



**THE CLEAR PATH TO REGULARISATION:
RESIDENCY AND BELONGER STATUS PROGRAMME
(FAST TRACK PROGRAMME)
Audit Report**

MARCH 9, 2023

This audit was performed by the Internal Audit Department of the Government of the Virgin Islands in association with the Office of the Auditor General and in accordance with recommendation B34 of the BVI Commission of Inquiry Report dated 4 April, 2022. The results of this audit are being transmitted in accordance with Section 20 of the Audit Act of 2003.

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1.0 BACKGROUND

On January 19, 2021, former Governor, His Excellency Augustus Jaspert, appointed a Commissioner to conduct a full, faithful and impartial inquiry into whether there was information that corruption, abuse of office or other serious dishonesty in relation to officials, whether statutory, elected or public, may have taken place in recent years. If there were such information, to consider the conditions which allowed such conduct to take place and whether they may still exist. The Commissioner was also required to make independent recommendations with a view to improving the standards of governance and the operation of the agencies of law enforcement and justice in the Territory. The Commissioner's report was published on April 4, 2022. A total of forty-nine (49) recommendations were provided.

The report made several recommendations for audits to be conducted on various matters by the Auditor General or someone of her choosing. A full audit of all applications for residency and belonger status under the Fast Track Programme was recommended by the Commissioner and assigned to the Auditor General or some other independent body instructed by her. The Auditor General subsequently assigned this audit to the Internal Audit Department.

The awarding of belongship is covered in both the Virgin Islands Constitution (descent) and the Immigration and Passport Act (tenure, marriage and exceptional circumstances). Residence status is governed solely by the Immigration and Passport Act (Cap. 130) as amended. The process of awarding status under the Immigration and Passport Act is administered by the Immigration Department, with oversight by the Board of Immigration (the Board). Established under Section 13 of the Immigration and Passport Act, the Board's functions, as laid out in Section 14, is to advise on all questions concerning or connected with the entry of persons into the Territory, and the residence and occupation of persons who do not belong, which may be referred to them by the Minister or the Chief Immigration Officer.

In an effort to improve its decision making process and to bring transparency and equitability to the process, the Board implemented a Belonger Status/Residence Assessment Form. This form comprises of a weighted point system and an interview process in evaluating each application. The point system stipulates 10 different areas that relates to an applicant's lifestyle under which they can obtain points, such as employment status, knowledge/experience, financial assessment (assets), funds/salary, contributions to the local community, assimilation, cultural/knowledge, general, BVI police record and surveillance. However, if a certain aspect is not applicable to an applicant, their final score is only determined by those areas that relate to them. The interview component allows the Board to clarify any areas of concern and request any additional information that may be required. Applicants should obtain at least 50 percent of the points from the areas which are applicable to them for their applications to be recommended to the Cabinet. The total points available is 150.

Once the Board has reviewed applications a Cabinet Paper is prepared and all applications whether recommended for approval or not are forwarded to Cabinet for final approval.

2.0 INTRODUCTION

2.1 The Clear Path to Regularisation Programme: Residence and Belonger Status

The Clear Path to Regularisation: Residence and Belonger Status Programme was a special project spearheaded by the Premier's Office in 2019.

On May 7, 2019, the then Premier, Andrew Fahie, announced that for a two-week period beginning Monday, 13th May, 2019 persons who have been continuously resident in the Virgin Islands for more than 15 years, and have met all the required criteria, can apply to have their status regularised through the Clear Path to Regularisation: Residence and Belonger Status Programme, commonly referred to as the Government's Fast Track Programme.

In a subsequent announcement, on May 23, 2019, the former Premier, indicated that the Programme was being postponed due to public outcry that the opinions and concerns of Virgin Islanders were not considered or sought during the development of the Programme.

On June 2, 2019, a further statement was made announcing that, as a result of public consultations, the qualifying period would be raised to 20 years of residency. It was also indicated that the Immigration and Passport Act would be amended to allow Cabinet to have a say in the process that effectively deals with the backlog. The statement further clarified that the objective of the Programme was to "mainly address the backlog of applicants" as the first phase of Government's strategy for comprehensive reform of the immigration and labour laws and procedures.

The Programme was reintroduced via a statement on July 22, 2019 informing that the House of Assembly passed the Immigration and Passport (Amendment) Act 2019 clearing the way for the beginning of the first phase of Government's Programme to reform the laws, policies and systems that regulate immigration and labour in the Virgin Islands. A notable addition to the Programme was the inclusion of Belonger Status to Third Generation (great grandchild) Virgin Islanders living overseas. The amended Programme gave Third Generation applicants and all other applicants, six and three weeks, respectively, to submit their completed applications and supporting documents commencing July 24, 2019. It reiterated the increase in the number of qualifying years (20 years).

2.2 Legislative Changes to Accommodate the Fast Track Programme

To accommodate and achieve the desired results from the Programme, amendments were made to the Immigration and Passport Act. The Government proposed and the House of Assembly approved amendments to Sections 16 and 18 of the Immigration and Passport Act on June 3 (No. 5 of 2019), and August 1, 2019 (No. 6 of 2019). The main changes under Section 16 was the removal of the Immigration Board from the process, as well as, changed the period of residency to twenty (20) years. Another significant amendment was the inclusion of granting belonger status by descent under the Immigration and Passport Act.

Under Section 18, a new subsection was added to grant Cabinet discretionary authority under exceptional circumstances to award a certificate of residency. It also imposed a qualifying period of 19 years.

The Act was also amended to include a sunset clause of February 1, 2020 applicable to all amendments except for Belonger Status applicable to the great grandchild.

Appendix I shows a comparison between the Principal Act and the 2019 Amendments.

3.0 AUDIT OBJECTIVES AND SCOPE

The objectives were as follows:

1. To determine whether, in terms of governance, there were any inherent weaknesses in the Fast Track Programme.
2. To determine the extent to which the statutory criteria were applied to the application and by whom.
3. To determine whether the executive exercised any discretion in relation to the selection process and, if so, how it was exercised and whether any guidance or criteria were applied.

The scope covers all records and decisions related to the Fast Track Programme.

4.0 AUDIT METHODOLOGY

The audit methodology involved understanding and documenting the processes for the awarding of residence and belonger statuses and documenting the internal controls governing the processes used to award these statuses.

Only findings of internal control weaknesses that could affect the adequacy and effectiveness of management systems have been reported; however, the audit's conclusion is based on our overall assessment of the control procedures against the audit objectives.

5.0 AUDIT APPROACH

The audit's approach and methodology was risk-based, and consistent with the requirements of the international practice of internal auditing and the Internal Audit Act, 2011.

The following audit steps were performed in the execution of the exercise:

Planning Phase: Internal Audit considered risk in planning the exercise to achieve the audit objectives and scope laid out in the COI report.

Document Review: Internal Audit assessed key documentation to obtain an understanding of the processing of status under normal circumstances and under the Programme.

File Review: Internal Audit reviewed all available files related to the scope of the audit.

Interviews: Internal Audit conducted interviews with members of the various government entities.

The conduct phase of the audit commenced in mid-December 2022.

6.0 AUDIT LIMITATION

The audit was limited in that nine (9) applicant files could not be reviewed by the auditors, at the time of this report, as the Department of Immigration indicated that they were unable to locate the files.

The names of the applicants are highlighted in the list provided in Appendix III. Additionally, although Cabinet documents were provided for the decisions made to award statuses, these documents contained limited information as to what criteria was used and how decisions were arrived at in the awarding of statuses.

Additionally, the audit sought legal advice from the Attorney General Chamber's regarding issues surrounding the inclusion of belonger status by descent under the Immigration and Passport Act, however, a response was not received at the time of this report. This response was critical to providing further context to the findings related to this area of the report. If necessary, an addendum will be made to the report when the advice is received.

7.0 STATEMENT OF ASSURANCE

In my professional judgment as Director (Chief Audit Executive), sufficient and appropriate audit procedures have been conducted and evidence gathered to support the accuracy of conclusions reached.

This audit was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. The assurance is applicable to the policies and processes examined.

8.0 ACKNOWLEDGEMENTS

I would like to thank the Chief Immigration Officer and his staff for their cooperation and assistance provided to the audit team throughout the engagement. I would also like to extend appreciation to the Auditor General and her staff for partnering with us on this assignment.

9.0 FINDINGS

9.1 Objective 1: To determine whether in terms of governance, there were any inherent weaknesses in the Fast Track Programme.

The objective requires that auditors evaluate the governance of the Fast Track Programme. In order to adequately do so, it is important to establish a basis for which governance will be evaluated within this report as there are varying understanding and interpretation of governance within the public domain. Governance in public administration refers to the processes, structures, and systems that are used to manage and direct the activities of public organizations. It encompasses the ways in which public organizations are accountable to the public, and how they make and implement decisions on behalf of the public. For the purposes of this report governance of the Fast Track Programme will be looked at across six (6) broad areas:

1. **Transparency:** Public administration governance is built on the principle of transparency, which requires public organizations be open and accountable to the public. This includes providing information about their activities, decision-making processes, and performance.
2. **Participation:** Public administration governance includes opportunities for the public to participate in decision-making processes. This can include public consultations, citizen juries, and other forms of citizen engagement.

3. **Responsiveness:** Requires public organizations to be responsive to the needs and concerns of the public. This means that public organizations must be able to adapt to changing circumstances, and that they must be able to respond quickly to new challenges.
4. **Accountability:** Governance in public administration requires public organizations to be accountable to the public. This means that public organizations must be able to demonstrate that they are using public resources efficiently and effectively, and that they are making decisions that are in the public's interest.
5. **Ethics:** Governance in public administration also includes the principles of ethics, which are the moral principles that guide the behavior of public officials. These include the principles of integrity, honesty, and fairness in decision-making and the use of public resources.
6. **Performance:** Governance in public administration also includes the requirement of performance management, which means that public organizations are required to measure and report on their performance, and that they are held accountable for achieving their objectives.

Using the above as a guide, the following weaknesses in terms of governance were identified in the execution of the Fast Track Programme:

- 9.1.1 The Clear Path to Regularisation: Residency and Belonger Status lacked a clearly documented policy position. No evidence was found that would support Programme design and to aid in the establishment of clear objectives and outcomes for the Programme. Neither the Premier's Office, which headed the project, nor the then Ministry of Natural Resources, Labour and Immigration under whose portfolio the subject matter fell, could produce policy papers for the Programme. In fact, personnel for the subject matter Ministry indicated that they were only aware of the Programme when it was publicly announced. Furthermore, although the Programme was purportedly a phase in a larger reform, there is no evidence tying the Programme to a wider (multi-phase) reform Programme, that would show the interconnectivity to the general immigration and labour reform objectives.
- 9.1.2 Initially, the Programme lacked public participation. Based on the timeline expressed in the former Premier's statement on May 7, 2019, it appears as though public input was not contemplated as part of the process. Based on the statement, potential applicants were given a two-week period beginning May 13, 2019, six days after the announcement, to submit applications and supporting documents. Such a timeline afforded little opportunity for the public to weigh in on such a crucial and controversial issue that has far reaching impact and implications for the Territory. It was only after some trepidation from various quarters that the Programme was halted and the public's input was sought through a series of public forums and other mediums.
- 9.1.3 The Programme lacked transparency in the decision making process. As stated above, in order to facilitate the Programme, the Immigration Board which was statutorily established to provide oversight on immigration matters was removed from the process. This in turn removed significant oversight as it pertains to the issuance of status under this Fast Track Programme. Despite the removal of this critical oversight function, no compensating controls were implemented to maintain or strengthen the governance of the Programme. In the former

Premier's statement of July 22, 2019, assurances were given to the public that "no procedural requirements are being circumvented. All applications will be subject to the normal criteria, scrutiny and procedures, and only those applications that meet the requirement will succeed." Despite this assurance, sixty-four (64) applicants that did not meet the criteria for success were still awarded the status(es) for which they applied. There is no documentation to indicate why these applications were successful when similar applications were denied. The details of these applications will be fully examined later in the report.

- 9.1.4 In addition, based on a review of documents submitted and confirmed through interviews with personnel from the Ministry of Natural Resources, Labour and Immigration, as well as one (1) of the two (2) project supervisors engaged for the project, the awarding of status was largely dependent on the basic condition of meeting the twenty-year requirement of continuous residency in the Territory. Although under normal processing a weighted approach was generally utilized to arrive at a decision, the Fast Track Programme did not utilize such a mechanism. As a result, two hundred and forty-nine (249) applicants with incomplete applications (missing relevant documents) were awarded status. In addition, some applicants that provided financial documents that showed little to no financial standing, which may indicate the applicant's inability to support themselves, were also awarded status. Additionally, one person with a criminal record (file contained conflicting reports) was also awarded status. It is not being purported that such deficiencies automatically render the applicants as unworthy of being considered for the status; however, the lack of consideration of these factors significantly weakened the process of awarding such privileged status(es).
- 9.1.5 Furthermore, based on interviews and in some instances poorly documented file notes, there were indications that some sixty-four (64) applicants who did not meet the minimum requirement for approval, their applications were directed to be sent forward to Cabinet for the awarding of status. These directives, although not adequately documented in all cases, were issued by the former Premier. The reason these applications found exceptional favour with the decision maker was not clear to the persons charged with assessing the applications as explanations were not provided. However, the project supervisor as well as senior personnel charged with implementing the Programme indicated that all applications that did not meet the twenty (20) years requirement but were forwarded to Cabinet were so forwarded on direct instructions. Due to the lack of a documented approach, one can only assume that such instructions would have come about on the basis of direct representation from applicants or their representatives. This again, highlights the lack of equity and transparency in the execution of this Programme.
- 9.1.6 Structural changes to the Programme were made as a direct result of feedback from the public consultations that were held. Instead of the originally proposed 15-year period, the qualifying period was extended to 20 years and the great grandchild by descent belonger status was added. Although these changes reflected the Government's responsiveness to the public's concerns, these actions also highlight the weakness in the definition of the Programme objective. The original intent of the Programme was to clear the backlog of applications, both currently lodged with the Immigration Department as well as those potential applicants with the necessary tenure to participate. Awarding of status under the Programme was intended to be based on tenure as the Immigration and Passport Act only allowed for the granting of belonger status by tenure, marriage or exceptional circumstances.

The inclusion of the granting of belonger status by virtue of descent, which was a subject reserved in the Virgin Islands Constitution until now, expanded the Programme beyond the scope and objective intended when the Programme was originally conceptualized. The former Premier stated in his July 22, 2019 address relaunching the Programme that “most significantly, the consultation brought focus on the concerns of 3rd Generation Virgin Islanders [great grandchildren] living overseas who, due to circumstances beyond their control, stand to lose their identity as members of our BVI family. The policy was, thus, adjusted to ensure that our 3rd Generation descendants are taken care of.” Other than the apparent representation by persons, no documented analysis of this divergent issue was found to support its inclusion in the Programme.

