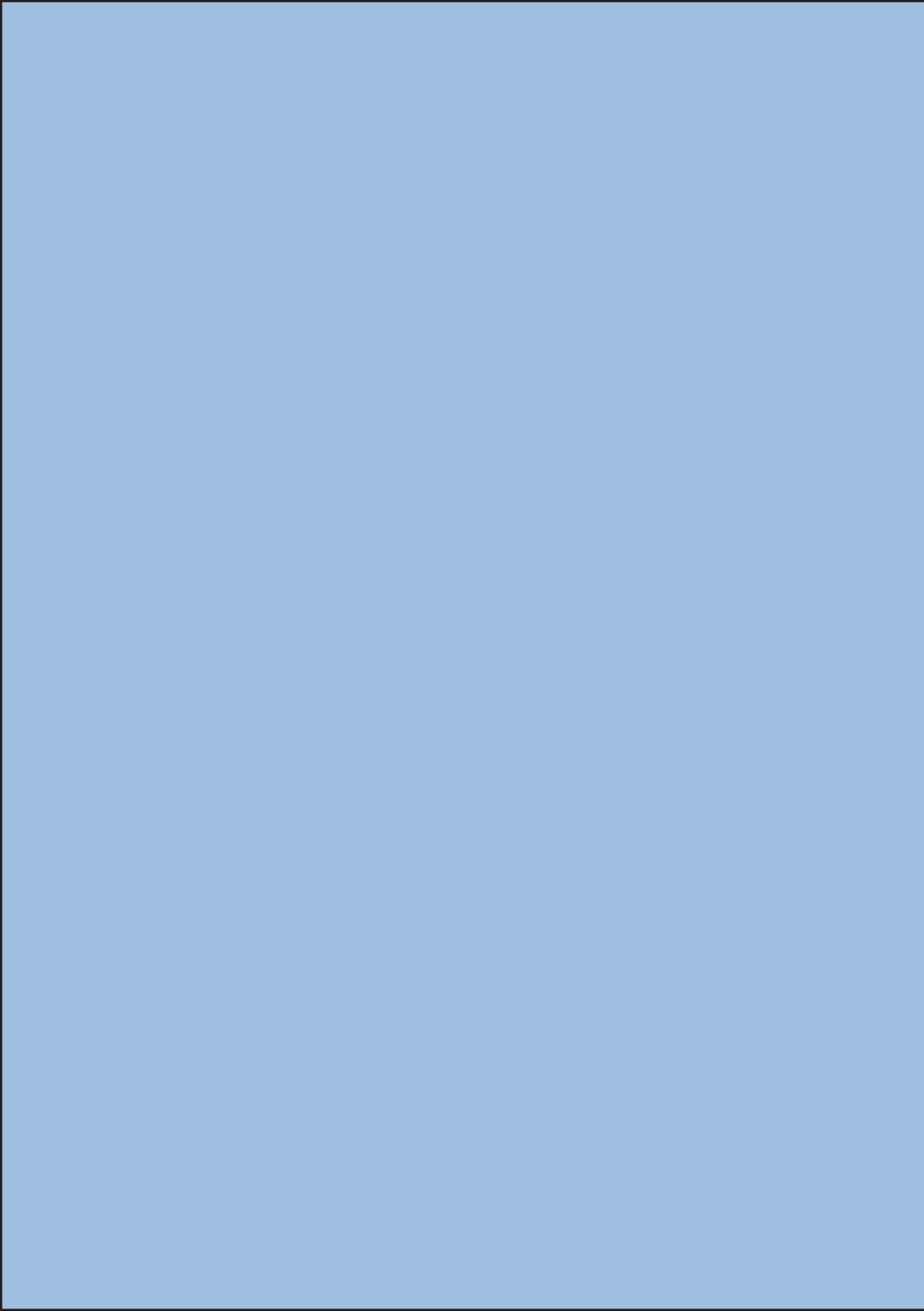




A QUICK GUIDE TO THE NEW SEYCHELLES IMMIGRATION RULES

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DEPARTMENT OF IMMIGRATION AND CIVIL STATUS
GOVERNMENT OF SEYCHELLES



Overview

The Amendments to the Citizenship Act and the Immigration Decree 2013 will introduce the category of the 'Permanent Resident' as well as new rules on acquisition of Citizenship.

