First (1st) Sitting of the Fifth (5th) Meeting of the Second Session of the Thirteenth (13th) Legislature

THE PARLIAMENT OF TURKS AND CAICOS ISLANDS

OFFICIAL HANSARD REPORT

15 OCTOBER 2026

(Parliament)

Hon. Speaker

Speaker

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PRAYER

OPENING OF THE SITTING

Hon. Gordon Burton:

Good morning, Honourable Members. I now call this first sitting of the 5th meeting of the 2nd session of the 13th Legislature of the Parliament of the Turks and Caicos Islands, to be held on Thursday, 15 October 2026, at the Honourable N.J.S. Francis Building, Pond Street, Grand Turk, to order. Honourable Members, I now call on our Chaplain, Bishop Coleta Williams III to pray for this assembly.

PRAYER

Chaplain:

We continue our devotions on visionary leadership. Habakkuk chapter 2, Verse 2 to verse 3. Then the Lord answered me and said, write the vision, make it plain on tablets that he may run who read it, for the vision is yet for an appointed time, but at the end it will speak and it will not lie. Do not tarry.

Wait for it, because it should surely come to pass. It will not tarry. Write the vision and make it plain. This powerful directive from Habakkuk 2:2 serves as a timeless spiritual, practical blueprint for government leaders tasked with guiding nations, country, cities, and communities. In the realm of public service, governance without a clear God-given vision leads to instability, but a plain and righteous vision brings flourishing growth. Leadership in government carries a heavy burden. Leaders face competing voices, systematic crisis, and consistent pressure of short-term demands. In the midst of this noise, Habaka instruction provide A 4-part strategy for godly governance.

One, receive and write the vision. A leader's vision should not merely be a product of political ambition or polling data. For a government leader, the ultimate vision must align with God's heart for justice, righteousness, and the protection of the vulnerable. Writing it down requires reflection, intentionality, and a commitment to defining destination.

When a leader takes the time to document a righteous path, it establishes an anchor that prevents policy from drifting with the cultural tides. To make it plain, the true test of governance is clarity. A vision hidden in bureaucracy, complexity, or ambiguous language cannot inspire. To make it plain means to communicate with honesty, simplicity, And transparency.

When the public servant make the vision plain, citizens understand. They understand the destination. Trust is restored. Corruption found no place to hide. Simple clarity unites a divided people. Number 3. Empower the people to run. The tax says that he may run who read it. A government vision should never be about the leader. It must empower the citizens to move forward. When a policy, law, or national goal is clear, Public servants, community leaders, and everyday citizens can align their effort. It transforms passive observers into active participants in building a better society.

Finally, trust the appointed time. Governance requires immense patience. Structural change, economic stability, and social healing do not happen overnight. True vision requires holding the line even when results tarry. God reminds us that righteous plans rooted in his truth have an appointed time. They will not lie. And they will not fail. Let us pray. Heavenly Father, we lift up our government leaders to you today.

Grant them the wisdom of Solomon to discern right from wrong, the courage of Habakkuk to stand on the watchtower. Give them clear righteous vision for the people they served, a vision rooted in justice, compassion, and truth. Help them to communicate this vision with absolute clarity. Make it plain so that communities can unite and move forward together.

Protect them from the temptation of complacency. Deliver them from political gridlock and give them the endurance to wait for the good fruit of their labour. Let their leadership bring peace and stability and prosperity to our land. We pray for our Speaker, our Premier, our Leader of the Opposition, our Cabinet Ministers, Our Attorney General, our Independent Member, all Members of this Parliament, our Clerk, our Parliamentary Staff.

Make them visionary leaders to see beyond the now into the future. Grant them the clarity and discernment to navigate complex decisions and the courage to always choose what is right. We pray that a spirit of unity and collaboration and mutual respect will guide our debate of bills today. Let their policies and action promote peace and well-being for every citizen.

Bless their vision, their work, their family, Their staff. Grant that the proceeding of this Parliament produce a productive

conclusion. Bless this Parliament. Bless this country. It is in the name of Jehovah Nissi we pray. Amen.

Hon. Gordon Burton:

Pray be seated. Honourable Premier.

MOTION TO SIT BEYOND THE 6 PM HOUR

Hon. Charles Washington Misick, OBE:

Thank you, Mr. Speaker. Good morning to you. Good morning to colleagues. Good morning to technical support team. And good morning to strangers in the gallery. Good morning to the entire Turks and Caicos Islands at home. Mr.. Speaker, we wish to extend sincere sympathies to all of those persons who are in a state of bereavement or other discomfort for whatever reason, and we align ourselves with the successes And the celebrations and high points in the lives of those persons who are experiencing those.

Mr. Speaker, I rise today— we have 2 important, very voluminous bills. So, we are going to have a— try to get to the Orders of the Day very quickly. And so, Mr. Speaker, pursuant to Standing Order 130, I move that Standing Order 12 be suspended to allow this Honourable House to sit beyond the 6 PM hour.

Do I have a seconder?

Hon. Jamell Rayan Robinson:

Second.

Hon. Gordon Burton:

Honourable Members, motion moved by the Honourable Premier and seconded by the Honourable Deputy Premier. That this Honourable Parliament sits beyond the 6 PM hour. All in favour say aye. All to the contrary, no. The ayes have it. Honourable Premier.

REARRANGEMENT OF BUSINESS

Hon. Charles Washington Misick, OBE:

Thank you again, Mr. Speaker. Mr. Speaker, pursuant to Standing Order 130, I move that Standing Order number 44 be suspended to allow Government business to have precedence. In that regard, Mr. Speaker, I would like to rearrange the Order Paper so that, Mr. Speaker, pursuant to Standing Order 49,

I wish to arrange the business of the Honourable Parliament so that Government business can have precedence over all other business. In that regard, Mr. Speaker, I move that Item No. 70 in the Order Paper be taken as Item Number 4.

ORDERS OF THE DAY

IMMIGRATION BILL 2026 - SECOND READING

Hon. Gordon Burton:

Thank you very much, Honourable Premier. Honourable Members, good morning again. I want to welcome you here to this meeting of Parliament this morning. I also want to welcome the strangest in the gallery who are visiting with us this morning. I want to welcome persons who are listening via Radio Turks and Caicos and also watching via our SmartStream platforms.

Honourable Members, I want to send out condolences to persons, family members, friends who have lost loved ones since we last met, and I also want to send out Congratulations to persons who are celebrating happier times in their lives. Honourable Members and also persons listening, I also want to apologise for our late start as we had a few technical issues that we had to resolve before starting Parliament this morning.

Honourable Members, I will now return to the Order Paper and we are now on Orders of the Day. We are at the second reading of bills, and we will have the second reading of the Immigration Bill 2026, to be moved by the Honourable Deputy Premier and Minister for Immigration and Border Services. Honourable Deputy Premier.

Hon. Jamell Rayan Robinson:

Thank you, Mr. Speaker, and good morning. Colleagues, friends in the gallery, Mr. Speaker, in accordance with Standing Order 92, I move that the bill entitled Immigration Bill 2026 be now read for a second time. Do I have a seconder?

Hon. Arlington Alexander Musgrove:

Second.

Hon. Gordon Burton:

Honourable members, motion moved by the Honourable Deputy Premier and seconded by the Honourable Minister of PPID that the bill entitled Immigration Bill 2026 be read for a second time. All in favour say aye. All to the contrary, no. The ayes have it. Honourable Deputy Premier.

Hon. Jamell Rayan Robinson:

Thank you, Mr. Speaker, and good morning again, everyone. Before I start, I'd like to wish those that are celebrating birthdays and anniversaries a happy anniversary and a happy Birthdays and those that are bereaved since the last time we've met have my condolences, and of course wish those that might be ill or have sickness a speedy recovery. Mr. Speaker, we've come now to debate the Immigration Bill 2026 for the Turks and Caicos Islands. This is a complex, difficult subject bound to arouse as much emotion as it does curiosity, and rightly so, Mr. Speaker.

Before diving in, I would like to pause to thank a few key people and organizations that would have been a part of the hard work Over these last several years in bringing this bill to its second reading. Of course, I would like to thank the former Minister of Immigration for his work that he would have started with the team I now lead.

I would also like to thank the current and past members of the Immigration and Population Policy Council. For all the work they've done to give us the information that helped fed into the decision-making of this bill. One of those members is a current member of Parliament, elected All Island Member Number 9, who sits with us. I'd also like to thank my chairman and board members who are here with me today for my immigration boards and their support In getting this bill here.

Of course, I'd like to thank our Honourable Premier for his guidance on ensuring we struck the right temperament and the right measure to ensure that our people are first, but yet we can also have an economy that works for us all. And of course, the support of all of my cabinet colleagues and the support in advance of all of my parliamentary colleagues as well. And of course, I'd like to thank my team at the Ministry of Immigration and Border Services for all of their hard work, and I'd like to give a special thank you to my Permanent Secretary for her patience with her DP and her Minister for the chasing and hounding, but saying, boss, we got this, take your time, take your time, we can get there, don't rush it.

This is hard work. It's very detailed. Hold on, let me pull this up. It's over 100+ pages, not even talking about the regs and all the supporting documentations, because this is plenty, plenty, plenty good work. So I thank you, Madam, and all of our executive who supported us as well.

I see my DPS as well. And last but not least, I'd like to thank in advance The good, good Leader of the Opposition for the support that he will provide us.

Hon. Edwin Andre Astwood:

Really?

Hon. Jamell Rayan Robinson:

Sometimes indeed, because as he said in the past, anything that's good for the people of the Turks and Caicos Islands, he supports. So given that, I know he thoroughly read this bill, he will get up and say ditto, and then we can be straight into committee. You ain't got to discuss it no more, right? Well, Mr. Speaker, some may view the Ministry and its departments as a processing ministry which processes various applications, or it is seen as only focusing on illegal immigration and as an enforcement agency merely for the protection of national borders. But it is not that simple, Mr. Speaker. The work of the Ministry of Immigration and Border Services protects the value of citizenship of every Turks and Caicos Islander. Mr. Speaker, it gives comfort to those approved for status in these islands.

Immigration supports the maintenance of our national culture, Mr. Speaker, and defends the criteria of citizenship laid out in our national constitution. This idea of immigration as protecting the integrity of the nation's citizenship, classifying its citizenry, ring-fencing its culture, operating in the context of a nation's history, and its anthropology— anthropology is so often considered myopic or even xenophobic when expressed by citizens or their government.

There are some foreign guests who think this kind of emphasis is exclusionary or unfair. But, Mr. Speaker, we have to become mature in our understanding. We must assert and live the fact of our birthright in these islands before we can set the welcome mat for others. In fact, Mr. Speaker, We only gain the power to welcome when we are and feel at home at home.

Mr. Speaker, we are an archipelago. We are surrounded by at least 4 bigger islands with populations in the millions, the economic prospects and performances of which are less well off than our own here in these Turks and Caicos Islands. We understand their plight. And having known them and having had relations with them for more than 100 years, we empathize with their struggles as we had our own struggles to overcome.

However, Mr. Speaker, the well is only so deep. We have bread for only so many mouths. Even the Good Samaritan would have failed in his kindness if he had an overcrowded inn. Therefore, given the fluidity of regional immigration— of the regional immigration situation, our size and resource limitations, our laws and our birthright, we must be mature enough to draw a dividing line somewhere at a point that preserves our capacity to welcome And whenever we draw that line, Mr. Speaker, done with God's guidance, with empathy for all and ought against none, there will be people on either side of that line, I am afraid, Mr. Speaker, who will be unhappy.

I would like to show the historical context of these remarks, Mr. Speaker, so that we may gain a sense of our people's anxiety With respect to immigration, which has, which has had a long gestation period, and it is felt with some justice. I will follow that with examples of how the best-managed nations are addressing these problems. Mr. Speaker, there are some facts of analysis available to us. If you take our native population, about or trending towards 15,000 or so souls, And pull out our labour demographic.

That would be about 8,000 souls, Mr. Speaker. There is no way to develop a service economy with 6,000 to 8,000 beds, with over 600 stayover visitors and more than 60 first-rate

restaurants, with a demographic of 800 potential— 8,000 potential customers. No, Mr. Speaker, it is impossible. And given our best-in-the-region economic growth rate, which we are blessed to enjoy, it is unlikely that our growth will slow anytime soon.

I once heard a TCI economist say, if things go good in America and the world, people want to come to the Turks and Caicos Islands and the Caribbean. If things go badly in America and the world, people want to escape to the Turks and Caicos Islands and the Caribbean. Our job is to manage this growth without destroying it, and yet, Mr. Speaker, to do so without it overwhelming us to the point that we lose the power that welcomes others.

Mr. Speaker, let us go to the historical record. Upon the passing through of Christopher Columbus in 1492, and for 180 years, Thereafter, that culture and that confederacy in these islands, including the northern Turks and Caicos called The Bahamas, was decimated and stripped of human possession. These islands became an important pastoral colony for the French, Spanish, and Portuguese. Many armada, Mr. Speaker, headed towards Europe with South American loot, set in the Windward Passage, aka the Turks Passage, between South Caicos and Grand Turk.

Or the gateway into and out of the Caribbean Sea entrance into the Atlantic Ocean. Our island home became the last stopping point of safety and was so important that it became the only land base for a treaty between European powers called Peace Beyond the Lines, which meant once a ship cleared

South Caicos, the Big South, into the Atlantic, it could no longer be pirated. The fact is, Mr. Speaker, many of our people are older to these islands than the native populations are in other surrounding islands. Since 1678, our forebears, largely from Bermuda with smatterings from Cuba, Haiti, Bahamas, and Jamaica, have carried on trade in these islands, which were first inhabited by members of the Taino Confederacy, whose members were Arawaks, Lucayans, Ciboney from eastern Cuba, and Caribs from the wider Caribbean. Additionally, Mr. Speaker, our forefathers arrived and built the reputation of the Turks and Caicos Islands on its salt flats that shaped economies and conflict in America and Canada, opening commercial opportunities in and sustaining the cod fishing business, which made Newfoundland, Canada rich.

Our forefathers arrived in their numbers, repopulating the islands, bringing with them a united culture that blended with escapees from surrounding islands, including Cuba and Haiti, out of which the foundational culture of Turks and Caicos, particularly Grand Turk, Middle, and South Caicos, has grown. These islands were then inhabited by sailors, pirates, and escapees of plantations from surrounding islands. And so the Trinidadian novelist V.S.

Naipaul, his famous work The Enigma of Arrival, describes this period of our history most touchingly. Turks and Caicos enjoyed commerce not only with Canada in the far north, but with the string of islands in the southern Caribbean As far as Curaçao— actually, I just came back from Curaçao— dotting our early population with such a variety of souls from such diverse places, conforming to Nepal's description. This formed the nucleus of a permanent population in the Turks and Caicos Islands. By 1772, Britain seemed firmly in control of our colony.

Mr. Speaker, They enjoyed wage labour. In 1776, Englishmen in North America who resisted the American Revolution, remaining loyal to the British Crown, known as loyalists, fled to the Turks and Caicos Islands with their enslaved, thus introducing slavery in competition with wage labour in these islands and was the first true source of a labour conflict in the Turks and Caicos Islands.

Over the decades following, for as much as a century, the population grew. Both political management shuffled between colonial powers, then back and forth between larger colonies like The Bahamas and Jamaica. In the late Columbian period, Mr. Speaker, the Turks and Caicos was possessed and lost by France nearly a half dozen times. But this was not the end of our troubles.

Under the management of the British colonial governor of The Bahamas, the Turks and Caicos Islands produced nearly one-third of all The Bahamas revenues, and forced takeover attempt was made from that quarter to control the salt trade. That resulted in the hardening of attitudes in these islands that gave our forebears the distinct sense that they were Turks and Caicos Islanders. No matter where they were from or how they arrived. In 1774, Mr. Speaker, Bermuda, seeking to defend its people now living in the Turks and Caicos Islands, deployed a floating war party to face down the French, Spanish, and whoever it may be, also the Brits, The Bahamas.

Yet, Mr. Speaker, here is that anxiety I spoke of earlier, which arose from the people of the Turks and Caicos being handed around from power to power From colony to colony, benefiting from what these islands have produced whilst contributing nothing. In 1803, Mr. Speaker, the British government transferred dominion of the Turks and Caicos Islands to The Bahamas, by which, Mr. Speaker, the Turks and Caicos Islands again punched above its weight and still produced 25% of The Bahamas' total government revenue. In 1848, Mr. Speaker, the Turks and Caicos Islands was handed over to Jamaica. Until Jamaican independence in 1962, whereupon the merry-go-round continued as the Turks and Caicos Islands was handed back to The Bahamas, this time until The Bahamas independence in 1973.

Mr. Speaker, this history lies at the root of the Turks and Caicos Islanders' mistrusting sense that those who seek to enter these islands too energetically Over 320 years of manipulation, deceit being handed from one group to another with no say in our affairs has produced an understandable anxiety, but anxiety we must manage according to our national needs in comparison with international standards and with a Christian charity and commercial prudence and grace that is also rooted in our history. Other nations have mastered this, Mr. Speaker, and done so with spectacular results.

Take Singapore, and I wish the Honourable Harold Charles was here to hear those words referenced, as I am sure he is listening in. So take Singapore. The entire country of

Singapore, in terms of size, could fit into the island of Grand Bahama twice. Yet Grand Bahama is home to under 50,000 people and Singapore is home to nearly 5.5 million people, about 2.1 million of them on work permits.

Singapore developed from an entrepôt with a population mixture of almost every Asian identity. There was a dominant Chinese presence controlling the largest share of the national wealth. Strong Malaysian, Indonesian, and Indian presences, and the presence also of Vietnamese, Koreans, Thai, and Filipinos. Singapore recognized and executed 3 things.

Number one, a comprehensive, clear but simple immigration policy. Number 2, a clear and comprehensive manner in which to acquire status in Singapore. And finally, number 3, fairness as an active rule. Not a mere claim. Singapore has been so successful over— so successful that over a quarter of its population has been expatriates, while one-third of the remaining population were migrants to Singapore who gained status through a clear policy process.

