements below in order to apply under this section:

- a) Have reached the age of eighteen years but be under the age of twenty two years.
 - b) Have been ordinarily resident in Bermuda for the period of five years immediately preceding the application.
 - c) Have for the five years immediately preceding the application been deemed to possess and enjoy Bermudian status by virtue of section 16(2).
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APPLYING UNDER SECTION 20B: Certain Other Cases

You must fulfil all the requirements below in order to apply under this section:

- a) Have been ordinarily resident in Bermuda on 31 July 1989.
 - b) Have been ordinarily resident in Bermuda for the period of 10 years immediately preceding the application.
 - c) Be a British Dependent Territories citizen by virtue of the grant to him by the Governor of a certificate of naturalisation under the British Nationality and Status of Aliens Act 1914 (U.K.) or the British Nationality Act 1948 (U.K.) or the British Nationality Act 1981 (U.K.) having been approved for the grant of Bermudian status.
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Naturalisation

Any person who is not a Commonwealth citizen must be naturalised as a British Overseas Territories Citizen in order to acquire Bermudian status. Those persons who are Commonwealth citizens applying for Bermudian status ONLY, should note that the acquisition of Bermudian status in itself does not confer British nationality.

General Enquiry

People enquiring whether they have, or may be entitled to, Bermudian status should complete this form in order to provide as much information as possible to the Department of Immigration. This will enable the Department to make a recommendation as to your best course of action.

SECTION

1

Personal Details

Surname/Family name

First name

Middle name(s)

Family name at birth

Reason for name change

Date of name change

DD / MM / YR

Age

Sex

Date of birth

DD / MM / YR

Present street address in Bermuda

Postal address (if different from above)

Telephone numbers (Home)

(Work)

(Cellular)

(E-mail)

NOTE: Please inform the Department of Immigration in writing of any change of address or phone number which occurs while this application is being processed.

Nationality Details

Your nationality at birth

Village, town or
city of birth

Your present nationality

Are there any restrictions
on your right to return to
your country of origin?

YES

NO

If YES, please state what
these restrictions are

Marital status

Are you

Single

Divorced

Widowed

Married and...

Living
togetherLiving
apartLegally
separated

Employment

Job title

Employer, with address
and phone number

Convictions

Have you ever been convicted in a court of law
on any criminal or civil proceedings?

YES

NO

If YES, please state: When

Where

Nature of offence

Sentence

You may add to your response on a separate
sheet – is another sheet attached?

YES

NO

SECTION

3

Details of Spouse/Widow/Widower

If not applicable, please write "NONE" through this section

Surname/Family name

All other names

Maiden name (if applicable)

Age

Sex

Date of birth

Nationality at birth

Village, town or city of birth

Present nationality (if different from above)

Date and place of marriage

Date marriage ended (if applicable)

Reason (death, divorce, etc.)

Is your spouse currently residing in Bermuda?

YES

NO

Does your spouse possess Bermudian status?

YES

NO

Certificate #

Does your spouse possess a Permanent Resident's Certificate?

YES

NO

Certificate #

Is your spouse employed in Bermuda?

YES

NO

If YES, please give occupation and employer

Have your spouse or dependent children ever been convicted in a court of law on any criminal or civil proceedings?

YES

NO

If YES, provide details on a separate sheet and attach it to this form – is a sheet attached?

YES

NO

NOTE: A Police Certificate will be accepted as a satisfactory response to this requirement.

SECTION

4

Details of Parents

FATHER'S Surname All other names Age Date of birth Nationality at birth Present nationality (if different) Village, town or city of birth Does he possess Bermudian status? YES NO Certificate # Or a Permanent Resident's Certificate? YES NO Certificate # Is he employed in Bermuda? YES NOIf YES, please give occupation and employer MOTHER'S Surname All other names Maiden names Age Date of birth Nationality at birth Present nationality (if different) Village, town or city of birth Does she possess Bermudian status? YES NO Certificate # Or a Permanent Resident's Certificate? YES NO Certificate # Is she employed in Bermuda? YES NOIf YES, please give occupation and employer Date and place of parents' marriage Date marriage ended (if applicable) Reason (death, divorce, etc.)

SECTION**5****Reference 1**

You require two sponsors in support of your application. They must both be Commonwealth citizens who possess Bermudian status and have known you for at least seven years.

Letters of support from both these sponsors must be attached to this form.

The sponsors in support of applicants who are applying under 19A must complete and sign subsections 1 and 2.