Each application will be considered by a Citizenship Eligibility Committee set up by the Minister responsible for Immigration.

This guide provides for simple case by case examples for eligibility to apply for;

1. Permanent Residence
2. Citizenship

It covers the following categories through various fictional persons and scenarios;

1. Marriage
2. Priority Workers
3. Students
4. Investors

The cases are not exhaustive, and do not exclude other more detailed elements included in the law, which for the sake of brevity, have not been included.

You may request a copy of the amended Laws from the Department of Immigration.

Permanent Residence

General conditions

- He or she is not a prohibited immigrant
- Period of absence does not exceed 1 year without consent of Minister.
- Has not been sentenced with an imprisonment for more than 1 year

Rights

The Permanent Residence Permit allows the holder;

- To work without a GOP (Gainful Occupation Permit)
- To be exempt from any other permit to live or work
- Can buy land and residential property with Government sanction, with only 50% of the Sanction Fee payment

Criteria for application

	Marriage
Type 1	The marriage is subsisting and the person is married to a Seychellois citizen for more than 5 years and has resided in Seychelles for more than 5 years
Type 2	The marriage is no longer subsisting, but the person was married to a Seychellois citizen for more than 5 years and resided in Seychelles for more than 5 years .

Please note when a person has been married to a Seychellois for less than 5 years and has 1 or more children, but the marriage is not subsisting, he or she may make a Residence Permit application, and a Permanent Residence Permit will be considered once more than 5 years residence is attained.

Priority Workers	
Type 1	Possess extraordinary ability in science, arts, education, economics, law, business or sports and resided for more than 5 years in Seychelles.
Type 2	Holds a university degree at doctorate, master or bachelor level in an area likely to contribute significantly to the development of Seychelles and has resided for more than 5 years.
Type 3	Has made a significant contribution to the development of Seychelles and resided for more than 5 years.

Investors	
Type 1	Has invested 1,000,000 US Dollars or more in a business in Seychelles and has resided for 1 year in Seychelles
Type 2	Has invested 1,000,000 US Dollars or more in a business in Seychelles and has at least 5 years of business association as a result of the direct investment.

Students	
Type 1	Has resided up to 5 years in Seychelles and studied up to secondary level of education in Seychelles, and is a university graduate, and is being employed for at least 2 years on a Gainful Occupation Permit.

Citizenship

General conditions

- He or she is not a prohibited immigrant
- Period of absence does not exceed 1 year without consent of Minister
- Has not been sentenced with an imprisonment for more than 1 year
- Passes citizenship exam with more than 80 percent mark

In addition to all of the benefits of a Permanent Resident, a Naturalised Citizen;

- Receives social security benefits, free health care and a state pension if they have worked for the relevant number of years
- Is able to vote in elections

Criteria for application

	Marriage
Type 1	Has been married to a Seychellois citizen for more than 10 years and subsisting and resided in Seychelles for more than 5 years.
Type 2	The marriage is no longer subsisting, but the person has resided in Seychelles for aggregate period of 15 years with 13 years physical presence or 10 years as Permanent Resident.

	Student
Type 1	Has resided up to 5 years in Seychelles and studied up to secondary level of education in Seychelles, and is a university graduate, and has held a Permanent Residence Permit for more than 5 years, following 2 years of working on GOP in Seychelles.

Priority Worker	
Type 1	Possess extraordinary ability in science, arts, education, economics, law, business or sports and resided for an aggregate period of more than 15 years or Permanent Resident for 10 years and physically present for more than 13 years in Seychelles.
Type 2	Holds a university degree at doctorate, master or bachelor level in an area likely to contribute significantly to the development of Seychelles and has resided for an aggregate period of more than 15 years or Permanent Resident for 10 years and physically present for more than 13 years in Seychelles.
Type 3	Has made a significant contribution to the development of Seychelles and resided for an aggregate period of more than 15 years or Permanent Resident for 10 years and physically present for more than 13 years in Seychelles.

Investor	
Type 1	Has invested 1,000,000 US Dollars or more in a business in Seychelles and has resided for 11 years aggregate in Seychelles, during which period has demonstrated means to support herself or himself.

