
Second Session Twelfth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 9 of 2022

[L.S.]

AN ACT to amend the Immigration (Caribbean
Community Skilled Nationals) Act, Chap. 18:03

[Assented to 17th June, 2022]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Immigration Short title
(Caribbean Community Skilled Nationals)
(Amendment) Act, 2022.

2. This Act shall come into operation on such day as Commencement
is fixed by the President by Proclamation.

Interpretation
Chap. 18:03

3. In this Act, “the Act” means the Immigration (Caribbean Community Skilled Nationals) Act.

Section 2 amended

4. Section 2 of the Act is amended—

- (a) in subsection (1), by inserting after the words, “In this Act”, the words “, unless the context requires otherwise”;
- (b) in the definition of “certificate”, by deleting the words “the certificate” and substituting the words “Certificate of Recognition of Caribbean Community Skills Qualification set out in Part C of Schedule II”;
- (c) in the definition of “dependent member of the family”, by deleting paragraphs (a), (b) and (c) and substituting the following paragraphs:

“(a) an unmarried child of a principal beneficiary, including an unmarried child of the spouse of a principal beneficiary, who is—

- (i) under the age of eighteen years;
- (ii) under the age of twenty-five years and attending school or university full-time; or
- (iii) over the age of eighteen years and is—

(A) certified by a medical practitioner as suffering from a disability; and

(B) wholly dependent on the principal beneficiary as a result of the disability;

- (b) a parent of the principal beneficiary who is wholly dependent on the principal beneficiary for subsistence; or
- (c) any other person declared by the Minister, by Order, to be a dependent member;” and
- (d) by inserting in the appropriate alphabetical sequence, the following definitions:

““CSME” has the meaning assigned to it in The Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy set out in the Schedule to the Caribbean Community Act;

Chap. 81:11

“principal beneficiary” means a national of a qualifying Caribbean Community State who has exercised one or more of his primary rights to move, live and seek employment in another qualifying Caribbean Community State;”.

5. The Act is amended, by repealing sections 3 and 4 and substituting the following sections:

Sections 3 and 4
repealed and
substituted

“Entry of
Caribbean
Community
skilled
persons for
six months

3. (1) Subject to subsection (8) and notwithstanding any other written law, an immigration officer shall, subject to

sections 4A, 5(7)(b) and 15(5), permit a person to whom this section applies to enter Trinidad and Tobago for a period of six months except where he is—

- (a) the subject of a deportation order issued against him under any written law; or
- (b) afflicted with any infectious or dangerous infectious disease under the Public Health Ordinance.

Chap. 12 No. 4

(2) This section applies to a national who presents on entry to Trinidad and Tobago, a passport issued by a qualifying Caribbean Community State, or any other State together with a certificate issued by the Government of a qualifying Caribbean Community State in a form which is of a nature equivalent to the form prescribed in Part C of Schedule II, certifying that the national is recognised by the Government of that qualifying Caribbean Community State as holding qualifications which satisfy the conditions for recognition of Caribbean Community skills qualification.

Schedule II

(3) For the period of the duration of the permission under subsection (1), a person to whom this section applies shall not be subject to any restriction on freedom of movement, including the freedom to leave and re-enter Trinidad and Tobago without further permission, which would not apply if that person were a citizen of Trinidad and Tobago.

(4) Subject to subsection (1), where a person to whom subsection (2) applies enters Trinidad and Tobago, that person

shall, within six months from the date of his arrival, submit to the Minister an application to have his certificate verified.

(5) Where the Minister receives an application under subsection (4), the Minister shall within fourteen days from the date of receiving the application, inform the person of the outcome of the application.

(6) Where a certificate has been verified under subsection (5) as being valid, the holder of the certificate shall within fourteen days of being notified, come before the Chief Immigration Officer to be granted permission to remain in Trinidad and Tobago for a period to be determined by the Chief Immigration Officer.

(7) An application under subsection (4), shall be in the form specified in Part B of Schedule II.

(8) Where a person is permitted to enter Trinidad and Tobago for a period of six months under subsection (1), the immigration officer shall affix an appropriate stamp in the passport of the person.