- 9.1.7 Section 17 of the Immigration and Passport Act speaks to validity of certificate issued under Section 16. Section 17(1) stipulates that “where a person is granted a certificate under Section 16, such certificate shall cease to be valid if subsequent to the grant of the certificate such person is ordinarily resident outside the Territory continuously for a period of 5 years...”. The addition of subsection 5a under Section 16 of the principal legislation may not fully serve its intended purpose or yield lasting results, as it directly conflicts with the provisions of Section 17(1). Belonger status by descent under the Constitution places no residency requirement on applicants to obtain or retain the status, however: residency is a key requirement for belonger status granted under the Immigration and Passport Act. As the amendment granting belonger status to the great grandchild was specifically geared towards persons who reside overseas, the granting of this status under Section 16 (5)(a) would cause the status to be invalidated within the stipulated time period, if the person remains ordinarily resident outside the Territory, as the Act only offers exemption under limited circumstances. As such, any belonger status granted under Section 16(5)(a) runs the risk of automatically becoming invalid after five (5) years. Therefore, if challenged and/or enforced, this status, as like all statuses awarded under Section 16, is subject for revocation. Of the eighty-four (84) persons granted status under Section 16 (5)(a), fifty-one (51) stand to have their status invalidated should they continue to reside outside the Territory, as at the time of their application they were ordinarily resident outside the Territory.
- 9.1.8 As indicated, the Immigration and Passport Act was amended to accommodate this addition to the Programme. A new clause was added under Section 16, which extended the belonger status by virtue of Section 2(d) of the Constitution. Although, tied to the Constitution, this provision afforded and continues to afford the Cabinet discretion in granting a certificate, which creates an unequal status (right vs privilege) to that afforded under the Constitution. Furthermore, the inclusion of belonger status by descent in the Immigration and Passport Act, transformed, in this instance, this status to that of an immigrant status and thus failing to permanently restore these applicants “birthright” or their “identity as members of our BVI family”.
- 9.1.9 All successful applicants under the Programme ultimately obtained belonger status. In 648 instances, applicants were awarded belonger status only and in 541 instances, applicants were awarded both residency and belonger statuses simultaneously. There was no instance where an applicant was awarded residency status by itself. From this standpoint, it appears that the ultimate goal of the Programme was to ensure that all applicants were awarded with belonger status. It is unclear why the Programme was designed specifically to ultimately

award belonger status and why it was necessary to amend Section 18 of the Act quantifying the residency requirement for residency status when the Act did not previously prescribe such a requirement. If the intent of the Programme was designed to clear the backlog, the imposition of such a requirement may have inadvertently excluded some of those applicants (residency).

- 9.1.10 Section 2(a) and (b) and Section 3 of the amended Act was sunset on February 1, 2020. However, applicants were given a narrow window, in which to apply. This limited timeframe may have disenfranchised potential applicants who would have become eligible within the sunset period but would have been denied the opportunity to submit an application, as no further applications were collected after the award ceremony was held in December 2019. Furthermore, applicants may have been further disenfranchised as the window to accept applications was extended without duly informing the public. Based on documents reviewed, the last approved application was received on December 7, 2019 and approved by Cabinet on December 13, 2019.
- 9.1.11 The temporary changing of the immigration rules that govern residency and belonger status may also impact governance as such changes can lead to concerns around fairness and equity, as well as the potential unequal treatment of certain individuals and groups. Additionally, such changes, while benefitting some individuals, may also bring about political and social tensions, as other individuals or groups may feel that they are being treated unfairly or disadvantaged by the changes. In evaluating this Programme, sufficient consideration and analysis was not given to identify the short and long term impacts of these temporary legislative changes.
- 9.1.12 Public interest is a central concept of public administration. From a basic sense, it evaluates whether the policies of government are detrimental to or benefit the public. Public interest as a concept is simultaneously indispensable yet vague, however; there are key considerations that can help in determining whether a government policy serves the public's interest. Consideration such as whether the policy/programme had sufficient public input and engagement, the policy benefits the majority and not a select few, the policy is transparent in its implementation, the long term impacts are considered, the policy is non-discriminatory and fair, and the policy/programme is consistent with other policies, laws and regulations. When the Fast Track Programme is analyzed against these criteria, the Programme is largely found to not support a public interest. The Programme was limited in public participation, was geared towards a specific segment of the population, and lacked transparency in decision making. Furthermore, analysis nor inquiry did not yield a clear indication that the Programme was supported by sound evidence and research. Neither was the long term impact (political, economical and social) fully contemplated. Finally, some legislative changes for the Programme were unnecessary and inconsistent with already established laws.
- 9.1.13 Although applicants were awarded both residency and belonger statuses, at the same time, under the Programme, a number of applicants were found to have only received a belonger certificate. Inquiry with personnel at the Department of Immigration revealed that due the volume of applicants and the urgency to prepare for the award ceremony, applicants who received both statuses were only awarded a belonger certificate at the ceremony. The Department indicated that only when applicants inquire about their certificates of residence that one is provided, as the belonger certificate is viewed as the more superior status. This

presents an issue as applicants paid for and were awarded both statuses but their records at the Department do not reflect such.

9.2 Objective 2: To determine the extent to which statutory requirements were applied to the application and by whom

Sections 16 and 18 of the Immigration and Passport Act were amended to facilitate the Programme. Based on the amendments under Section 16 subsection 5, it was determined that this subsection was the basis for the Programme as the tenure requirement, 20 years, was aligned with the stated policy. Although the Cabinet Papers referred to persons being qualified under Section 2(4) of the Immigration and Passport Amendment Act, 2019, it was discussed and agreed with the Department of Immigration that this subsection was incorrectly cited, as the subsection stipulated a 7-year qualifying period, which was not applicable to the Programme. With this in mind, the statutory requirements for the issuance of a belonger certificate were as follows:

- An application in the prescribed manner (interpreted to mean the application contained in the Regulations as well as supporting documents that are required to support the application)
- Significant and consistent contributions to the economic and social development of the Territory for a period of at least 20 years; **or**
- Ordinarily resident in the Territory for a period of at least 20 years.

Section 18 of the Immigration and Passport Act was also amended by adding a new subsection (3) (1A) that stipulated the following as the statutory requirements to obtain a certificate of residence:

- An application in the prescribed manner, (interpreted to mean the application contained in the Regulations as well as supporting documents that are required to support the application)
- Is of good character,
- A declaration of intent to reside permanently in the territory, and
- Ordinarily resident in the Territory for a period of at least 19 years.

There were no instances where only a certificate of residence was awarded. All applicants who received residency status were also awarded belonger status at the same time. Therefore, these applicants had to meet the statutory requirements for both.

9.2.1 A review of all available files pertaining to the Fast Track Programme found that it was largely compliant, approximately 99.9 percent, with the requirement of an application being submitted for participation in the Programme. For the few instances where an application was not found on the applicant's file, there was sufficient evidence to suggest that an application was submitted. Based on the review, the absence of such applications on the files could reasonably be attributed to being misplaced or misfiled, as a result of the voluminous nature of the Programme and the general urgency to process applications within a truncated timeframe.

9.2.2 Like the regular process, all supporting documentation outlined on the application were required for this Programme. The supporting documentation provided the basis for which the review team's (assessors) evaluation was to be done and on which the summary profiles, which accompanied the Cabinet Paper, were created. Each profile detailed seventeen (17)

areas that included the application date, status of police record and the date resident in the Territory. Profiles were found to be accurate with few minor differences identified.

9.2.3 Although it was indicated that no procedural requirements would be circumvented and that all applications would be subject to the normal criteria, scrutiny and procedure and only those applications that met the requirements will succeed, deficiencies were found in the application of the normal procedural requirements for both residency and belonger statuses:

9.2.3.1 Points System -The Fast Track Programme did not utilize the point system in determining applications. Although the requisite information was collected, its purpose was found to serve more of a documentary rather than a value-added purpose. By not utilizing the points system, the assessment process was weakened and reduced to an academic exercise of evaluating whether an applicant was ordinarily resident for 20 years. The following are some areas where deficiencies were found:

9.2.3.1.1 Job Letter - a job letter, if applicable, generally used to assess and confirm an applicant's employment status, and their ability to meet their living expenses and demonstrates the applicant's contribution to the social statutory Programmes were absent in a number of instances and no record was found to indicate that they were unemployed or retired.

9.2.3.1.2 Cultural Test – Applicants were required to complete the standard cultural test administered under the regular application process. The audit found that fourteen (14) persons were exempted from completing this test under the Programme. In most cases, the reason for their exemption was due to some form of disability, illness or situation where they were overseas and would not have been able to complete the test within the application window. There were four (4) persons who were also exempted but the reason for their exemption was not documented.

9.2.3.2 Reference Letters - A letter of reference, from two BVI Islanders or Belongers age 25 years or older who have known the applicant for at least five (5) years and are not members of the House of Assembly with proof of their status, was required. This proof is validated by a copy of the biographical page and Governor's seal of the referee's passport, or copy of BVI birth certificate, or copy of belonger's card. In most cases where a passport was provided as proof of referees' status, only the biographical data page was submitted. Additionally, there were also applications where only one reference letter was provided. Despite being incomplete the applications were still advanced.

9.2.4 Of the five hundred and forty-six (546) applicants submitted for both residency and belonger, one (1) was initially deferred and subsequently denied and four (4) applicants were denied and referred to the regular process. The full list of applicants approved are provided in Appendix III.

Table 1: Summary of Statuses Awarded under the Programme

Batch	BELONGER STATUS				RESIDENCE AND BELONGER STATUS			
	Submitted	Approved	Denied	Not Qualified but Approved	Submitted	Approved	Denied	Not Qualified but Approved
1	100	100	0	2	100	100	0	0
2	100	100	0	0	100	100	0	1
3	100	100	0	0	100	100	0	0
4	100	100	0	0	100	99	1	9
5	100	100	0	1	100	100	0	19
6	100	100	0	2	46	42	4	25
7	48	48	0	5	0	0	0	0
Total	648	648	0	10	546	541	5	54

9.2.5 Of the six hundred and forty-eight (648) applications approved for belonger status, five hundred and sixty-two (562) applications were assessed as complete (meeting relevant supporting documentation). Seventy-seven (77) applications were assessed as incomplete, as one or more of the required relevant documents were missing. For the remaining nine (9), an assessment could not be done as to whether the application was complete or incomplete as the Department of Immigration could not locate the files. The table below provides a summary.

Table 2: Summary of Assessment of Applications for Belonger Status under the Programme

Status of Application	Count	Description
Complete	562	All relevant documents were submitted with application and on file provided.
Incomplete	77	One or more of the relevant documents to support the application was missing from the applicant's file.
File not provided	9	The file was not presented. Therefore, an assessment could not be made as to whether the application was complete or incomplete.
Total	648	

9.2.6 A second analysis of the six hundred and forty-eight (648) applicants approved for belonger status was conducted to determine how many applicants met the 20-year statutory requirement. A total of ten (10) applicants were identified as not meeting this requirement which represents a 98.5 percent compliance rate.

9.2.7 Of the five hundred and forty-one (541) applicants approved for residence and belonger statuses, three hundred and sixty-nine (369) or approximately sixty-eight percent (68%) were assessed as complete. The remaining one hundred and seventy-two (172) were assessed as incomplete due to one or more required documents missing. The following Table provides a summary.

Table 3: Summary of Assessment of Applications for Residency and Belonger Status under the Programme

Status of Application	Count	Description
Complete	369	All relevant documents were submitted with application and on immigration files provided as laid out on the application.
Incomplete	172	One or more of the relevant documents to support the application was missing from the applicant's file.
Total	541	

- 9.2.8 Further analysis of this category of applicants revealed that a total of fifty-four (54) applicants did not meet the qualifying period of 20 years to obtain belonger status under the Programme. Eighteen (18) of these applicants qualified for residency status only, as they met the 19-year requirement, however, standalone residency status was not awarded under the Programme despite, no rule barring such an award. The remaining applicants qualified for neither residency nor belonger status.
- 9.2.9 All applicants who obtained status through the Programme were ultimately approved by the Cabinet. However, it was the assessors, in most cases, who determined whether an application met the statutory requirements. Only applications that the assessors adjudged to have met the statutory requirements, excluding those for which they received directions, were forwarded for Cabinet's consideration. Those applications that were assessed not to have met the requirements by the assessors were not forwarded.
- 9.2.10 Forty-six (46) applicants were identified as unsuccessful in meeting the qualifying periods under the Programme. A sample of thirty-eight (38) of these applicants' files were reviewed to confirm the decision made not to advance these applications. The sample confirmed that the results of the assessors were correct. However, five (5) were advanced to Cabinet based on directives from the highest levels within the Premier's Office. In all instances, it was found that the applicants failed to meet the required resident years as they ranged from six (6) to seventeen (17) years. Based on the results of the sample, it was determined that the assessors consistently applied the 20-year resident requirement in determining whether to advance the applications.