NOTE TO SPONSOR: If you do not know the applicant sufficiently well to provide detailed information that you will be called upon to provide concerning them, you should advise them to select another sponsor.

SUBSECTION 1

SPONSOR 1 Full name

Surname

All other names

Date of birth

Street address in Bermuda

Postal address (if different from above)

Telephone numbers (Home)

(Work)

(Cellular)

(E-mail)

I, the undersigned, hereby state:

I am a Commonwealth citizen

YES

NO

I possess Bermudian status

YES

NO

I have known the applicant for

years and have extensive knowledge of his/her character and integrity

He/She is of good character and has sufficient knowledge of the English language. He/She is not the Counsel or Agent of the applicant, nor is he/she related to the applicant.

Signature

Date

SUBSECTION 2

For applicants applying under 19A: To the best of my knowledge and belief, the applicant and the applicant's spouse are happily married and living together as husband and wife. I support his/her application for Bermudian status and Naturalisation as a British Overseas Territories Citizen.

Signature

Date

SECTION**5****Reference 2**

You require two sponsors in support of your application. They must both be Commonwealth citizens who possess Bermudian status and have known you for at least seven years.

Letters of support from both these sponsors must be attached to this form.

The sponsors in support of applicants who are applying under 19A must complete and sign subsections 1 and 2.

NOTE TO SPONSOR: If you do not know the applicant sufficiently well to provide detailed information that you will be called upon to provide concerning them, you should advise them to select another sponsor.

SUBSECTION 1

SPONSOR 1 Full name

Surname

All other names

Date of birth

Street address in Bermuda

Postal address (if different from above)

Telephone numbers (Home)

(Work)

(Cellular)

(E-mail)

I, the undersigned, hereby state:

I am a Commonwealth citizen

YES

NO

I possess Bermudian status

YES

NO

I have known the applicant for

years and have extensive knowledge of his/her character and integrity

He/She is of good character and has sufficient knowledge of the English language. He/She is not the Counsel or Agent of the applicant, nor is he/she related to the applicant.

Signature

Date

SUBSECTION 2

For applicants applying under 19A: To the best of my knowledge and belief, the applicant and the applicant's spouse are happily married and living together as husband and wife. I support his/her application for Bermudian status and Naturalisation as a British Overseas Territories Citizen.

Signature

Date

SECTION

6

Legal Declaration

I swear by Almighty God that the particulars stated by me in this application are true and I have read and understand the requirements of the section under which I am applying.

If at any time, before a Certificate is issued to me, the accuracy of any of the foregoing particulars is affected by an alteration of circumstances, I undertake to inform the Department of Immigration in writing forthwith.

Print name	<input type="text"/>	\$25 Stamp Duty	<input type="text"/>
Signature	<input type="text"/>		<input type="text"/>
Sworn at	<input type="text"/>		
Date	<input type="text"/>		
Before me	<input type="text"/>	Commissioner for Oaths	

This affidavit must not be made before a person who is the Counsel or Agent for the applicant.

CAUTION: If the applicant makes any statement in his or her application which he or she knows to be false in any particular, or recklessly makes a statement which is false in a material particular, he or she renders him/herself liable to both a fine and imprisonment and to the withdrawal of his or her Bermudian status, should this application be successful.

SECTION

7

Legal Declaration of Bermudian Spouse

I (print full name)

swear that I am the lawful spouse of the applicant, that we have been living together as husband and wife continuously for the last two years and that I fully support my spouse's application for Bermudian status.

Signature	<input type="text"/>
Sworn at	<input type="text"/>
Date	<input type="text"/>
Before me	<input type="text"/> Commissioner for Oaths

Note: For the purpose of this application the declaration serves as the 'letter' required under section 19A (2)(c) of the 1956 Act.

SECTION**8****Application for naturalisation as a British Overseas Territories citizen****IMPORTANT NOTE:**

Attach a separate sheet giving details of ALL absences from Bermuda during the five year period ending with the date of this application. Include the country visited, the purpose of the visit, the dates of your leaving and returning to the Island and the total days absent for each visit.

You should not have been out of Bermuda for more than 90 days during the 12 month period immediately preceding this application, or more than 450 days in the five year period immediately preceding this application, or if you are married to a British Overseas Territory Citizen, you should not have been out of Bermuda for more than 270 days in the three year period immediately preceding this application.