(9) The stamp under subsection (8), shall be in the form and contain the words as specified in Part A of Schedule IV.

Entry of
Caribbean
Community
skilled
persons for
indefinite
duration

4. (1) Subject to subsection (4) and notwithstanding any other written law, an immigration officer shall, subject to sections 4A, 5(7)(b), 7 and 15(5), permit a

person to whom this section applies to enter Trinidad and Tobago for a period of indefinite duration except where he is—

- (a) the subject of a deportation order issued against him under any written law; or
- (b) afflicted with any infectious or dangerous infectious disease under the Public Health Ordinance.

Chap. 12 No. 4

(2) This section applies to a national who presents on entry to Trinidad and Tobago, a passport issued by a Caribbean Community State, or any other State together with a certificate issued by the Government of Trinidad and Tobago in the form set out in Part C of Schedule II, certifying that the national is recognised by the Government of Trinidad and Tobago as holding qualifications which satisfy the conditions for recognition of Caribbean Community skills qualification.

Schedule II

(3) For the period of the permission under section 3(1), a person to whom this section applies shall not be subject to—

- (a) any restriction on freedom of movement, including the freedom to leave and re-enter Trinidad and Tobago without further permission;
- (b) any restriction on freedom to acquire property for use as that person's residence;
- (c) any restriction on the right to engage in gainful employment or occupation in accordance with the certificate issued under subsection (2); or

(d) any restriction on freedom to acquire property for use in that person's business, which would not apply if that person were a citizen of Trinidad and Tobago.

(4) Where a person is permitted to enter in Trinidad and Tobago for a period of indefinite duration under subsection (1), the immigration officer shall affix an appropriate stamp in the passport of the person.

(5) The stamp under subsection (4), shall be in the form and contain the words as specified in Part B of Schedule IV.”.

6. The Act is amended, by inserting after section 4A, Section 4B inserted the following sections:

“Certificate
rendered
invalid

4B. (1) A certificate verified as being valid under section 4 shall be deemed to be invalid where—

- (a) it is subsequently discovered that the application was transacted under gross or willful misrepresentation or falsification of any document required for the verification process;
- (b) it is subsequently discovered that the holder of the certificate was previously convicted of a criminal offence in the qualifying Caribbean Community State in which the certificate was issued;
- (c) it is subsequently discovered that the certificate was subsequently cancelled or suspended by the competent

authority in the qualifying Caribbean Community State in which the certificate was issued;
or

- (d) the holder of the certificate was subsequently convicted for a criminal offence.

(2) A person who knowingly misrepresents any information or falsifies any document required for the verification process under section 4, commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.

Change of
employment
outside of
approved
categories

4C. Where a holder of a skilled certificate is desirous of changing employment—

- (a) within any category as approved under section 9A, that person shall, prior to changing his employment, apply for a replacement of his certificate as required under section 6(2) for the category specific to his new employment; or
- (b) outside of a category as approved under section 9A, that person shall, prior to changing his employment, apply for a work permit as required under regulation 10(1) of the Immigration Regulations.”.

Chap. 18:01

Section 5 amended

7. Section 5 of the Act is amended by—

- (a) repealing subsection (2) and substituting the following subsection:

“(2) The Minister with responsibility for immigration may revoke the permission granted under this Act where—

- (a) that person is the subject of an order made against him for his extradition, deportation or other form of surrender;
 - (b) that person is deemed a threat to the national security of Trinidad and Tobago;
 - (c) that person poses a serious public health threat in Trinidad and Tobago; or
 - (d) the certificate of the person is deemed to be invalid by the Minister or a competent authority for CSME under section 4B(1).”;
- (b) inserting after subsection (3), the following subsections:

“(4) The Minister shall, prior to revoking any permission under subsection (3), give the person to whom the permission was granted, written notice of his intention to revoke the permission.

(5) The Minister, in giving notice to a person under subsection (4), shall specify in the notice a date of not less than fourteen days from the date that the notice was served, requiring the person to show cause why the permission should not be revoked.