Table 4: Applicants assessed as unsuccessful in meeting the statutory requirement of 20 years

#	APPLICANT NAME	STATUS APPLIED FOR	REASON FOR DISQUALIFICATION
1	Henry-Caines, Natasha Jessica	Belonger Status	Applicant resident in the territory for 7 years. She left on 22 August 2010 and returned 17 November 2012.
2	Arthur, Kendal	Belonger Status	The applicant first came to the Territory in 1999. He left in 2002 and returned in 2004. The applicant can only be considered ordinarily resident from 2004 when he returned to the territory on labour clearance. Therefore, he is only considered ordinarily resident for 15 years.
3	Harnarinesingh, Mandy	Belonger Status	The applicant was not ordinarily resident between 2013-2018.
4	Baptiste, Desmond Joseph	Belonger Status	The applicant was ordinarily resident in the Territory for 15 years.
5	Chester, Paula Delcena	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
6	Ellis, Julette Sonia	Belonger Status	The applicant was ordinarily resident in the Territory for 14 years.
7	Foga-Smith, Marcia	Belonger Status	The applicant was ordinarily resident in the Territory for 15 years.
8	Gabory, Geesla Melissa	Belonger Status	The applicant was ordinarily resident in the Territory for 14 years.
9	Gibbs, Maureen	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
10	Gunthrope, Colin Aaron	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
11	Harry, Sheldon Algie Adgernon	Belonger Status	The applicant was ordinarily resident in the Territory for 11 years.
12	Hurst, Ashanti Sabrina	Belonger Status	The applicant had gaps in her period of residency in the territory. Applicant was resident from 2002, left and returned on in 2015 left again and returned 2017.
13	Latham, Annie Jacqueline	Belonger Status	The applicant was ordinarily resident in the Territory for 17 years.
14	Lewis, Patrin Annee Ageda	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
15	McKenzie-Osbourne, Hortense	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
16	Woolhouse, Candida Lucie Emma	Belonger Status	The applicant was ordinarily resident in the Territory for 14 years.
17	Peters, Monic	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
18	Reid-Watkins, Antionette Gilzene	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
19	Fay, George Worede Anthony	Belonger Status	A temporary file was submitted for this applicant. The information on the file does not indicate the reasons why the applicant did not qualify for belonger status. However, the applicant was found to be in prison in the United States at the time of his application.
20	Moore, Howard Alphonso	Belonger Status	The applicant was absent from territory for over 9 years.
21	Olive, Ghislaine	Belonger Status	The applicant was ordinarily resident in the Territory for 16 years.
22	Westlake, Kathryn Mary	Belonger Status	Gaps identified in the applicants years of consistent residency in the territory.
23	Westlake, Paul Michael	Belonger Status	Gaps identified in the applicants years of consistent residency in the territory.
24	Tyre, Marion McCoy III	Residence/Belonger	The applicant was ordinarily resident in the Territory for 8 years.
25	Companys, Antonio Cabau	Residence/Belonger	The applicant stated that he applied for residency in 1987 and did not receive any response to his request. Immigration records indicate that he has not resided in the Territory for more than 20 years.
26	Barnett, Glenn S.	Residence/Belonger	The applicant was ordinarily resident in the Territory for 13 years.
27	Barnett, Elaine	Residence/Belonger	The applicant was ordinarily resident in the Territory for 13 years.
28	Nedd Alphonso, Shandell Melesa	Residence/Belonger	The applicant was ordinarily resident in the Territory for 14 years.
29	Rock, Angela Veronica	Residence/Belonger	The applicant was ordinarily resident in the Territory for 17 years.
30	Athime, Junior	Residence/Belonger	The applicant was ordinarily resident in the Territory for 14 years.
31	Augustine, Edith Pamela	Residence/Belonger	The applicant was ordinarily resident in the Territory for 17 years.

#	APPLICANT NAME	STATUS APPLIED FOR	REASON FOR DISQUALIFICATION
32	McMillian, Nocolia Cardella	Residence/Belonger	The applicant came to the territory in 1997 and maintained an entry permit until 2009. She left the territory in 2009 and returned in 2011 and maintained an entry permit until 2020. Due to the gaps in her ordinarily resident period, she does not qualify for the programme.
33	Cochran, Kristen Kupkowski	Residence/Belonger	The applicant was ordinarily resident in the Territory for 6 years.
34	Cochran, Mark Phillip	Residence/Belonger	The applicant was ordinarily resident in the Territory for 6 years.
35	Kelley Jr., James William	Residence/Belonger	The applicant was not ordinarily resident as they were out of territory for a 2 year period.
36	Estridge, Melanie B.	Residency/Belonger	The applicant was not ordinarily resident in the Territory . There is a 2 year gap/absence from the Territory.
37	Mead, Lisa J.	Residency/Belonger	The applicant was ordinarily resident in the Territory for 6 years.
38	Yusuf, Haniff Mohamed	Residency/Belonger	The applicant came to the Territory in 1986. However, a number of gaps were found in his resident period. Specifically from 2009 when he left the territory and did not return until 2010. He left again in January 2011 and returned in November of the same year. He left again in April 2014 and returned in 2015. Due to gaps identified in the applicant's period of residence, he does not qualify for the programme.
39	Marquis, Theresa		
40	Warner, Thomas Keliher		
41	Buffong, Joseph Nathaniel		
42	Bally-Warner, Eleanora		
43	Lusson Cintron, Henry		
44	Poponne, Theresa Lucia Paul		
45	Cottreau, Clare		
46	Caesar, Elise Illecia		
Notes:			
1	Applicants highlighted in green were sent forward to Cabinet by the Review Team at the Department of Immigration based on directives from the Premier's Office, although they did not meet the qualifying periods. However, they were denied or referred to the normal application process.		
2	All other applicants were found to not qualify for the programme by the Review Team based on the number of years they were ordinarily resident in the territory.		

Great Grandchild Belonger Status

A new subsection (5a) was also introduced under Section 16 to allow for a certificate of belonger to be granted to a person who is a great grandchild of a person who belongs to the Virgin Islands by virtue of Section 2(d) of the Constitution upon application in the prescribed manner.

9.2.11 Although announced as part of the Fast Track Programme, no status was awarded during the ceremony held to culminate the Programme. Again, it could not be determined why this new status was included as part of the Fast Track Programme and why a six-week application window was announced when the law did not sunset (1 February, 2020) this Amendment.

9.2.12 On December 23, 2020, via Cabinet Paper No. 532 of 2020, eighty-four (84) persons were granted status under this Section. A sample of forty-two (42) applicant files were reviewed to verify whether the status awarded was approved on the basis outlined in the amended Section. The results indicated that all applicants met the statutory requirement for the award of status.

9.2.13 Applications under this Section were made between October 2019 to June 2020 and were charged a fee of \$810 per application. However, 24 of these persons were charged the incorrect fee as this fee structure was sunset on February 1, 2020. Therefore, any application

received after that date should have drawn the regular fee of \$500 as contained in the Regulations. Consequently, these persons are due a refund totaling \$6,300. This expired fee structure was utilized until at least February 11, 2021, resulting in incorrect fees being collected from a further seven (7) applicants which would result in a further refund of \$2,100.

9.3 Objective 3: To determine whether the executive exercised any discretion in relation to the selection process and if so how it was exercised and whether any guidance or criteria were applied.

Exercise of Discretion

Discretion exists when the decision maker has the power to make a choice about whether to act or not act, to approve or not approve, or to approve with conditions. The role of the decision maker is to make a judgement taking into account all relevant information. For public sector decision making, legislation generally provides the lawful authority for action to be exercised and for decisions to be made. Legislation often compels a decision maker to act in a particular way. However, where the legislation does not dictate a particular action, the decision maker is given discretionary power to deal with a matter and has a choice to make. This choice will often involve an element of judgment. Decision makers must use discretionary powers in good faith and for a proper, intended and authorized purpose. No decision maker within the public domain has unrestricted discretionary decision-making power. It is not sufficient to exercise discretion and approve an application simply because it seems to be the right thing to do. When exercising discretion, decision makers need to act reasonably and impartially. They must not handle matters in which they have an actual or reasonably perceived conflict of interest. In exercising discretionary powers, decision makers should have regard to any specific requirements as well as satisfy general administrative law requirements and adhere to general principles relevant to its exercise.¹

9.3.1 The issue of applicant selection was largely controlled by the team assembled to review the applications. However, there is evidence that discretion was exercised by the Executive in selecting some applications. Based on interviews conducted with senior members of the executing team, some applications were forwarded from the Premier's Office with explicit instructions that these applications were to be included in the submissions to Cabinet. These were mainly for applicants whose applications contained some deficiency that would have disqualified them from the Programme. Unfortunately, these instructions were not documented in all instances for posterity, therefore, the extent to which the Executive may have influenced the selection process and by which member(s) the authority was exercised cannot be quantified. Furthermore, no evidence was found to indicate that a criteria was used by the Executive in selecting these applicants. However, two (2) files were reviewed with notes indicating that instructions were given for the applicants' inclusion in the Programme.

9.3.2 The amended Immigration and Passport Act specified the minimum tenure requirements that applicants had to meet in order to be considered. The Act bound Cabinet to only consider applications that met these timeframes. Although the Act affords Cabinet some discretion, the tenure requirement is binding and Cabinet does not have any discretionary authority in this area. Despite the lack of discretionary authority, Cabinet exceeded its discretionary authority and awarded sixty-four (64) certificates, fifty-four (54) residence and belongers and ten (10) belongers, that did not meet the minimum criteria.

¹ Adopted based on guidance provided by Ombudsman Offices of Western Australia and British Columbia

- 9.3.2..1 The resident years for these applicants ranged from nine (9) to nineteen (19). Although only the applicants with 19 years would have qualified for residence status under the Programme, they were given both residency and belonger statuses while all the remaining applicants were awarded the status for which they applied.
- 9.3.2..2 The remaining forty-five (45) applicants' resident years fell between nine (9) and eighteen (18) years and therefore they would not qualify for the Programme.
- 9.3.2..3 The ten (10) applicants that received belonger status were awarded residence status under the regular process prior to the Programme. However, their resident years were all below the qualifying period of 20 years to obtain belonger status under the Programme.
- 9.3.2..4 Three (3) applicants were identified as relatives or close associates to elected representatives. Although the relevant elected representatives were not party to the deliberations or decision making process on these applications, there may be a perceived conflict in their approval, especially based on the fact that these applicants did not qualify for the Programme and were not eligible, based on statutory requirements, to receive the statuses they were awarded. As policy makers these representatives would have known that their relatives or close associates would not have qualified for the Programme. However, it can be inferred that they may have used their position of privilege to influence the approval of these applications.
- 9.3.2..5 The full list of these sixty-four (64) applicants can be found in the Appendix II, however, of notable mention are the following applicants:

Table 5: Notable Applicants awarded Status under the Programme who did not meet the 20-year qualifying period

Applicant	Evaluation of File
Beverly V. Lewis	Approved by Cabinet on 1 st December, 2019 Cabinet Memo 426/2019. Profile states date resident in the Territory: 30th May, 2005 – 14 years. Applicant is a News Editor/Producer. Based on the applicant's years resident, she did not qualify for the Programme. Instructions were noted on the file to indicate that the Former Premier, Andrew Fahie, requested that two files (Ms. Lewis and her son Shaquille) be processed under the Programme, although they did not qualify. It is uncertain on what basis the former Premier made this request as no information to reflect such was documented on the files.
Shaquille B. D. D. Lewis	Approved by Cabinet on 1 st December, 2019 Cabinet Memo 426/2019. Profile states date resident in the Territory: 1st January, 2006 – 13 years. Applicant is the son of Beverly Lewis. The applicant was a student at HLSCC. Based on the applicant's years resident, he did not meet the 20 year requirement to qualify. Instructions received from the former Premier, Andrew Fahie, to allow this application to be processed as part of the Programme with his mother, Beverly Lewis.
Carolyn Shallow-Wheatley	Approved by Cabinet on 1 st December, 2019 Cabinet Memo 426/2019. Profile states date resident in the Territory: September, 2003. Applicant is an Administration Assistant. The applicant was only resident 16 years and would not meet the requirement for the Programme. The applicant is also the spouse of the current Premier, Hon. Natalio D. Wheatley. Although Hon. Wheatley recused himself from the discussion and decision on this batch of applications, the fact that this application was submitted knowing that it did not qualify for the Programme raises questions. Mrs. Shallow-Wheatley would also not qualify under Section 16 (6) of the Immigration and Passport Act, as this provision requires marriage of at least 5 years and the applicant had been married for only 4 years at the time of application.
Lawrenda S. Francois-Smith	Approved by Cabinet on 1 st December, 2019 Cabinet Memo 426/2019. Profile states date resident in the Territory: July 2000. Applicant is a Personal Assistant. The applicant was only resident 19 years and would qualify to receive residency status only, under the Programme. The applicant is also the spouse of Hon. Neville Smith, had been married for 5 years, at the time of application and therefore would be eligible to apply for belonger status under Section 16(6) of the Immigration and Passport Act under the regular process. However, the applicant was approved under the Programme.
Barbara D. McDonald	Approved by Cabinet on 22nd November, 2019, Cabinet Memo. 405/2019. Profile states date resident in the Territory: 2003. From reviewing the applicant's file, she is unemployed but serves as an intercessor in the Christian Ministry. No bank reference letter, police certificate, birth certificate or annual entry permits were found on the applicant's file to support her application. The Immigration Department also stated that the applicant did not have a permanent file which indicates that she is not ordinarily resident in the Territory. One of the reference letters provided supports the claim that the applicant has been visiting the Territory for the past 17 years as a part of a Prayer Group. Based on the applicant's file the applicant would not qualify as being ordinarily resident in the Territory and would not qualify for the statuses awarded. However, from records provided to the auditors it was confirmed that direct instructions were given by the former Premier, Andrew Fahie, to assessors to advance this application to Cabinet.
Quincy S. N. Woolford	Approved by Cabinet on 1st December, 2019 Cabinet Memo 426/2019. Profile states date resident in the Territory: 4-Jan-2007. Applicant is a Bartender. Mr. Woolford has only been ordinarily resident in the Territory for 12 years and would not qualify for the Programme. He is the significant other of Hon. Sharie DeCastro. Although, Hon. DeCastro was not a member of Cabinet when this approval was made, the fact that this application was submitted knowing that it did not qualify for the Programme raises questions. Again, from records provided to the auditors it was confirmed that direct instructions were given by former Premier, Andrew Fahie, to assessors to advance this application to Cabinet also.
Christian Heinrich Hodeige	Approved by Cabinet on 13th December, 2019 Cabinet Memo 443/2019. Profiles state date resident in the Territory: September 1999. Dr. and Mrs. Hodeige has been visiting the Territory at least three times per year since 1995. Although they own a home and businesses in the Territory, they continue to be ordinarily resident in Germany. Therefore, these applicants would not qualify for the Programme.
Regine Renate Hodeige	

9.3.3 As stated previously, four (4) applicants were advanced by the assessors as per instructions, who like the applicants in 9.3.2 above did not meet the qualifying period of 20 years. However, unlike the applicants above they were rightly denied and referred to the normal process. The resident years for these applicants were also below the required years to qualify for the Programme. No criteria or justification was provided as to why in these instances Cabinet decided not to approve status. The decisions made in the case of applicants in 9.3.2 above and these applicants again evidences the inconsistent manner in which Cabinet awarded status under the Programme. The table below notes the four (4) applicants and their resident dates in the Territory.

