

2025-08-07

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This Bill would revise the law relating to the acquisition, deprivation and renunciation of citizenship of Barbados and would provide for related matters.

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SCHEDULE

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BARBADOS

A Bill entitled

An Act to revise the law relating to the acquisition, deprivation and renunciation of citizenship of Barbados and to provide for related matters.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Barbados Citizenship Act, 2025*.

PART I

PRELIMINARY

Interpretation

2.(1) For the purposes of this Act,

“child” includes stepchild;

“dependant”, in relation to a person, means

- (a) a spouse;
- (b) a child or step-child under the age of 18 years;
- (c) a child adopted by the person in a manner recognized by law and who is under the age of 18 years; or
- (d) any other relative who is, by reason of age or any infirmity of body or mind, wholly dependent on that person for subsistence;

“foreign country” means a country other than Barbados;

“former Act” means the *Barbados Citizenship Act*, Cap. 186;

“former Immigration Act” means the *Immigration Act*, Cap. 190;

“national of a Member State” has the meaning assigned to it by Article 32(5) (a) of the *First Schedule* to the *Caribbean Community Act*, Cap. 15;

“Member State” means a Member State of the Community, excluding an Associate Member within the meaning of Article 231 of the Revised Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy, that was signed in the Bahamas on 5th July, 2001;

“Minister” means the Minister responsible for citizenship;

“spouse” includes

- (a) a single man who has cohabited with a single woman continuously; or
 - (b) a single woman who has cohabited with a single man continuously
- for a period of at least 5 years immediately preceding the date an application was made under this Act;

“union other than marriage or “union” has the meaning assigned to it by the *Family Law Act*, Cap. 214.

(2) For the purposes of this Act, a person born aboard a registered ship or aircraft or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

(3) A person shall, for the purposes of this Act, be of full age if the person has attained the age of 18 years and is of sound mind.

(4) For the purposes of this Act, a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

(5) Subject to subsections (6) and (7), in calculating for the purposes of this Act any period of residence in Barbados,

- (a) a period of absence from Barbados of less than 6 months;
- (b) a period of absence from Barbados for the purpose of education of such kind, in such country and for such time, as may be either generally or specifically approved by the Minister; or
- (c) a period of absence from Barbados for reasons of health or any other cause prescribed generally or specially by the Minister,

shall be treated as residence in Barbados, and a person shall be deemed to be resident in Barbados on a particular day if he had been resident in Barbados before that day and that day is included in any period of absence referred to in this subsection.

- (6) In calculating for the purposes of this Act any period of residence in Barbados, account shall not be taken
- (a) of any period during which a person was not lawfully resident in Barbados; or
 - (b) of any period spent as an inmate of any prison or as a person detained in lawful custody in any place other than a mental hospital under the provisions of any enactment.
- (7) Without affecting subsections (5) and (6), the Minister may, in calculating for the purposes of this Act any period of residence in Barbados, take account of any period during which a person is allowed to remain temporarily in Barbados under the authority of any enactment.
- (8) For the purposes of this Act, a person born outside Barbados to a citizen of Barbados serving in a diplomatic or consular capacity shall be deemed to have been born in Barbados where that State in which they were born refuses to grant a birth certificate.
- (9) Subsection (8) does not apply to any person to whom section 2(2) or 5 of the *Constitution* or any other enactment applies.
- (10) For the purposes of this Act a step-child includes a child of either spouse by a previous marriage or other relationship who is acknowledged and treated by both parties as a child of the marriage or union.

PART II

ACQUISITION OF CITIZENSHIP

Additional grounds of citizenship and registration of certain persons as citizens

3.(1) Where after the commencement of this Act a newborn infant is found abandoned in Barbados, that infant shall, unless the contrary is shown, be deemed to have been born in Barbados.

(2) Subject to section 4, a person who was born outside Barbados and who is a grandchild or great grandchild of a citizen of Barbados may upon application to the Minister in the prescribed form and on payment of the prescribed fee, be registered as a citizen of Barbados.

(3) Subject to section 4, a person who was granted permanent residence under section 5(2C) of the former Immigration Act is entitled, upon application to the Minister in the prescribed form, to be registered as a citizen.

(4) Subject to section 4, any person who, on the day immediately preceding the commencement of this Act is an immigrant having obtained that status under the former Immigration Act and had been an immigrant for a period exceeding 3 years shall be entitled to be registered as a citizen of Barbados on the commencement of this Act upon satisfying the Minister that he has been an immigrant for the period referred to in this subsection.