(6) Where a person fails to give reasons under subsection (5), or where the reasons given are in the opinion of the Minister, unsatisfactory, the Minister may revoke the permission and shall within fourteen days, thereafter, notify the person in writing of the revocation.

(7) Where permission has been revoked under this section—

- (a) any certificate issued or verified under this Act is deemed to be cancelled; and
- (b) the Minister may, at any time thereafter, declare that such person has ceased to be a permitted entrant and such person shall thereupon cease to be a permitted entrant.

(8) For the purposes of this section, “permitted entrant” means national of a Member State who is seeking to exercise in Trinidad and Tobago any of the rights or privileges conferred on him under this Act.

(9) In subsections (4), (5) and (6), “Minister” means the Minister to whom responsibility for immigration is assigned.”.

Section 6 amended

8. Section 6 of the Act is amended by—

- (a) renumbering section 6 as section 6(1);
- (b) deleting the words “Schedule II, with such supporting evidence and accompanied by payment of such fee, as may be prescribed by the Minister” and substituting the words “Part C of Schedule II”; and

(c) inserting after section 6(1), as renumbered, the following subsection:

“(2) An application under subsection (1), shall be in the form specified in Part A of Schedule II.”.

9. Section 7 of the Act is amended in subsection (1), Section 7 amended by inserting after the words “grant a certificate set out in”, the words “Part C of”.

10. The Act is amended, by inserting after section 7, Section 7A, 7B and 7C inserted the following sections:

“Establishment of a Caribbean Community Skilled Nationals Register 7A. (1) There is established a Caribbean Community Skilled Nationals Register (“hereinafter referred to as “the CSME Register”) which shall be maintained by the CSME Registrar.

(2) The register established under subsection (1) shall contain detailed information on all applicants and their spouse and dependents if any as follows:

- (a) names, addresses and other appropriate contact information;
- (b) the applicant’s passport number and outcome of all applications; and
- (c) any other appropriate information as the Minister sees fit.

(3) The Minister shall assign a senior officer at the CSME Unit, the responsibility of maintaining the CSME Register established under subsection (1).

(4) The senior officer assigned responsibility for the maintenance of the CSME Register under subsection (3) shall, for the purposes of sections 7A and 7B, be referred to as the “CSME Registrar”.

Restriction on
disclosure of
information

7B. The CSME Registrar or anyone assisting in the maintenance of the CSME Register shall not, unless required under any written law, disclose any information obtained in performing his duty under section 7A(3).

Lost, stolen,
destroyed
Certificates

7C. (1) Where a certificate is lost, stolen, mutilated, destroyed or has become illegible, the person to whom the certificate was issued shall complete and submit the applicable notification form for a replacement copy of the lost, stolen, mutilated, destroyed or illegible certificate to the CSME Registrar.

(2) Where a certificate is lost, stolen, mutilated, destroyed or becomes illegible, the person to whom the certificate was issued may, on furnishing satisfactory proof, apply to the CSME Registrar for a replacement copy of certificate and shall pay the fee prescribed in paragraph (c) of Schedule V.

(3) Where, on receipt of an application under subsection (2) the CSME Registrar is satisfied that the certificate is lost, stolen, mutilated, destroyed or has become illegible, the CSME Registrar shall inform the Minister and recommend the issue of a replacement copy of the certificate.

(4) Where a person issued with a replacement copy of his certificate subsequently comes into possession of the previously lost or stolen certificate, that person shall within thirty days after coming into possession of the lost or stolen certificate, return the certificate to the CSME Registrar.

(5) A notification form under subsection (1), shall be in a form approved by the Minister.”.