Singapore used this demographic of work permit holders to support their Twin Sovereign Fund Called the Temasek and the Provident Fund. The funds own 90% of all revenue— sorry, of all rental property in Singapore. I'll say that again. The funds, both of them, own 90% of all rental property in Singapore.

As such, most expatriates renting is paying rent into the sovereign funds owned by Singapore citizens. Also, it is important to note that expatriates in Singapore did not train their Singapore replacements because Singapore regarded that as irresponsible. The Singapore government, like the Turks and Caicos Islands government, educates and trains Singapore citizens to a global standard by sending them on year-long internships abroad, which means companies fight over them and hire expatriates only when they cannot find a Singaporean. Because the cost of an experience is almost— of an expatriate, sorry, is almost twice that of a Singaporean.

This policy does not raise costs to the expatriate, yet it sets up the financial support for Singaporean citizens. So everyone wins. Singapore took its labour shortage problems and turned it into a benefit for its citizens. We can turn to Switzerland, perhaps the best, most well-organized country in the history of the world. It takes 12 years to gain Swiss citizenship. The normal means is to form a company and to pay taxes for 12 years and to maintain at least 180 days' residence in Switzerland, to contribute to the Swiss society through charity or volunteerism, and even at the end of that process, Mr. Speaker.

Now that's good. At the end of that process, Mr. Speaker, the name of the applicant is put on a referendum and the citizens of that particular canton or state votes to determine if that person will become a citizen. And they complain about our little movement and progress at our immigration. But you got to get voted for by all citizens.

So to become a part of them, they got to vote you in. Not write a letter, secret ballot, and you're in. My, now. Another element of the Swiss approach is that it seems every Swiss person accepts an individual who has gone through the procedure according to law as fully Swiss. These are 2 examples of countries with clear, simple, duly enforced policies— and enforce is the key word there— enforced policies that have put their societies in the best position to succeed whilst maintaining their culture, their social life, and continuing to grow a cosmopolitan society.

Suffice to say, Mr. Speaker, the Swiss put their rules in place because they too suffered from national anxiety, surrounded for much of their history by envious, warring neighbours. However, they matured into the— into their immigration model through a clear set of simple steps known and understood by everyone alike, both citizens and foreign guests desirous of becoming— of being welcome in Switzerland.

The peoples of the Turks and Caicos Islands, then and now a unified culture, grew weary of being passed around, of suffering marginalization overlordship and policies which seem geared to make others prosperous on the fat of our land whilst regarding the inhabitants of these islands as a mere inconvenience. Mr. Speaker, as for the Turks and Caicos Islands, although we are smaller, our situation is even more complex. We are an archipelago, which means we must maintain societies and economies in multiple islands. We are a British Overseas Territory, which means our thoughts and presumptions of what is best for us often need approval from elsewhere.

Our population is small, which means when divided across the various islands, economies of scale and carrying capacity are challenges for us, unlike Singapore and Switzerland. We are often— we are a microstate with a small population with high labour demands, high cost of living because of our economies of scale, and as I said, a British Overseas Territory that trades in US dollars in a Caribbean neighbourhood which our economic success is an attractor to those who are looking for a better life. And strangely, Mr. Speaker, the very thing that makes us prosperous, our destination quality condo hotel business, has both the power and tendency to price our people out of our very own economy, Mr. Speaker.

It is therefore right, Mr. Speaker, that as the Minister for Immigration and Border Services, that I have as my priority to ensure that the rules regarding status in these islands be designed and enforced both to reassure citizens of this country of their birthright and rightful place within it While at the same time doing all that is necessary to ensure our prosperity, which in many cases means necessarily the invitation of foreign brothers and sisters under a clear, comprehensive status programme.

The cardinal problem which faces all administrations in these islands, Mr. Speaker, is a population and labour shortage with an inefficient demographic distribution for the development of a modern competitive economy. In solving this problem, Mr. Speaker, the number one goal of this administration is to ensure that every Turks and Caicos Islander who wishes to be prosperous, who is prepared to apply him or herself, shall have that prosperity, and that government will facilitate that person as a foundation of their right as a citizen. This policy must also recognize the need for skilled labor and expertise, and we must also recognize when such persons who come to labor with us have been in our country for a period of time and

have met and have made excellent contributions.

There must be graduated status that we can offer them that eliminates any question as to whether this is their home. In addition to that, we must cultivate a policy that ensures that where a business licensed by the Turks and Caicos Islands government to carry on business is indeed— is in need of specific labour for jobs Turks and Caicos Islanders and Turks and Caicos Islanders cannot do or do not wish to do it, that we have a clear, efficient, transparent process that does not create embarrassment for companies licensed by our government or life issues for the applicant who expects the lawful grant of a work permit. I mean to say here, as in Singapore and Switzerland, our word must be our bond.

Mr. Speaker, we cannot be ruled by anxieties or by the idea that people are coming to take something from us. If they take what is ours, it means we have not been attentive We have not been disciplined, and we have not shepherded our blessings towards our own benefit. It means we have buried our talents and yet expect to benefit from the one talent we granted to others, from which they made something of value. As they say when building an NFL team, Mr. Speaker, we must trust The process, and the process is, as I have been saying, a clear, effective, efficient set of rules that are fair to all in the circumstances.

Mr. Speaker, I now come to clarify— to a clarification on the issue of illegal immigration. I would like us to understand when we say illegal immigration That should not draw up a picture of our Haitian brothers and sisters only, or immediately— or immediately of peoples from our neighbouring islands alone. Having spoken on immigration from surrounding islands, we should not avoid speaking of the others who are here from the larger G20 nations— Or those who arrived with status but overstayed their approved status, Mr. Speaker. There are many other nationalities from countries large and small who have bypassed the legitimate rules for remaining in these islands and also without the requisite status.

When I reflect on a point that I made previously, about the people of the Turks and Caicos Islands being managed by others for nearly 150 years, that prosperity has seemed available for everyone else except Turks and Caicos Islanders. Mr. Speaker, in this next part of my speech, I will deal with specific solutions to issues previously covered, and beyond them, I will deal with specific policy options for work permits, permanent residencies, new statuses, and the pathway to status in these islands, including how we treat those who have made or are intending to make a positive contribution to this country. Our goal is to launch an immigration and border security platform that is effective, sensible, clear, growth-oriented, in a manner that does not exclude Turks and Caicos Islanders.

But includes incentives for businesses in real time given our systematic labour issues in the short and medium term. I will have something to say about the optimum size of the population as a policy goal and something about those persons who have been in these islands in limbo without status for so long.

Mr. Speaker, the legislation being brought before this Parliament is premise on all I have said here. There are 4 major points in this legislation, the first being status in the Turks and Caicos Islands. The Government proposes a more structured approach to acquiring residence and employment rights in the Turks and Caicos Islands while safeguarding the interests of the Turks and Caicos Islander. Central to this approach is a 10-year Residence and Employment Rights Certificate subject to annual declarations and prescribed fees, through which eligible persons may subsequently apply for residence— for permanent residence.

Eligibility would include qualifying long-term lawful residents and specified categories of young persons and family members with established connections to the islands. Applications would be assessed against required requirements concerning good character, financial independence, knowledge of the islands, and where applicable, English proficiency, together with the public interest and economic consideration. Mr. Speaker, to reiterate on the employment— the residence and employment rights certificate provisions. In the first instance, a person would have to successfully complete at least 10 years on being on a work permit to apply.

If they are successful in attaining the Residence and Employment Rights Certificate, then they would be on a path of at least another 10 years before they are eligible again to apply for permanent residence certificate. Thank you. Certificates totaling 20 years. And Mr. Speaker, at the point of the initial application, if they are successful, they move on.

If they aren't successful, there's an automatic 1-year break that they have to take before they can enter the labor market again. And again, they would start from zero in terms of their path towards permanent residents. Also, if they don't apply, then they would automatically have to, have to, have to leave for at least a year. Now, of course, Mr. Speaker, we're not going to cut off our nose to spite our face, so there's a few exceptions like those that are in the education, law enforcement, health professions, and of course government.

But again, one of the things I Always reiterate, the application of a work permit or a government contract is not a right. So if we are doing our work appropriately and importantly, we will determine whether persons ought to continue on with our status in the Turks and Caicos Islands.

So, Mr. Speaker, also the proposals also introduce A separate renewable 25-year long-term residence permit for qualifying investors, expressly excluding holders of that permit from eligibility for the Residence and Employment Rights Certificate and permanent residency. So this essentially is the replacement for the PRC by investment that would have been available under the current legislation that's in place, the current Immigration Bill.

So that's being replaced with this long-term residence permit. Existing residence permit certificates would be preserved through transitional provisions. These arrangements would regulate residence and employment rights without themselves conferring Turks and Caicos Islander status. Mr. Speaker, number 2, work permits. The Government proposes to strengthen the work permit system so that recruitment from

overseas meets demonstrated labour needs while protecting employment and advancement opportunities for Turks and Caicos Islanders.

Employers would be required to satisfy applicable advertising, Islander preference and labour clearance requirements, substantiate the qualifications of proposed employees and explain why any Islander applicants were considered unsuitable. Employers with 15 or more work permit holders, together with other designated employees, would submit their business staffing plans identifying future recruitment needs, training commitments, and opportunities to fill positions with Islanders. A general 10-year term limit would apply to work permit holders Followed ordinarily by at least 1 year outside of the islands without a work permit before another could be issued. That's what I was referencing in relation to the transition to the Residence and Employment Rights Certificate.

Specified essential professions and sectors would be exempt, and qualifying applicants for Residence and Employment Rights could seek permission to continue working while their applications are determined. The proposals also maintain controls over changes of employer and occupation, required health insurance, and allow approved domestic workers and labourers to work for up to 2 employers. Mr. Speaker, number 3, immigration. The Government proposes to repeal and replace the existing Immigration Act with a modern framework for controlling entry, residence, and employment, supported by clearer responsibilities for the Border Force, Work Permit Boards, and Immigration Appeals Tribunal.

The proposed framework provides for electronic travel authorization, digitally generated permission to enter, automated border processing through eGates, and biometric authentication. Authentication. Advanced passenger information would support screening before travel and cooperation with CARICOM security institutions, while decisions on admissibility would remain with the competent Turks and Caicos Islands government authority. The legislation would also regulate immigration service providers and establish offenses addressing fraudulent applications marriages arranged to obtain an immigration advantage, unlawful employment, and other breaches.

Alongside enforcement powers, the drafts provide for notices, representations, and appeals in specific circumstances. Together, these measures would support more consistent immigration administration, strengthen identity verification and compliance, and and facilitate lawful travel while protecting the islands' security and economic interests. Lastly, Mr. Speaker, migration. Together— taken together, the proposals point towards a more deliberate approach to managing migration, balancing the islands' need for workers and investment with the protection of local opportunities and the orderly settlement of eligible residents.

Work permit term limits, employer staffing plans, regulated dependent endorsements, and defined residence pathways would provide greater control over the duration and conditions of migration. Investment-based residence provisions would also differentiate between islands, with lower qualifying thresholds for specific investments in Grand Turk, Salt Cay, South Caicos, Middle Caicos, and North Caicos, supporting a wider distribution of economic activities. To address irregular migration, the bill provides for stronger examination, detention, removal, and deportation powers, together with offences targeting those who facilitate unlawful entry or harbour persons unlawfully present. It also creates an aggravated offence where assistance with unlawful entry causes death or serious harm or endangers life.

The overall direction is towards lawful, accountable migration that contributes to national development while strengthening action against unlawful entry and its facilitation. The overall objective, Mr. Speaker, of this new law is clarity. We want every soul on this— we want every soul in this country to know their status. Second, efficiency.

We want every company, foreign and domestic, that uses foreign labour to know the rules. Here we must be honest. Foreign workers are a political flashpoint. On one hand, we must ensure opportunities for Turks and Caicos Islanders. On the other hand, companies need real-time clarity on work permits as it impacts productivity and so impacts taxes and so the income to the very citizens we serve.

And just one more time for the record, I'm sure I said this a couple times, ain't only foreign companies in this country Turks and Caicos Islanders own businesses too. Turks and Caicos Islanders also need work permit holders too. So we have to strike that balance for the Turks and Caicos Islander worker as well as the Turks and Caicos Islander business owner.

That is, if we get our work permits policy wrong, government revenues suffer, service quality suffers, reputational capital suffers, and that impacts the funds available to finance government policies, Mr. Speaker. Mr. Speaker, the issue of immigration is not one-dimensional. It is not a one-dimensional problem, Mr. Speaker. Immigration legislation and regulations frame the right to belong.

Mr. Speaker, in the Yoruba language, which had some influence in Haiti, Cuba, the Southern Bahamas, the Northern Bahamas, and the Turks and Caicos Islands, The word belongo means free. Because you belong to your family home in Providenciales, or your auntie's home in North, or your cousin's home in the Big South or Grand Turk, you are free to be yourself and act at home because you belong. It's not exclusionary. Mr. Speaker, in the Turks and Caicos Islands, we are shaping up for 4 statuses under our rules.

Turks and Caicos Islander citizenship connected by blood to the land. Citizenship welcome by law through naturalization. Permanent residence welcome in stages by law. Work permit holder granted access for mutual benefits to and from those whom it is granted. We must advance in each of these stages to ensure a unified Turks and Caicos Islands community. Therefore, as was said above, this is not a one-dimensional process.

In the best-managed nations in the world, immigration legislation induces certainty and assurance, which allows people to go about their daily lives certain of their status in the country. It allows them to contribute without hesitation

because they know both the duration of their status and the process behind it. Mr. Speaker, there is no nation with a convoluted immigration system and a sustainable economy, because along with constitutionality, health and education, immigration not merely predicts but maps the future. The Turks and Caicos Islands must now enter the league of nations known for clear, precise, fair-minded, and humane immigration rules and processes.

In today's world, with increasing animation, fertility collapses, and brain drain, with countries like Cayman, Rwanda, Botswana, and even older nations like Japan offering relocation packages, the rationalization of our immigration policies is the beginning of a new competitive era of economic well-being for our island communities. With that, Mr. Speaker and my colleagues, I invite, I invite that this bill, that this Honourable Parliament debate the Immigration Bill 2026.

Hon. Gordon Burton:

Thank you, Honourable Minister, for your presentation of the Immigration Bill 2026. Honourable Members, the floor is now open for debate on this bill. Are there any contributions? The Chair recognizes the Honourable Leader of the Opposition.

Hon. Edwin Andre Astwood:

Thank you very much, Mr. Speaker. Mr. Speaker, may I ask if any of the members see the little tripod, the metal one? Oh, is that— Yeah, I think it's like that. Okay, Mr. Speaker, just give me a second here. Let me just get set up on my feet.

Yes, I would like the mic to be higher. Yes. Thank you very much, Mr. Speaker. Mr. Speaker, before I begin, let me also say a pleasant good morning to all those listening throughout the Turks and Caicos Islands, especially here in my constituency of Grand Turk South and Salt Cay. And always want to give a big shout out to Middle Caicos, the ancestry home of the Astwoods. And as soon as I know where's the ancestry home of the Robinsons, I'll be shouting out that island also. Perhaps Honourable Jamal can tell me that.

I'm sorry, Honourable Deputy Premier can help me with that if he knows also. But for the meantime, I'll shout out my people of Grand Turk South and Salt Cay, and certainly my people of Middle Caicos, specifically Laramis. Mr. Speaker, let me also, We send condolences to all the bereaved families of the Turks and Caicos Islands.

I do not have the list of bereaved families before me, but suffice to say, our thoughts and prayers are with them all in this most difficult time. Mr. Speaker, also, all those celebrations, persons celebrating, there were a number of government departments who have reason to celebrate. Making big accomplishments. We have some very good civil servants here in the Turks and Caicos Islands, as I have been exposed to civil servants throughout this hemisphere, and I certainly can say that we have some extremely good civil servants here, persons working in government here, Mr. Speaker.

Mr. Speaker, I rise to make my contributions to this immigration Immigration Amendment Bill. Sorry, not Amendment Bill, this Immigration Bill 2026. Mr. Speaker, in doing so, we have the regulations also, and we have the Immigration, Residents and Employees Rights Certificate. That bill, that, that is here also. So, Mr. Speaker, there are 3, documents here, 2 that is very big.

Mr. Speaker, let me also thank, as the Minister did, his team, and all those who work on the bill. Mr. Speaker, this bill is timely, is needed. However, Mr. Speaker, it is our duty to go through the bill and present it on the best— what are the pros and cons for the people of the Turks and Caicos Islands.

And, Mr. Speaker, I am holding up the bill. You can see how thick this is, Mr. Speaker. And I had the wonderful task of going through every line, every clause. And as I go through every clause, I have to stop there, consult, call, call people, talk to people on every one of these clauses here in order to come and be able to speak to this bill, Mr. Speaker.

So persons out there who think parliamentarians only come inside of here and like they say, oh, we only come here to make noise, Mr. Speaker, that is far from the cry. Very far from the cry, because if you had to pay a lawyer to go through every one of these clauses, do all the investigations, talk to witnesses, talk to people in the industry, you'll be paying a lawyer a whole lot of money, Mr. Speaker. And now, Mr. Speaker, I have to show up and present the findings and do so without reading my notes according to the standing orders, Mr. Speaker.

Because members are not supposed to read their speeches in this House. So that means I have to read the information, take it in, process it, and be able to regurgitate that information without reading, fully reading. However, Mr. Speaker, I may have to do a little reading today as the Honourable Member from The Bight, while he was on the plane, he didn't feel well and he left the plane.

And he's hoping that he— whatever is going on, issues going on with him, that he will be able to make it maybe later. And if we go to tomorrow, if time and circumstances allows him, he will be here tomorrow. And he had sent me a whole heap of information also to my WhatsApp, and I'm trying to get it incorporated into my notes. So maybe some of the— as I was sitting here, maybe some of the lines that he gave me, I may have said it again, and I might reach to his line.