Table 6: Applicants Denied Status by Cabinet and Referred to the Normal Application Process

Applicant	Evaluation of File
Howard Alphonso Moore	Denied by Cabinet on 3 rd December, 2019 Cabinet Memo 443/2019. Date Resident in the Territory: 15th July, 2002 – 17 years. Applicant is a service attendant at a local gas station. The applicant’s years’ resident appears to be the only factor that made him ineligible to be approved for the status for which he sought.
Shandell Melesa Nedd-Alphonso	Denied by Cabinet on 3 rd December, 2019 Cabinet Memo 443/2019. Date Resident in the Territory: 22nd November, 2004 – 15 years. Applicant is employed as a secretary with a local construction company. The applicant’s years’ resident appears to be the only factor that made her ineligible to be approved for the status for which she sought.
Ghislaine Olive	Denied by Cabinet on 3 rd December, 2019 Cabinet Memo 443/2019. Date Resident in the Territory: 6th June, 2002 – 17 years. Applicant is employed as a nurse with a local health facility. The applicant’s years’ resident appears to be the only factor that made her ineligible to be approved for the status for which she sought.
Angela Veronica Rock	Denied by Cabinet on 3 rd December, 2019 Cabinet Memo 443/2019. Date Resident in the Territory: 28th July, 2002 – 17 years. Applicant is employed as a nurse with a local health facility. The applicant’s years’ resident appear to be the only factor that made her ineligible to be approved for the status for which she sought.

- The other applicant advanced to Cabinet by the assessors, as per directions, was Mr. George Fay. Records provided to the auditors indicate that direct instructions were also given by the former Premier to the assessors to advance Mr. Fay’s application. The application was initially deferred and then subsequently denied. However, no reason or criteria was provided as to why this decision was made by Cabinet. The profile provided to Cabinet indicated that the applicant was unemployed and had been ordinarily resident in the Territory from September 1996. However, based on research, at the time of Mr. Fay’s application, he was serving a prison sentence in the United States for rape, having been sentenced on April 17, 2018 to ten (10) years in prison. Consequently, Mr. Fay would not be deemed a person of good character as he had a criminal record at the time of his application, although not related to crimes committed in the Territory.

10.0 RECOMMENDATIONS

- 10.1 It is recommend that for those applicants who were awarded status under the Programme that did not meet the statutory requirements, be referred to the Attorney General's Chambers for assessment to determine the validity of the award and what appropriate actions may be necessary to rectify such.
- 10.2 It is recommended that an assessment be done by the Attorney General's Chambers to determine whether the placement of Section 16(5a) within the Immigration and Passport Act achieves the intended purpose. As it currently stands, awards under this Section may be invalidated if the awardees continue to remain outside of the Territory, as outlined in Section 17.
- 10.3 In instances where certificates of residency were not issued to applicants who were awarded this status, it is recommended that the Department of Immigration issue the relevant certificate to the applicants.
- 10.4 It is recommended that 4th generation applicants who overpaid for their certificates of belonger be refunded the overpaid amount.
- 10.5 It is recommended that in the creation of Government programmes, policy makers consider the short and long term impacts, especially where legislative changes are needed. Furthermore, it is also recommended that elements that promote good governance be incorporated into the programme's design and development.
- 10.6 It is recommended that Government's approach to immigration reform be done in a holistic manner that is driven by research, analysis, and involves relevant stakeholders.
- 10.7 It is recommended that when discretion is being exercised by the Executive that criteria used in arriving at a decision be documented with sufficient information that would allow other stakeholders to fully understand the reason for the decision. It is further recommended that when the Executive is exercising their discretion, that regard be given to the specific requirements stipulated as well as satisfy the relevant statutory requirements.
- 10.8 It is recommended that when instructions are being communicated to programme administrators, the Executive communicates such instructions in writing and properly documented on files.
- 10.9 It is recommended that clear assessment criteria be established for programme administrators when Boards' oversights are removed from programmes/processes.

11.0 CONCLUSION

- 11.1 In conclusion, the Clear Path to Regularisation Programme Residency and Belonger Status lacked essential governance principles of transparency, participation, accountability and equity. The Programme as designed and executed weakened the overall governance structure of issuance of immigration benefits within the Territory. The statutory requirements were not applied to all the applications and there is evidence that some decisions were influenced by the policymakers who directly benefited in some instances. In exercising discretion under the Programme, the statutory requirements were sometimes ignored and

decision makers exceeded the authority afforded under the amended Immigration and Passport Act in awarding status to some applicants.

- 11.2 The issue of migration continues to be a highly debated and polarizing issue the world over. Countries continue to struggle to find the appropriate mix of laws and policies to govern migration within their borders. These issues can be more pronounced in small and developing countries and island states that have limited resources to accommodate significant migration. As such, as a small island state and one that is attractive based on economic and other circumstances, the British Virgin Islands continues to grapple with the issue of migration. The Fast Track Programme was introduced with the expressed intent to clear the backlog of applications that were, for various reasons, stalled in the process for extended periods. However, the Programme failed to identify and address the root cause for the backlog. Consequently, the Department of Immigration finds itself again with a significant backlog of applications without any clear indication of how to remedy them.
- 11.3 The issue of immigration is not a trivial matter and should be managed in a manner that is holistic and informed by relevant information. Laws and policies should only be changed after the issues have been thoroughly understood, input gained from stakeholders and the evidence yielded dictates the appropriate legislative and policy changes that would address the underlying issues in a long term and permanent manner. The manner in which legislative changes were made to facilitate this Programme were shortsighted. In the three years since the winding up of the Programme, which was intended to pave the way for comprehensive immigration reform, no significant legislative or policy changes have been implemented to permanently resolve the issues with the process of awarding status.

APPENDIX I

Table1: Principal Act compared to 2019 Amendment to facilitate Fast Track Programme

Section	#	Original	2019 Amendment(s) - Fast Track Programme
16 (Belonger)	4	Where in the exceptional circumstances of any case, the Cabinet considers it fit to do so, it may, after consultation with the Board, grant a certificate referred to in subsection (1) to any person who is of good character and who is at the date of making the application for such a certificate ordinarily resident in the Territory and who has been so ordinarily resident for the period of not less than 7 years immediately prior to his or her application. (Substituted by Act 12 of 2000)	(a) by deleting subsection (4) and substituting with the following: "(4) Where in the exceptional circumstances of any case or for any other reason, Cabinet considers it fit to do so, it may, in its own discretion grant a certificate referred to in subsection (1) to any person who applies for same in the prescribed manner and who (a) is of good character; (b) is at the date of making the application for such a certificate, ordinarily resident in the Territory; and (c) has been so ordinarily resident for the period of not less than 7 years immediately prior to his or her application".
	5	Where in the exceptional circumstances of any case, the Cabinet considers it fit to do so, it may, in its own discretion and without requiring the submission of an application, grant a certificate referred to in subsection (1) to any person who, in its opinion, has made significant and consistent contributions to the economic and social development of the Territory over a period of at least 50 years. (Inserted by Act 8 of 2003)	(b) by deleting subsection (5) and substituting with the following: "(5) Where in the exceptional circumstances of any case, the Cabinet considers it fit to do so, it may, in its own discretion grant a certificate referred to in subsection (1) to any person who applies for the same in the prescribed manner and who, in its opinion, (a) has made significant and consistent contributions to the economic and social development of the Territory; or (b) has been ordinarily resident in the Territory, for a period of at least 20 years."
	5(a)		c) by inserting after subsection (5) the following subsection: "(5a) Where Cabinet considers it fit to do so, it may, in its own discretion grant a certificate referred to in subsection (1) to a person who is born outside of the Virgin Islands of a father or mother who belongs to the Virgin Islands by virtue of section 2(d) of the Constitution, upon application for same in the prescribed manner". The Immigration and Passport Act is amended in section 16 by replacing, subsection (5a) with the following: "(5a) Where Cabinet considers it fit to do so, it may, in its own discretion grant a certificate referred to in subsection (1) to a person who is a great grandchild of a person who belongs to the Virgin Islands by virtue of section 2(d) of the Constitution, upon application for same in the prescribed manner."
18 (Residence)	1	Subject 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- (a) is of good character; and (b) in his or her application has stated an intention to reside permanently in the Territory. (Substituted by Act 12 of 2000)	
	1(A)		Subsection 18 of the principal Act is amended by inserting after subsection (1) the following new subsection: "(1A) Where in the exceptional circumstances of any case or for any other reason, Cabinet considers it fit to do so, it may, in its own discretion grant a certificate of residence referred to in subsection (1) to any person who applies for same in the prescribed manner and who (a) is of good character; (b) in his or her application has stated an intention to reside permanently in the Territory; and (c) has been ordinarily resident in the Territory for a period of at least 19 years;"

APPENDIX II

Table 1: Applicants that did not meet the statutory requirement of 20 years but awarded status

#	Name	Cabinet Profile Date Resident	Cabinet Memo Approval	Date of Cabinet Approval	No. of Years Resident	Date Residence Status was Awarded	Application Status
BELONGER STATUS							
1	Kellner, Petr	03-Apr-2005	404/2019	22-Nov-2019	14	21-Feb-2019	Complete
2	Chennupati, Latha	May-2004	289/2019	02-Oct-2019	15	01-Jun-2016	Complete
3	Forte, Jeannette	15-Jun-2004	442/2019	13-Dec-2019	15	21-Feb-2019	Complete
4	Forte, Mark Julian Carmino	15-Jun-2004	442/2019	13-Dec-2019	15	21-Feb-2019	Complete
5	St. Marthe, Daniela Angelik	2004	289/2019	02-Oct-2019	15	31-May-2017	Incomplete
6	Alexander-Joseph, Dawn Theona	04-Oct-2003	442/2019	13-Dec-2019	16	31-Aug-2011	Incomplete
7	Joseph, Sebastien	04-Oct-2003	442/2019	13-Dec-2019	16	31-Aug-2011	Incomplete
8	Thomas, Gareth	19-Jun-2002	442/2019	13-Dec-2019	17	21-Feb-2019	Complete
9	Cooper, Vanicia Argel Liddie	1981 to 2006; Left for 7 years due to family relocation. Returned 2013 to present	385/2019	7-Nov-2019	6	21-Aug-2019	Incomplete
10	Cowland, Paul Brian	21-Sep-2002	405/2019	22-Nov-2019	17	18-Aug-2017	Complete
RESIDENCE AND BELONGER STATUS							
1	Hodeige, Christian Heinrich (Dr.)	Applicant has been visiting the territory every year since 1995. Purchased property in 1998 and opened businesses in 2000. However, applicant cannot be considered ordinarily resident.	443/2019	13-Dec-2019		gap identified in resident years	Incomplete
2	Hodeige, Regine Renate	Applicant has been visiting the territory every year since 1995. Purchased property in 1998 and opened businesses in 2000. However, applicant cannot be considered ordinarily resident.	443/2019	13-Dec-2019		gap identified in resident years	Incomplete
3	McDonald, Barbara Dawn	2003	405/2019	22-Nov-2019	16		Incomplete
4	Orno-Igbinomwanhia, Nosa Everest	10-Feb-2010	426/2019	01-Dec-2019	9		Incomplete
5	Emelandu, Nodu Staywell	17-Nov-2007	405/2019	22-Nov-2019	12		Incomplete
6	Woolford, Quincy St. Orbis Narcelius	04-Jan-2007	426/2019	01-Dec-2019	12		Complete
7	Emelandu, Chioma Anyasodor	11-Oct-2003	426/2019	01-Dec-2019	16		Incomplete
8	Emelandu, Ikechukwu Sanuel	11-Oct-2003	426/2019	01-Dec-2019	16		Incomplete
9	Lewis, Shaquille Brendon Diamond Daniel	01-Jan-2006	426/2019	01-Dec-2019	13		Incomplete
10	Lewis, Beverly Veronica	30-May-2005	426/2019	01-Dec-2019	14		Incomplete
11	Naraine, Seema Kamalpatie	12-May-2003	426/2019	01-Dec-2019	16		Complete
12	Shallow-Wheatley, Carolyn Marilyn	Sep-2003	426/2019	01-Dec-2019	16		Incomplete
13	Teka, Gordon	22-Sep-2001	443/2019	13-Dec-2019	18		Complete
14	Baker, Shemorne Shemonique Shermorna	01-Aug-2002	405/2019	22-Nov-2019	17		Complete
15	Bazzar, Ziad	02-Aug-2002	405/2019	22-Nov-2019	17		Complete
16	Fay, Natalie Sofia Regan	2002	405/2019	22-Nov-2019	17		Complete
17	Gordon, Celma Verona	Nov-2002	426/2019	01-Dec-2019	17		Incomplete
18	Miller, Jaa-Mala Jerome	13-Jul-2000	443/2019	13-Dec-2019	19		Incomplete
19	Naraine, Richard	11-Jan-2002	426/2019	01-Dec-2019	17		Complete
20	Walton, Lucita Angeleve	31-Jul-2002	426/2019	01-Dec-2019	17		Complete
21	Walton, Miles Cameron	02-Jun-2002	426/2019	01-Dec-2019	17		Complete
22	Admas-Wintz, Yonette Rosamond	31-Jan-2001	405/2019	22-Nov-2019	18		Incomplete
23	Browne, Mitchie Livinston	18-May-2001	443/2019	13-Dec-2019	18		Complete
24	Budhu, Suresh	06-Jan-2001	426/2019	01-Dec-2019	18		Complete
25	Butler, Benjamin Stokes	27-May-2001	443/2019	13-Dec-2019	18		Complete
26	Esser, Yannik Christian Casper	01-Apr-2001	443/2019	13-Dec-2019	18		Complete
27	Grange, Camiane St. Albourne	27-Jun-2001	426/2019	01-Dec-2019	18		Incomplete
28	Grau Esser, Christine Geb	01-Apr-2001	443/2019	13-Dec-2019	18		Incomplete
29	Joseph, Hermia	03-Jul-2001	443/2019	13-Dec-2019	18		Complete
30	Kaddoura, Saad Al	13-Sep-2001	405/2019	22-Nov-2019	18		Complete
31	Ollivierre-Simmons, Erica Adella	19-Sep-2001	443/2019	13-Dec-2019	18		Complete
32	Robertson, Elisabeth Ursula	Jan-2001	443/2019	13-Dec-2019	18		Incomplete
33	Valrose, Bernadine Avalina	27-May-2001	443/2019	13-Dec-2019	18		Incomplete
34	Williams, Brenda Noreen Elizabeth	19-Jun-2000	443/2019	13-Dec-2019	19		Incomplete
35	Williams, Judith May	13-Dec-2001	443/2019	13-Dec-2019	18		Complete
36	Bell, Oneil	29-Jan-2000	426/2019	01-Dec-2019	19		Complete
37	Cooper, Nigel Maurice	10-Oct-2000	443/2019	13-Dec-2019	19		Complete
38	Encarnacion Motero, Maria Estela	Apr-2000	443/2019	13-Dec-2019	19		Complete
39	Francois-Smith, Lawrenda Shermin	Jul-2000	426/2019	01-Dec-2019	19		Incomplete
40	Husein, Aymen	15-May-2000	363/2019	07-Nov-2019	19		Incomplete
41	James, Cassandra Aroner	05-Nov-2000	443/2019	13-Dec-2019	19		Complete
42	Jn. Baptiste, Crescentia Antonia	13-Oct-2000	405/2019	22-Nov-2019	19		Complete
43	John-Robinson, Judith Ann	16-Jan-2000	426/2019	01-Dec-2019	19		Complete
44	Kaddoura, Saif Ali	Aug-2000	426/2019	01-Dec-2019	19		Complete
45	Magloire-Williams, Bernice Lydia	Dec-2001	443/2019	13-Dec-2019	18		Incomplete
46	Rivera Alcantara, Julio Cesar	01-May-2000	443/2019	13-Dec-2019	19		Complete
47	Scotland, Gail Aloma	14-Feb-2000	443/2019	13-Dec-2019	19		Complete
48	Shilchand, Manraj	14-Feb-2000	443/2019	13-Dec-2019	19		Complete
49	Sugrim-Mahabir, Jasmin	23-Mar-2000	443/2019	13-Dec-2019	19		Complete
50	Williams, Helen Cecelia	19-Jan-2000	443/2019	13-Dec-2019	19		Complete
51	Wyke, Malvern Jered	15-Apr-2000	443/2019	13-Dec-2019	19		Incomplete
52	Yhip, Christine Allison	07-Feb-2000	443/2019	13-Dec-2019	19		Incomplete
53	Alli, Aftab	May-2000	405/2019	22-Nov-2019	19		Complete
54	Willis, Nicholas Anthony	2-Mar-2000	426/2019	1-Dec-19	19		Complete

