



# DEPARTMENT OF IMMIGRATION

Ministry of Labour, Home Affairs and Public Safety

## W7 - Work Permit Application Types

### POLICY: WORK PERMIT APPLICATION TYPES

REF: W7

- PART-TIME PERMIT – TUTOR
- PART-TIME PERMIT - OTHER
- PART-TIME OCCASIONAL PERMIT - MODEL
- TEMPORARY PERMIT
- SHORT-TERM PERMIT - SPORT
- SHORT-TERM PERMIT - ENTERTAINER
- LETTER OF PERMISSION
- PERIODIC ONE-YEAR WORK PERMIT
  - *Individual Permit*
  - *Blanket Permit*
- STANDARD ONE-YEAR WORK PERMIT
- LONG-TERM WORK PERMITS
  - *Standard Two-Year Work Permit*
  - *Standard Three-Year Work Permit*
  - *Standard Four-Year Work Permit*
  - *Standard Five-Year Work Permit*
  - *All Long-Term Work Permits*
- TRANSFERRING A PERSON TO ANOTHER EMPLOYER
- TRANSFERRING A PERSON TO ANOTHER OCCUPATION
- CHANGE OF JOB TITLE
- WORK PERMIT HOLDERS WITH A SPECIFIC BERMUDA CONNECTION

## Work Permit Application Types

### **POLICY: Work Permit Application Types**

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#### **PURPOSE:**

To define clearly all the various work permit application types for which the Minister's specific permission is required and to advise of the current fees.

#### **STATEMENT:**

Every initial standard 1-year to 5-year work permit application that is submitted to the Department of Immigration should be accompanied by a copy of a Statement of Employment as defined at subsection 6(2) of the Employment Act 2000. It is understood that Statements of Employment will not be signed until the work permit has been approved and the employee has accepted the offer. It is at that point that the Statement of Employment must be signed by both the particular employer and the employee and a copy of the signed statement submitted to the Department of Immigration. A Statement of Employment will be required where the application is for a job title change, a promotion or when transferring a person to another employer or another occupation. While Statements of Employment will not normally be required for renewals, it will be necessary to submit one for every work permit, where a contract was not required previously. This can best be done when the work permit is renewed.

A Police Certificate from the applicant's country of residence must be submitted with the initial application where the applicant is coming to Bermuda for the first time.

The following descriptions of work permit application types are extracted from the Government fees regulations.

#### **Part-Time Permit – Tutor**

A part-time permit allows a person, who is already resident in Bermuda, to work as an instructor or as a private tutor provided the amount of work done is no more than nine hours a week.

Several employers may wish to hire the same instructor or private tutor for less than nine hours each. Such an arrangement is permitted provided each employer has a separate part-time permit.

The non-refundable application fee for a Part-Time Permit – Tutor is \$36.00 (2004: fees are revised from time-to-time) for any period up to one year.

#### **Part-Time Permit - Other**

A part-time permit allows a person to work at any activities provided the amount of work done is no more than nine hours a week.

Several employers may wish to hire the same employee for less than nine hours each. Such an arrangement is permitted provided each employer has a separate part-time permit.

The non-refundable application fee for a Part-Time Permit – Other is \$75.00 (2004: fees are revised from time-to-time) for any period up to one year.

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### **Part-Time Occasional Permit - Model**

A part-time occasional permit may be granted for any period up to one year in respect of a casual part-time model, who is already resident in Bermuda, provided he or she is employed as a model for no more than 100 hours in any twelve-month period.

The application fee for a part-time occasional permit is \$293.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Temporary Permit**

A temporary-permit allows a person to be employed in a specific job for any period up to three months. Such a person is considered to be a visitor to Bermuda so that there is no requirement for the person to provide an immigration questionnaire form, chest X-ray or medical certificate of general good health although a résumé is required.

As visitors are restricted by law to a maximum continuous stay in Bermuda of six months, a temporary permit may only be renewed once. After six months, the person must leave Bermuda or must have had an application, from the same employer, approved for a standard work permit.

The application fee for a temporary work permit is \$293.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Short-Term Permit - Sport**

A short-term permit allows a person to be engaged for a single period of 14 days or less in a professional sport.

The application fee for a short-term permit – sport is \$267.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

Groups of professional sports players can be accommodated. The fee for a group of between two and five players is \$267.00 (2004: fees are revised from time-to-time) per player. For a group of more than five players, the application fee is that for five players plus \$133.00 (2004: fees are revised from time-to-time) for each additional player. Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Short-Term Permit - Entertainer**

A short-term permit – entertainer allows a person to be engaged for a single period of 14 days or less as an entertainer.

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The application fee for a short-term permit – entertainer is \$267.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

Groups of entertainers can be accommodated. The fee for a group of between two and five entertainers is \$267.00 (2004: fees are revised from time-to-time) per person. For a group of more than five entertainers, the application fee is that for five entertainers plus \$133.00 (2004: fees are revised from time-to-time) for each additional person. Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Letter of Permission**

A letter of permission may be granted, for a period of up to one year, to a not-for-profit organisation, such as a registered charity, for the employment of:

- a coach or teacher of sports
- a coach or teacher of recreation
- clergy
- a speaker
- a musician

There is no fee for a letter of permission.