Do you intend to reside in Bermuda if naturalised? YES NO

DECLARATION BY THE APPLICANT FOR NATURALISATION AS A BRITISH OVERSEAS TERRITORIES CITIZEN

I, (FULL NAME) declare that, to the best of my knowledge and belief, the information given in this application is correct. I know of no reason why I should not be granted British Overseas Territories (Bermuda) citizenship. I promise to inform the Governor in writing of any change in circumstances which may affect the accuracy of the information given whilst this application is being considered by Government House. I understand that information given by me will be treated in confidence, but may be submitted for checking against records held by other Government Departments and the police, where it is necessary for immigration or nationality purposes, or to enable these bodies to carry out their functions.

I confirm that I have enclosed the appropriate naturalisation fee

I confirm that I have enclosed the appropriated documents

I understand that a certificate of citizenship may be withdrawn if it is found to have been obtained by fraud, false representation or concealment of any material fact, or I engage in conduct which is seriously prejudicial to the public good.

I declare that, although I do not meet all the statutory requirements for naturalisation, I believe that, in view of the following special circumstances, the Governor should treat me as fulfilling those requirements or waive the need in my case to fulfil them.

Special circumstances - which requirements do you think you fail to meet and what are the special circumstances? (Attach a separate sheet if necessary)

Please sign below once you are satisfied you have completed the form correctly. Fees are not not refundable for applications that fail.

Signature

Date

SECTION

9

Proof of Ordinary Residence

You require a letter(s) of support indicating that you have been ordinarily resident in Bermuda. A sample letter of proof of ordinary residence is included in the notes section of this application form.

(Note: The person who submits a proof of ordinary residence letter cannot also be a reference under section 5 of this application.)

Please indicate if the letter of proof of ordinary residence is enclosed with your application. YES NO

SECTION

10

Application Checklist

Incomplete applications will be returned. This application will not be considered complete unless the required documents are attached. Where supporting documentation is attached, indicate on the material which section of this form it refers to.

	SECTION UNDER WHICH YOU ARE APPLYING							
	19		19A		20		20B	General Enquiry
	19	19 & Naturalisation	19A	19A & Naturalisation	20	20 & Naturalisation		
Complete section of form	1-6, 9	1-6, 8, 9	1-6, 8, 9	1-6, 8, 9	1-6, 9	1-6, 8, 9	1-6, 8, 9	1-2, 4, 6
Current fee	✓	✓	✓	✓	✓	✓	✓	✓
2 passport photos	✓	✓	✓	✓	✓	✓	✓	
Certified copy of Long Form Birth Certificate/Deed poll (if applicable)	✓	✓	✓	✓	✓	✓	✓	✓
Certified copy of Marriage Certificate (if applicable)	✓	✓	✓	✓	✓	✓	✓	✓
Certified copy of all Divorce Decrees Absolute (if applicable)	✓	✓	✓	✓	✓	✓	✓	✓
Certified copy of Passport Data Page	✓	✓	✓	✓	✓	✓	✓	
A letter of support and character reference from 2 sponsors	✓	✓	✓	✓	✓	✓	✓	
Proof of residence in Bermuda for 10 years, e.g. letter from schools, employers and a letter from a professional person attesting to your 10 years residence	✓	✓	✓	✓			✓	
Proof of residence in Bermuda for 5 years, e.g. letter from schools, employers and a letter from a professional person attesting to your 5 years residence					✓	✓		
Affidavit on domicile								✓
Certified copy of Passport Data Page	✓	✓	✓	✓	✓	✓	✓	
Police Report from your country of origin if a resident of Bermuda for less than 15 years		✓		✓		✓		
Local Police Report	✓	✓	✓	✓		✓	✓	

SAMPLE: PROOF OF ORDINARY RESIDENCE

**SUPPORT THAT APPLICANT HAS BEEN ORDINARILY RESIDENT
IN BERMUDA FOR 10 CONSECUTIVE YEARS.**

John Levi Outerbridge, CA
111 Bermuda Way Drive, Devonshire, DV09, Bermuda
Tel: 441-236-1111 or 441-705-0000

21 October 2011

Subject: Permanent Resident, Katherine Anne Smith

To the Chief Immigration Officer:

I am writing this letter to support the Bermudian status application by Katherine Anne Smith. I have known Katherine Anne Smith since 1995.

We worked together as Audit Managers at the Bank of Bermuda for 10 years. We began in the Audit Department at the Bank of Bermuda on 23 October 1995 and worked together for 10 years until Katherine Anne Smith left the Bank on 5 December 2005 to work at the Fairmont Hamilton Princess Hotel.

I hereby attest that from 23 October 1995 to 5 December 2005 Katherine Anne Smith has been continuously and ordinarily resident in Bermuda.