Deprivation of Citizenship

- Committed act of treason
- Acts against security of the state including terrorism, espionage, piracy, joining a non-Seychellois armed forces without approval of the Minister
- Has been convicted in any country for an offence involving terrorism, piracy, illegal arms dealing, breaching UN embargoes, drug trafficking, trafficking in persons, organized crime, crimes against humanity or belonging to an extremist group.
- Acts in a way that instigate racial or religious disharmony or dissent or hatred contrary to the spirit of the constitution of Seychelles
- Acts of disloyalty or disaffection to Seychelles.

Renounced Citizenship

If a person who has renounced their Seychelles Citizenship returns to settle in Seychelles and wishes to regain Citizenship, he or she needs to

- Pass citizenship exam with more than 80 percent mark
- Have not been sentenced with an imprisonment for more than 1 year

Special Circumstances

The category of 'special circumstances' for applications for Permanent Residence or Citizenship denotes several fields; if the applicant possess extraordinary ability in science, arts, education, economics, business, law or sports or holds a university degree at doctorate, master or bachelor level which are likely to contribute significantly to the development of Seychelles.

**Eligibility
for Application
for Citizenship
or Permanent Residence Permit**

**Examples of
Fictional Persons**



Sangita Pillay
35 years old
Indian

Sangita is married to Steve Pillay, a Seychellois citizen. She was born in India and has been married to Steve for 4 years, as they met in India where Steve was studying. She has lived in Seychelles with him for 2 years and they have 1 daughter.

Can she apply for Citizenship in January 2014? No. After 10 total of 10 years of marriage and after residing in Seychelles for 5 years she can apply for Citizenship.

Can she apply to become a Permanent Resident in January 2014? No. She will be eligible to apply for Permanent Residence permit when she has been married for 5 years, and resided in Seychelles for 5 years.

What if she still fills out a form requesting Permanent Residence or Citizenship and submits it? The form will not be processed. She will be advised to apply for a Dependant Permit, and if she wishes to work, also a GOP.

(note all characters are fictional)

Louis Samson
40 years old
Mauritian



Louis is married to Katherine St. Ange, a Seychellois citizen. He arrived in Seychelles 7 years ago for a teaching job at Anse Royale Secondary School, and got married to Katherine 6 years ago.

Can he apply for Citizenship in January 2014? No. He must wait until he has 10 years of marriage, or if he gets divorced, then an aggregate period of 15 years in Seychelles, or 10 years as a Permanent Resident.

Can he apply to become a Permanent Resident in January 2014? Yes. He is eligible to apply for Permanent Residence permit in 2014, as he has been married for 5 years, and resided in Seychelles for 5 years.

If he becomes a Permanent Resident, what rights does he have? He can live and work in Seychelles without needing to apply for a Gainful Occupation Permit.

He can buy property, and pays 50% of the Sanction Fee for this. He cannot vote or get social security benefits, free health care or pension.



Peter Johnson
55 years old
British

Peter Johnson is a wealthy British businessman. He owns a Corporate Service Provider company in Seychelles as well as renting an apartment on a yearly basis on Mahe. He has owned the business for 3 years, which was a direct investment of 500,000 US Dollars, and he has spent a total of 6 months residing in Seychelles during that time.

Can he apply for Citizenship in January 2014? No. His investment is less than 1 million USD and he needs to be resident in Seychelles for 11 years aggregate in order to be able to apply.

Can he apply to become a Permanent Resident in January 2014? No. He needs to make further investment in order to bring his total direct investment to 1 million USD and he needs to spend at least one year residence in Seychelles OR have 5 years of business association as a result of his 1 million USD investment. He can however apply for a Residence Permit.

If he decides to make a new investment will this affect his eligibility for Citizenship? If he invests in a project, which will be worth 1 million USD, he still will not be able to apply for Citizenship because he needs to spend a total of 11 years residence in Seychelles.

(note all characters are fictional)

Genevieve Dubois
43 years old
French



Genevieve is a doctor, a specialist in gynaecology, who has worked for the Seychelles Hospital for 6 years, and manages the Women's Health Unit. She was married to a Seychellois man for 10 years, when they lived in France, and then moved to live in Seychelles together. After 5 years of marriage they divorced, and she has a new Seychellois boyfriend. They have no children.