11. Section 8 of the Act is amended—

Section 8 amended

(a) in subsection (1)—

(i) by deleting paragraphs (a), (b), (c) and (f);

(ii) by deleting paragraph (e) and substituting the following paragraph:

“(e) for the purposes of this section, a certificate issued on the recommendation of the University of the West Indies, from any authority designated by The Accreditation Council of Trinidad and Tobago; or”; and

(b) by inserting after paragraph (e), the following paragraph:

“(ea) non-academic qualification at the Caribbean Vocational Qualification level or above or any other qualification or combination of qualifications accredited under section 8 of the Accreditation Council of Trinidad and Tobago Act;”;

Chap. 39:06

(c) by repealing subsection (2) and substituting the following subsections:

“(2) A person wishing to make an application for a skills certificate under this section shall—

(a) prior to applying for the certificate under a category other than a University Graduate, register and obtain certification from a competent body as approved by the Minister; and

(b) pay the fee prescribed in paragraph (b) of Schedule V.

(2A) The Minister may, by Order subject to negative resolution of Parliament—

(a) amend Schedule V; and

(b) approve a competent body for the purposes of subsection (2)(a).”.

Section 9A repealed
and replaced

12. The Act is amended by repealing section 9A and substituting the following section:

“Qualification
requirements
deemed to
have been
satisfied.

Schedule III

9A. (1) Notwithstanding sections 8 and 9, an applicant who is a national of a qualifying Caribbean Community State and possesses any qualifications or experience or combination of qualification and experience that to the satisfaction of the Minister proves that the applicant has a skill specified in Schedule III, is deemed to have satisfied the qualification requirements of this Act.

(2) The Minister may, by Order subject to negative resolution of Parliament, amend Schedule III.”.

13. Section 10 of the Act is amended, by inserting Section 10 amended after subsection (2), the following subsection:

“(2A) For the period of the duration of a permission under section 3(1), the spouse to whom section 3 applies shall, notwithstanding the provisions of any other law but subject to sections 4 and 15, have the right to work in Trinidad and Tobago without the need to obtain a work permit.”.

14. Section 10A. of the Act is amended—

Section 10A
amended

- (a) in paragraph (a), by deleting the words “indefinite duration” and substituting the words “six months”; and
- (b) in paragraph (b), by deleting the words “six months” and substituting the words “indefinite duration”.

15. The Act is amended, by repealing section 13 and Section 13 repealed
and replaced substituting the following section:

“Regulations

13. The Minister may, subject to negative resolution of Parliament, make Regulations generally for carrying out the provisions of this Act and in particular—

- (a) for the registration and recording of a national of a Member State who is seeking to exercise in Trinidad and Tobago any of the rights or privileges conferred on him under this Act;
- (b) to prescribe the qualifications additional to those specified in section 8(1), required of a national of a Member State who is seeking to exercise in Trinidad and Tobago any of the rights or privileges conferred on him under this Act; and

(c) for any other matters required by or necessary to implement this Act.”.

Section 14 amended **16.** Section 14 of the Act is amended, by deleting the words “affirmative resolution” and substituting the words “negative resolution”.

Section 15 amended **17.** Section 15(1) of the Act is amended, by deleting the words “is guilty of an offence” and substituting the words “commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for three years.”.

Section 16 amended **18.** Section 16 of the Act is amended, by deleting the words “five thousand dollars and to imprisonment for six months” and substituting the words “one hundred thousand dollars and to imprisonment for five years.”.

Section 17 inserted **19.** The Act is amended, by inserting after section 16, the following section:

“Divorced spouse of the principal beneficiary”
17. Subject to sections 5(2) and 10A, where the spouse of the principal beneficiary is living or has lived with the principal beneficiary in Trinidad and Tobago for a continuous period of five years or more and is subsequently divorced from the principal beneficiary, the spouse and any dependent member of family of the spouse at the time of the divorce, shall continue to enjoy the rights and privileges conferred by this Act.”.