So if anything comes up again that I have mentioned, let me apologize from before, because I'm trying to integrate what he sent me into my— the things that I had prepared, Mr. Speaker. With that, Mr. Speaker, let me clearly state that I strongly support immigration control, but the bill— but this bill concentrates too much unchecked powers, Mr. Speaker.

My first observation: it leaves core rules that we should have a chance to debate and edit and amend into the regulations. Mr. Speaker, I don't think inside of the House we go through the regulation clause for one, are there any contributions? A lot of the things that may need change, a lot of those core materials

are in the regulations that some of that should have been in the bill where we actually dive into and can change right on the floor of the House, Mr. Speaker. Mr. Speaker, we here in the opposition And myself, we support secure borders, fair access to work for Islanders, Mr. Speaker. And again, Mr. Speaker, we are against fraud and exploitation.

But, Mr. Speaker, security must be lawful, transparent, and workable. The bills need to be amended before it receives full support. So, Honourable Minister, yes, in principle, I do support these regulations. I do support stronger immigration policies and laws, but there are some things that need to be addressed inside of the bill. Mr. Speaker, there is common ground. We are all Turks and Caicos Islanders. We all love our country, both the government, the opposition, and certainly the independent.

Mr. Speaker, we all love our country, and we want to see this bill that works for the people and those who come to live amongst us, Mr. Speaker. So there are some common ground, Mr. Speaker. Secure borders— all of us want secure borders. Protection of islander and Turks and Caicos Island employment. We all want that, Mr. Speaker. Actions against trafficking, fraud, and unlawful work— we all want that, Mr. Speaker.

But what is the test of this bill, Mr. Speaker, if it can duty accomplish that? This bill, Mr. Speaker, must be effective, fair, lawful, and administratively workable. And, Mr. Speaker, it must be transparent. Mr. Speaker, There are some strong constitutional concerns within the bill, Mr. Speaker. Unchecked discretions, which are all these I'll get to.

Limited appeal rights, Mr. Speaker. Search and detention powers, Mr. Speaker. And data privacy, all I will get to. Mr. Speaker, there are also some consequences I see with the bill, Mr. Speaker. There is a lot of— this will create a lot of uncertainty for families and residents, as some guidelines and some procedures are not so clear.

Mr. Speaker, there is a worker vulnerability, gaps in labour market protection, and there can be a burden on businesses, Mr. Speaker. Mr. Speaker, I also note some drafting and implementation failures, unresolved contradictions, Mr. Speaker, where one part of the bill is saying one thing and another is saying the next. Maybe there is a mix-up in the clauses, Mr. Speaker. Mr. Speaker, but in all, we support the reform.

But we must insist— we have to insist on amendments that strengthen both border control and the rule of law. Mr. Speaker, let me dive right into it. Mr. Speaker, let us look at the broad discretions with limited independent review. Mr. Speaker, entry can be refused, leave revoked, people placed on stop lists, or deportation pursued on concepts such as— now you could deport people on concepts such as undesirable, public interest, or conduct prejudiced to public order. Mr. Speaker, these terms are not tightly defined. What is undesirable? Does that mean if we are a homophobic country, somebody who is a homosexual? Mr. Speaker, if we are xenophobic, that means persons of certain race? What do we mean by undesirable, Mr. Speaker? You know, people, certain ethnic groups, certain nationalities.

So we have to tighten this. It leaves too much to interpretation. Public interest— what is public interest? Oh, this, this is a lover boy around here, he taking everybody wife. That's public interest? You deport me on that? What is public interest? Against public interest? Yeah, breaking up families. That's between your pastor and yourself.

And your guidance counsellor, that's not an immigration issue. So what is public interest? Tell me. These things need to be defined, Mr. Speaker. We have seen, and we all live in the Turks and Caicos Islands, we have heard of abuses, not because the current members in immigration and the current members of Parliament and the Minister may not do some of these things. That doesn't mean that future persons or other persons with male intentions may not come or go to those jobs and do it.

Certainly none of you all want to do it. I know that. I have confidence in you all. But that doesn't mean your successes— other people may not act with ill intentions, Mr. Speaker. Mr. Speaker, several critical decisions are final and largely insulated from any kind of review. Visa refusals are final. So if you apply for a visa and the refusal— they refuse it, that's final.

You cannot get it. let me give you a good example. You have your maid who worked with you 5, 6 years, 7 years. Suddenly— 10 years. She died here in the Turks and Caicos Islands, and this is her wish to be born in this place that she loved. And you're trying to get her son or her daughter to come from wherever it is, whether it's the Philippines, Haiti, Dominican Republic, and you say, look here, there's a funeral and I applied for this person to come.

They're only coming for a week funeral. They'll be out of here. This is this. This is my information. Refuse. And you were like, wait a second, you know, why would you refuse this? But there's no way for you to appeal. There's nobody for you to appeal to. And I'm just using a light example, but there are more deeply consequential examples.

But that is one. But there's no right to refusal. I mean, for review or appeal. The visa, the decision is final. Mr. Speaker, that shouldn't be so. There should be some appeals board or so something, appeal to the Minister, somebody, because that person may not like me or, you know, like something who refusing.

But there should be an issue where I can state the case. Look here, this person have more money than me, they're just coming for this funeral, I am inviting them down, or they are friends of the family. And my relative died and they want to come to the funeral. Why are you refusing this person, Mr. Speaker? There must be some reason because we've seen it happen.

We all live here. We know of cases where that happened. And you're asking, why are you refusing this person? This person don't want to stay here. They love coming here, spending some money in our economy and going back out. So why are you refusing them? So there must be— some things should not be final.

There should be always an appeals tribunal somewhere, Mr.

Speaker, appeals mechanism. Whether you set up an appeals tribunal or the same one that you have, these concerns go to it, or appeal to the Minister where certain things that you can write a letter to the Minister and the Minister can call in his team and say, look, I received this letter Tell me about this. What is this thing? Let's discuss this. There must be something, Mr. Speaker.

It shouldn't be just flat. Certificate grants decisions are finals. Tribunal decisions are finals. I understand the mischief that we're trying to cure here, where we saw things going to the court and everything, Mr. Speaker. But mostly on this end, we don't see those court Trials and everything, so I know the end that we do see them.

But on visas, you don't see nothing happen. The court where the judge ordered that so much visas to be issued—you don't see that, Mr. Speaker. So there must be a mechanism where persons at this end, ordinary Turks and Caicos Islanders applying for a visa for someone to come.

Mr. Speaker, suppose a lady want her boyfriend. From wherever place, Jamaica or wherever, to come here. That's her boyfriend. She want him to come and spend a weekend. They be in school together. But because I like her and I sitting up in the immigration office and no, she ain't bringing this man here, she's for me, she ain't have to take me, I don't care, refuse. Mr. Speaker, Mr. Speaker, there must be something. There must be some checks and balances, Mr. Speaker.

We are all human beings and we all have our personal biases. I might be sitting up, no, no, no, too much Anglicans coming here, we need some Methodists coming, uh-uh, refuse all these Anglicans. Mr. Speaker, I might be like, this person, he take a picture, he get on a Patriots uniform, I am a 49er, no Patriots coming here. We all have our personal biases, Mr. Speaker.

I'm making light of it, but I'm just trying to show you We are all human beings, and human beings have their biases, Mr. Speaker. So there must be some protections in place instead of just refusals finals, Mr. Speaker. And a refused entrant must leave before an appeal. So the areas where you can appeal, you have to leave, which can make the appeal difficult, of course.

Mr. Speaker, so you have to leave if— I think it's with the work permit. If you are making appeal, you have to leave the country. So while I'm making appeal, I have to buy a ticket and go out. So that is saying, well, why come back? Why take the expenses to come back, make the appeal if I don't know I'm going to win? Why, if it's only 3 days, why the person cannot be here while they make the appeal? So I don't understand that, Mr. Speaker.

And then that person will have access to the legal system. Why send them out to make the appeal, Mr. Speaker? So we probably— we can clarify why that is needed, Mr. Speaker. And Mr. Speaker, if I am put on a deportation notice, I am only given 3 days to appeal for representation, Mr. Speaker. We are given broad criteria without transparent tests. We are without written reasons or robust reviews, Mr. Speaker. This can lead to inconsistent outcomes and weakness, and it will weaken our procedural fairness, Mr. Speaker.

I can see that as weakening all those procedural fairness. Mr. Speaker, let's look at the extensive enforcement powers within the express safeguards, Mr. Speaker. Border Force may enter and search any premises without a warrant. It didn't say premises suspected of illegal operations or anything. Border Force can enter Any promises without a warrant. Seize property without a warrant and devices. They can download device content without a warrant of any property. Arrest without a warrant.

And use reasonable force without a warrant. Mr. Speaker, these powers are strong, but Mr. Speaker, they are for everybody. They didn't say promises of immigrants. They didn't say promises of illegals. They said any promises And that will be in the law. Once we pass that, that will be in the law. Any promises, we can't go run back. In order to run back and fix that, we'll have to come back to the House and go through all the first reading, second reading.

But any promises, so Honourable Leader of the Independents, they can run up in your House if you have your— I'm not saying that you do. For instance, if you had your Filipino maid there or something. I didn't say— I said maid.

Hon. Gordon Burton:

The chair recognizes the Honourable Member for South Caicos. Do you have a point of order or a point of clarification?

Hon. Tamell Seymour:

Point of order and clarification. I think the Leader of the Opposition is impeding improper motives, so I would like him to correct that statement.

Hon. Gordon Burton:

Yes, I will ask the Honourable Leader of the Opposition to please withdraw that statement.

Hon. Edwin Andre Astwood:

Yes, very much. And Mr. Speaker, I will withdraw that because you don't have that made. But Honourable Member, they can run up in your residence and whoever is your guest, whoever is your guest there, whoever is your guest, they can arrest them. It doesn't say they can't arrest you too.

They may not because you're a big guy, they might think twice, but they can arrest them. They can go to your laptop, that same one, download any information. This law gives them the ability to download any information. All those emails and

letters that you sent out and everything.

I don't know, I may be impeding proper motives. Again, let me stop. Any information. Your nice pictures on the beach. Any information, they can download that. Any information. And they can arrest you without a warrant. They can just run up in there, Mr. Speaker. And Mr. Speaker, let me just give you an example.

When the Border Force Operations was carrying out some works in Grand Turk, doing some surveillance and going to various buses, so, Turks and Caicos Islander was sitting out there, well known in Grand Turk, and they asked him, show me your work permit. And he was like, what you mean show me my work permit? And he say, Honourable, the saddest thing about it, everybody who was asking me for my work permit, who's a born and bred heritage Turks and Caicos Islander, was not from the Turks and Caicos Islands. But they have guns on me saying, show me your work permit. And he say, I cost some money, Mrs. Honourable. I say, yeah.

Say, imagine that in my own country, persons that are not from Turks and Caicos Islands run up on me and And demand that I show them my work permit. And if other people wasn't around to say, this is so-and-so we all doing, this is this person, they would have arrested him, could have arrested him, detained him.

And if this wasn't a thing, download all this information, seize any property without a warrant, Mr. Speaker. So we have to be careful. We have to be careful. We have to tighten the language here, Mr. Speaker. Thank you. Speaker, they can detain such, which may include body searches and device searches without a warrant.

So imagine they pull me over and everything, and all of a sudden I see the glove come out. Hey, hey, where you going with that glove? Where you going with that glove? Why are you putting on gloves and you don't have a warrant? Why are you pulling me over, get me against the wall, taking me in the back room and pulling out the gloves? Mr. Speaker, Mr. Speaker, but this gives them power to do that without a warrant. Mr. Speaker, obtain DNA testing, Mr. Speaker, with the biometric. Yeah, we know facial recognition, fingerprinting, but DNA testing, Mr. Speaker, I believe that is very intrusive. Going and collecting my DNA, Mr. Speaker? And I'm not suspecting a crime or anything like that, but you're collecting DNA from me? And this gives you the power to collect my DNA because you want to verify this is Edwin Astwood— sorry, this is the member from Grand Turk

South& Salt Cay, and he's related to Lee and Jean Astwood, and that's duty my parents? I don't know why you're collecting my DNA. Why are you collecting my DNA? But this bill gives you power to collect my DNA. Why? Why do you need my DNA? Mr. Speaker, also, Mr. Speaker, and I'll come to it, I do not have it written here, but it should have been captured here, Mr. Speaker. When we hold people, there are no limits on how long we can detain persons.

Mr. Speaker, I know cases of, young ladies inside of detention centers for over 3 months, Mr. Speaker, before being deported. Yes, I know for sure. I know there are persons who are asking me to assist them with lawyer fees and stuff, trying to get them out. Long time, Mr. Speaker.

So is there a length of time specified for the length of detention? And I'll get to it. I will refer to the direct quote shortly, Mr. Speaker. So, Mr. Speaker, as I'm looking for that clause, but this bill does not state the maximum detention periods. And, Mr. Speaker, there is no independent review of these detention periods, Mr. Speaker. It permits customs custody on a ship or aircraft and detention at a place directed by the Minister without setting max minimum statutory conditions, welfare protections, or special procedures for children, Mr. Speaker, and other vulnerable persons. And Mr. Speaker, Maybe it is inside the regulations, but I haven't seen it. Mr. Speaker, I was trying to find what are the special protections and procedures when you are detaining children.

Where are the procedures, Mr. Speaker? Because you know that, that will duty get Turks and Caicos Islands on the blacklist if we do anything wrong in this field, Mr. Speaker. And if you don't talk about welfare protections, again, getting us on that blacklist, those stop lists where these big countries like to put Turks and Caicos Islands on, how unfair and inhumane we're treating people. So we have to specify that, but it's not in the bill.

And maybe the Minister can point to it in the regulations, but I do not see it. I do not see the special protections for children. When we detain parents and the children are here, Mr. Speaker, what are the special protections, Mr. Speaker? Let's move on, Mr. Speaker. Mr. Speaker, the department collects a lot of data, Mr. Speaker, like I said, even to DNA.

But what are the privacy and data governance gaps here? Not spoken to, Mr. Speaker. Mr. Speaker, the work permit controls may be hard, very hard, to administer fairly and effectively. I see the work permit controls, Mr. Speaker, But can we administer that fairly and effectively, Mr. Speaker? Okay, the rules are local advertising rules depend on newspaper and electronic publications and employee— employers' assessment that an Islander is unavailable. But the bill gives limited details on objective recruitment evidence.

And anti-discrimination controls, Mr. Speaker. That's the main thing, because we know the companies go through the process, they go through the procedure, they advertise and everything, they do that, they comply. But we know there are anti-discriminations hidden inside there. They go through the process, but they had no intention of giving this job to Turks and Caicos Islanders.

Mr. Speaker, we even see that Inside of TCIG. They'll advertise a job, they'll shortlist about 4 people, and because such a person isn't shortlisted, all of a sudden the job doesn't advance, the job will be readvertised again. And we know that happened. That happens right with Turks and Caicos government.

Yes, I know, AG, yes.

Hon. Gordon Burton:

The Chair recognizes the Honourable Attorney General.

Hon. Rhondalee M. Braithwaite-Knowles, OBE, KC:

Thank you, Mr. Speaker. Mr. Speaker, I know it is a passionate debate, and I don't want to stifle that at all, but we do have rules that govern the House, and the Standing Order does— this is a definite case of imputing improper motives. And if it is that anyone, a member, wishes to speak to the performance of a public officer's job, they should first come to you, says the Standing Orders, and set out the case of why it is that there is support for the statement that is to be made in the House. And the Honourable Leader of the Opposition has just said categorically that this is what happens in terms of employment within the public service.

And so he didn't say, I have a concern. No, I didn't say that. Concerned that that might be happening or any of those qualifying words. He said categorically that this is what happens and that's why jobs get readvertised. And so it would be irresponsible of me representing the portfolio of the public service in the House to not raise to your attention, to the Honourable Leader of the Opposition's attention, that perhaps he should reconsider that language and perhaps withdraw that Thank you very much, Honourable Attorney General, for that statement.

Hon. Gordon Burton:

I also want to remind the Honourable Leader of the Opposition that we are debating an Immigration Bill and he's talking about the public service. So I don't know how the public service and the hiring of Turks and Caicos Islanders in the public service has anything to do with the Immigration Bill under discussion.

And so I would ask the Honourable Leader of the Opposition to please debate the bill that is in front of us this morning.

Hon. Edwin Andre Astwood:

Okay, Mr. Speaker, the Attorney General is right, and I withdraw that part, Mr. Speaker. And, of course, the part we're saying I should give you written consent, but Mr. Speaker, sometimes the spirit just take me while I'm on the podium, and so I didn't know I didn't know that I would be saying that before coming in.

However, Mr. Speaker, in relation to the public service and the Immigration Bill, the public service do employ people on work permits. The public service do advertise, and this is talking about advertising and recruitment. This is part of the Immigration Bill. So advertising and recruitment is about advertising and recruitment in the Turks and Caicos Islands.

And suddenly TCIG does advertise and does recruit. So that's why they are fair game in this, Mr. Speaker, because they— we fall under this umbrella of bringing them people on work permits and recruitment practices. So I was making the case that we know that we can assume that sometimes these jobs that are advertised by companies they already have their person in place, on the job, or even just waiting.

But they go through the process saying we have to go abide by the laws. Let's advertise for 2 weeks. Let's do everything that TCIG say do. But we know we ain't hiring none of these Turks and Caicos Islanders. We get our person, they're working, Mr. Speaker. But I'm just saying it is alleged that it happens in government also. So we have to If it is so, we have to sweep around our own front door before we deal with the others.

Mr. Speaker, domestic workers and labourers are exempted from the advertising conditions. Now, I don't know if that is a new thing, but I saw that inside the bill where for domestic workers and labourers you do not have to advertise the 2 weeks. Is that the new— yes. So, so, Mr. Speaker, that is new here.

So for all the domestic workers and the laborers, and so you do not have to advertise anymore for the 2 weeks, Mr. Speaker. And we know that sometimes these, these jobs come under scrutiny, a lot of scrutiny, Mr. Speaker. So I think it's Decrease in transparency, you know, especially we know that a lot of Turks and Caicos Islands depend on these employees.