APPENDIX III

Table 1: Listing of persons awarded Belonger or Residency and Belonger Statuses

No.	Belonger Status Awarded	Residency and Belonger Status Awarded
1	Aaron, Thomas William	Aaron Thomas de Tavarez, Margarita Virginia
2	Abbensetts, Alma Wilhelmina	Abbey, Nihon Alexis
3	Abbensetts, Angelia Regenia	Adams, Merlina Angela Rochelle
4	Abbey, Joali Ovander Mikhail	Adams-Wintz, Yonette Rosamond
5	Abbey, Joy Louise	Adonis-Prince, Rem-Jermyn Patricia
6	Abbey, Vandol Xavier	Agrilla, Dawson Dudley
7	Abbey-Mactavious, Janine Andrea Shirlene	Alexis, Annamarie Dian
8	Abraham, Garner King	Alli, Aftab
9	Abrahams, Adean Alexander	Almonte, Alberto Ovalles
10	Abrehart, Alastair Guy	Anderson-Lorenzo, Miguelina
11	Abrehart, Claire Louise	Andrew, Yvettlyn Wilhelmina
12	Adams, Caryl	Andrews, Curwin Hensley
13	Adams, Gilson	Angus, James Herbert
14	Albert-Charlemagne, Macelline	Ansell, Robert William
15	Alexander, Avril Samita Vanessa	Anselm, Catherine
16	Alexander, Debbie Ann	Arias-Abreu, Carlos Manuel
17	Alexander, Erva Agnes Sandra	Arthur, Anthea Sheryl
18	Alexander, Ethel Edith	Arthur, Margueite
19	Alexander, Kennis Wilfred	Audain, Corine
20	Alexander-James, Sylvia	Austin, Kevin John
21	Alexander-Joseph, Dawn Theona	Baisden, Osei Vijay Edward
22	Alfred, Jonathan Henry	Baker, Amanda Louise
23	Amory, Gloria Savella	Baker, Shemorne Shemonique Shemorna
24	Andrew, Anna Jennifer	Bangari, Kamachie
25	Andrew, Philsbert Theodore	Banner-Palmer, Ann Marie
26	Andrews, Noel Sheldon	Bannis, Cletus Mac Lenny
27	Apping, Norris Anthony	Baptiste, Reives St. Audin
28	Arringdell, Sandra Veronica	Barcik, Valerie Susan
29	Aspinall, John Philip	Barnes, Raquish Tyrone
30	Athanaze, Bernadette Myrtle	Barrett, Winston Samuel Anthony
31	Athanaze, Cristell Nalda	Barry, Aulina
32	Athanaze, James	Bayles, Lesley Ann
33	Auguiste, Jill Elvette	Bazzar, Ziad
34	Auguiste, Joseph	Belen De Paul, Arcadia
35	Austrie, Simpson Leon	Bell, Evadnie
36	Bahadoor, Israel	Bell, Kathy-Ann Valancia
37	Baijnauth, Angad	Bell, Oneil
38	Baijnauth, Budhwatie	Bencheri, Christine Ellen
39	Bailey, Erica Deloris	Bertham, Aldan Winston
40	Bailey, William John	Bickerton, Mia Katherine

41	Bailey-Charles, Januarius Emily Lucy	Bickerton, Zoë Jennifer
42	Bainbridge, Elaine Susan	Bideau, Kerlene
43	Bainbridge, Stephen John	Bissoondutt, Manog
44	Baker-Smith, Marvelyn	Black, Vidalin Rose
45	Bakewell, Jane	Blake, Anthony John
46	Baldy, Shernette	Blake, Theodore Jasmin
47	Barker, Devorn Edron	Boreland-Fearon, Dionne Gayle Antoinette
48	Barnwell-Edwards, Kathy Natelle Patrice	Braveboy, Rondell Andre
49	Barry, Winston	Brewster-Archibald, Ayanna Tessa
50	Bascombe, Cathy-Ann Bernadette	Brockelbank, David Edward
51	Bascombe, Ken Devon Nigel	Brown, Cargil George
52	Beer-Maywahlall, Kamlapattie	Brown, Winston George
53	Bell-Duncan, Maxine Elaine	Browne, Jacinda Alana
54	Belsujet, Rohan Fitzgerald	Browne, Mitchie Livinston
55	Beltran De Davis, Ana Victoria De La Altagracia	Budhu, Suresh
56	Benjamin, Sonia	Burns, Russell John
57	Benn, Habahkuk Emmanuel	Burrel-Fearon, Clarice Maude
58	Bennett, Angella Augustin	Butler, Benjamin Stokes
59	Bhainie, Munilall Kanhai	Cabrera Garcia, Rosa Altagracia
60	Bickerton, Andrew David	Caddle, Tyrone Evan
61	Bickerton, Arletta	Cadette, Andrew Thurston
62	Bickerton-Dobbie, Jenni Nicole	Caesar-Halley, Annette Beatrice
63	Billingy, Claudette Victoria	Caine, Catherine Joanne
64	Blaize-Rose, Mary Magdalene	Caines, Kenneth Anthony
65	Bobb, Arlene Rose Marie	Campbell, Marlene Uan
66	Bobb, Rasley Asbert	Campbell, Mary Agatha
67	Boisgirard, Christophe Paul Olivier	Campbell, Rose Marie
68	Boncamper, Conrad Anthony	Carey, Vaughn Carlisle
69	Boncamper, Theresa	Carson, Denise Colleen
70	Bowen, Maria	Carson, Robert Thomas
71	Bowen, Roy Carlton	Carter, Kervin Hutton
72	Brandon-Shaw, Elizabeth	Castello, Vernon Eson
73	Branson (Sir), Richard Charles Nicholas	Castro Feliz, Juan Esteilin
74	Briant, Robert John Douglas	Charles, Claudius Alexis
75	Bridgewater, James Lionel Max	Charles, Denise Acklima
76	Brito Amadiz, Christopher Ruben	Charles, Emmanuel Edmund Buckmire
77	Brown Valdez, Angel Rafael	Charles, Fate Michelle Bernedette
78	Brown, Beverly	Charles, Listra Ingrid Bernadette
79	Brown, Lennox Aubrey	Charles, Philip James Eldred
80	Bruce, Deborah Angelie	Cheese-Angus, Millicent Alecia
81	Bryan, Dawn Marie	Chester, Colin Joseph
82	Bryan, Ordia Ocelia	Clarke, Richard Eric

83	Burin, Jude	Claxton, Otis Ortiz
84	Butcher, David Anthony	Clyne, Jane Emelda Nerissa
85	Butler, Corey Darren Butler	Coke-Augustin, Ione Juliet
86	Cadette-Zurich, Jessica	Combard-Boisgirard, Anne-Valerie
87	Campbell, Andrew Claxton	Conseillant, Michel
88	Campbell, Sylvia Marie	Consoro Jimenez, Ruben
89	Campbell-France, Clarette Lucene	Cooper, Nigel Maurice
90	Carey-McKennon, Denise Wilmar	Cottreau, Gary Patrick
91	Carmedy, Charles Dennis	Cuffy, Patrick Winston Fredrick
92	Carmedy, Mary Constance	Da Silva, Calvert Dunstan
93	Carney-Sims, Valarie	Da Silva, Teckla Fawyer
94	Carrington, Gail Patricia	Daaku, Joseph Owusu Yeboah
95	Carrington, John Eric Ian	Daigneault, Kashma Davi
96	Cavallo, Rita Rosalia	Daigneault, Richard
97	Cedano Ortiz, Eufemio	Dalchand, Khemraj
98	Chambers Morris, Mary Alejandrina	Dangleben, Vitalis
99	Chambers, Anthony Val	Daniel, Isola Hernima
100	Chapman, Heather Elizabeth	Daniel-Tonge, Paulina
101	Chapman, Mark Iain Sorby	Dasrat, Jagdeo
102	Chapman, Thomas Christian	Davis, Stephen John
103	Charles, Cassandra	Dawson, Janet Ascinta
104	Charles, Clara	De Aza Rodriguez, Remigio Antonio
105	Charles, Eda	De Coteau, Tracey Jose Anne
106	Charles, John	Defoe, Lambert
107	Charles, Kenster Bede	Del Jesus Mejia De Osori, Dilcia Maria
108	Charles, Nicols Cleveland	DeLeon, Alfonso John
109	Charles, Pinnock, Cara	Dennis, Anthony Ainsworth
110	Charles, Solange Cleva	Deochand, Jagnarine
111	Charles, Sonia Veronica	Desbonnes, Michaela Hedda
112	Charles-Barry, Carey Ann Marcia	DeSuza, Sonia Patricia
113	Chennupati, Latha	Dillon, Mickey Calonie
114	Childs, Edward Leighton	Dixon, Yvonne Jennifer
115	Childs, Trudy Anne	Dixon,-Cooper, Josette Sophia
116	Christie, Belinda	Dixon-Clark, Narda Melesha
117	Christopher, Ella Sketha	Doram, Jonathan
118	Clark, Ian William	Dorsett, Earl Iverson
119	Clark, Michael Wendell	Douglas, Kendrick Arnold
120	Clarke, Dion Marcellar	Doux-Laplace, Marianne Paule
121	Clarke, Doris Edris	Downer, Paulette Patricia
122	Claxton, Cyrus, Llewelle	Downing, Sharn Peirson
123	Cohen, Javaughn Adrian	Drummond-Higgins, Annette Ann Marie
124	Collins, Fra-vern Princess Arabella	Drummonds, Fitzroy Augustus

125	Collymore, Martha	Dublin, Shanna Yvonda Shannica
126	Compton, Penelope Dawn	Dublin-Benn, Shanna Monica Theresa
127	Compton, Peter Alfred	Edward, Ronald
128	Cooke, Candyce Pricilla	Emelandu, Chioma Anyasodor
129	Cooke, Christopher Roper	Emelandu, Ikechukwu Sanuel
130	Cooke, Geoffrey Roper	Emelandu, Nodu Staywell
131	Cooper, Andrew Ricardo	Emmanuel, Amanda Nathalie
132	Cooper, Vanessa Renee Antonette	Encarnacion Montero, Maria Estela
133	Coplin, Reina Liriano	Erwin-Brockelbank, Ellen
134	Cornwall, Terrance Leopold	Esser, Christine Geb Grau
135	Cowlard, Paul Brian	Esser, Yannik Christian Casper
136	Creary, Paulette Angela	Estevez Caraballo, Ana Maria
137	Cruickshank, Koval Mayvalda	Ettienne, Petrina
138	Cruickshank, St. Clair Ezekiel	Etwaru, Thakurdial
139	Cuffy, Rasbert Cetroy Dougal	Ewers, Mark Anthony
140	Cummings, Cameel Emeth	Fagan, Rohan Robert
141	Cummings, Kevin Ezron	Farinha, Graham Jude
142	Cummings, Onecia Nekeisha	Fay, Christian Michael James
143	Daley, Jacqueline Alecia Raquel	Fay, Natalie Sofia Regan
144	Daley, James Cornell Aliston	Fearon, Michael Dean
145	Daley, Joy Augusta	Felix, Anestasia Sordia
146	Daley, Odette Patricia Ann	Felix, Milton Errol
147	Daley, Tremaine Michael	Felix, Nigel Urban
148	Daley-Savage, Petagaye Roxanne	Felix, Rennie Angus
149	Daniel, Calvin Marcellous	Ferreras Altagracia, Nancy Leomary
150	Daniel, Percival Alstanley	Ferrigon, Earline Mae
151	Dasent, Marcia Nellie Clare	Field, Uri Gibran
152	David, Donald Sylvanus Emmanuel	Flaherty, Jo-Ann
153	Davis, Alphonso Alexander	Flavius, James Joseph Alexander
154	Davis, Desmond Grantley	Flavius, Juliana
155	Davis, Juan Antonio	Forbes, Roy Gregory
156	Davis, Leston Clyde	Forteau, Nobertina Jocelyn
157	Del Carmen Pacheco-Vanterpool, Andrea	France, Andrea Mellisa Virginia
158	Demers, Susan Victoria Battaglino	France, Ellie Noreen
159	Dennis, Michael Stephen	France, Michael Andre
160	Dennis, Monique Stefani	Francis, Dwight Maxwell
161	Dennis, Paul Barrington	Francis, Michael George Small
162	Dennis-Edwards, Lois Eunice	Francis, Pearl Rosina
163	Deonarine, Kamlawattie	Francis, Royston Henus
164	Dias, Blossom Adassa	Francis, Wayne Stewart
165	Diaz, Enrique	Francois, Theresa
166	Dick, Michael Fitz Patrick	Francois-Smith, Lawrenda Shermin