(5) Subject to section 4, the following persons may, upon application to the Minister in the prescribed form, and upon payment of the prescribed fee, be registered as citizens of Barbados:

- (a) a person who is a national of a Member State by birth, descent or naturalization;
- (b) the spouse of the person referred to in paragraph (a); and
- (c) the dependants of the person referred to in paragraph (a),

if they satisfy the Minister that they have lawfully resided in Barbados as permanent residents of Barbados for an aggregate period of at least 180 days during the period of at least 730 days immediately preceding the date of application.

(6) Subject to section 4, the following persons may, upon application to the Minister in the prescribed form, and upon payment of the prescribed fee, be registered as citizens of Barbados:

- (a) a person who is not a national of a Member State;
- (b) the spouse of the person referred to in paragraph (a), if the spouse is not a national of a Member State by birth, descent or naturalization; and
- (c) the dependants of the person referred to in paragraph (a), not being nationals of Member States by birth, descent or naturalization,

if they satisfy the Minister that they have lawfully resided in Barbados as permanent residents of Barbados for an aggregate period of at least 270 days during the period of at least 1 095 days immediately preceding the date of application.

(7) A person is entitled, on making application under this subsection to the Minister in the prescribed manner, to be registered as a citizen of Barbados if the person satisfies the Minister that the person has always been stateless and

- (a) if the person was born before the 29th November, 1966, that either parent was, at the time of the person's birth, a citizen of the United Kingdom and Colonies by reason of the parent's birth in Barbados;
- (b) if the person was born after 29th November, 1966, that either parent was a citizen of Barbados, at the time of the person's birth; or
- (c) that he was born in Barbados.

(8) **The persons set out in the *First Schedule* are entitled upon application to the Minister in the prescribed form to be registered as citizens of Barbados.**

(9) An application for registration under this section on behalf of a minor may be made by the parent or guardian.

Right of refusal to register

4. The Minister may, in the interests of national security and public policy, refuse to register as a citizen of Barbados a person

- (a) who, under subsection (2) or (3) of section 3 of the *Constitution*, is entitled to be registered as a citizen of Barbados and applies to be so registered;
- (b) who pursuant to subsection (2), (3), (4), (5), (6) or (8) of section 3 applies to be registered as a citizen of Barbados;
- (c) who has been convicted by a competent court in any country of a criminal offence for which he has been sentenced to a term of imprisonment for 12 months or more and has not received a free pardon in respect of the offence;
- (d) who, has engaged in activities, whether within or outside Barbados, which, in the opinion of the Minister, are prejudicial to the safety of Barbados or to the maintenance of law and public order in Barbados;
- (e) who, not being the dependant of a citizen of Barbados, has not sufficient means to maintain himself and is likely to become a charge on public funds; or
- (f) to whom the *Fifth Schedule* of the *Immigration Act, 2025* (Act 2025-) applies.

Registration of minors

5.(1) The Minister may cause the minor child of any citizen of Barbados to be registered as a citizen of Barbados upon application made in the prescribed form by a parent or guardian of the child.

(2) The Minister may, in such special circumstances as he thinks fit, cause any minor to be registered as a citizen of Barbados.

(3) Where under any enactment in force in Barbados relating to the adoption of children, an adoption order is made in respect of a minor who is not a citizen of Barbados, then, if the adopter or in the case of a joint adoption, either adopter, is a citizen of Barbados, the minor shall become a citizen of Barbados from the date of the order.

Certificate of registration

6. Where an application for registration as a citizen of Barbados under the *Constitution* or this Act is approved, the Minister may issue to the applicant a certificate of registration in the prescribed form.

Effect of registration as a citizen

7. A person registered under section 3 of this Act or under section 3, 3A or 6 of the *Constitution* shall be a citizen of Barbados by registration from the date on which he is registered.

PART III

LOSS OF CITIZENSHIP

Renunciation of citizenship by reason of dual citizenship or nationality

8.(1) Where any citizen of Barbados of full age and capacity who is or who intends to become a citizen of a foreign country makes a declaration of renunciation of citizenship of Barbados in the prescribed manner, the Minister shall cause the declaration to be registered, and upon registration that person shall cease to be a citizen of Barbados.

(2) The Minister may withhold registration of a declaration made under subsection (1) by a person who is or who intends to become a citizen of a foreign country during any war in which Barbados is engaged.

(3) Where the Minister causes a declaration of renunciation of citizenship of Barbados to be registered under subsection (1), he may issue to the person making the declaration a certificate of renunciation in the prescribed form.