So I see the mischief that you're trying to solve here, but I still want the process to be tight. I still want the process to be tight because we want to help our local people who sometimes hire these persons, but then with the large hotels coming upstream and having to hire so much domestic workers, Mr. Speaker, and so much laborers in the construction, Mr. Speaker.

We have to be concerned here, and we have to get that tight and ironclad, Mr. Speaker. Mr. Speaker, there's this— the provision where the work permits are tied to the employer, Mr. Speaker, and you cannot leave that employer. As I understand, you have to go out the country if you order to leave, Mr. Speaker. But Mr. Speaker, sometimes employees are working under undue conditions and stuff and want to leave right away and probably cannot find the funds directly, especially persons on the low end, to leave and come back.

So it is forcing them to keep under an abusive system, some people. Under unfavorable conditions just because the process says that they have to leave. Okay, you know, if you working for this person, this person is treating you bad, you went to the labor tribunal, you made all your reports, and you want to change employees and persons, even TCIG or somebody saying there's employment under here, we need your services, but that person have to find a ticket, have to leave, go out for some month of time and then try come back in. Mr. Speaker, I do believe that we should find a clearer process for that because it's creating a situation where people have to work and survive and endure abusive, abusive situations when they occur. Mr. Speaker, let's look at governance and accountability.

Work Permit Board members may be removed by the

Governor without cause. I don't know. I mean, you say the Governor can remove a Work Permit Board member without cause? What does that mean? Because in my non-legal mind, that means that without having to put forward any reason, without cause. I mean, Honourable Minister, you can correct me, but— What does without cause mean? That if you, as the Minister, you appoint your board, a governor— again, don't want to cast shadows on anybody currently in position— a governor may remove your appointed board members, your qualified and tried and tested Turks and Caicos Islanders, without cause.

How is that fair, Mr. Speaker? And again, we're not saying that this governor will do it, Mr. Speaker, but we don't know what we will get in the future. Most of the contracts are only 2 years. With the help of God, in Turks and Caicos Island, this is 3, etc., Mr. Speaker.

But a governor may remove your board members The board members that you all appoint without cause, Mr. Speaker. Mr. Speaker, let me go to some of the drafting inconsistencies that I mentioned, and I will go deeper into them, Mr. Speaker. Mr. Speaker, there's an issue included in Schedule 1 referring to the prohibition of immigration under Section 87 in Schedule 1. See, it says under Section 87, but if you look in the Immigration Bill, it's actually Section 97, which is the prohibition of Immigration, prohibition immigrants under— yes, they regulate the section under Section 87, but it's supposed to be under Section 97. And the explanatory memorandum contains inconsistencies, descriptions of appeal and staffing plan provisions. Mr. Speaker, the important eligibility rules and looking at again the Immigration Bill and the regulations, a lot of the important things, a lot of important things are placed in the regulations.

I say, is this the normal process that such important things be placed in regulations and not inside the bill? I know the need for the regulations, but eligibility rules— yes, sometimes the fees are placed in the regulations, but suddenly members of Parliament, we would want to look at those fees and be able to make amendments to those fees if we feel it's unfair, especially to Turks and Caicos Islanders. Who will be providing— applying for some of these services also. Visa procedures, biometric processes, removal agreements are all left up to the regulations, Mr. Speaker. Mr. Speaker, I do believe again that some of these things need to be inside the bill.

Where it can be really ironed out here on the floor, especially in committee. Mr. Speaker, I move on. So, Mr. Speaker, the key issues, the key issues, the key issues that I have with the bill. Mr. Speaker, this bill repeatedly uses open-end grants, everywhere I see public interest, undesirables, not conducive to public good, fit for— fit and proper, all these things, Mr. Speaker, I think these things give, limited avenues for challenging decisions because you can just say, oh, this person is not conducive to public good. What do you mean I'm not conducive to public good? What do you mean I'm not fit and proper? You mean I have a heart condition? What do you mean I'm not fit and proper? You know, I don't stand up straight? I don't dress the way you want me to? Fit and proper— what does that mean inside the bill, Mr. Speaker? And I don't see it in the definitions, Mr. Speaker.

Mr. Speaker, talking about definitions, Mr. Speaker, I noticed that there is no definition for spouse. Now, Mr. Speaker, we're going down the road here with spouse. What is the definition of spouse, Mr. Speaker? Is that a husband or a wife? And then I have to say, Mr. Speaker, is that a biological male husband and a biological male— I mean, female wife? What is the meaning of spouse inside of the regulations? Legal unions? I can say this lady is my spouse. May not have been living together for 20 years.

We are never married. But we are legally union. That's my my partner, my significant other, whatever you call it. Is that my spouse when I come to the Turks and Caicos Islands? Two men coming together and say, "Look here, we were married in California." This is my spouse.

Will that happen, Mr. Speaker? So what is the definition of spouse, Honourable Minister? I check, I check the bill, the interpretation. I look, I see S, I go and went straight to S. I seen ships, stopless. Okay, I say, well, I going too far. I have SP. So I go on back, I see Permits, residence, and after R, it went straight to ships and then to stopless.

But there's no definition of spouse. And we know from past recent history that spouse and the definition of spouse can be very contentious here, as in the Turks and Caicos Islands. And suddenly in other places. So, Honourable Minister, team, please, we need a definition for spouse, a clearly defined definition.

What is considered spouse? Is legal unions biological male, biological female, whatever, husband, wife, those terms? We are living in a different time. In the 1970s, 1980s, I wouldn't have made— if I was presenting this, I wouldn't even look at this. But in 2026, we need to be clearly— we need to clearly define the definition of spouse. Mr. Speaker, let me move on.

Mr. Speaker, again, Mr. Speaker, I want the Minister to look at those refusals, those things that are final. Visa refusals, decisions to refuse resident employee rights certificate or permanent residence certificates are also made final and instituted from review. All those things, decisions are made final. No review, no appeals tribunal, Mr. Speaker.

And then when the Immigration Appeals Tribunal, where you can appeal certain things, their decision is final. No, no additional review. Once it goes through the Immigration Appeals Tribunal, whatever decision they make, that is final. Deportations, your representation must be made within 3 days. And again, Mr. Speaker, no citizen, none of us here, wants weak borders, but no democracy should accept life-changing immigration decisions made on vague grounds, in short details, and little meaningful independent review. Mr. Speaker, life-changing decisions, vague grounds, not fit for purpose, against public order, you look too beautiful, too sexy. Mr. Speaker, vague grounds. Mr. Speaker, we have to get this tight.

Mr. Speaker, I mentioned it before, but The bill that permits Border Force agents to enter in such premises without a warrant. Mr. Speaker, again, that is one of my big concerns. I do believe, Honourable Minister, I don't know, it seems like it is going too far for me, especially with downloading seized

devices without an order. There must be something there.

There must be something that You must have grounds of suspicion, something. Put some kind of language there to make sure that we are protecting our citizens, Mr. Speaker. Mr. Speaker, as I'm making a big deal out of this point, Mr. Speaker, a power that can be used against everyone must be limited by law. And not merely the trust by— trust in whoever holds the office today.

Mr. Speaker, a power that can be used against everyone must be limited by law, Mr. Speaker. Mr. Speaker, let me just draw our attention. Mr. Speaker, we all watch either Fox, CNN, or whatever news here, Mr. Speaker. We know of certain agents. They call them ICE agents, Mr. Speaker. Mr. Speaker, you see how things can go wrong, Mr. Speaker, when you give certain agents power, full power, without checks and balances.

Mr. Speaker, you see how things went so wrong in the United States where citizens of that country are being killed by Immigration Customs Control officers, Mr. Speaker. We all see it, Mr. Speaker. Not saying that that will happen in the Turks and Caicos Islands, but we all seen how unchecked, unchecked and unauthorized immigration and law enforcement powers can go so wrong.

Hon. Gordon Burton:

The chair recognizes the Honourable Deputy Premier and Minister for Immigration, do you have a point of order or a point of clarification?

Hon. Jamell Rayan Robinson:

Point of clarification. Would you allow?

Hon. Gordon Burton:

Yes, please proceed.

Hon. Jamell Rayan Robinson:

Thank you, Mr. Speaker. I was going to raise this in the wrap-up, but because the Honourable Leader of the Opposition is raising the analogy of weaponized law enforcement and border force control personnel in other countries That does not apply in the Turks and Caicos Islands. Border Force officers do not carry guns or any other weapons, so the scenario does not apply in this or any other instances.

And I noticed he mentioned earlier in the debate that the person that he was— who saw persons coming to him and asking him for his Work permit with guns blazing, that could never have been a Border Force officer because Border Force officers don't carry weapons. Now, that might have been a part of a wider operation that might have included Regiment and/or police and Border Force, but Border Force officers, for which this bill speaks directly to, do not carry weapons. Thank you, Mr. Speaker.

Hon. Gordon Burton:

Thank you, Honourable Leader of the Opposition. Please proceed.

Hon. Edwin Andre Astwood:

Yes, Mr. Speaker, I do accept that, and the Honourable Minister is right. Border Force weapons do not— Border Force agents in the Turks and Caicos Islands do not carry weapons, but the people they hang out with carry weapons. Remember that. The people who accompany them. Mr. Speaker.

Hon. Gordon Burton:

The Chair recognizes The Honourable. Deputy Premier, do you have another point of order or point of claim?

Hon. Jamell Rayan Robinson:

The original statement, even though he doubled back with a different version of it, but withdraw the original statement about us carrying weapons. So it is off the record.

Hon. Gordon Burton:

Honourable Member, he did say that he agreed that Border Force officers do not—

Hon. Jamell Rayan Robinson:

Expunge that from the record.

Hon. Gordon Burton:

Yes, Honourable Member. Please withdraw the statement.

Hon. Edwin Andre Astwood:

Mr. Speaker, anything that I said that will imply that Border Force agents carry weapons, please let that be expunged from the records. But I want it on record that the people they hang out with and the people who they bring along with them carry weapons, Mr. Speaker. Mr. Speaker, I have been sitting outside of different establishments, and Mr. Speaker, all of a sudden you just see 10, 12 people run up. You think it's some CIA raid, they was getting bin Laden or something was inside there.

People dropping from the sky, out the bushes, and hands on guns. And Mr. Speaker, this is what I see for myself. All to check a work permit card, whether or not barmaids have a work permit card. And I was, wait a second. You coming here with guns blazing, hands on triggers, Moving people around, shouting, forcing— cut the music! That's the first thing you hear. Oh hell, sorry, sorry. Oh wow, it's about to go down.

Hon. Gordon Burton:

Honourable Member, that's another statement that you'll have to withdraw.

Hon. Edwin Andre Astwood:

Thank you. Yes, Mr. Speaker. This spirit really is taking me, Mr. Speaker. I need to control the spirit, Mr. Speaker. Mr. Speaker, and this is something that nobody told me. This is something that I have witnessed on numerous occasions. Any one of us who live in Grand Turk, we know we go out and we try to support all the local establishments. We go to bars, restaurants, wherever.

Mr. Speaker, I am out hanging out a lot of times, in and out of my constituency, both constituency in Grand Turk South and in Grand Turk North, and I seen it happen in both places. Mr. Speaker, all of a sudden A whole squad come in. It is the immigration, the Border Force agents that lead the charge, Mr. Speaker. They're the ones saying cut the music.

They're the saying the ones, get your papers and everything. But who they have with them, Mr. Speaker? Guys in camouflage, guys mask, guys wear hands heavy machine guns. Mr. Speaker, not no basic side gun or shotgun. Mr. Speaker, these guns look to me like AK-47s and semi— this I say they look before anybody jump up.

I don't know guns. I say they look like to me, my non-gun-knowing self see semi-automatic rifles and everything. Mr. Speaker, is that excessive force or not?

Hon. Gordon Burton:

The Chair recognizes the Honourable Deputy Premier and Minister of Immigration. Do you have a point of order or point of clarification?

Hon. Jamell Rayan Robinson:

Point of clarification. I'm trying to grasp the relevance of what his scenario in reiterating on several engagements of another law enforcement agency has to do with the Immigration Bill when that law enforcement agency has their rules of engagement and their standard operating procedures because they're all governed by the laws of this country. So I, yes, I'm trying to— because I don't know if this might be the wrap-up, so that might be it.

So you want to finish with a bang?

Hon. Edwin Andre Astwood:

No, thank you very much, Mr. Speaker. I am just making the statement where I talk about unchecked powers, because I see where they can do all these things without a warrant. Mr. Speaker, that part of the clause says they can do all these things: search, detain, arrest, body search, download your information. They can do all of that without a warrant.

So I'm speaking to unchecked powers and how unchecked powers can go wrong. And I use the issue in the United States. The United States get Thousands are more laws than us, but we see where their unchecked powers go wrong on a daily basis. And I'm saying that we need to be careful that unchecked powers in the Turks and Caicos Islands do not go wrong, Mr. Speaker. So that is where I'm getting at.

I'm being dramatic, but unchecked powers that can be used against anyone. And I'm making it clear that this doesn't state who these unchecked powers that The law enforcement agencies have— it can be used against anyone. And that's why I draw the example of the member. It doesn't say he's insulated from it.

Mr. Speaker, suppose one day we have a government inside here and they want to suppress whoever the opposition, whether it's a PDM government or a PNP government, and whoever it is on either side who are— who's in power at that time say I want to use this.

I want to weaponize this against my opponent. I'm going to say, give them a fictitious thing that, hey, it's suspected that we see such and such activity happen here. Run up in their house, arrest him and everything. Download everything off his phone, give it to me and everything. Mr. Speaker, this allows that to happen.

None of you all want to do it. I know none of you all want to do it, but nobody from on this side will do it. But that doesn't mean someone in the future won't do it. And right now we are given a lot of unchecked powers. Mr. Speaker, the whole point is about unchecked powers. All the examples used are about unchecked powers to search, to detain, to download, to arrest, to confiscate without a warrant, without answering to anybody, without any check. They can just run up on you and do these things, Mr. Speaker. Mr. Speaker, to any person residing or

living in the Turks and Caicos Islands.

They can do that to anything. And so just like how we see unchecked powers in the United States go awry, unchecked powers in the Turks and Caicos Islands, we are not immune to things going wrong and persons abusing unchecked powers. Mr. Speaker, I'll give you— no, I won't go down that road. Mr. Speaker, yes, I'm going to go down the floor. Mr. Speaker, suppose I walk up into a facility and this facility have a bunch of nice-looking ladies and I haven't touched a woman in forever. All of a sudden, up against the wall, all of a sudden my searching isn't the normal pattern.

My searching is And we see that happen, Mr. Speaker. And we want to say that those things don't happen. All of a sudden, am I searching the person? Why are you searching me? I don't have no weapons. No, no, no. I have the power to search you. Turn around. Spread your legs. Pull out this.

That can happen. Women can do that to men too. They roll up and they see this man all greased down like he been to a puff daddy freakout or so, Mr. Speaker. Mr. Speaker, all of a sudden, wait, get up against the wall. Let me check this.

Unchecked powers, Minister. All I'm talking about is unchecked powers.

Hon. Gordon Burton:

The Chair recognizes the Honourable Deputy Premier and Minister of Immigration. Do you have a point of order?

Hon. Jamell Rayan Robinson:

Besides the relevance, I know you're saying unchecked powers, you're imputing improper motives against my ministry and the staff and my hardworking Border Force members, because this isn't a way that you can show any examples of us carrying on in such a manner that is unchecked. Because even if there are those situations, there's a process because there's checks and balances and governance. So even if what you described has taken place or could take place, there would be a check and a balance to go after that.

We don't live in a perfect world, in a perfect country that nothing can happen, but we have to govern for the majority and we have to ensure the safety of that majority, which is why the laws are written the way they are written, to be able to have the flexibility to deliver and protect our people. Because otherwise, just leave it wide open, because that's what you're suggesting. So please.

Thank you. Just move on, complete it, then we go to lunch, and then we come back, finish this conversation in committee.

Hon. Gordon Burton:

Thank you. Please proceed, Honourable Leader of the Opposition, with your contribution.

Hon. Edwin Andre Astwood:

Yes, but I just want to remind the Minister, I did say that I don't believe it's none of you on that side will do it, and suddenly none of the officers here told them. I don't think it's But I'm trying to say that if this is passing law, it's not only for the current people, not only for you and I who's here currently, not only for them who's here currently, or inside your department who's there currently. We know what we have now, but we don't know what we will get. And that is the point.

But this will be law, and a future player, a future officer, a future Minister may or may not But they are protected by law with these unchecked powers. So that is what I'm geared towards, Mr. Speaker. But I'm not referring to anybody currently, Mr. Speaker. Nah, these, these guys are good, Mr. Speaker. Mr. Speaker, I'll move on. As, as we know, this, this is a big bill, Mr. Speaker.

And I'm sorry, because there's so much in the bill and so much go through and so much notes I had to make. I'm trying to go through it and see what is irrelevant, Mr. Speaker, but this is a big bill, Mr. Speaker. And of course, the people have— it's paying me good money to be here representing them, Mr. Speaker, so I have to do it to the best of their ability and to expose anything, whether they agree with it or not.

But I have to expose, and uncover the things that may not come out in the debate or the presentation. And just get our people thinking that, yeah, I need to look at this clause. I need to read this for myself. Persons, I never ask persons to take my word.

I ask, I bring up the case and they can go and read it for theyself and see what resonates with them when they read it. So that is why I'm bringing up these things to direct our people, not to say this is set in stone. Mr. Speaker, privacy risks and passenger information Data and biometrics, Mr. Speaker. Now, Mr. Speaker, we all been pushing the API system, require, higher detailed passenger and reservations information. But, Mr. Speaker, the API system will collect your contact details, which is good. Mr. Speaker, your payment information.