### **Periodic One-Year Work Permit**

#### *Individual Permit*

A periodic work permit is issued on behalf of a particular person who is then allowed to enter Bermuda any number of times during the validity of the permit. Periodic work permits are generally used for business consultants and others who need to pay periodic working visits, of a few days or a few weeks at a time, to Bermuda.

#### *Blanket Permit*

A blanket periodic work permit is issued on behalf of representatives of overseas companies who are under contractual obligation to the Bermuda employer to maintain equipment or to provide a service. A blanket periodic work permit is issued in relation to a “representative” of the overseas business in question. This facilitates those cases where the representative may not always be the same person.

Blanket periodic work permits are not issued in respect of the construction trades with the exception of such categories as project manager, consultant engineer and specialist.

Blanket periodic work permits are not to be used to hire Bermuda residents. Conversely, a person working in Bermuda on a periodic work permit is not a resident but a visitor. Such a person may therefore stay in Bermuda for a maximum of six months during any given visit.

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Normally a person entering Bermuda on a periodic work permit is given permission to stay for 21 days. If a longer period is needed then the person must apply, in the usual way, to the Immigration Inspectorate, for a visitor's extension.

A periodic work permit may be granted to a specific employer to hire a person in a specific job for a specified period of less than 18 months at the Minister's discretion.

The application fee for a periodic one-year work permit is \$587.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Standard One-Year Work Permit**

A standard one-year work permit may be granted to a specific employer to hire a person in a specific job for a specified period of less than 18 months at the Minister's discretion.

The application fee for a standard one-year work permit is \$587.00 (2004: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

### **Long-Term Work Permits**

#### *Standard Two-Year Work Permit*

A standard two-year work permit may be granted to a specific employer to hire a person in a specific job for a specified period of 18 months or more but less than 30 months at the Minister's discretion.

The application fee for a standard two-year work permit is \$1,174.00 (2004: fees are revised from time-to-time) namely double that of a standard one-year work permit.

#### *Standard Three-Year Work Permit*

A standard three-year work permit may be granted to a specific employer to hire a person in a specific job for a specified period of 30 months or more but less than 42 months at the Minister's discretion.

The application fee for a standard three-year work permit is \$1,761.00 (2004: fees are revised from time-to-time) namely triple that of a standard one-year work permit.

#### *Standard Four-Year Work Permit*

A standard four-year work permit may be granted to a specific employer to hire a person in a specific job for a specified period of 42 months or more but less than 54 months at the Minister's discretion.

The application fee for a standard four-year work permit is \$2,348.00 (2004: fees are revised from time-to-time) namely four times that of a standard one-year work permit.

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### *Standard Five-Year Work Permit*

A standard five-year work permit may be granted to a specific employer to hire a person in a specific job for a specified period of 54 months or more but less than 66 months at the Minister's discretion.

The application fee for a standard five-year work permit is \$2,935.00 (2004: fees are revised from time-to-time) namely five times that of a standard one-year work permit.

### *All Long-Term Work Permits*

Where permission is granted for a period less than that applied for, the relevant proportion of the application fee will be refunded.

Where no permission is granted, or where permission is granted and the person in question does not take up employment, the application fee is refunded less \$120.00 (2004: fees are revised from time-to-time) processing fee.

Where a long-term work permit is granted and the work permit is cancelled before the expiry date, the relevant fee for each whole year that remains unused will be refunded.

### **Transferring a Person to Another Employer**

In a business take-over or merger situation, the new entity may wish to retain the services of employees in the business that has been absorbed. In such a case, the employer must apply for the Minister's permission to make the transfer. The employer may apply, without advertising the post, to transfer a person on a work permit from the defunct company to the new company, provided the duties remain the same.

The non-refundable application fee for such permission to transfer a person is \$293.00 (2004: fees are revised from time-to-time).

### **Transferring a Person to Another Occupation**

For an employer to transfer a person on a work permit from his or her current job to another, in the same business, the employer must first obtain the permission of the Minister. The employer is generally required to advertise the post before applying for permission to promote or otherwise transfer an employee internally.

The non-refundable application fee for such permission to transfer a person is \$293.00 (2004: fees are revised from time-to-time).

### **Change of Job Title**

Where an employer wishes to change an employee's job title, provided the job description, the duties of the post, remuneration and benefits remain the same, the employer does not first have to obtain the Minister's permission to do so. The employer may make the changes and, after the

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fact, write in to inform the Department of Immigration, enclosing the fee with the letter. The employer may change an employee's job title without advertising the post.

The non-refundable application fee to change a person's job title is \$293.00 (2004: fees are revised from time-to-time).

### **Work Permit Holders with a Specific Bermuda Connection**

As stated above, the fees do not apply to a person with certain specific Bermuda connections. The specific Bermuda connection is that the person:

- is the parent or lawful guardian of a Bermudian who is under the age of 18 years. The parent must have legal custody of the Bermudian. The parent and the Bermudian must reside in the same household; or
- was born in Bermuda, or first arrived in Bermuda before the age of six years, and can potentially qualify for the grant of Bermudian status as a long-term resident child.

When submitting a work permit application, the employer must advise the Department of Immigration, in writing, of the person's specific Bermuda connection. Such an application attracts a non-refundable, flat fee of \$75.00 (2004: fees are revised from time-to-time). The work permit can be of any duration and still attract the same flat fee.

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