Can she apply for Citizenship in 2014? No. She must be a legal resident for an aggregate period of 15 years or be a Permanent Resident for 10 years.

Can she apply to become a Permanent Resident in 2014?

Yes. She was married to a Seychellois for more than 5 years, and has lived in Seychelles for 5 years. Furthermore she is a Priority Worker.

If she gets married to her new Seychellois boyfriend will this affect her eligibility for Citizenship?

No. She needs to be married to the new husband for 10 years in order to be eligible to apply under this category.



Tan Xi Ming
30 years old
Chinese

Tan Xi Ming is a Chinese stock keeper who has been working in a shop in Seychelles for 10 years, on GOP basis. He is married to a Chinese national and cannot speak English, French or Creole.

Can he apply for Citizenship in January 2014? No. He does not meet any criteria for eligibility.

Can he apply to become a Permanent Resident in January 2014?

No. He is not a Priority Worker, and has no marriage or other family ties to Seychelles.

(note all characters are fictional)

Sarath Amarathunga
45 years old
Sri Lankan



Sarath Amarathunga is a Sri Lankan construction worker who has worked on GOP basis in Seychelles for 12 years and is married to a Sri Lankan national. He can speak English and Creole fluently.

Can he apply for Citizenship in 2014? He does not meet any criteria for eligibility.

Can he apply to become a Permanent Resident in 2014?

No. He is not a Priority Worker, and has no marriage or other family ties to Seychelles.



Anna Vladimirova
39 years old
Russian

Anna Vladimirova is a General Manager of a five-star hotel resort on Praslin, where she has been working for 6 years. She has a Masters in Business Administration from Harvard University. She is active in local charitable organisations, and has organised major activities for the fight against drugs in her community, including fund-raising events. She is married to a Russian national.

Can she apply for Citizenship in January 2014? No. She must be a legal resident for an aggregate period of 15 years or be a Permanent Resident for 10 years.

Can she apply to become a Permanent Resident in January 2014?

Yes. She has resided in Seychelles for 5 years and the Minister may also consider whether she has made a significant contribution to the development of Seychelles .

(note all characters are fictional)

Lamine Diop
24 years old
Senegalese



Lamine Diop grew up in Seychelles as his parents came to work as teachers when he was 3 years old. He finished his primary and secondary school in Seychelles and then went to France to complete a degree in ICT Studies. His parents have returned to Senegal to retire, but he got a job offer at telecommunication company in Seychelles and so has returned to work.

Can he apply for Citizenship in 2014?

No. He needs to have been a Permanent Resident for more than 5 years, and employed on GOP in Seychelles for 2 years before he can apply.

Can he apply to become a Permanent Resident in 2014?

No. He needs to work for two years under GOP, and then he will be eligible to apply.



Judy Kruger
48 years old
South African

Judy Kruger is a prominent South African politician, who has owned a 1.5 million US dollar villa on Eden Island for the last 5 years. She spends 2 months in Seychelles every year and is considering setting up a political consultancy firm in Seychelles.

Can she apply for Citizenship in January 2014? No. Her 1.5 million US dollar investment in a private residence on Eden Island only gives her eligibility for a Residence Permit, as this private residence is not considered as a direct investment. If she wishes to work in Seychelles she must apply for a GOP.

Can she apply to become a Permanent Resident in January 2014?

No. She does not meet any of the criteria.

If she decides to make a new investment will this affect his eligibility for Citizenship?

If in 2014 she invests, for example in a hotel project, which will be worth 1 million USD, she still will not be able to apply for Citizenship or Permanent Residence in 2014 because she has not been resident in Seychelles for the required number of years.

(note the person is real but the case is fictional!)

Brad Pitt
49 years old
American



Brad Pitt is a famous Hollywood actor who likes to holiday in Seychelles with his family. He likes it so much that he wants to spend more time in Seychelles, and build an international film academy and a film festival linked to it. He has not resided in Seychelles in the past.

Can he apply for Citizenship in 2014? He is not eligible under any category. However in view of his international fame and the high publicity value of his film academy project, the President might consider him as an 'otherwise meritorious' person and grant him Citizenship.

Can he apply to become a Permanent Resident in 2014?
Yes. Under the same conditions as above.