Okay, you're going down a slippery Slippery slope here. Why the API system need my payment information? And Mr. Speaker, all this they're sharing with Interpol. My full itinerary, okay, all the places I go. My baggage records. My frequent flyer information. You mean my AA Advantage number? Why do you need information on my frequent flyer information? Does that mean something else that I'm missing? But it says frequent flyer information, Mr. Speaker. What is that about? Why do you need that? And information about unaccompanied minors, Mr. Speaker. And all this data is collected and shared with Interpol and other approved regional and international bodies.

My payment information? My frequent flyer information, Mr.

Speaker? That is being shared around the Caribbean, around all the Interpol countries. Why they need my payment information? I don't understand that, Mr. Speaker. Again, persons may go and look at for this information theyself. Look at the bill.

No, don't take my word for it, Mr. Speaker. But it is still— why do you need all that information in the API system? Like I said, I'm pushing the API system, Advanced Passenger Information System. Yes, I know all about it, Mr. Speaker, but I do believe this is going a little too far, Mr. Speaker. Mr. Speaker, okay.

And this entry data is retained for up to 3 years. And the data is supposed to be copied into another secure security database, and then it says something about it can be kept under another retention schedule without a stated outer limit, Mr. Speaker. And Mr. Speaker, this also permits biometric authentication, okay, including The DNA testing, the fingerprints and the facial recognition. I don't believe anybody have any problems with that, but everybody, I do believe, will have an issue with the DNA testing, Mr. Speaker.

Mr. Speaker, so what we asking when we come to the amendments and inside the committee that a clear and correct correction process, set out retention limits for copy. Let us know how long that data will be held. And require independent data protection oversight, Mr. Speaker. Data protection oversight, Mr. Speaker. And breach notifications.

If there is a breach, let me know that there was a breach in your system and now whoever breached it can put that on the internet, all my information, all my biometrics, my fingerprints. My payment system, my frequent flyer, my baggage information, my itinerary. If there is a breach, let it be somewhere where there must be notification so I can go in and start— all the passengers can go in and start canceling or changing passwords or whatever, Mr. Speaker.

And Mr. Speaker, there should be strict rules on sharing that information. Who get access to our advance Thank you, Mr. Speaker. Mr. Speaker, I briefly touched on the permanent residency pathways, and I do think this needs clarity and fairness, Mr. Speaker. I am trying to fully understand it.

I do believe the Minister and his presentation provides some clarity for it, but it introduced a 10-year residence and employment rights certificate. So this is fully new, a 10-year residence and employer rights certificate before a person can apply for a permanent residence certificate. So, Help me understand it, and for the listening public, this is saying now that instead of being on— I think it is 10 consecutive work permits and then you can apply for PRC— it's 10 consecutive work permits, you apply for residence and employee rights certificate, and then that lasts for 10 years.

And then after this 10 years plus this 10 years, then you apply for your PRC. So I just want to be fully clear on the process. But it says that, but after 10 years of work permit, I have to leave the country. How does that work? How long, how much work permits I can get, and how long? So if I have to leave the country, How do I apply for the residents and employees rights certificate?

So some things are unclear to a lot of people, and I'm trying to compare the regulations and the bill as we speak. So no longer it is you work in the Turks and Caicos Islands on a work permit for 10 years and then you can apply for your PRC.

It is you work in the Turks and Caicos Islands for 10 years You may or may not be required to leave, and then you have to apply for your Residence and Employment Rights Certificate. And after that 10 years, then you apply for your PRC. Okay, that is the new law. That is very interesting, Mr. Speaker.

And, I would like to know the genesis of that and the reasons for that and the thought process behind That's 10 plus 10 years. And then if after the 10 years of your residence and employment rights certificate, after the 10 years, and if you don't qualify for the PRC, you have to start all over? I believe that is what I heard, that if after you have the 10-year— 10 years of having your residence and employment rights certificate And if you apply for your PRC, and if your PRC is refused and denied, you have to go back to zero. That is what I heard from you. Now, which zero? The zero at the 10 years residency and right permit, or the father zero at the 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 work permits? So is that I have to wait another 10 years, go through the process, or go back a whole 20 years and go through the process.

So I want to know which zero I have to start all over. You said in your deliberations there that if it is refused, you have to start over the process over. So what— where does the process begin if it is refused when you apply? for your PRC. And if after the 10 years of work permits, if you apply for your residency— residence and employment rights certificate and it's refused, you have to start all over again and get 10 consecutive work permits again? Can you clarify that for me, Honourable Minister? That is something that is unclear. And Mr. Speaker, I tried to follow it in the regulations. But again, it's very unclear. I look at the regulations, but it doesn't really specify those things for me.

And again, Mr. Speaker, I do believe that certain life-changing decisions like that should be captured inside of the bill so we can debate that and adjust that on the floor of the House. Yes, it's good to have certain things in the regulations, but I don't subscribe to certain important, most important things about the, the bill, about the new laws being— and I, I'm not going to try to cast anything, I'm just saying hidden in the regulations as, a way of speaking, Mr. Speaker, not saying that the Minister or the team is trying to hide anything, but it's deep in the regulations, hidden in terms of documents. When I'm saying documents and reading, it's deep in the regulations. Those things should be spelled— some of those important things should be spelled out in the bill so we can say— persons might say, well, no, I believe it should be 5 years, or someone might say, I believe it should be 15 years, but at least give us a chance on the floor and committee to discuss that and try to make that bill better.

We're going to have the technocrats here. They're going to be sitting outside of the Minister, and we can discuss that and say the pros and cons. Whether it should be cut to 5 or increased to 15 or remain the same. But certain important things like that need to be in the bill so we can thresh that out right here in the people's house on the floor so that people can hear the

discussions and the contributions from members on certain topics and not, again, not hidden in the regulations, not saying that department or thing is trying to hide things from people as in documents and reading and things in the regulations.

That's what I'm referring to. And Mr. Speaker, we know, we want, we want people to live lawfully in the country, contribute and raise their families, and follow the rules here in the Turks and Caicos Islands with clear laws, Mr. Speaker, but not dependent on unclear criteria and unclear administrative practices, Mr. Speaker. Mr. Speaker, all we're asking is to make amendments, establish or put it in the regulations, but give us a chance to contribute. We are the voices of the people, and we all have constituents, people from all across the Turks and Caicos Islands who speak to us, and they may want their position to be heard in the House of Assembly or their position to be considered, Mr. Speaker.

Mr. Speaker, so we need to look at this before passage of this bill, to make sure that this is clear. Mr. Speaker, again, this is a very big bill with some 147 clauses, so we have to do this bill justice, Mr. Speaker. I'm trying to go through and take out anything that is redundant. Mr. Speaker, let's move to the stop list and deportation powers. Mr. Speaker, I do believe that—

Hon. Gordon Burton:

Member, we have reached the 1:00 PM hour, and so I think, seeing that you have a lot more to contribute to the debate, I think it's best that we now take our midday break. And then you can continue after the break ends. Honourable Members, this Honourable Parliament is hereby suspended until 2 PM.

Hon. Gordon Burton:

Honourable members, this Honourable Parliament now resumes its sitting. Pray be seated. Honourable Members, before our break, the Honourable Leader of the Opposition was making his contribution to the Immigration Bill 2026, and I will now call on the Honourable Leader of the Opposition to continue with his contribution.

Hon. Edwin Andre Astwood:

Thank you. Thank you very much, Mr. Speaker. Mr. Speaker, I now resume my contributions to the Immigration Bill 2026. Mr. Speaker, before we left, I was to the point about the stop list and deportation Powers needed— needs due process and safeguards. But the Honourable Minister raised a query to me and said that there was nowhere inside the bill that speaks to DNA. He said, where did I get this thing about DNA from? And that there's nowhere inside the book that speaks to DNA— in the bill that speaks to DNA. That's right. So, Mr. Speaker, before I move on, I know this is his bill and he's well familiar with it, but maybe it might be just a lapse in judgment overall.

But look, Honourable Minister, go right ahead.

Hon. Gordon Burton:

The Chair recognizes the Honourable Leader of the Opposition. Point of clarification --

Hon. Edwin Andre Astwood:

No, that's the future Leader of the Opposition.

Hon. Gordon Burton:

Sorry about that. Honourable Deputy Premier, would you like to make a point of clarification? If you wanted to make a clarification to the Leader of the Opposition.

Hon. Jamell Rayan Robinson:

Yes, thank you. Thank you, Mr. Speaker. Just a quick point of clarification, and future is futuristic. That's far— 20, 30, 40 years, just for reference sake. But anyway, I did not say there is nowhere in the bill that referenced DNA, because it does in relation to proof of paternity, etc. So that's in the bill.

But I asked Where, in relation to what he was discussing, that he was pointing to the specific clause, because he's speaking generally, and the way he presented earlier, it made it seem as if— On property. On entry of a person's property, that a person can just grab DNA samples with your search and entry XYZ. So I was just trying to ensure that for the public and the response that he's He specified where the DNA reference was so I can ensure that it's in the proper context in the response.

That's all. Not that it wasn't there at all, just to make that point of clarification. But thank you.

Hon. Gordon Burton:

Okay, thank you. Thank you, Deputy Premier. Honourable Leader of the Opposition, would you like to proceed?

Hon. Edwin Andre Astwood:

Yes, thank you very much, Mr. Speaker. I do accept that clarification. But DNA testing provisions is not simply in the bill with paternity testing. In Clause 141, it says it allows the Border Force agents, Border Force officer, police officers, or a person authorized by the Border Force officer to request biometric authentication expressly including DNA testing from

A person entering the islands, a detainee, or any person who must be identified for immigration purposes.

Clause 141. And I'll give you time to go to Clause 140 inside of the bill.

Hon. Gordon Burton:

The Chair recognizes the Honourable Deputy Premier. Okay, he's correct. All right. Honourable Leader of the Opposition, you could move on.

Hon. Edwin Andre Astwood:

Yes, thank you very much, Mr. Speaker.

Hon. Gordon Burton:

Okay, the Chair recognizes the Honourable Deputy Premier.

Hon. Jamell Rayan Robinson:

Yes, so just the point of clarification, because I was looking at 141, which was speaking to amendment of the schedule, but the reference the Leader of Opposition was making is for biometric Authentication. So it's biometrics. So that's a part of what he's referencing, which is fine. So it's 140, so 140 clause 1.

Yes.

Hon. Gordon Burton:

Okay, Honourable Leader of the Opposition, please proceed.

Hon. Edwin Andre Astwood:

Yes, thank you very much. And also, Mr. Speaker, on page 8 of the bill, when, in clause Part 1, Clause 2, where it speaks to biometrics authentication means the process of verifying identification by accessing information about a person's external physical characteristics, including fingerprints, facial image, and DNA testing. So anywhere we see biometrics, it refers to facial fingerprints.

And DNA testing according to the bill. Mr. Speaker, moving on to where I left off, stop lists and deportation powers need due process and safeguards, Mr. Speaker. Mr. Speaker, I know of many persons from the past— not saying that it happens now— That have been, in my opinion, unfairly placed on the stop list in TCI for TCI. I know of those individuals, Mr. Speaker.

Mr. Speaker, I have worked in offices where my responsibility gave me privilege to see information, Mr. Speaker, and the information that I had carriage of, or I had access to, legal access to, due to my position in reviewing documents, I saw instances where, from my opinion and from my judgments, persons were placed on the stop list of the Turks and Caicos Islands unfairly, Mr. Speaker. So I opened with that, Mr. Speaker.

And it says, and it gives the Director General may place a person on a stop list based on past undesirable conduct or information, a source the Director-General considers reliable. So a person can be placed on our stop list, can never, never come back to the Turks and Caicos Islands based on information being considered past undesirable or sources from a source that the Director General considers reliable.

Mr. Speaker, not casting any shade, not casting any judgment. I believe legally that is vague, and we shouldn't pass bills in the House that leave power so open and so vague. Just consider reliable, and it doesn't— they says that what he considers reliable. So I can say I spoke to this person in the road, and I consider that reliable.

So who are anyone else to tell me who I consider a reliable source? They say who he considers reliable. And again, I'm not speaking about the current Director General because I know he's capable and have discernment. But we know what we have; we don't know what we're getting. And if we put things in law, we need and need it is not only for the.

Today, but it's also for the future. So it is for a director. So let me say a director general. So anything that a director general source considers reliable, he can just put you on the stop list. And then it says that the governor may require names to be added or removed. So now, Mr. Speaker, I didn't know how that works.

Are they— Government may require names? Is it that a governor will say, hey, give me some names for the stop list of the Turks and Caicos Islands, or give me some names to be removed off the stop list of the Turks and Caicos Islands? Mr. Speaker, I know that is not the case. I am at least intelligent enough to know that will not be the case. But Mr. Speaker, it is vague inside of the bill and inside of the laws. And Mr. Speaker, any smart person who who want to twist the laws, Mr. Speaker, they can if things are left up to such vague interpretations, Mr. Speaker.

So I know that is not the spirit of the bill. I know what we are trying to achieve, but there is too much vagueness inside the bill. And it says deportations can be based on unlawful stay, okay, yes, convictions, asylum refusal, refusals, or a view that someone is undesirable and not conducive to the public good. Again, those phrases that I have so much problem with, those vague phrases, Mr. Speaker.

And you're going to see me hammering in on these vague phrases. A person may be deported due to those things, convictions, or a view that someone is undesirable, is undesirable and not conducive to the public good. Now,

maybe this means that if someone have an infectious disease, is willingly spreading it to people, and you want to get them out the country, maybe it's that. But it doesn't say that, Mr. Speaker.

Maybe this person is a troublemaker. Or just hate Turks and Caicos, burning our flags, or something else can be considered an enemy of the state. But it doesn't state that. It doesn't state it in the regulations, no more inside of the bill. And Mr. Speaker, anything important as that, that we refuse and putting somebody on stop list, I do believe the criteria should be somewhere inside this bill so we could debate it on the floor in the people's house, Mr..

Thank you, Mr. Speaker. Mr. Speaker, the power to exclude or remove a person may be necessary, but it must never operate as an unchallenged administrative label. There must be some way to challenge it, Mr. Speaker. There must be somewhere where somebody can challenge that, where they say, wait, wait a second, why are you putting me on the stop list? Mr. Speaker, is it because of so-and-so?

I have done nothing wrong. Why am I on the stop list? Because I said that I don't like a certain party in the Turks and Caicos? Because I openly support a party or a church or a member? Mr. Speaker, am I being placed on the stop list because of that? Is it because I am a whistleblower blower in one of these institutions and I expose something very damning to whoever is in charge, whether it's government or privately, and people want me to get out the country before it goes to, court and put me on a stop list that I cannot come back in the Turks and Caicos Islands to testify? Mr. Speaker, Mr. Speaker, we have need to have checks and balances About the stop list and people just being placed on it, and there's no way that anybody can appeal, or I can make a case that, wait a second, or even outsiders can make, make a case, wait a second, why are you placing this individual on the stop list?

He have done nothing wrong to the public. He have done nothing wrong to society. Only thing is that he said this about such and such a person, or he exposed this about such and such an institution. or he have this strong opinion about such and such situation, and now he's on a stop list, he or she is on a stop list, and cannot come back to Turks and Caicos and cannot challenge it anywhere.

Mr. Speaker, something is wrong there, Mr. Speaker, and we have to look at that, Mr. Speaker. Mr. Speaker, another issue that comes up, Mr. Speaker, is the accountability is very too much dependent on the executive, Mr. Speaker. It says the Minister may direct the commissioner, director general, board of force on the exercise of their functions. Board members may be removed by the governor without cause.

Tribunal members must consider the Ministerial guidance and government policy. Must consider ministerial guidance and government policies. The tribunal members must— not shall or may— must consider ministerial guidance. Mr. Speaker, I believe that is too much interference. Whether I am a Minister, whether current Minister or any future Minister, Mr. Speaker, that is too much interference to say that the tribunal members must consider my guidance or a Minister's guidance, Mr. Speaker, or the Minister of Immigration's past, present, or future guidance, Mr. Speaker. We have to look at that. And it says the Border Force quarterly reports go to ministers, but nothing is given to the public. Like how cabinet will come out and say cabinet approved this and that and all that.

Cabinet does it. The courts put out their findings, but nothing goes to the public after immigration, the Ministry of Border Force does all these things, make all these decisions, remove people, do all these things. Nothing goes to the public. Only a report is given to the Minister. And what does the Minister do with that report? Present it in cabinet. Bring it to the House in ministerial statement, present it to the people. Nothing to the people, Mr. Speaker. I believe if we're modernizing, a report must be given to the people, just like our cabinet do.

The people do not need the details. This was discussed, this was thingamajig, this was planned, whatever. Same way cabinet does. And the meeting of cabinet this way, same way, not just to the Minister. It can't be in this age the Minister just get a report. It does not say what the Minister does with that report or who he presents it to. Mr. Speaker, the public must be able to see and be able to be aware of immigration decisions made by law and by evidence, not simply by political instructions or administrative convenience. Mr. Speaker, I believe we have to look at, the limited removal of the board and tribunal members on the stated grounds.

You know, we have to strengthen independent oversight, require annual public reporting on refusals, detentions, removal appeals, permit processing times, and enforcement actions and complaints, Mr. Speaker. The public need to know. We cannot hide this information from the public. We are modernizing legislation, give the public the information so they can notice what happens with detentions.

I mean, we get a little bit snippets, but a real report. So let's clarify that, whether it is the Minister presenting to Parliament or by any other means. Mr. Speaker, as I was stating out— stated early and pointed out that the bill do, have some drafting errors in it. And also, Mr. Speaker, the bill leaves too much to the regulations. Mr. Speaker, a lot of decisions that should be discussed in here, too much of them are in the regulations. Mr. Speaker, Mr. Speaker, Some of the inconsistencies is Schedule 1 refers to the prohibition immigrations under 87, where the relevant clause is 97, which I identified earlier.

The next one, the clause numbering contains an apparent error after Section 123. The bills label the next provision as 114 rather than 124. The explanatory memorandum contains material inconsistencies with the operative tax, including that staffing plans thresholds and deportations on appeal arrangements. Regulations, Mr. Speaker, regulations are expected to determine major issues, Mr. Speaker, removal fees eligibility requirements, all those things are placed in the regulations, Mr. Speaker.