167	Dick, Paula Carol Merleene	Frank, Francoise Evelina
168	Dobson, Earle	Gairy, Gloria
169	Doodnauth, Hemant Hemanchal	Garibdass, Jassodra
170	Douglas, Andrea Joy	George, Marie-Theresa
171	Douglas, Keisha Latoya	George, Marvelle Veronica
172	Downing, Jo-Ann	George, Randy
173	Downing, Robin Edmund William	Gilchrist, Lavern Patricia
174	Drummond-Branson (Lady), Joan Sarah	Gilford, Shawn Leroy
175	Drummond-Jardine, Alecia Natasha	Girwar, Chitra Devi
176	Dugdale, Alexander James	Girwar, Gangawattee
177	Dugdale, Fiona Mary	Girwar, Motielall
178	Duhaney, Hylford Emmanuel	Girwar, Vijay Latchmie Devi
179	Duncan, Janice	Givans-Francis, Lois Ann-Marie
180	Duncan, Kennie Patrick	Glasgow, Alic Augustus
181	Dupuis, Florisca	Glasgow, Kenmore Anthony
182	Durand-Richards, Ozina	Glasgow, Majesty Sharoyia Danelle
183	Eddy, Casandra Anita	Glasgow, Orland Rosco
184	Edward, George Clelestine	Glasgow, Rosbert Redeckqui
185	Edwards, Thoria Clara	Glasgow, Vernette Dominique
186	Edwin, Jason Alex	Glasgow-Dawson, Alicia Cyntica
187	Ellis, Lawrence Bernard	Gobin, Deowanttie
188	Ellis, Sharon	Gordon, Celma Verona
189	Escoto Felix, Josefa	Gordon, George Authur Fitz Alexander
190	Etienne, Rennicks Claudius	Gould-George, Josephine Dorcas Victoria
191	Etwaru, Banmatie	Grange, Camiane St. Albourne
192	Etwaru, Nehaul	Grant, Stephern Adriana Jacqueline
193	Fay, Michael John	Green Samuel, Alma Trinidad
194	Fay, Sofia Petronella Worede	Green-Brown, Ioni Millicent
195	Felix, Leslyn Debbie	Gregg, Jozette Casandra
196	Figaro-Tittle, Carthy-Ann	Guilene, Estinfil
197	Fontaine, Marcelin	Guiste, McDonald
198	Fontaine, Mavis Norma	Hadaway, Don-Carlos Kem
199	Fontaine, Verdant	Hagley, Garvin Peters
200	Forde-Butcher, Heather Patricia	Hagley, Libby Ann Mary
201	Forte, Jeannette	Hall Jr., Michael George Washington
202	Forte, Mark Julian Carmino	Hall, Maurice Winfield
203	Foster, Simone Iolanie	Harnarain, Paltooram
204	France, Trevor David George	Harridial, Chetram
205	Francis, Brenda Angella	Harridial, Lolita
206	Francis, Carmen Mae	Harris, Abraham George
207	Francis, Carol Susan	Harris, Milton
208	Francis, Elaine	Harry, Esias Meshack

209	Francis, Eugene John	Hart, Roselyn
210	Francis, Leslie Joseph	Hasted, Hannah Amelia Anne
211	Francois, Alden Anthony	Hawke, Kamla
212	Francois-Charles, Audrice Linely	Hawke, Tagore
213	Frederick, Davita Nerrissa Jessica	Hazel, Brenda Paula
214	Frederick, Ericca Philiscia	Hazell, Ruth Karon Joslin
215	Frederick, Paula Susan	Henry, Bill
216	Frometa Frometa, Luis Domingo	Henry, Derrick
217	Gansaw, Chandralakah	Henry, Gangadai
218	Gansaw, Durga Devi	Henry, Genette
219	Gansaw, Kumar	Henry, Jahnuque Mora
220	Garcia O'neil, Jonatan Hairston	Henry, Sharon Claudine
221	Garricks-Williams, Merell	Herman, Charly
222	George, Dianna Adelice Semonita	Herrera, Leonardo Oscar
223	George, Loftus Kaiel	Hodeige, Christian Heinrich
224	George, Mavis Mary London	Hodeige, Regine Renate
225	George, Miriam	Holder, Marlyn Patricia
226	Georges, Tamisha Kabinda	Holder, Shurlene Vanesta
227	Ghiorse, Christopher Dominic	Holt, Matthew Robert
228	Ghiorse, Victoria Louise	Hooper, Joan Pamella
229	Gibbs, Eloy Emanuel	Howell, Karen Cecelia
230	Gibson, David Peter	Howell, Nigel George
231	Gibson, Dawn Louise	Huggins, Rochelle Marsha
232	Giles-David, Juliet Judian	Hurst, Omar Orlando
233	Girwar, Manichand	Husein, Aymen
234	Glasgow, Jerome Adalbert	Ible-Peters, Fanya Vabena
235	Gorden-Louisy, Janette Antiape	Imran, Wahabudeen
236	Gordon, Joycelyn Jessica	Jackson, Anne
237	Gordon, Mitchell	Jackson-Okoro, Veronica Erica
238	Gordon, Norma Louise	Jagdeo, Rajendra Uditt
239	Gordon, St. Clair Bernard	Jagessar, Jason James
240	Govia, Joseph Daniel Peter	James, Cassandra Aroner
241	Graham, Valissa Ajeilia	James, Jennel Aduma Velisha
242	Grant, Ingrid Jacqueline	James, Pauline
243	Grant, Jeffrey Cornilus	James, Phillip Mark
244	Grant, Rhona	James, Robert
245	Grant, Spencer E.R.	James-Davis, Monica Helen
246	Grant, Suzette Ann Marie	Jeffers, Mark Anthony
247	Grassals Perez, Oneyda Isabel	Jn. Baptiste, Cresentia Antonia
248	Greces, Laura Elaine	John Baptiste, Valda
249	Griffith-Peters, Erica Pearlyn Kezia	John, Howard
250	Gumbs, Denika Desaray	John, Joycelyn

251	Gumbs, Travon Jamil	John, Junelto Jevvy Jeff
252	Hackshaw, Diana Flarvie	John-Jules Nicholas, Tracy
253	Hackshaw, Kenvil Curtis	John-Latchman, Monique Alinda
254	Hallett, Michael Ray	Johnney, Carl Brayan
255	Hallett, Sandra Louise	John-Robinson, Judith Ann
256	Hamilton, Verelyn Lavern	Johnson, Clifford Mitchell
257	Harbans, Dhanwatie	Johnston, Lynn Patricia
258	Harihar, Balram	Jolly, David
259	Harris, Arleen Camelia	Jones, Sarah
260	Harris, Claudette Ann	Jordon, Joel Clinton
261	Harris, Murphy	Joseph, Bernard
262	Harry, Elson Emerson	Joseph, Evenest Peter
263	Harry, Nellie Carmena	Joseph, Herbert Davis
264	Haywood, Alvin Jeremiah	Joseph, Hermia
265	Haywood, Andine Elgina	Joseph, Jeffrey Mc Kenzie
266	Haywood, Brenton Ezekiel	Joseph, Melissa Lovenda
267	Hempel, Clinton Emil	Joseph, Thile Douchel
268	Henderson, Jeremy Luke	Joseph, Zoë Sandra
269	Henderson, Katie	Juredin, Christopher Ryan
270	Hendricks, Idona Claudette	Kaddoura, Saad Al
271	Hendrickson-Stevens, Kim Nadico	Kaddoura, Saif Ali
272	Henry, Berthelina	Kansinally, Norman Walter
273	Henry, Jude Roger	Karran, Indar
274	Henry, Mary Saintillia	Keegan, Roy Alan
275	Henry, Sheryl Arlene	Keil, Randall Brian
276	Henry-Bedford, Georgene Patricia Denise	Kent, Michael David
277	Henry-Chastenet, Aline Catherine	Khublall, Leonard Indar
278	Hewitt-Grant, Merley Mae	Kilpatrick Keil, Maritha Marie
279	Hidar, Chanwantie	King, Lucene Susanne
280	Higgins, Morris Fitzroy	King, Toi Mercelene Jackie
281	Higgins-Levy, Norma Elaine	Kisoon, Richard
282	Hill, Roselyn Agatha	Kissoon, Christina Amanda
283	Hobson, Orville Dinsdale	Knight Morales, Delfin Francisco
284	Hodge-Jeremiah, Catherine Andresine	Knight, Everton Leroy
285	Hogan Garcia, Elizabeth	Kosmass, Tarek Said
286	Horne, Deanna Anitha	Krallman, Charles William
287	Horne, Harvey Glenson	La Touche, Frances Veronica
288	Howell-Haywood, Mavis Mae	Lampkin, Mason Emanuel
289	Huish, Kim Elizabeth	Larocque, Vernon
290	Husbands, Ann Patricia	Latchman, Magnus Theodore
291	Husbands, Samuel Jackson	Lavia-Lennon, Sherry-Ann Blondina
292	Husein, Sallr Jose	Laville, Helen

293	Hutchenson, Denzil Leroy	Lebron, Paula Albertina
294	Hutchenson, Doreen Patricia Julia	Leigh-Burns, Margaret
295	Hutchinson, Weina Rebecca	Leon, Marina
296	Hypolite, Euphrasia Marilyn	Leroy, Sophie Louise
297	Hypolite-McCall, Juliette	Leslie, Evans Anthony
298	Isaac, Leroy Joseph	Leslie-Roberts, Antoinette Samanta
299	Isaac, Nadine Melissa	Leue, Humphry Armand
300	Jack, Melissa Karlene	Lewis, Beverly Veronica
301	Jack, Sonia Merivine	Lewis, Casandra Kamala
302	Jackson, Hayden Nadine Shaun	Lewis, Donnette Deborah
303	Jackson, Monique Michele	Lewis, Shaquille BrendonDiamond Daniel
304	Jackson, Tricia Natasha Terriann	Lewis, Stephen Hugh
305	Jackson-Alexander, Lucianne Roseanne	Liburd, Cora Hyacinth Andene
306	Jackson-Brockbank, Elizabeth Sela	Liburd, Khadija Kira Karen
307	Jacobs, Forell Lewis	LiGreci, Keith Smith
308	Jacobs, Eugena Isola	Lillee, Darmendra John
309	Jagpaul, Vijay Lakshmi	Lindyssey, Gloria Sylvia
310	Jaikaran, Chitranie	Linton, Joffre Beaverton
311	James, Blassie Omega	Lopez, Dalma Checo
312	James, Gawain Sean	Lopez, Marcell Anderson
313	James, Huston McNiel	Lyle, Trevor Andrew Mortimer
314	James, Joseph Allister	MacPhail, Anne Marie
315	James, Kenrick Henry	MacPhail, Nigel Bruce
316	Jardine, Eugin Valentine	Maestre Carles, Alisbelice
317	Jeffers, Lynette Abiola	Magloire-Williams, Bernice Lydia
318	Jeffers, Melvin Joseph Anthony	Mahabir, Anil Harridatt
319	Jeremiah, Jeremy Finbar	Maloney, Raemona Ernique Xavern
320	Jimenez Castillo, Julio Javier	Mangal, Lilchand
321	John, Celia Bernadette Ophelia	Mangar, Rishree Deo
322	John, Raphael	Mangroo, Manraj
323	John, Theodore Adolphus	Marques, Marlyn
324	Johnney, Layman Bendick	Mason George Lincoln
325	Johnson, Glenroy Leon	Mason, Ertha Allurma
326	Jones, Diana Deloris	Massicott, Lyndon
327	Jones, Roselia Earlena	Matthew, Kenneth Emanuel
328	Jones, Samuel Llewellyn	Matthews, Malcus Augustus
329	Joseph, Amos Francois	Matthews, Sydney Sylvester
330	Joseph, Paulino Anibal	Mayers-Prescott, Letitia Mervina
331	Joseph, Sebastien	Mc Dowall-Irish, Isilma Ivona
332	Joseph, Teresa	McDonald, Barbara Dawn
333	Joseph, Tysa Deradee Lucia	McDonald, Keble Anthony
334	Joseph, Verla Jacintha Susan	McFarlane, Eldon

335	Joseph-Claxton, Agnes Catherine	McKenzie, Calum
336	Joseph-Defoe, Claudean Cloathilda	McKenzie, Christopher Stuart
337	Joshua, Gary Bernard	McKenzie-Manning, Yvonne Anesta
338	Kaddoura, Mohamad	Mckie, Solomon Duhaney
339	Karran, Pryia Devi	McLearie, Trevor Orvin
340	Kellner, Petr	McLeod, Kareen Georgia
341	Khan, Careem	McLeod-Taylor, Virginia Carolaine
342	Khan, Meleni	McMillan, Dalbert Jerome
343	King, Cedric	Medley, Adelphema Sylvia
344	King, Dionne Corissa	Meikle-Henley, Annette Adassa
345	King, Montgomery Godwin	Mejia Mills, Ines Victoria
346	King-Johnney, Claudine Donna Jacinta	Mendes, Avril Sonelia
347	King-Telemaque, Gwenetha	Mendes, Jim Robertson
348	Knight Harrigan, Nancy Liscayra	Merrifield, Kervel Merana
349	Lacey, Carlton Vincent	Merry, Wesley Alvin
350	Lafeuillee, Marie Anna	Miller, Jaa-Mala Jerome
351	Lallbachan, Dywanttie	Mitchel, Jacqueline Carla
352	Lamothe, Glenworth Luke	Mitchell, Nadine Melody
353	Latchman, David Allister	Moffatt, Glermena Rubena
354	Laurac, Nicolas Crenele	Morancie, Oliver Simon
355	Laurac, Nicole Marie-Claire	Morgan, Everton Edward
356	Layne, James Jonathan	Morrison, Hugh Everton
357	Layne, Rosalie Beverly	Morrison, Jozette Elaine
358	Legair, Harris Alphanso	Muir, Sandra
359	Legair, Janette Hermina	Munroe, Leroy Claudius
360	Leroy, Philippe Rene Raymond	Murphy, Gerard Michael
361	Leslie, Deborah Isabelle	Murrell, Phoebe Dawn Sharon
362	Levy, Ellanando Jeremiah	Nagapen, Frank Soobreyan
363	Lewis, Anthony	Naraine, Richard
364	Lewis, Hyacinth Veronica	Naraine, Seema Kamalpatie
365	Liburd, Delseita Carney	Nelson, Ricky Gary
366	Liburd, Lester Wilson	Newling-Ward, Joanna Mary
367	Lichota, Dietmar Anton Michael	Newton, Michael Anthony
368	Liddie-Cooper, Vanicia Argel	Newton, Wadewatie
369	Lindie, Nerissa Nina	Nicholas, Alexander
370	Lionel, Valens	Ollivierre-Simmons, Erica Adella
371	Liverpool, Dionne Odessa	Omo-Igbinomwanhia, Nosa Everest
372	Louisy, Mervin	O'Neil, Carlos Montegomary
373	Luke, Clinton Brian	Ortiz Claxton, Heden Enriquez
374	Luke, Juliana Shermin	Osbourne, Robert Silburn
375	Lyght, Bobieton Forbe	Oswald, Dawn Marcia
376	Lynton, Anthony Gerald	Paradisi, Giorgio