Deprivation of citizenship

9.(1) Subject to this section, the Minister may, by order, deprive of his citizenship, any citizen of Barbados other than a person who is a citizen by virtue of section 2(3), 4, 5(1) or (2) of the *Constitution* if the Minister is satisfied

- (a) that the citizenship was obtained by means of fraud, false representation or the concealment of any material fact;
- (b) that at anytime after the person acquired citizenship
 - (i) the person was convicted of high treason or treason in Barbados or by a competent court in any foreign country and has not received a free pardon in respect of the offence; or
 - (ii) the person was convicted by a competent court in any foreign country of a criminal offence on conviction of which the death penalty or a term of imprisonment of not less than 7 years may be imposed and the person has not received a free pardon in respect of the offence;
- (c) that the person has shown himself by act or speech to be disloyal or disaffected towards Barbados;
- (d) that during any war in which Barbados was engaged, the person unlawfully traded or communicated with the enemy or has been engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist an enemy in that war; or

- (e) that the person engaged in activities, whether within or outside Barbados, which, in the opinion of the Minister, are prejudicial to the safety of Barbados or to the maintenance of law and public order in Barbados.
- (2) The Minister shall not deprive a person of citizenship under this section, unless he is satisfied that it is not conducive to the public good that that person should continue to be a citizen of Barbados.
- (3) Before making an order under this section, the Minister shall give the person against whom the order is proposed to be made
 - (a) notice in writing informing the person of the grounds on which it is proposed to be made; and
 - (b) notice of the person's right to an enquiry under this section if the order is proposed to be made on any of the grounds specified in subsection (1).
- (4) Where the order is proposed to be made on any of the grounds specified in subsection (1) and the person against whom the order is proposed to be made applies in the prescribed manner for an enquiry, the Minister shall refer the case to a committee of enquiry.
- (5) Where the order is proposed to be made on any of the grounds specified in subsection (1) and the person against whom the order is proposed to be made has not applied in the prescribed manner for an enquiry, the Minister may nonetheless refer the case to a committee of enquiry.
- (6) The committee referred to in subsections (4) and (5) shall consist of the following persons who shall be appointed by the Minister:
 - (a) a chairman, being a person who is or has held judicial office having unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court; and
 - (b) not less than 2 other members.

(7) The powers, rights and privileges of a committee of enquiry appointed under this section shall be the same as those conferred on a commission appointed under the *Commissions of Inquiry Act*, Cap. 112 and the provisions of that Act shall, *mutatis mutandis*, apply in relation to any enquiry under this section and to any person summoned to give evidence at the enquiry.

(8) Without prejudice to the generality of subsection (7), any power exercisable by the President under the *Commissions of Inquiry Act*, Cap. 112 shall, in the application of that Act to an enquiry under this section, be exercisable by the Minister.

(9) A person who is deprived of his citizenship of Barbados by an order under this section or under section 8, shall, upon the making of the order, cease to be a citizen of Barbados.

(10) For the purposes of this section, “Commonwealth” has the meaning assigned to it by section 117 of the *Constitution*.

Deprivation of citizenship of Barbados where person deprived of citizenship elsewhere

10.(1) Where any citizen of Barbados, who acquired citizenship by naturalization, was also a citizen of any foreign country but has been deprived of citizenship of that country on grounds which in the opinion of the Minister are substantially similar to any of the grounds specified in section 9(1), the Minister may by order deprive that person of citizenship of Barbados if the Minister is satisfied that it is not conducive to the public good that that person should continue to be a citizen of Barbados.

(2) Before making an order under this section, the Minister shall give the person against whom the order is proposed to be made notice in writing informing the person of the grounds on which it is proposed to be made and may refer the case to a committee of enquiry constituted in the manner, and having the powers, rights and privileges, specified in section 9(4), (5) and (6).

Resumption of citizenship

11.(1) A person who is a citizen of Barbados by virtue of section 2 or 5 of the *Constitution* and who has ceased to be a citizen of Barbados as a result of a declaration of renunciation of citizenship of Barbados shall be entitled to resume citizenship of Barbados where the person satisfies the Minister that at the time the declaration was made, the person was about to become or had become a citizen of another country and

- (a) could not have remained a citizen of Barbados and become a citizen of the other country; or
- (b) had reasonable cause to believe that the person would be deprived of citizenship of that country unless the person had made the declaration.

(2) A citizen of Barbados, other than a citizen referred to in subsection (1), who has ceased to be a citizen of Barbados as a result of a declaration of renunciation of citizenship of Barbados may make application to the Minister to be re-registered as a citizen of Barbados if the person satisfies the Minister

- (a) of the matters set out in paragraph (a) or (b) of subsection (1);
- (b) that the person is the parent of a child who was born in Barbados;
- (c) that the person is the grandchild or great-grandchild of a citizen of Barbados; or
- (d) that the person is or was married to a citizen of Barbados.

(3) The Minister may refuse to re-register a person referred to in subsection (2) for any reason set out in section 4.