If you have any questions, I may be reached at the phone number or the address above.

Sincerely,

John Levi Outerbridge, CA
John Levi Outerbridge, CA

First Schedule A: Bermuda Immigration and Protection Act 1956

Persons with a Qualifying Bermudian Connection

1. For a person to have a qualifying Bermudian connection under section 19 of this Act, he must fall within a class of a description set forth in paragraph 2; and those descriptions are subject to paragraphs 3 and 4.
2. The classes of persons referred to are—
 - A** a person who at any time answered one of the following descriptions—
 - (a) he was deemed to possess Bermudian status under subsection (2) of section 16 of this Act;
 - (b) he was deemed to be domiciled in Bermuda under paragraph (e) of subsection (1) of section 5 of the Immigration Act 1937;
 - (c) he would have qualified under (a) or (b) above had he been a Commonwealth citizen.
 - B** a person who at any time possessed Bermudian status under this Act, except where his claim to possess such status depends solely on his rights under subsection (2) of section 16 of this Act or under subsection (2) of section 4 of the Bermuda Immigration and Protection Amendment Act 1980; BERMUDA IMMIGRATION AND PROTECTION ACT 1956 108 1989 Revision
 - C** a person who at any time had been deemed to be domiciled in Bermuda under the Immigration Act 1937 by reason of residence in Bermuda for a number of years;
 - D** a person who can show that he has had an honest belief that he is Bermudian and who, in the Minister's opinion, has conducted himself in everyday life as Bermudian and has been accepted by the community of Bermuda as possessing Bermudian status. In forming that opinion, the Minister must be of the view that the following conditions are satisfied in relation to that person, that is to say, that—
 - (a) although not in law possessing Bermudian status—
 - (i) he has worked in Bermuda free of control under Part V of this Act; or
 - (ii) he has obtained ostensible title to land without being required to obtain a licence from the Government; or
 - (iii) he has voted in a general election in Bermuda without being challenged; and
 - (b) there is other evidence indicating generally that he has been accepted as a person possessing Bermudian status by persons dealing with him.
3. The requirements specified in paragraph 2 must have been satisfied throughout the period mentioned in paragraph (b) of subsection (1) of section 19 of this Act.
4. In considering an application under section 19 of this Act, the Minister shall apply the law in force at the time he is considering the application, whether or not that law is different from the law in force at the time when any event or circumstance forming part of the facts underlying the application occurred.

GUIDELINES FOR PRODUCING AN AFFIDAVIT ON DOMICILE

The Affidavit on Domicile is applicable for a General Enquiry only. While the guidelines below will assist you with preparing an affidavit on domicile, please also be advised of the following key details.

Explanatory Notes:

- 1) The claimant is the Bermudian parent; the person producing the affidavit;
 - 2) The claimant may wish also to submit supporting documentation to verify the information contained in his/ her affidavit; and
 - 3) The Affidavit on Domicile must be sworn before it is submitted to the Department of Immigration.
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The affidavit, which is a sworn statement (ie. before a **Commissioner for taking oaths or Notary Public**, etc.), should be a detailed account of one's life from birth to the date of application.

Our legal advisors have given us advice as to the evidence required to determine the facts in regard to a person's domicile. Although the issues to be addressed may vary from case to case, in general this department recommends that the following guidelines be used when preparing an affidavit to support one's claim of domicile:

- a) the claimant's name, date of birth and place of birth
- b) the like information about the claimant's parents; their names, date and place of birth; if they were not born in Bermuda, when did they arrive, how long did they remain
- c) the claimant's residence from birth to the date of his/ her departure from Bermuda; include places of education, employment and reason for departure
- d) include date(s) and place(s) of marriage(s) and child(ren)'s birth(s), reason why child was born overseas
- e) dates of periods when the claimant and his/ her child(ren) visited Bermuda; what did the claimant and child(ren) do while in Bermuda (e.g. summer programmes, etc.)
- f) whether the claimant retained personal effects, maintained a residence, property, driver's licence, bank accounts, affiliations with associations, etc. in Bermuda (please include respective dates)
- g) the activities of the claimant in the country of his/ her child(ren)'s birth and in Bermuda
- h) whether the claimant acquired the citizenship of any other country(ies) and on what date the citizenship was acquired
- i) the claimant's intent, at the time of their child(ren)s birth(s), and the future intent of the claimant with respect to residence in Bermuda
- j) any other connection to Bermuda that the claimant feels is relevant