377	Madrigal, Fernando Arturo Toussaint	Paul, Stephen
378	Malcolm, Hilda	Paulino Paulino, Mayra Esther
379	Malone, Onika Samantha	Persaud, Suruj Narine
380	Maloney, Ernesta Francelia	Peters, Angela Louise
381	Maloney, Joseph Raymond Xavier	Peters, Kenmore Seymore
382	Mangal, Deomatie	Peters, Tom Batholomew
383	Mangal, Ramkissoon	Peters-Carter, Dianne Seana
384	Manning, Renee Kimona	Petz, Judith
385	Manning-Bridgewater, Wanda Lynn	Peyronnet, Didier Francis Marie
386	Marcelle, Eversley Upstad	Phillip, Olive Rose-Mary
387	Maria De Brown, Dolores	Phillip, Roger Anthony
388	Marquis, Ira	Pierre, Noel Hamilton
389	Marquis, Ralph	Pinnock, Peter Junior
390	Marquis-Registe, Theresa	Pitt, Harrison Anthony
391	Martin, Amethyst Mercella	Plaxton, Gillan Diane
392	Massiah, Childa Odeth	Plaxton, James Mark
393	Massiah, Stephen Maxwell	Pomponio, Patrick Jean Pierre
394	Massicot, Jason Clint Dennis	Pope, Lynetta Grethel Eletha
395	Mathias-Meekly, Kathleen Adella	Pope, Ron Derick
396	Matthews, Amabell Rosabelle	Popo-Andrew, Marie
397	Matthews, Erlina Andretha	Poso Bastardo, Marcia
398	Maywahlall, Ravindra	Prescott, Alban Cecil
399	McDonald, Duklin George	Prince-Johnney, Suzette Deanna
400	McDowell-McDonald, Gardia Myrtle	Rajmangal, Kumarie Devi
401	McFarlane-Harris, Joyceline	Ramdut-Etwaru, Bhanmati
402	McKie, Claudia Rebecca	Rameshar, Paul Anthony
403	Meade, James Emanuel	Ramgadoo, Ann
404	Mejia Sanchez, Olga	Ramirez De Santos, Daisy Maruca
405	Michel, Donatien	Ramoutar-McGuire, Joanne Anne-Marie
406	Mitchell, Caroline	Ramtool, Cecelia
407	Mitchell, Janet Deloris	Ramtool, Dennis Visham
408	Mitchell, Roselyn Clarista Gladwin	Ranger, Junior
409	Mitchell, Sharon	Regis-Maloney, Theresa Carol
410	Montoute, Desmond Antoine	Registe, Curtis
411	Moore, Brian Godfrey	Reid, Andrel
412	Moore, Lloyd George	Richardson, Stephanie Monica
413	Moore, Rayness Marean	Richardson, Wycliffe Cuthbert
414	Moore, Vernella Pandora	Ricketts, Carlton Dacosta
415	Morgan, Kenneth Wallace	Ricketts, Janice Patricia
416	Morgan, Sharon AnnMarie	Rivera Alcantara, Julio Cesar
417	Morgan-Parsons, Susan Charmaine	Roban, Sonia Dadrey-Ann
418	Mornix, Dawson Samuel Strothie	Roberts, Elroy Joseph

419	Mornix, James Phillip	Robertson, Elisabeth Ursula
420	Morris, Erzsebet Aniko	Robinson, Zelter Ricardo
421	Morris, Vincent	Rochester, Charles Elsworth
422	Morton, Edgar Adolphus	Rockhead, Sarah Lou
423	Morton, Marcia Denise	Roddy, Allison Josephine
424	Morton-Meade, Vera Theodosha	Rodriguez, Christina Alejandra
425	Mundle, Danville Burns	Rodriguez, Rosanna Elizabeth
426	Myers, Anslem	Rosenberg, Dawn Lisa
427	Myers, Jennifer Marie	Ross, Esau John
428	Myers, Paul Samson	Ruffell-Smith, Florenda Nuevas
429	Nathaniel, Ian Alexis	Samuel, Saran Asha
430	Nathaniel, Jacqueline Laverne	Sanderson, Augustina
431	Nichols, Kemie Juliet	Scotland, Gail Aloma
432	Noel, Dexter	Scott-Hiller, Catherine
433	Noel, Earl Wilson	Scott-Simmons, Jacqueline Fiona
434	O'Brien, Carleta Sylvina	Seebarat, Hardat
435	O'Garro, Rupert Reginald Alexander	Seenarine, Kaminee
436	Oliver, Janet Elaine	Segura Pena, Nilsa
437	Omroa, Ramjai	Shallow-Wheatley, Carolyn Marilyn
438	Pacheco, Claudio Reynaldo Ortega	Shilchand, Manraj
439	Parkins, Calwyn Andrew Pierpont Bonner	Silchand, Totaram
440	Patrick, Bridget Maxcene	Silverio, Luis Alberto Valerio
441	Patterson, Cadrena Tamara	Simmons, Annette Maureen
442	Patterson, Kara Else	Sims, David Kenneth
443	Paul, Agnes Sheila	Sinanan, Betty
444	Paul, Dennis	Singh, Caleb Joshua Ignatius
445	Paul, Michelle Felix	Singh, Parmanand
446	Pecanha, Christianne Robalinho	Sinton, Adrian Eric
447	Pereira, Atricia Alanna	Smith, Christopher Michael Arthur
448	Pereira, Lindsay Fitz Herbert	Smith, Michael
449	Persaud, Navindra	Sofi, Luis
450	Persaud, Shanti Devi	Sookhoo, Anita
451	Pertabsingh, Kavirajh	Springer, Loraine Rodney
452	Pertabsingh, Tamara Michelle Dinel	St. Jean, Marvin
453	Peters, Christopher Rubenstein	St. Jean, Ralph Joseph
454	Peters, Etrica Ophelia	Standish, Joseph Chester
455	Peters, Jane-Ann Mary	Stanford-Case, Roxanne Bonita
456	Peters, Lurena Odetta	Stephens, Ovid Alphonso Rodwell
457	Peters, Marvin Glendon Skipron	Stewart, Sonia Elzeita
458	Peters, Nola Gretel	Stone, Radcliffe Anthony
459	Peters, Tridick Chet Derrick	Stoof, Arie Bastian
460	Peters, Vanessa	Stowe, Anne Angeli

461	Phillip, Calnise Jermaine Akiela	Stroh, Cheryl Ann
462	Phillips, Linda Raphael	Sugrim-Mahabir, Jasmin
463	Phillips, Robert Quaife	Sutherland Pilch, Miles Hugo
464	Phipps, Eldora	Sutherland Pilch, Lisa Kathleen
465	Phipps, Ian Hiram	Sutherland, Ascar Osdale
466	Phipps, Rhennie O'Marley	Tangutoori, Prithivi
467	Pierre, Earl O'Niel	Taylor, Donald Hugh
468	Pierre-Josil, Roseline	Taylor, Jessica Dawn
469	Pinfold, Natasha Emily	Taylor, Kenneth Lloyd
470	Pinfold, Thomas Sebastian	Teka, Gordon
471	Pipe-Wyllie, Faustina Ynold	Theodore, Lesley-Ann
472	Pitt-Nevers, Karen Andrea	Thomas, Marlon Dixon
473	Pompey, Timothy Nehemiah	Thomas, Nona Lorna Lislyn Theresa
474	Pond, Samuel Michael Joseph	Thomas, Patricia Angela Ann-Marie
475	Pope, Bernadette	Thomas, Terrance Collin
476	Pope, Don Gerick	Thomas-Cohen, Arlene Celene
477	Price-Findlay, Margaret Alison	Thompson, Alexander Sylvester
478	Prince, Kevin Thaddeus	Thompson, Ceann Glenette
479	Prince, La Fleece Tamyndra Rhianon	Thompson, Mona Paula Patricia
480	Prince, Veronica Viola	Thompson, Sanchia Simone
481	Prince-Pierre, Patricia Leavene	Tillack, Bhem
482	Profitt, Edna Veronica	Tillack, Darmendra
483	Punwasi, Oumadai	Tillack, Deonarine
484	Quashie, Michelle Theresa	Tillack, Dhanmattie
485	Questelles, Vasilca Salomie	Tilling, Christopher John
486	Raghunath, Ganga	Titre-Nicholas, Cecilia
487	Raghunath, Sunita	Toney, Shanique Shannelle Rodica
488	Ragnauth, Arona Maureen	Toussaint, Reid Mark
489	Ragnauth, Isaac	Tucker, Susan Anne
490	Ragnauth, Parbattie	Turnbull, Ahelia Devi
491	Rahaman, Bhashampitama	Tyndale, Hixford George
492	Rahaman, Surujdai	Tyson, Eldeka
493	Ramdeholl-Rambarose, Annette Sunita	Tyson, Falcon Stanley
494	Ramirez Bell, Nelson Alfredo	Ubiera Crispin, Hilario
495	Ramkripal, Mahadeo	Valade, Lucien
496	Ramphal Lutawan, Raywattie	Valerie, Shirley
497	Ramphal, Lakechand	Valrose, Bernadine Avalina
498	Ramphal-Jagnandan, Sharda	Van Houten, Martin Alexander
499	Rawlins-James, Sherry-Ann Carita Virginia	Vandenberg, Leslie Edmund
500	Reddy, Kay	Vandenburg, Lyndon Leroy
501	Reid, Eudene Natasha	Walker, Melanie Magdalene
502	Rice, Susanna Mary	Walters, Gladys Mae

503	Richards, Eris Calbert	Walton, Lucita Angeleve
504	Richards, Kevern Hyacinth	Walton, Miles Cameron
505	Richards, Milton Ray	Watson, Junior
506	Richards, Narris Glaston	Watson, Marcia Elizabeth
507	Richards, Noel Glenroy	Wells, Martin
508	Richards, Roylan McKen	Wenell Oliver, Pamela
509	Richards, Sophia Yvonne	Weston Bannis, Verlyn Carol Waldina
510	Richards, Yvonne Delores	Williams, Brenda Noreen Elizabeth
511	Richardson, Jeneline Elizabeth	Williams, Christiana Joan
512	Richardson, Suzette Shemmelar	Williams, Edna Shirley
513	Richard-Thompson, Daisy	Williams, Feebles Bryan
514	Roban, Julia Amelia	Williams, Helen Cecelia
515	Robert-Jacobus, Yonette Loraine	Williams, Jacqueline Amelia
516	Roberts, Ann Stacey Raquel	Williams, James
517	Roberts, Elcon Cedric	Williams, James Augustus
518	Roberts, Kayanna Marian Shorne	Williams, Jason James
519	Robinson, Devon Anthony	Williams, Judith May
520	Robinson, Jacqueline	Williams, Judith Yvonne
521	Robinson, Novlet Eunice	Williams, Paschale Welinda
522	Robinson, Paul Adrian	Williams, Patrick Windell
523	Robinson, Venetta Andray	Williams, Suzette Lucinda
524	Rodney, George Vincent Linton	Williams, Theon Kenley Sekhar
525	Rodney, Leslian	Willis, Nicholas Anthony
526	Rodriquez Nolasco, Ramona Lisette	Wilson, Gilford Glenfield
527	Rogers, Daniel Johannes	Wilson, Jolyon Dexter
528	Romain O'Neil, Joel	Wiltshire, Francis
529	Romain O'Neil, Siana Cyrena	Winter, Latoya Themaine
530	Rookwood, Julian Alexandria	Wintz, Laurence Christopher
531	Rosario, Juan Isidro	Wollard, Fausto Felipe
532	Royle, Keith Anthony Eric	Woodley, Hechford Winston
533	Salmon, Carlos Marcello	Wooldridge, Richard John
534	Salomon Mercedes, Yunis Juana	Woolford, Quincy St. Orbis Narcelius
535	Salway-Anderson, Celestine	Wright, Kamara Denise Elaine
536	Sam, Michael Labon Augustus	Wrigley, Kevin Jon
537	Sam, Sheril Marcella	Wyke, Jada Laurier
538	Samuel, Veronica Jasmin	Wyke, Malvern Jered
539	Samuel-John, Roslyn Iyna	Yhip, Christine Allison
540	Sanchez, Luz Yocaira	Yonnas, Mohamed Nazaam
541	Sanchez, Martires Cecil	Zwaan, Blanche Elaine Patricia
542	Sanders, Mark John Anthony	
543	Sanderson, Ezekiel	
544	Sanger, Adele Janine	

545	Santana Pacheco, Lohanny	
546	Sattaur, Abdool	
547	Sattaur, Niala	
548	Scheiner, James Benjamin	
549	Schoonover, Richard Charles	
550	Scott, Lee Anthony	
551	Seenarine, Himwant	
552	Seenarine, Lowattie	
553	Seonarain, Sahogra	
554	Seonarain, Sharwan Kumar	
555	Sergeant, Carl Lester	
556	Sergeant, Earill Eraemus	
557	Sergeant, Jacqueline Jennifer	
558	Sergeant, Janice Carmelita	
559	Sharpe, Olfred Cradie	
560	Sheriffe, David Elton	
561	Shevdyal, Dharmamati	
562	Shiple, Denise Sandy	
563	Simmons, Cleta Rozanne Ann-Marie	
564	Simmons, Lynnette Barbara	
565	Simmons, Micheal Benerdo Pedro Elmondo	
566	Simon-Joseph, Marilyn Anetta	
567	Simpson, Christopher Bowen	
568	Simpson, Karen Ann	
569	Singh, Meena	
570	Singh, Nadira Veronica	
571	Singh, Ronald Shridat	
572	Singh, Suegolam	
573	Singh, Sundardei	
574	Singh, Vishwanie	
575	Skyers-Fahie, Vermalene Elveda	
576	Smith, Dara Lynne	
577	Smith, George	
578	Sohan, Ray Anthony	
579	Solomon-Massiah, Joy Bernadette	
580	Somra, Deocharran Arjune	
581	Somra, Dobera Ann	
582	Sookhoo, Balram	
583	Sookraj, Rabindranath	
584	Sookram, Gabriella	
585	Spencer, Antony Francis Newman	
586	Spencer, Mara Gioconda Alido Achurra De	