Mr. Speaker, again, I do not like that practice that major decisions are simply being placed in the regulations. Mr. Speaker, Parliament, we here should not be asked to approve frameworks whose existing tax contains contradictions. We have to get it right, Mr. Speaker, and remove those contradictions within the tax. Mr. Speaker, it's simple.

We just correct all those cross-referencing numbers, inside of the bills, and we move on when we come to committee. Mr. Speaker, get in there. Mr. Speaker. I again would like to reiterate, and I say we support— we here in the opposition on this side of the table of the House support secure borders, actions against illegal work, and real protection for Islander opportunity.

We support real protection for Turks and Caicos Islanders. And its opportunities, Mr. Speaker. But effective controls require clear rules, accountable powers, independent reviews, and implementation that is ready on day one, Mr. Speaker. Mr. Speaker, my focus— our focus is on improving the Bill's legality fairness and workability, rather than, Mr. Speaker, to oppose the immigration enforcement itself.

We are not here opposing this bill. We are here trying to improve it, Mr. Speaker. However, Mr. Speaker, the bill asks Parliament to approve sweeping powers, weak safeguards, And unfinished rules at the same time. So, Mr. Speaker, as I'm starting to wrap it— wrap up, I'm going to go through my 12 core concerns with this, this Immigration Bill.

It is 12 core concerns that I have. And, Mr. Speaker, number 1, Mr. Speaker, as I said, my concern is not with Border Force. It is rule— it is this rule by discretion, Mr. Speaker. Mr. Speaker, this bill allows decisions using vague texts such as undesirables, public interest, fit and proper, conducive to public good, and others, Mr. Speaker.

These labels can determine entry, reentry, whether you are entered into the country, permits, stopless placement, revocation, deportation without clear statutory definitions. Those vague, very vague labels can decide whether or not you can enter the country. They can decide whether you be deported from the country. Those vague labels can decide whether you're placed on a stop list.

Mr. Speaker, that is one of the issues I have with this bill— the vagueness in describing, and implementing life-changing, penalties and decisions on people using vague terminologies. Mr. Speaker, the government wants final powers without meaningful review. Mr. Speaker, too much visa refuses, refusals cannot be appealed or reviewed by any appeals board or a Minister. Mr. Speaker, refusals on residence and employment Right certificates and permanent residency certificates are final and insulated from review.

All these decisions are final and insulated from any kind of review, Mr. Speaker. So once the decision is made, you cannot say nothing. You cannot say, well, I believe I was wrongly cast or anything. Decisions are final and insulation from any court, anything, any kind of review. Mr. Speaker, next one. The Border Force officers, a lot of them are my friends, family persons I know, but not just speaking on now.

No Border Force officer should be issued, have a blank check to enter homes and search phones and other devices, Mr. Speaker. You should not have a blank check to do that, Mr. Speaker. There must be some guidance. There must be some authority given, Mr. Speaker.

If you say there's not— doesn't need warrants, Mr. Speaker, whatever, but there must be something in place. Mr. Speaker, Clause 72 permits warrantless entry to such of any premises, seizure of any property Breaking open or downloading any device, detaining such searches anyway. They can search you anyway. Body search, cavity search, anything.

It gives them full access to do any of those things. A blank check, Mr. Speaker. This bill provides no strong statutory test. Of necessity, independent authorization, or clear remedies for misuse, Mr. Speaker. Again, not casting any shadow or any blame on anybody currently, but it does not protect against misuse. Nothing in the bill. I do not see it in the regulations. Mr. Speaker, this bill creates, number 4, Out of the 12, Mr. Speaker, this bill creates detention powers without a detention code.

Mr. Speaker, people may be detained pending examination, removal, or deportation, including on ships or aircraft. Yet this bill set no maximum time limits, nor regular independent review, and no clear statutory standards or legal access, medical care conditions, and protection— that's important— protections for children and vulnerable people. This bill speaks to none of that. What protections, nor the regulations, protections against children and vulnerable people while these operations are being conducted, Mr. Speaker? Or deportations, Mr. Speaker? I think it's farther down, Mr. Speaker, but I just will mention it here.

What happens to the children if their mother or father is picked up, Mr. Speaker? The bill doesn't speak to that. That is important, Mr. Speaker. Again, protecting the reputation of Turks and Caicos Islands. We don't want to be on these black, pink pop-up lists out there, floating out there, Mr. Speaker.

We have to get it right. And protection of children, especially when you're deporting their parents or picking up their parents, where do you place them? And what kind of detention centre? What social welfare, social workers? Who handle minor children? Who handle little girls, little boys? Mr. Speaker, we have to be serious about that and we have to get it right, Mr. Speaker. But this bill do not speak to that, Mr. Speaker. Mr. Speaker, Mr. Speaker, in this bill it allows for the collection of a mass of personal travelling data.

And then allows this travel data to be farther a traveler, so that you collect my travel data, a lot of that travel data that you collect about me, my card, my payment information, the cities I went to, who's traveling with me, my baggage tags, whatever, even my Advantage Airline frequent flyer number, how much miles I get on all that information.

And then that information can travel to other institutions, other departments, other bodies such as Interpol, Mr. Speaker. And Mr. Speaker, it allows that the screening data has a 3-year retention limit, but the copied data can follow a different retention schedule with no stated time limit. So the screening data, they say you can hold it for 3 years, but the copy data, they don't say how long you can hold it— indefinitely or whatever.

Mr. Speaker, the government is depending on a leap of faith because the real rules are not being debated in the bill before Parliament, Mr. Speaker. A lot of the real rules are in the

regulations. We should be debating details about the stop-list rules and data handling, Mr. Speaker. However, Mr. Speaker, they are buried in the regulations.

Number 7, Mr. Speaker. Mr. Speaker, the bill claims that it will protect Turks and Caicos Island Employment, Mr. Speaker. But, Mr. Speaker, this bill creates exemptions and loopholes where transparency matters most, Mr. Speaker. Mr. Speaker, employees usually must advertise the jobs and explain why an Islander is unavailable, yet for domestic workers and labour rules, they are exempted.

From any advertising requirements. Do they have to say if local people are available, Mr. Speaker? I know we will say that our people don't want any domestic jobs, or our people don't want no labor jobs, but Mr. Speaker, there are some people out there, you know, at the edges of our society who will welcome any kind of work, Mr. Speaker. So there must be something in place to protect those vulnerable, those persons, those people on the edge.

But if you can say— I can just say I don't have to advertise, I don't have to say no Turks and Caicos Islanders available to take care of my mom or whatever, you know, Mr. Speaker, it should not be loose like that. This area needs to be tightened, Mr. Speaker. And I understand what you're trying to do, but it is not conducive to Turks and Caicos Islanders, especially those on the lower end or low employment and who will be seeking a labor job. But you're saying laborers and domestic workers, any big company, any big construction thing, do not have to advertise in the newspapers, do not have to say whether or not local people are available.

I might have a bunch of young guys or older guys from my constituency willing to work, want to go and pick up a shovel, and be labourers and carpenters, probably may be considered skilled workers by handymen or so, Mr. Speaker. They would want to get on a construction site and learn something, but you're saying the company can say, well, no Turks and Caicos Islanders available, we're bringing all our labourers from X country, no domestic workers are available, all our domestic persons, all our maids, all our cleaners, all our this, all our that will come from this country because they are No Turks and Caicos Islanders available. This is what this clause allows them to do if they so desire.

Mr. Speaker, I need clarification on the term 10-year work permit limits. It is very pressing and firm here. There is a 10-year work permit limit, but the The exceptions are broad, Mr. Speaker, and I'm looking at the exceptions here, Mr. Speaker, which wasn't in, in the bill, that the 10-year work permit limits is not, applied to health workers, teachers, farmers, caregivers, utility workers, aviation workers, marine workers, law enforcement workers, government workers, diplomatic— and persons in the diplomatic sector are all excluded from the 10-year term limits. Mr. Speaker, maybe I'm reading that wrong, but that they are all excluded from the 10-year term limits, and that is a broad sector of people.

Let me say it again. All the people that I see that are excluded from this 10-year work permit limit are healthcare workers, teachers, farmers, caregivers, utility workers, aviation workers, marine workers, law enforcement workers, government workers. Government workers. Government workers and persons in the diplomatic sector. That's 10 very big and general areas that are excluded from the 10-year work permit limits.

Can we get some clarification on that? How was that decision made, Mr. Speaker? Mr. Speaker, the government should explain this workforce plan. You know, islander training targets and the review or the review mechanism behind each of these exceptions. Why? Why are we saying that certain exemptions here are given? Let us know why, Mr. Speaker. Let us know why these sectors are given the exemptions.

You may be correct in doing it, but we don't know. We should know, we the people should know the reasons why these categories, these 10 categories that I called off twice, are given that exemption, whereas others are not. Give us the information how the cabinet come up with that, Mr. Speaker. Number 9, Mr. Speaker, number 9 out of the 12, Mr. Speaker, a stop list It is not due process if a person is listed on undisclosed information with no clear route out, Mr. Speaker.

That cannot be considered due process, that a person can just be listed on that with no way out and no way to challenge it, Mr. Speaker. And it says, as I mentioned before, the Director-General may list a person based on information from a source considered reliable, which the government— the governor may require names to be added or removed to the stop list. Mr. Speaker, Mr. Speaker, this bill does not clearly provide notice, evidence disclosure Where a safe or independent review can be done, or periodic reassessments. This bill doesn't provide for any of that, any review, anything, Mr. Speaker.

Number 10, Mr. Speaker. Mr. Speaker, families can be caught up in a system that gives too little time and too little protections. Mr. Speaker, as I mentioned, a dependent may be included in a deportation order. Why this bill does not expressly require an individual assessment of each dependent or the best interest of a child— these safeguards, Mr. Speaker, should be explicit here.

What is the best interest, interests of that child whose parent or dependent, I think I'm more guidance, legal guardian is caught up in a detention order. Number 11, Mr. Speaker, the, the, Mr. Speaker, the ministries, the departments and the units are said to be operating independently, but the exec— the executive retains It is too much control, Mr. Speaker. It is too much control from the Minister, the executive of government, inside of the daily operation of carrying out this Immigration Bill, carrying out these procedures, Mr. Speaker, carrying out these reviews, the actions of the Commissioner The actions of the Director-General and the actions of the Board of Force, the actions of the tribunal members, all must consider ministerial guidance and government policy, Mr. Speaker.

And board members may be removed without cause. Mr. Speaker, how is that possible? I know how it's possible. Why should that be there, that board members may be removed without cause? You just removed me because you don't like me, Mr. Speaker? Mr. Speaker, these arrangements create a real or perceived risk of political influence over individual decisions. Again, Mr. Speaker, they create a real or perceived risk of political influence over individual decisions.

And number 12, Mr. Speaker, Parliament should not overlook drafting errors in legislation that affects liberty, work, families, and removal. Mr. Speaker, this bill contains obvious layperson problems. Schedule 1 refers to the prohibition of immigrants, and I said about the 87 versus 97 clause numbering, Sections 114 and then 123. The explanatory memorandum conflicts with the bill on the staffing plan thresholds, stating 50 permit holders, why the clause 45 states 15, Mr. Speaker.

So we, we have to just get those little things ironed out and balanced, Mr. Speaker. Mr. Speaker, finish that part. But since, Mr. Speaker, this is a debate and a very important one, and a debate because of the structure of the House I do not get to rebut or refute anything that the Minister will say in his wrap-up. So I have the task of trying to anticipate what the Minister will say, and anticipating what he will say, I will provide a rebuttal for what I will anticipate that he may say, he or any of his colleagues.

As you know, Mr. Speaker, I am here by myself today. The Honourable Member had a health issue, so there's no one to refute or wrap up anyway, Mr. Speaker. But if you look at my Facebook page, I love being in the field by myself taking on the whole army, Mr. Speaker, even though I'm getting a little weary. But I love it, Mr. Speaker, and I'm here to do the people's work, Mr. Speaker. So I have to go and anticipate What the Minister may say.

Remember, this is just anticipation of what the Honourable Minister or any of his colleagues may get up and say. Mr. Speaker, he or his colleagues may say that we need strong powers to secure our borders. Mr. Speaker, yes, I agree. Stronger, stronger powers and accountability powers are not opposite, Mr. Speaker.

The bill already gives the Border Force authority to examine arrivals, act against unlawful entry, require carrier data, investigate employees, arrest without warrant, and remove unlawful entrants. The concern is that Clause 72 goes further, Mr. Speaker, and permits warrant Warrantless entries and search of any premises, seizure of any property, and the breaking open or downloading any device. That is my only concern there. The powers go too far.

Yes, we know the officers need to operate. They need to be able to carry out their job, but the powers go too far. Mr. Speaker, give— we should give our officers the tools to stop crime and illegal entry. But do not write a blank check to enter homes of any citizen and search any phone of any person without clear legal limits, Mr. Speaker.

That is simple. That is all we're asking. We're not asking you to hamstring the officers or cull them or anything like that. Just asking you that certain areas, they are going too far. We're giving them too much power. And such a big blank cheque, Mr. Speaker. We simply require reasonable grounds, recorded in writing, judicial authority for private promises such, and device extraction except in urgent cases, Mr. Speaker, and some kind of independent complaints oversight, Mr. Speaker. There has to be a place where you can complain, Mr. Speaker.

Mr. Speaker, the Minister or his colleagues may get up and say, we need flexibility because every immigration case is different. Mr. Speaker, individual assessments require direction, but discretion must be guided. Mr. Speaker, the Bill relies repeatedly on undefined terms. And I have said them over and over, those undefined terms: undesirable, public interest, fit and proper, not conducive to public good, for entry and permit revocation, stopless decisions, and deportations.

We cannot base those things on those terms, Mr. Speaker. Mr. Speaker, flexibility is not a license for uncertainty. Mr. Speaker, if the government can take away someone's work, residence, and/or ability to enter Parliament, we here must define that test, Mr. Speaker. We must go through that test right here in the people's house and define what that test is in order for the officers and the ministry and the Border Force to be able to do that, Mr. Speaker.

The Honourable Leader of the Opposition, Hon. Jamell Rayan Robinson. So they know they are protected by law. It was debated on the floor. It is the people's wishes that they have these powers, Mr. Speaker. That is what I am saying here. Mr. Speaker, so we have to define the criteria, require written reasons, and require decisions to be evidence-based and proportionate.

Decisions must be evidence-based Mr. Speaker, and proportionate. Mr. Speaker, the Honourable Minister or his colleagues may say I am talking about appeals or so, but appeals may delay the removal and frustrate enforcement, Mr. Speaker. An argument that can be made. But, Mr. Speaker, this Bill can preserve urgent enforcement while still allowing lawful review. A refused entrant must leave before appealing to the Minister. A person facing deportation has 3 days to make representation.

Visa refusals cannot be appealed or reviewed. Tribunal decisions are final and beyond any review. Mr. Speaker, a prompt appeal is not a loophole, Mr. Speaker. It is how we prevent an administrative error from becoming a life-changing injustice, Mr. Speaker, so we can have a prompt appeals process, Mr. Speaker.

There is no loophole for no one, but when you deal with people's life-changing injustices or things that can be done to people, life-changing adjustments Mr. Speaker, there must be some kind of prompt appeals process that can go through the system very quickly, Mr. Speaker. Mr. Speaker, so we can keep fast timelines for ordinary cases but allow independent reviews, preserve court or some oversight for legality and fairness.

Extend the deadlines when detention, family separation, and complex evidence is involved, Mr. Speaker. Simply extend those deadlines. Mr. Speaker, the Minister may jump up and say the stop list is necessary to keep out— keep dangerous people out of our country. Yes, Mr. Speaker. The stop list is a legitimate security code tool, Mr. Speaker, but Clause 95 permits listing on information from any source the Director considers reliable. With no express notice, no disclosures, no independent review, no regular reassessments, And no statutory removal proceedings, Mr. Speaker. Mr. Speaker, a security list must protect the public, not become an unchallenged label that a person cannot see, test, nor correct.

Yes, it must protect the public, but it cannot be an unchallenged animal that nobody cannot see, nobody cannot test, nobody cannot question, and nobody, no one, or no institution can correct.

Mr. Speaker, we cannot create a beast like that in our country. Mr. Speaker, Mr. Speaker, we must provide notices we are safe, reasons at a level consistent with security, periodic reviews Correction procedures and an independent appeal mechanism, Mr. Speaker, that is fast and effective. Mr. Speaker, the Minister may jump up, or his colleagues. Passenger information and biometrics are essential for a modern border service.

Yes, do not disagree, Mr. Speaker. But screening data can be necessary, but necessity must be matched with limits, Mr. Speaker. Yes, our screening— the screening data is necessary, but that necessity must be matched with limits, Mr. Speaker. Mr. Speaker, I went in detail of all the information that is needed, and I'll point out the ones that is I think it's needed, all the fingerprinting, all the other stuff, but all these frequent flyer records, all my payment information, where I went, Mr. Speaker, it goes too far.

It must have limits, Mr. Speaker. And it says, you know, the data will be shared with Interpol and other regional bodies. What about data protection? When information, when there are breaches, Who informs the persons? How are people informed that their information— there was a breach and now all— someone have access to all the information, some bad player have access to all the information? And recently we know that Turks and Caicos Islands are not shielded from being targeted. Before we thought that nobody is checking for us, but we know very well about information breaches here in the Turks and Caicos Islands.

Mr. Speaker, a modern border needs modern security. You cannot say you want modern borders, modern laws, without modern security. So there must be security, Mr. Speaker. Thank you. But we also need modern privacy rules, Mr. Speaker. Data should not be collected indefinitely simply because it can be collected. Mr. Speaker, we have to set purpose limits, a maximum retention period for copied data, Mr. Speaker, access and correction rights, audit logs, breach reporting duties, and independent data protection oversight.