PART IV

MISCELLANEOUS

Certificate of citizenship in cases of doubt

12.(1) The Minister may, in such cases as he thinks fit, upon application made by or on behalf of any person with respect to whose citizenship of Barbados a doubt exists, whether on a question of fact or law, certify that that person is a citizen of Barbados.

(2) A certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or concealment of any material fact, be conclusive evidence that that person was such a citizen on the date mentioned, but without prejudice to any evidence that he was such a citizen at any earlier date.

Minister's discretion not to be questioned and decisions to be final

13. The Minister shall not be required to assign any reason for the grant or refusal of any application under this Act; and the Minister's decision shall be final.

Evidence

14.(1) Every document purporting to be

- (a) a notice, certificate, order or declaration;
- (b) an entry in a register; or
- (c) a subscription of an oath of allegiance,

given, granted or made under this Act or under Chapter II of the *Constitution* shall be received in evidence and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) *Prima facie* evidence of any document referred to in subsection (1) may be given by production of a document purporting to be certified as a true copy of that document by such person and in such manner as may be prescribed.

(3) Any entry in a register made under this Act or under Chapter II of the *Constitution* shall be received as evidence and is conclusive of the matters stated in the entry.

Regulations

15.(1) The Minister may make regulations

- (a) relating to the registration of anything required or authorized under this Act or under Chapter II of the *Constitution* to be registered;
- (b) relating to the administration and taking of oaths of allegiance under this Act, for the time within which oaths of allegiance shall be taken and for the registration of oaths of allegiance;
- (c) fixing the fees to be paid in respect of
 - (i) any application made to the Minister under this Act; or
 - (ii) any registration or the making of any document or the taking of any oath of allegiance under this Act or by or under Chapter II of the *Constitution*; or
 - (iii) supplying any document required under this Act and providing for the application of any such fees;
- (d) relating to the giving of any notice required or authorized to be given to any person by or under this Act;
- (e) relating to the cancellation of the registration of, and the cancellation and amendment of certificates of naturalization relating to, persons deprived of citizenship under this Act or under Chapter II of the *Constitution*, and for requiring such certificates to be delivered up for such purposes;

- (f) relating to the registration by consular officers or other officers in the service of Barbados of the births and deaths of persons of any class or description born or dying outside Barbados;
 - (g) relating to enabling the births and deaths of citizens of Barbados born or dying in any country in which Barbados has for the time being no diplomatic or consular representatives, to be registered;
 - (h) prescribing anything that is authorized or required by this Act to be prescribed; and
 - (i) generally for giving effect to this Act.
- (2) All regulations made under this section shall be subject to negative resolution.

Power to amend Schedule

16. The Minister may by order amend, vary or revoke the *First Schedule*.

Offences

17.(1) Any person who for the purpose of procuring anything to be done or not to be done under this Act or under Chapter II of the *Constitution*

- (a) makes any statement which he knows to be false in a material particular; or
- (b) recklessly makes a statement which is false in a material particular;

is guilty of an offence and is liable on summary conviction to a fine of \$20 000 or to imprisonment for 6 months or to both.

(2) Any person who fails to comply with any requirement imposed on him by regulations with respect to the delivering up of certificates of naturalization is guilty of an offence and is liable on summary conviction to a fine of \$20 000 or to imprisonment for 6 months or to both.

Oath of allegiance

18. Every person who obtains citizenship under this Act shall, before being registered as a citizen, subscribe to the oath of allegiance set out in the *Second Schedule*.

Saving and transitional

19. Any application for the grant of citizenship of Barbados or for registration as a citizen of Barbados begun under the former Act, but not completed before the commencement of this Act shall be deemed to be an application for citizenship of Barbados under this Act and shall be dealt with accordingly.

Repeal of Cap. 186

20. The *Barbados Citizenship Act*, Cap. 186 is repealed.

Commencement

21. This Act shall come into operation on a date to be fixed by Proclamation.

FIRST SCHEDULE

(Section 3(8))

Persons Entitled to be Registered

- (a)* former Secretaries General of CARICOM
- (b)* holders of the Order of the Caribbean Community
- (c)* former Chancellors and former Vice Chancellors of the University of the West Indies
- (d)* former heads of State of Member States
- (e)* former heads of Government of Member States; and
- (f)* spouses and dependents of persons referred to in paragraphs *(a)* to *(e)*.

SECOND SCHEDULE

(Section 17)



Barbados Citizenship Act, 2025
(Act 2025-)

OATH OF ALLEGIANCE

I, _____do swear that I will be faithful and
bear true allegiance to Barbados according to law and that I will faithfully observe the laws of
Barbados and fulfil my duties as a citizen of Barbados.

SO HELP ME GOD