587	Spencer-Crosdale, Natalie Nicole	
588	St. Catherine, Francis	
589	St. Jean, Nelcia	
590	St. Marthe, Daniela Angelik	
591	St. Marthe, Emmanuel	
592	St. Marthe, Marilyn James	
593	Stapleton, Terence Maurice	
594	Strawn, Duane Albert	
595	Tarabein, Shadi Nazir	
596	Taylor, Avonell Patricia	
597	Telemaque, Roman	
598	Theophile, Vanessa Anella	
599	Thimodant, Patricia	
600	Thom, Candacie Ashanti	
601	Thomas, Ashley Kelvin	
602	Thomas, Cleveland Crawford	
603	Thomas, Gareth	
604	Thompson, Andrew Colin	
605	Thompson, Delemore Wain	
606	Thompson, Deleson Ezron Ruen	
607	Tillack, Decoomarie	
608	Tittle, Henderson Kenville	
609	Tonge, Foster Delvaine	
610	Twist, Carmel Ann	
611	Twist, Peter John	
612	Valade, Guy	
613	Valdez, Roxanna	
614	Valluripalli, Vijaya Saradhi	
615	Victor, Agnes	
616	Victor, Peter Joseph	
617	Victor, Ray Daniel	
618	Walker, Sherin Roshell	
619	Walker, Shornell Adena	
620	Wallace, Carol Rose	
621	Walters, Anji Veta	
622	Washington, Alvin forbes Emanuel	
623	Watkins, Delores albertha	
624	Wattley, Morris Lyndell	
625	Wattley, Vincent Henry	
626	Webbe, Andy Gilbert	
627	Welch, Emily Jane	
628	Whyte, Stanley Leroy	

629	Williams, Angela Genepher	
630	Williams, Carolyn Inola	
631	Williams, Demario Javon	
632	Williams, Denise Christie	
633	Williams, Desmond Damion Leabert	
634	Williams, Desmond Leabert	
635	Williams, Margaret	
636	Williams, Maurice Rohan	
637	Williams, Michael Leroy	
638	Williams, Monique Francine	
639	Williams, Myron Emmanuel	
640	Williams, Stacey Vanessa Claudette	
641	Williams, Velma Gwendolyn	
642	Williams, Vincent Antonio	
643	Wintz, Cierra Deniseia	
644	Wood, Simon Anton	
645	Young, Annie Telatha	
646	Young, Edwin	
647	Young, Faith Ruby Carol	
648	Zurich, Thomas Samuel	

Note:

	Indicates applicant files that were not reviewed.
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**THE CLEAR PATH TO REGULARISATION:
RESIDENCY AND BELONGER STATUS PROGRAMME
(FAST TRACK PROGRAMME)
Audit Report**

ADDENDUM

APRIL 3, 2023

This audit was performed by the Internal Audit Department of the Government of the Virgin Islands in association with the Office of the Auditor General and in accordance with recommendation B34 of the BVI Commission of Inquiry Report dated 4 April, 2022. The results of this audit are being transmitted in accordance with Section 20 of the Audit Act of 2003.

Internal Audit Department
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Road Town, Tortola,
British Virgin Islands

Telephone: (284) 468-4771

In the Internal Audit Report dated March 9, 2023, I indicated that legal advice was sought from the Honourable Attorney General regarding issues surrounding the inclusion of belonger status by descent under the Immigration and Passport Act. I further indicated that an addendum to the report would be provided, as necessary, once the advice sought was received. The Honourable Attorney General's response dated March 20, 2023 was received by my office on March 23, 2023.

As the principal legal advisor to the Government of the Virgin Islands, the advice of the Attorney General is highly valuable and provides legitimate legal directions upon which public officers should consider and rely. As such, the following discourse is not intended to contradict nor challenge the advice provided. However, the advice does present new questions as well as requires an update to be made to the report as it relates to the number of persons who have been granted status for which they were not qualified as they did not meet the mandatory minimum legal requirements as set out in Section 16(3) of the Immigration and Passport Act Revised Edition 2013.

Basis for update of report

The Honorable Attorney General's advice affects the report in three areas. The advice does not contradict the findings of the original report. To the contrary, it provides greater legal clarity, which augments the number of applicants who were awarded belonger status that did not meet the minimum mandatory standard for which Cabinet could not vary. The three areas of significance are outlined as follows:

Residency and Belonger Statuses (Fast Track Programme)

Based on reliance of the advice of the Honorable Attorney General, the amended Section 16(5) of the Immigration and Passport Act effectively "changed the process and required an applicant to now satisfy the qualifying requirements in Section 16(3) of the Act, since it has not been provided for in Section 16(2) of the Act." As most of the applications were processed and approved under the provisions of the amended Section 16(5), applicants would not have been eligible to receive both statuses within the same calendar year. Section 16(3)(d) indicates that the person being granted belonger status must hold a certificate of residence granted under Section 18 for a period of not less than 12 months immediately preceding the date of the application. On this basis, the five hundred forty-one (541) applicants identified in 9.2.4 of the Report who were awarded both residency and belonger statuses would be deemed voidable. Fifty-four (54) of these applicants were already identified in 9.3.2 as not having met the 20-year requirement to qualify for the statuses awarded. Therefore, the remaining four hundred eighty-seven (487) applicants may also be voidable as such grants did not meet all of the minimum statutory requirements as outlined under Section 16(3) of the Immigration and Passport Act.

Residency Status (Immigration Board) and Belonger Status (Fast Track Programme)

Fifty-eight (58) applicants were identified as having received their residency certificates in 2019 prior to the Fast Track Programme through the operations of the Immigration Board. These same applicants were further granted belonger status under the Fast Track Programme. Again, noting the Honorable Attorney General's response as cited above, belonger status awarded to these applicants would be deemed voidable as they would have failed to meet the requirement laid out in Section 16(3)(d) of the Immigration and Passport Act for which Cabinet lacks the discretion to vary. Applicants granted belonger status in this manner would not have held a certificate of residence granted under Section 18 for a period at least 12 months immediately preceding the

date of the application as required by the Section. In 9.3.2.3 of the Report, ten (10) applicants were identified as awarded belonger status under the Fast Track Programme but did not meet the qualifying period of 20 years. Of these ten (10) applicants, five (5) received their residence certificate in 2019 and is included in the fifty-eight (58) applicants. Therefore, an additional fifty-three (53) applicants who received status in this manner would also be deemed voidable.

Belongership by descent

According to the Honorable Attorney General's advice "a grant by Section 16(5A) of the Amendment No. 2 Act requires an application to be made and is subject to the requirements in Section 16(3) of the Act. Hence, under Section 16 of the Act, there is no discretion to vary the requirements of "ordinarily resident" in the Territory and the minimum requirement must be satisfied." Additionally, the Honorable Attorney General's advice also states that the Act "also requires an applicant to make an application in the prescribed form in accordance with Section 16(1) of the Act and satisfy the qualification requirements in Section 16(3) of the Act for the grant of the certificate."

In application of this advice, the eighty-four (84) applicants awarded belongership by descent, as stated in 9.2.12 of the Report, under the Amendment Act were not eligible to receive such status as they did not fulfill all the requirements listed under Section 16(3). Specifically, fifty-one (51) applicants would not have been ordinarily resident in the Territory for the prescribed period as required under 16(3)(c) of the Act. None of the applicants would have held a certificate of residence as required under 16(3)(d) the Act prior to the grant of the certificate that a person belongs to the Territory. Furthermore, eight (8) applicants were under the age of 18 at the time of application contrary to the requirement set out under Section 16(3)(b) of the Act. As a result, all the grants of belongership issued under Section 5A of the Act may be voidable as they do not meet the mandatory minimum statutory requirements to be considered for such a grant.

In full consideration of the Honorable Attorney General's advice, I have found that an additional number of six hundred twenty-four (624) applicants did not meet the minimum statutory requirements to qualify for the statuses awarded. This would bring the total number of applicants who were ineligible for status to six hundred eighty-eight (688). The Honourable Attorney General's memorandum dated March 20, 2023 is attached for your information.

Having considered the advice of the Honourable Attorney General, there is the lingering question as to whether the amendments to the Act, as structured, had the desired effect of the intent. Clearly, in my humble opinion, the advice demonstrates that the intended effect was not achieved in this instance, as significant issue(s) of law and application were overlooked in the execution of the Fast Track Programme. Again, the issue of discretion is at the forefront in the execution of this Programme and based on the advice, it is clear that discretion was applied to vary certain requirements where there was no such authority.

Finally, this issue of misapplication of discretion has far reaching implications than just the Fast Track Programme. The practice brings into question the application of discretion in grants prior to the Fast Track Programme if such discretion was also erroneously applied. Such consequences could have lasting implications for a myriad of other subjects that are dependent on this tenuous situation.

Approval of applications under Section 2(4) of the Immigration and Passport Amendment Act, 2019

Out of an abundance of caution and in the spirit of full transparency and objectivity, I find it necessary to address alternative interpretations that may arise from matters addressed under Section 9.2 of the Report issued on March 9, 2023. As indicated therein, all Cabinet Papers submitted as part of the Fast Track Programme cited Section 2(4) of the Immigration and Passport Amendment Act 2019 as the basis for all awards under the Fast Track Programme. This Section reads as follows:

Where in exceptional circumstances of any case or for any other reason, Cabinet considers it fit to do so, it may in its own discretion grant a certificate referred to in subsection (1) to any person who applies for the same in the prescribed manner and who

- (a) is of good character,*
- (b) is at the date of making the application for such a certificate, ordinarily resident in the Territory;*
- (c) has been so ordinarily resident for the period of not less than 7 years immediately prior to his or her application.*

Although it was communicated during the audit, by the drafter of the Cabinet Papers that the citing of the above referenced Section as the basis for the awards was erroneous, the argument can be made that Section 2(4) of the Amendment Act was the legitimate basis on which Cabinet approved the applications and granted the awards. If this position is taken, additional deficiencies arise which must be reported.

1. The stated purpose of all Cabinet Papers prepared for the Fast Track Programme was “to allow for persons who have resided within the Territory for a period exceeding twenty (20) years to be granted Residence and Belonger Status.” The application of Section 2(4) in deciding applications would be incongruent with the stated purpose of the papers and the Programme.
2. All Government Press Releases and Statements on the Fast Track Programme communicated that applicants were to meet a 20-year qualifying period to make an application. In none of the discourse was it communicated to the general public, personnel from the Ministry of Natural Resources, Labour and Immigration or the project team engaged for the project that applications could or would be considered under Section 2(4) of the amended Act. For Cabinet to consider and approve applications utilizing Section 2(4) where the qualifying period is seven (7) years would suggest that the Government intentionally or unintentionally did not inform the stakeholders that this avenue of qualification was available. This decision by Cabinet would be even more alarming especially after the Government engaged in Public consultations and announced that it was as a result of these consultations that the decision was made to increase the ordinarily resident period from fifteen (15) years to twenty (20) years. Consequently, this action may

have disenfranchised persons who may have qualified under Section 2(4) but who did not apply as they did not meet the 20-year requirement as was widely communicated.

3. Again, based on the citation in the Cabinet Papers, all applications were approved under Section 2(4). The application of this Section in approving applications would render the amended Sections 5 and 18 of the Immigration and Passport Amendment Act 2019 unnecessary. Furthermore, as Section 2(4) of the Amendment Act does not place a requirement for an applicant to hold a certificate of residence, requiring applicants to apply and pay for a certificate of residence as part of the Programme was unreasonable, unjust and inappropriate.
4. As indicated in 9.1.4 of the Report, both senior personnel within the Ministry of Natural Resources, Labour and Immigration as well as the project supervisors engaged for the project, informed that the awarding of status was largely dependent on applicants satisfying the 20-year requirement as this was the basis communicated in the project briefing. Accordingly, applications were assessed by the project team on this basis and applications that did not satisfy this requirement were deemed ineligible and were not advanced for Cabinet's consideration. As a result, the forty-six (46) applicants outlined in 9.2.10 of the Report may have been disenfranchised as some may have been eligible to be granted the status under Section 2(4) if Cabinet so desired. Additionally, the four (4) applicants stated in 9.3.3 of the Report that were referred by Cabinet to the regular process would also be disenfranchised as they too would have qualified under Section 2(4).
5. There were no established criteria to determine which applications would be evaluated using Section 2(4) or 2(5) of the Amendment Act, if it was the intent to use both sections in processing applications. As such, the process was left to the desires of Cabinet to determine which applications would be considered using Section 2(4). In the absence of such criteria, inequity and bias may have been introduced in the process where, as indicated in 9.3.2.5 of the Report, spouses and significant other of members of the House of Assembly were approved for status while other applicants of similar standing were denied.

In the totality of literature available on the Fast Track Programme as well as information collected through interviews from persons who were intimately involved in the execution of the project, there are no indications that applications could or would be considered using the 7-year rule specified in the amended Section 2(4). The House of Assembly passed and the Governor assented to this Amendment on June 12, 2019 removing the Immigration Board. In the same Amendment Act, Section 5 was amended to include the 20-year requirement. Despite this fact, no mention of this amendment (Section 2(4)) was made in the public statements of June 2 and July 22, 2019. The introduction of this amendment at such an early stage in the process suggests that there was a clear and intentional purpose for its inclusion. However, that intention has yet to be clearly articulated in the context of the execution of the Fast Track Programme. As part of the process, Government held a series of public consultations in an effort to find consensus on this Programme. In his June 2, 2019 statement the then Premier stated that "we are pleased to have adjusted course, and found common ground that is in the best interest of every Virgin Islander." He further stated that "initially, we had envisaged considering people who were here for 15 years or more. But coming from the consultations, and having listened to you, the people, we have lifted that ceiling for consideration to 20 years." In his July 22, 2019 statement the Premier reiterated that "your Government listened to the comments from members of the public who attended the

public meetings, wrote emails and letters, aired their views through the media and provided feedback in other ways, and we amended the policy to reflect the wishes of the people.” Further in the statement he enumerated the wishes of the people, one being “the ceiling for consideration for Belonger Status was increased from our initial proposed time of 15 years to 20 years. And only persons who have met the existing criteria and who have been making good contributions to our society will qualify for consideration.” Based on these statements and in consideration of the amendment at Section 2(4), it would be deceitful to have communicated one thing to the public, 20-year requirement, while covertly doing to the contrary by utilizing the provisions of the amended Section 2(4) which only requires 7 years for eligibility, as the basis upon which all applications were approved.

Despite all indications, to the contrary by persons charged with executing the Programme, if this Section was used as intended by Cabinet as reflected in the Cabinet Papers, awarding grants on this basis, all applications approved under the Programme, save one, would have met the 7-year requirement and thus be valid. However, the issues highlighted under the Section ‘Belonger by descent’ above remains for grants made under Section 5A of the Amendment Act.