TURKS AND CAICOS ISLANDS

TURKS AND CAICOS ISLANDER STATUS (AMENDMENT) ACT 2025

(Act 5 of 2025)

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(Act 5 of 2025)

Assent……29th July 2025

Publication in Gazette……31st July 2025

Commencement…… in accordance with section 1

AN ACT TO AMEND THE TURKS AND CAICOS ISLANDER STATUS ACT.

ENACTED by the Parliament of the Turks and Caicos Islands.

Short title and commencement

1. This Act may be cited as the Turks and Caicos Islander Status (Amendment) Act 2025 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette.*

Interpretation

2. In this Act "principal Act" means the Turks and Caicos Islander Status Act.

Section 2 amended

3. Section 2 of the "principal Act" is amended by inserting the following definition in its appropriate alphabetical order—

"Governor", unless the context otherwise requires, and except in sections 4(1)*(a)*, 5(1)*(a)* and 6(4), means the Governor in Cabinet;

"Permanent Secretary" means the Permanent Secretary for the Ministry responsible for the administration of this Act;".

Section 4 amended

4. Section 4(1) *(b)* of the principal Act is amended by repealing the words "on the recommendation" and substituting the words "following the decision".

Section 4B inserted

5. The principal Act is amended by inserting the following section after section 4A—

"**Process of review of Commission's decisions**

4B. (1) The Governor may, on the decision of the Commission under section 13, grant Islander status.

(2) Where the Governor requires clarification on any decision made under section 13, the Governor shall send the decision back to the Commission for review, setting out in writing, the matters to be clarified.

(3) On receipt of an application from the Governor in terms of subsection (2), the Commission shall, within thirty days of receipt of that request, consider the matters raised and respond to the Governor providing the clarification.

(4) When the Governor is satisfied that there are no outstanding matters to be clarified, the Governor may grant Islander status.".

Section 6 amended

6. Section 6(3) of the principal Act is amended by repealing the words "makes a recommendation" and substituting the words "informs the Governor of its decision that Islander status should be granted to a person".

Section 7 amended

7. Section 7 of the principal Act is amended by repealing subsection (1) and substituting—

"(1) Where a person has been granted Islander status under section 4, the person shall be issued a Turks and Caicos Islander Certificate which shall be signed by the Governor.".

Section 8 substituted

8. The principal Act is amended by repealing section 8 and substituting—

"**Islander Status Card**

"**8**. (1) A National Turks and Caicos Islander Status Card may be issued to an Islander who makes an application for the issue of the card.

(2) An application for the issue of a National Turks and Caicos Islander Status Card may be made by or on behalf of an applicant in Form 5 set out in Schedule 1.

(3) A National Turks and Caicos Islander Status Card shall be in Form 6 set out in Schedule 1.".

Section 13 amended

9. Section 13(1) of the principal Act is amended by repealing paragraphs *(b)* and *(c)* and substituting—

*"(b)*pursuant to paragraph *(a)*, inform the Governor of its decision that Islander status should be granted to a person, in writing, not later than 31 October of each year;

(c) inform the Governor in writing of it's decision that a person's Islander status should be revoked on the grounds provided under section 10(3) and (4).".

Section 14 amended

10. Section 14 of the principal Act is amended—

(a) in paragraph *(a)*, by inserting the words ", after consultation with the Premier and the Leader of the Opposition"; and

(b) by inserting the following paragraph after paragraph *(c)*—

"(*d)*the Permanent Secretary.".

Section 18 amended

11. Section 18 of the principal Act is amended by inserting the following subsection after subsection (5)—

"(5A) The Permanent Secretary may attend all meetings of the Commission, but shall have no right to vote.".