And Mr. Speaker, we must limit DNA collection to clearly defined necessity— necessary cases. Mr. Speaker, we must spell that out because right now, even though the Minister is saying it's not his intention about the DNA collection Everywhere where you see biometrics that include DNA collection, once you see collection of biometrics, your bill says that includes in clause 2 that that includes DNA right in your bill in clause 2, Mr. Speaker. Mr. Speaker, Minister Spurill say detention is needed so some people cannot obscure before removal.

Yes, the bill may need to give detention powers, but it sets no maximum detention period nor periodic independent reviews. How long can you detain someone? One week? One month? One year? Ten years? Mr. Speaker doesn't define any maximum. Mr. Speaker, that must be identified here. How long, what is the maximum time you can detain someone? Mr. Speaker, remember, this is for whatever reason the officers or the unit or the department pick up someone and put them in the detention centre.

And for what various reasons? What, an overstayer? How long can you detain them, Mr. Speaker? Someone who came illegally, how long will we detain them? Somebody who came illegally and is involved in a crime, how long will we detain them? Someone who is illegal but is a part of a current case, how long will we detain them? We have seen instances where persons have been detained here very long, Mr. Speaker. Pending cases. Will TCIG fit the bill, Speaker? I mean, it was good for a lot of our local in-runners and homes who have their promises, you know, being paid for such a long time. But we have seen that happen, Mr. Speaker, where persons are detained here recently in the Turks and Caicos Islands for a long period of time.

Mr. Speaker, the Minister has a light— slide on.

Hon. Gordon Burton:

The Chair recognizes the Honourable Deputy Premier and Minister of Immigration. Do you have a point of order or point of clarification? You will allow?

Hon. Edwin Andre Astwood:

Yes, yes, sir.

Hon. Jamell Rayan Robinson:

Thank you. The point of clarification is the reference I believe the Leader of the Opposition is making is to an Asylum case, which is different from ordinary detention. So those persons who would have been here for a long period of time, that I believe that's what he's referencing, they would have been an asylum case.

So they wouldn't have been detained per se while their hearing was taking place, while their decision on asylum, sorry, was being made. So that's different than being detained at a detention centre per se. So it's a slight difference. I'm just ensuring that he doesn't conflate the 2 situations. Thank you.

Hon. Gordon Burton:

Okay, thank you very much.

Hon. Edwin Andre Astwood:

Yes, thank you very much, Mr. Speaker. I accept that

clarification, save that I was referring, now that the case is over, to instances with bar owners and the workers of that particular bar being detained and Or up on TCIG at a facility, to do public, private facility for a long period of times, Mr. Speaker. Almost, I think, probably a year or 2, almost 2 years. So it's not the— it's not what you're thinking.

That is the case I'm talking to. And I have seen the individuals there at the hotel, motel, Holiday Inn, whatever you want to call it. I'm sorry, Mr. Speaker, and also I have known of persons that I said that have been in the detention center for weeks, and they had to get lawyers and stuff to take them out. Mr. Speaker, I know of the case.

I won't go in detail, but I know personally of persons who have been detained for extensive periods of time. Because persons have reached out to me at my position to see what help I can give to speed up the process. Then persons, family members, had reached out to me and say, look, we have the ticket. If they want to send them home, send them home, but don't keep them locked up so long, you know, they are in prison.

So that has happened here and that I'm referring to. But go ahead for clarification.

Hon. Gordon Burton:

Another clarification, Honourable Deputy Premier.

Hon. Jamell Rayan Robinson:

Just one more point of clarification for the listening public. The reference that he was making that were not asylum cases but was over a year, those persons that were at the hotel, Holiday Inn, or whatever inn, were witnesses to a case, so they weren't detained. They were witnesses, so they were in the protective custody of the Crown and Turks and Caicos government, and noted the extensive period that he said for in the detention centre was weeks, and not months, but weeks.

So again, thank you.

Hon. Edwin Andre Astwood:

Yes, thank you very much. And Mr. Speaker, just to aid the Minister, that's what I said when I lead into this, whether how long we will have persons here who are witnesses to a crime and part of a crime, because those persons were deemed illegal in the country, overstayers or whatever. So they were not here on a work permit as to evidence that came to the public, and they were overstayers, so they were illegal in the country but being not allowed to leave the country due to the case going on.

So I reference all that to say that we need to have term limits on all these possible situations, Mr. Speaker. But the main thing is we need to have limits on detention and both these kind of situations, which I pre-referenced before I went down that road, Mr. Speaker, all the possible scenarios. Mr. Speaker, the Minister or one of his colleagues may also say this bill It is such a good bill because it protects jobs for Islanders, Mr. Speaker. Okay, does it really protect the jobs for Islanders? Is it really doing that, Mr. Speaker? Do Islanders really feel protected after the passage of this bill, Mr. Speaker? I hope they do because I don't feel that our workers are protected, Mr. Speaker. Mr. Speaker, the local advertising and staffing plan provisions are positive.

Mr. Speaker, that has been there from time immemorial. But the bill has avoidable gaps. Domestic workers and labourers are exempted from advertising requirements. Work permits are generally tied to one employer and one Role, which can deter workers from leaving adverse and Exploitive conditions, like I said, and before you can move.

So if I'm working for the sergeant and the sergeant is treating me bad, and I they say either I can go home or I have to wait two years before I can go and work for the clerk. So I cannot terminate my service with the sergeant because sergeant is a sergeant.

So he's have me working from dusk till dawn. I don't want to work with the sergeant. But I know the Clerk is a nice person and the Clerk is fair and she's going to give me favourable hours, good pay, even more than I deserve. I want to work with her, but they say I have to wait 2 years under the Surgeon before I can go to her or leave, Mr. Speaker, and

I must leave. So I do believe we have to look at that, on a case-to-case basis and have to provide some leeway, Mr. Speaker. Mr. Speaker, Again, certain positions you do not have to apply for. All of a sudden, we may see an influx of qualified people being employed as domestic workers. When you look into the background, this person have this degree, that degree, this amount of money, but they work permit is saying domestic worker. And these won't be from our care, how the Minister say.

And I can guarantee you this occurrence won't be happening from Caribbean brothers and sisters. What you said will be happening from those G20 countries where they're bringing in their friends and family and saying this is a domestic worker, so I don't have to advertise the position. I don't have to put it inside the papers. I don't have to wait the 2 weeks. I don't have to do anything about that. My girlfriend, my brother from this G20 country can come down.

Oh, I'm building my house. I'm going to bring down my friend who's a contract construction worker and say he's a domestic, but he's going to build my house, my villa, and all that. I'm not going to hire none of these Turks Turks and Caicos Islanders. He's going to come down as a domestic worker or a laborer.

Meanwhile, this is a multimillionaire, a big-time contractor in wherever country he is, but I'm bringing him in as a domestic worker or laborer because there is a loophole inside this bill that allows me to just bring in those persons. Without advertising or without saying that there's a Turks and Caicos Islander that is fit for the job that I am bringing them in for, Mr.

Speaker. You see the problem here, Mr. Speaker. I understand what you're trying to do, but you see how seemingly smart people can use this loophole in our system and do some unwanted things and get the people here in the Turks and Caicos Islands.

And we know it's happening. The loopholes now they're using. So imagine if you put this in, how easy it's going to be for those G20 people to use this loophole. Mr. Speaker, I'm not from a G20 country, and I look at this last night at 3 o'clock in the morning, tired after being in the gym and leaving here at 7 o'clock in the evening, working all day. And if I could think about that at those wee hours of the morning, Tired and beat it out. Imagine those people with all kinds of lawyers, all kinds of time on their hand, a whole heap of advices and stuff, how they can use this loophole. So, Honourable Minister, I'm not knocking it.

I am here to make it better. You know that commercial, BASF? We don't make a lot of things, we just make a lot of things better. So consider me that person trying to make this better. So let's Get it right. And if I am wrong, if the loopholes are there, then correct me. But I ask the people to go and see for yourself this loophole that doesn't require the mad persons to advertise or request that a local is available for domestic workers and laborers. Check for yourself, all those who have the bill. You do not have to listen to me.

I never ask people to take what I say, but I'll point people in that direction. Where they can see for themselves. So, Mr. Speaker, protecting our Islander, Turks and Caicos Islander jobs means transparent recruitment, training, succession plans, and real enforcement, Mr. Speaker. It cannot mean exemptions where transparency is needed the most. So if you want to protect our jobs, that cannot mean that real transparency is needed the most in those areas, you're removing it, Mr. Speaker.

That's not protecting Turks and Caicos Islander jobs, Mr. Speaker. And then the thing is, the Turks and Caicos Islanders can't use it. I go up, I say, okay, somebody's hiring. By the time the clerk tried to hire me, he said, wait a second, you're trying to hire Mr.., you know, Mr..

Member of Parliament? No, you can't hire him. Because he's this, he's that, he have this degree, he work at this place, he work at that place. So it's not going to be us who's going to be able to break this loophole. It'll be those ones from the outside, Mr. Speaker. So it's not beneficial in no way.

Even if a Turks and Caicos Islander want to do something unbewanted, they cannot because people know us and know, okay, no, you're not qualified for that job, you're overqualified, stop messing around, you know, and go seek a proper job. Mr. Speaker, we are almost there. You see it right there, we're almost there, Mr. Speaker. Mr. Speaker, the Minister may jump up and say employer-specific permits prevent people from using a job offer as a route into the islands.

Mr. Speaker, Mr. Speaker, Mr. Speaker, permit can remain Occupation-specific, without making a worker dependent on a single employer. Mr. Speaker, I do believe we have to look at that. Clause 38, as I said above, allows for the transfer only after 2 years, except where a company closes or a contract ends through no fault of the worker, Mr. Speaker. Mr. Speaker, this is good for— I think if we correct this a little bit, it'll be good for our people.

Because if Bishop have someone there and he doesn't want them to work anymore, his company is, is moving, why wait 2 years? I need that person. I need that person that Bishop have. I say, Bishop, okay, you're not doing this job anymore, I need that person. Bishop say, yeah, that will be good because Because my work here is finished.

I finished with this contract I'm doing, but you have to wait a year and a half. This person has to go out and wait 2 years before you can hire them. So, Mr. Speaker, I do believe we can tighten this up, that it can be beneficial to Turks and Caicos Islanders, that if we want that person, there must be some way, or a shortened time period.

Why tell me and Bishop, if we're negotiating, and Bishop say, Honourable, this is a good worker, You know, this worker is good. He or she is very technical. He did this at a timely limit, and I finished my work way ahead of time, so I have no more work for this person.

But I'm doing a similar job, and I say I need that person. Bishop, Bishop, I have no problems. Why can't there be a mechanism where that person legally can move over to me without saying, no, you have to wait till next year for this person to come back in and all that while we need the person? Same thing with government. If someone comes to the Turks and Caicos Islands and they are a civil engineer, for example, or so, and they work on a big project and now that project is finished, whatever, building a bridge, building a road, and the government needs that person, why do we have to wait 2 years?

Mr. Speaker, there should be some legal mechanism that we can allow this process to happen without that person having to leave for 2 years and All the other clauses and limitations here, Mr. Speaker. Mr. Speaker, some of the final things that I think the Minister will say. Mr. Speaker, that goes to what dependents— so I already mentioned that one.

Mr. Speaker, normally a lot of the stuff that I'm asking, I know the Minister will bring up that, oh, it's in the regulations. Oh, check the regulations. Oh, I give you the regulations. That's why the bill is presented with the regulations, Mr. Speaker. But Mr. Speaker, like I said before, too much important stuff are being hid in the regulations, Mr. Speaker. We are hiding too much important stuff that should be made— decisions made in the House and the regulations. And I only wish that we can take some of these life-changing decisions, groundbreaking, thought-provoking decisions that are hidden in the regulations. Put some of that in the bill.

Put that— the bill is like— the bill is a skeleton, but all the organs are in the regulations, Mr. Speaker. I was like, okay, the regulations dealing with all the stuff that we would want to discuss on the floor in committee, but the bill is just a skeleton and he have all the organs and the regulations, Mr. Speaker. So we need to correct that, not just on this bill but other bills going forward.

Let the people hear what is— what these decisions are being made, how much things cost, stuff like all those things that people need to know, and we need to discuss that. The member from South Caicos need to bring the opinion of the people from South Caicos. The member from North Caicos needs to bring the opinion from North Caicos about these things. The members— there are no other constituency members inside that side.

Okay, and the member from Grand Turk South& Salt Cay, suddenly I need to bring that. No, I'm saying inside of the House. I'm looking to see if any other constituency members are here. Most inside.

Hon. Charles Washington Misick, OBE:

You got a member from Wheeland.

Hon. Edwin Andre Astwood:

Oh, sorry. Honourable Member from Wheeland, why I'm counting you as an All Island member. I'm so sorry, Mr. Speaker, my apologies. Suddenly the member from Wheeland need to come to this Honourable House and give the position and the opinions of the people from Wheeland on these groundbreaking, so-called groundbreaking, big decisions that are being made but are being hidden in the regulations.

He want to give Wheeland opinion on that. We really do not like this amount being this way. We really do not like this clause. We really do not like this. But sadly, most of that is in the regulations. So, and I guess to all island members, I don't know how y'all will do it.

I guess y'all have to bring it on behalf of everyone, on everyone, not just the constituency. Y'all have to bring it on behalf of the whole Turks and Caicos Islands. So y'all would want even more time to talk because you all got to say my people in Salt Cay wants this.

However, my people in Grand Turk wants that. My people in South Caicos want this. My people in Middle Caicos want that. So you all have a task and suddenly you all people in Provo, you all have a task and you all would want to debate a lot of these things that are being hidden in these regulations that needs to be in the substantive bill.

Not all of it. We know the importance of regulations, all the fee schedules and this and all the exemption lists and all that. Yeah, put all that in the regulations, but these life-changing matters need to be inside of the bill, Mr. Speaker. And that is all I am saying here, Mr. Speaker.

The last one was the drafting issues, and we can clearly fix those drafting issues, Mr. Speaker. So in wrapping up, Mr. Speaker, Mr. Speaker, I talk about 3 main concerns. Mr. Speaker, for civil liberties, Mr. Speaker, Mr. Speaker, this bill gives warrantless powers to enter homes, such as, Mr. Speaker, DNA collection without matching safeguards. All those things— detain people, download information from devices without safeguards, Mr. Speaker. Mr. Speaker, fairness and family, Mr. Speaker. It permits life-changing decisions on vague grounds with short deadlines, limits on absent appeals, process of appeals, no public exposure, Mr. Speaker, and no way to question decisions.

Decisions are final. Move on with your life. Get out of my office. Nothing we can do. Mr. Speaker, there must be some way that people can question decisions, especially decisions made on vague assumptions, decisions made on situations where I deem credible, decisions made on things of conducive to public good, Mr. Speaker. There must be some way to question those decisions and challenge them, Mr. Speaker. Mr. Speaker, for competence and accountability, the government— the government is here through the Minister asking Parliament to pass what I call an unfinished bill, with major rules are still in the regulations, and we have some texts that are contradicting each other in its own explanatory, explanatory memorandum, Mr. Speaker. So we have to address that before we can pass this bill, this bill, Mr. Speaker.

So, Mr. Speaker, the government is saying that this bill is about security. We agree that our borders must be secure. Mr. Speaker, but security without limits becomes arbitrary powers. Mr. Speaker, security must have limits. Mr. Speaker, employment protection without transparent enforcement just simply becomes a slogan.

Employment protection must go hand in hand with transparent enforcement. Mr. Speaker, an immigration reform without clear rules becomes confusion for families, confusion for workers, confusion for businesses, and confusion for all. Mr. Speaker, Mr. Speaker, my position is simple here. Mr. Speaker, let's strengthen the bill.

Let's strengthen the safeguards and let's strengthen our country, Mr. Speaker. The House does not have to choose between secure borders and fair laws. You should not put us in a position where we have to choose between a secure border— secure borders or fair laws. Mr. Speaker, we can't have both.

And we must have both. We can protect our Turks and Caicos Islander opportunities while treating lawful residents, families, workers, employees, and visitors with clarity and dignity, Mr. Speaker. Mr. Speaker, we can give the Border Force the tools it needs while ensuring that those tools are subject to reason are subject to limits and are subject to oversight and definitely subject to review. Mr. Speaker, so the question is not whether immigration must be controlled.

It must, Mr. Speaker. The question is whether Parliament will enact controls that are precise, that are proportionate, that are accountable, And that are worthy of Turks and Caicos Islanders. This is the standard that the bill must meet, Mr. Speaker, and I thank you, and I thank all. Thank you very much and good afternoon.

Hon. Gordon Burton:

Thank you very much. Thank you very much, Honourable Member, for your contribution. The Chair recognizes the Honourable Seventh All-Island Elected Member.

Hon. Josephine Olivia Conolly:

Thank you very much, Mr. Speaker. Mr. Speaker, I rise to make my contribution on the Turks and Caicos Islands Immigration Bill 2026. But before I do so, Mr. Speaker, I would like to say a pleasant afternoon to all my people in the Turks and Caicos Islands whom I represent, and I just want to thank them for their love and support and know that I am here to represent them.

And Mr. Speaker, I would also like to convey my condolences to all those who lost loved ones, and I want to take this opportunity to say to all of us to please say a prayer for the family of Miss Joy Charles. Mr. Speaker, on a happier note, I want to say a happy birthday to my sister

Soroptimist, who is the president of Turks and Caicos Islands Soroptimist Club, Sister Lameka And to me, Mr. Speaker, I celebrate my 34th anniversary in the next few days. Thanks, Joe, for staying. Mr. Speaker, I rise to make my contribution on the Immigration Bill. I know some views will already expressed, but Mr. Speaker, the subject of immigration is the most sensitive of all matters debated in this Honourable House in recent years.

It has a profound effect on every Turks and Caicos Islander and on the economy of these islands. It is vitally important, Mr. Speaker, that we have a grasp on the outcomes of these changes in the law. Mr. Speaker, the timing of this bill reminds me of the idiom putting the cart before the horse, and I say this, Mr. Speaker, because I know that the Government has just issued a tender, TR2614, for the preparation of a National Population Policy. Surely, Mr. Speaker, this bill would have benefited from the policy decisions that will come out of the study.