Schedules III, IV and V inserted **20.** The Act is amended—

(a) in Schedule II—

(i) by inserting under the words “SCHEDULE II”, the following:

“PART A

Section 6(1)

APPLICATION FORM FOR REQUESTING THE GRANT OF A CERTIFICATE
OF RECOGNITION OF CARIBBEAN COMMUNITY SKILLS
QUALIFICATION

AFFIX PHOTO

Name: _____

Last name

First name

Middle names

Gender: Male ☐ Female ☐Marital Status: Single ☐ Married ☐ Divorced ☐ Widowed ☐

Country of Birth: _____ Date of Birth: _____

Nationality: _____

Occupation: _____ Profession: _____

Category: An Artiste ☐ A Musician ☐ A Sports Person ☐A Media Worker ☐ A Professional Nurse ☐A Teacher ☐An Artisan qualified with the Caribbean Vocational
Qualification or equivalent ☐A University Graduate ☐A holder of an Associate Degree or equivalent ☐A domestic worker with Caribbean Vocational
Qualifications ☐

Qualification: Institution: (Name and Address) Year

(If done via distance learning, state through
which institution)

Passport Number: _____ Expiry Date: _____

Place and Date of Issue: _____

Expiry Date of Trinidad and Tobago Immigration
Stamp: _____

Address in Home Country: _____

Address in Trinidad and Tobago: _____

Telephone Number: (In Trinidad and Tobago) _____

(In Home Country) _____

Email Address: _____

Name of Employer (Organisation): _____

Work Address: _____

Intended Place of work (if known): _____

Name of Dependents/Spouse	Relationship to Applicant	Date of Birth	Passport Number	Expiry Date of Passport
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I, the undersigned, do solemnly declare that all statements made in this application are true.

I am also aware that if a Certificate of Recognition of Caribbean Community Skills Qualification (Skills Certificate) is issued to me, I am only allowed to work in the category for which it was approved.

Dated: _____

Signature of Applicant

FOR OFFICIAL USE ONLY

☐ Recommended for Approval☐ Not Recommended for Approval

Comments:

PART B

Section 3

APPLICATION FORM FOR REQUESTING THE VERIFICATION OF A
CERTIFICATE OF RECOGNITION OF CARIBBEAN COMMUNITY SKILLS
QUALIFICATION

1. Name:
2. Nationality:
3. Passport Number:
4. Passport Expiration Date:
5. Skills Certificate Number:
6. Issuing Country of Skills Certificate:
7. Intended Place of Employment:
8. Name of Employer: verification requested by: (Company,
competent Authority or Immigration Division – address, phone
and email contact information)
.....

Note: Please provide a copy of the Skills Certificate with an affidavit stamp attached. ”; and

(ii) by inserting above the words “FORM
OF CERTIFICATE”, the words
“PART C”; and

(b) by inserting after Schedule II, the following
Schedules:

“SCHEDULE III

Section 9A

QUALIFICATION REQUIREMENTS DEEMED TO HAVE
BEEN SATISFIED

- (a) an artiste;
- (b) a musician;
- (c) a sports person;
- (d) a media worker;
- (e) a professional nurse;
- (f) a teacher;
- (g) an artisan qualified with the Caribbean Vocational Qualification or equivalent;
- (h) a University Graduate;
- (i) a holder of an Associate Degree or equivalent;
- (j) a domestic worker with Caribbean Vocational Qualifications;
- (k) an agricultural worker; or
- (l) a security guard.

SCHEDULE IV

PART A

Section 3(9)

Stamp to be affixed in passport of a person entering Trinidad and
Tobago for a period of six months

FREE MOVEMENT
SIX MONTHS ENTRY
RIGHT TO WORK
VERIFICATION
REQUIRED

PART B

Section 4(5)

Stamp to be affixed in passport of a person entering Trinidad and
Tobago for a period of indefinite duration

FREE MOVEMENT
INDEFINITE ENTRY
RIGHT TO WORK

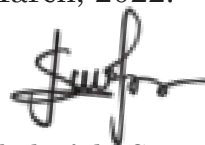
SCHEDULE V

Sections 6 and 7B

NON-REFUNDABLE APPLICATION, RENEWAL AND
REPLACEMENT FEES FOR SKILLS CERTIFICATE

- (a) Application for a certificate \$750
- (b) Renewal of a certificate \$400
- (c) Replacement of a lost, stolen or mutilated
certificate \$1000"

Passed in the Senate this 15th day of March, 2022.



Clerk of the Senate

Passed in the House of Representatives this 3rd day
of June, 2022.



Clerk of the House