To prepare immigration law before deciding on a national population policy is tantamount to a celebration before the actual planning is undertaken and completed. Notwithstanding, Mr. Speaker, it would be remiss of me if I did not acknowledge that in my view, parts of the bill reflect some positive steps towards updating our laws in a number of areas that require updating. However, it has failed in some areas where the balance between executive discretion, effective appeal rights, individual liberties, data protection, and the need for predictable rules are being diminished.

Mr. Speaker, the Advance Passenger Information is a major step forward. The days of filling in the blue forms on your knee while you frantically search for a pen will finally be over. However, Mr. Speaker, it is important that the information collected is handled appropriately. The information collected for entry screening is normally retained for up to 3 years, but the 3-year limit does not apply to data copied into another security database with a different retention schedule. And Mr. Speaker, I would like to say that during my tenure as Minister of Tourism, this database was developed.

And approved in cabinet, and it was almost paid for, but it was— it didn't come into fruition because it required some amendments to the immigration law. I just want to point that out. Mr. Speaker, while the system may improve security screening, the legislation needs to be clearer about the life cycle of the information it collects. The main concern is the exception to the retention limit.

Data can potentially move into another database and remain subject to a different retention period without the bill specifying a corresponding maximum or requiring a clear justification. Mr. Speaker, I support the introduction of the term limits on work permits. However, I think 10 years— and I work in the industry— I believe that 10 years is too long.

I would suggest a 6-year term limit. It seems unnecessary to have someone wait 10 years before they are told that they must leave. I would also recommend that the 1-year work permit be changed to a 3-year work permit paid annually. Mr. Speaker, I am led to believe that the vast majority of 1-year work permits are renewed, but only after significant administrative effort by the government departments and businesses.

A 3-year renewal would free up considerable time from the government departments and give the extra responsibilities that this bill will impose on them, they are going to need that time. After the second renewal, the term limit will kick in and they would either leave or apply for the RECR— that's the Residence Employment Right Certificate. The advantage of this is that it would Reduce the time period for applying for a PRC from 20 years to 16. Mr. Speaker, 20 years is a little long.

If we want to attract the best and the brightest, it is unlikely that they will want to wait 20 years before they can be sure that the roots they have put down are secure. Mr. Speaker, the RECR is going to become a necessary tool in controlling immigration, and I endorse its introduction. However, as always, the devil is always in the detail.

This is going to be a very important document, and clarity is essential, Mr. Speaker. The criteria in the bill combines several diverse kinds of consideration. Personal character, community endorsement, economic protection, and individual skills without fully explaining how competing factors should be balanced. For instance, Mr. Speaker, exceptional skill may be difficult to apply consistently without objective criteria.

Mr. Speaker, I would recommend that we use a published assessment criteria, standardized scoring with proper written reasons, clear evidential requirements, and a proportionate approach to publication of personal information. The bill, Mr. Speaker, should also explain how community submissions are evaluated and guard against irrelevant, discriminatory, or malicious objections. Mr. Speaker, I take you to Clauses 54 and 59. Mr. Speaker, Clauses 54 and 59 create a system in which the Minister hears specified permit appeals, can direct the right authority to change decisions and can give directions to the Commissioner and staff under Clause 58.

This provides political accountability and may also, Mr. Speaker, allow decisions to be made more quickly than

through a tribunal. However, Mr. Speaker, it creates potential tensions between individual case adjudication Adjudication and political responsibility for immigration policy. The concern is especially acute where the Minister may have a policy interest in the outcome of an appeal. Mr. Speaker, this Bill creates extensive enforcement powers. I take you to Clauses 61 to 65, 69, and 72. Address examination, detention, arrest, detention centers, searches, and temporary admission or release.

I am not certain that when we are dealing with a person's liberty that we need to leave the details to regulations or an individual's discretion. The enforcement powers leave many questions unanswered, and Mr. Speaker, I will say a few. The first one I have here: What evidence is needed before a person can be detained? My next question is: How frequently must detention be reviewed? What is the maximum permissible period of immigration detention, and what happens If removal is not foreseeable, what independent mechanism can a detainee use to challenge detention? Mr. Speaker, we have many lawyers in this Parliament. So perhaps they can deal with the issue of habeas corpus, which I understand to be a fundamental legal procedure that allows a person who has been detained or imprisoned to challenge the legality of their confinement before a court.

Mr. Speaker, the central weakness of the Bill is that the expansion and consolidation of immigration powers are not matched consistently by equally clear safeguards and independent accountability. Broad discretion, limited appeal routes, detention and search powers, and the handling of personal data deserve particular attention. Mr. Speaker, this is a paradoxical moment. Because while the focus appears to be on curing the issue of immigration, the contents of this bill demonstrate a failure to realize that the domino effect will have unintended consequences.

And Mr. Speaker, I want to reiterate, this bill is big, this bill is sensitive, and maybe we are thinking about providing some clarity in the committee. But personally, Mr. Speaker, my recommendation is that the bill needs to be revised to make the legislation more predictable for administrators, employers, and applicants while strengthening its legitimacy and reducing the risk of inconsistent decisions and costly legal challenges. Mr. Speaker, I thank you.

Hon. Gordon Burton:

Thank you, Honourable Member, for your contribution to this debate. The Chair recognizes the Honourable Minister of Public Safety for his contribution.

Hon. Shaun David Malcolm:

Thank you, Honourable Speaker, good afternoon to you. I'd like to say good afternoon to all my colleagues here in the House. Also like to say good afternoon to all the visitors in the gallery, the technocrats that are here. Speaker, I want to say good afternoon to all the people in these Turks and Caicos Islands, of whom I am always, always, always grateful to represent, from Gibbs Cay in the east to West Caicos in the west and all in between.

Mr. Speaker, before I speak to this very historic bill, I would like to pass on my condolences to those persons across this country that is in mourning today. Today we have the homegoing of the late Miss Ruth Williams this coming Saturday from Providenciales in The Bight. And then on this weekend we have a number of festivals on the weekend, but this weekend We have a huge celebration in the Twin Islands as we celebrate as the Minister of Religious Affairs. I want to send out congratulations to Pastor Willard Smith, whom the people of the Lighthouse Church and the community of North Caicos will be celebrating for his outstanding outstanding service to the community of North and Middle Caicos, to the lighthouse churches across these Turks and Caicos Islands, and indeed to the spiritual growth of this country.

Mr. Speaker, I sometimes marvel, Mr. Speaker, at the level of response that comes from across the table. Mr. Speaker, this bill, it's a very, very critical and important piece of legislation at this juncture of our country's development. And Mr. Speaker, for many years and across both governments, the people has expressed their concerns as it relates to immigration and border security. Mr. Speaker, as I will touch on just one or two parts of this bill, as the Leader of the Opposition has raised a number of issues, and I will leave because I have a number of us here that will speak, so I will zero in on the portion that really concerns me as the Minister responsible for child protection.

As he spent some time concerned about the protection of children and their rights as it relates to border security. But Mr. Speaker, the Leader of the Opposition seems to be living in a balloon because 2 issues he raised that I will touch briefly as I refer to this bill, one of them being the issue of biometrics and, Mr. Speaker, the issue of the border security and their powers. Mr. Speaker, I'm sure the Leader of the Opposition travels the globe, and even I just come from the Dominican Republic. And in entering their country, I was surprised.

You got to put your hands on the machine. You, as a matter of fact, you have to fill out what they call an e-ticket.

Hon. Sharon A. Simons:

Biometrics.

Hon. Shaun David Malcolm:

Biometrics. You gotta send all your details ahead. Before you enter their country. So if you are wanted anywhere in the globe, and they say, because they're only my second time down there, but they for years they report to that like it was a, what kind of state they call the Premier?

Like they had no rules or regulations down there. I could, but Mr. Speaker, if I was on the run, they would have known

before I arrived there that I was wanted somewhere in the globe. That's the 21st century, Mr. Speaker. We— and it's important to clear this up for the listening public.

Because if you don't, they will get the wrong impression about this bill. Mr. Speaker, he carry on like somebody gonna take your blood and take your DNA. He don't know what they're gonna do with it. Mr. Speaker, when you arrive in America Or anywhere and Border Security stop you, they don't tell you nothing.

They don't say nothing to you, Mr. Speaker. Sometimes they put you in a room for hours. They don't have to ask you no questions. Every country has their rights. Discretion. He talking about powers of the government and the ministers. That's why people go to the polls, Mr. Speaker, and they trust you for a period that when you make decision— and sometimes, Mr. Speaker, you have to make decision in the best interest of people Even when they don't understand, this ain't no overnight bill, Mr. Speaker. We started this work with reforming because the people cried for years.

Got to be some kind of reform, and we spent a number. Well over 2 years. This ain't no fly-by-night bill, Mr. Speaker. Well thought of. Can you get a perfect bill? No, you can't, Mr. Speaker. But the country, the greater majority of the people of this country expect us to do something about it. And no, Mr. Speaker, Mr.. Leader of the Opposition, you have authority— it's given to certain agencies.

Border security is the first line of defence in any country. Yes, they should be empowered. And Mr. Speaker, even lunchtime, someone said to me, It's amazing. Every time the Leader of the Opposition talk about forcement and picking up people, his experiences always seems to be in these low places or noon places.

Someone just said it. Lunchtime. I guess that's the places where they be when they are not supposed to be in the country legally. Mr. Speaker, he think the country don't listen, but they are listening. There's only, Mr. Speaker, 2 references before I talk about child protection as the Minister. Mr. Speaker, 2 places, clause that speaks To DNA. Mr. Speaker, he raised it, and for the avoidance of doubt, let me read for the public so they could know that no, he did as if somebody, the immigration officers, the border security officers, could show up at your door take your saliva or whatever to do DNA tests.

No, that is not what this bill speaks about. I referenced, Mr. Speaker, it talks about DNA as it relates to a dependent child. If you came to the country and you didn't declare that you had children, And you're now applying for residency in the country. This bill protects the country.

You can't just say Dennis or Susie from Timbuktu is my child or my dependent. You can't say that. So if you declare— if you didn't declare That Susie was your dependent when you came here 5 years ago, 10 years ago, Mr. Speaker. By golly, you ain't bring Susie 10 years later and say that's my child. You got to clear this up for the people because the nonsense he run on today make people think that we just write up something on a paper. No, that's not what it says, Mr. Speaker. It states the endorsement of names of dependents on residence and employment rights certificate if they want to endorse it.

They said an endorsement under subsection 1, that's clause 24. May be made subject to any conditions as the governor may deem fit to impose. And that means governor and cabinet, including a condition that the dependents accept. And let me take you to 3, clause 3. It says a dependent child of the applicant who at the time of the first application was not disclosed, Mr.. Leader of the Opposition, by the applicant may be endorsed as a subsequent application, subject, subject to extenuating circumstances and proof of percentage by DNA testing of relationship.

Hon. Edwin Andre Astwood:

Read 126.

Hon. Shaun David Malcolm:

No, I'm going there. I take it. I'm going to take you there. So, Mr. Speaker, that is the first instance in which DNA in this bill May be required, but you don't bring in Susie and talk about that's your child 10 years later. And then the other, Mr. Speaker, as he raised on clause 140—

Hon. Edwin Andre Astwood:

140.

Hon. Shaun David Malcolm:

Don't worry, I got it written here. You don't got to help me. I'm from Back Salina too. Mr. Speaker, You gonna tell me I get it? Yes, Mr. Speaker, this is the second time he raised it, and this— and it again speaks to biometric. And then I'm going to take you back to the other proviso in the law to show you why it needed. Read that. Mr. Speaker, it says, Mr. Speaker, A Border Force officer, police officer, or any person authorized by a Border Force officer may request a person entering the country, the islands, a detainee. I need to speak properly.

All right.

Hon. Gordon Burton:

Honourable Members, please.

Hon. Shaun David Malcolm:

Or any other person required to be identified for Other immigration purposes to undergo biometric authentication, including— DNA. Yes, because it may be necessary. That's why the law provides for it. So when you go and try to make the country believe that the Border Force officers could just show up in the barroom Or show up to your house or in your yard, wherever you at, and just take your DNA and you don't know.

That's misleading the country. That's not what this bill is saying. Mr. Speaker, he raved because I'm conscious of my time and I can leave something for my other colleagues. As the Minister responsible for public safety, He wants to give the impression that the Minister, this good Premier, this good government, we just treat children any old way.

He said it a number of times. We are not a rogue state in the Turks and Caicos Islands. We are governed by international laws, Mr. Speaker, and the rights of a child It's a critical piece of legislation that governs not just here and everything we do as it relates to children. And I, and I, and I'm taking you to it, Mr. Speaker, because in its 12 coded concerns, in its wrap-up— I wish I had time, Mr. Speaker, limited time.

Thank you. So I could deal with these 12 codes of concerns with him. But Mr. Speaker, let me tell you, some of the— I want you to know the greater majority of the country think Border Force should have even more powers. Why are you here running on, Mr. Speaker? And they should be protected. And he raised the issue of force, people using extra force. Mr. Speaker, when Border Security shows up to anywhere with extra support, there, there are information. There's a reason why they need that extra force, because, Mr. Speaker, we all know this country is striving US dollars.

US dollars. Things are good down here. People don't just want to leave. You got to use sometimes extra force, and the law governs how the other agencies can use that extra force. So don't give people the impression that people show up to these people with these guns. I'm talking about data, Mr. Speaker. In this wrap-up, he talked about protection of children. That's what he talked about. He wound up— well, let me take you through, Mr. Speaker, the protection when a child is detained, whether through Border Force, whether they was just put on a boat or plane.

With parents or without parents. And Mr. Speaker, before I, I say that, Mr. Speaker, he talked about, about the, about the clause. He, he talked about, the, the, the bill. Not the bill. Anyway, Mr. Speaker, the regulations. Mr. Speaker, the regulations is just a proviso to the bill. An interpretation of breaking down interpretation to what the law say. You can't, you can't— the regulations cannot be not in sync with the law.

So don't give the people the impression that, that the regulation is something else other than what is in the bill. Mr. Speaker, As the Minister—

Hon. Gordon Burton:

Honourable Member, you have 5 minutes to wrap up.

Hon. Shaun David Malcolm:

Yes, I can wrap up, Mr. Speaker. As the Minister of Family Care, the department, Mr. Speaker, when a child is detained, Mr. Speaker, there's a notification that comes to the department and referral Whether, Mr. Speaker, that child came on a boat unaccompanied or accompanied. Mr. Speaker, there are involvements. You raised the issue about how children are treated when they come through our borders.

When you raised it, you didn't raise it in the law. You raised it as how children are treated and taken care of when they come in the country. Well, let me tell you as a Minister how we do it. Mr. Speaker, I'm sorry, I interrupted you. with them when they come through our borders unaccompanied or on the boat. Mr. Speaker--

Hon. Gordon Burton:

Honourable members please, no back and forth. Please speak to the chair if you have a comment. Thank you.

Hon. Shaun David Malcolm:

Yes, the Border Force Department will notify the Department of Family and Children Services.

Hon. Gordon Burton:

Honourable Leader of the Opposition, do you have a point of order or point of clarification?

Hon. Edwin Andre Astwood:

Mr. Speaker, I yield.

Hon. Gordon Burton:

Okay, he has refused. Honourable member.

Hon. Shaun David Malcolm:

Let him sit up. Mr. Speaker.

Hon. Edwin Andre Astwood:

What happened to the last person to tell you that.

Hon. Gordon Burton:

Mr. Speaker, honourable members, please.

Hon. Shaun David Malcolm:

Honourable members, the department is notified by Border Security. Mr. Speaker, the department makes provision Thank you. For the basic needs of that child. The department ensures that essential supplies and the immediate welfare of that child is taken care of. And the department, wherever that child came from— because they don't just come from the South, they come from all over, Mr. Speaker— those countries notified The department reaches out through Border Security to find the families. It is a huge intergovernment operation, Mr. Speaker. For the avoidance of doubt, let me clarify to the public that the agencies that works along with the ministry to ensure that a child is protected When they come through our borders, we have the Department of Family and Children's Services, the Red Cross, Human Rights, Mr. Speaker, Border Force, and Cheshire Hall Medical Center.

We ensure that the child rights, welfare is protected. And if the child needs to go into foster care, not into a detention center, we find the right person, foster care, to take care of that child while they are in our care. So, Mr. Speaker, as I wrap up, again, Thank you.

To say to this country, boy, I wish I had 1 hour to deal with you. Because this bill, we should have asked for more time for this bill, to debate this bill. Mr. Speaker, I want to assure the people in this country who have reposed their trust in me and this government that we have taken our time to carefully consider And

I want to thank the technocrats and those in Border Security especially who have worked, and Home Affairs, who have worked over the last 2 years with us to get this bill that is now in the best interest. And let me tell you, things will get better. We heard the cries of the people, and this bill, it may not be perfect, Mr. Speaker, But by golly, things will get better for our people in the Turks and Caicos Islands, and we are going to protect our borders the way it should have been for years now. Mr. Speaker, I thank you for your 20 minutes. You have a blessed afternoon.

Hon. Gordon Burton:

Thank you very much. The Chair recognizes— thank you for your contribution. The Chair recognizes the Honourable Minister of PPID for his contribution.

Hon. Arlington Alexander Musgrove:

Thank you, Mr. Speaker. Mr. Speaker, before I begin, I must give thanks to Almighty God for the privilege of attending once again in this Honourable Parliament. Mr. Speaker, I extend warm greetings to you, to my colleagues on both sides of this Chamber. To the amazing strangers in the gallery, to the amazing people that work on this bill, Mr. Speaker, and to all the listening and watching across our beautiful Turks and Caicos Islands and beyond. I extend a special greeting to my constituents, the good, hardworking, and resilient people of Middle and North Caicos. Mr. Speaker, I cannot proceed without Pausing to acknowledge those among us who are carrying the heavy burden of grief.

To every family across these islands who has lost a loved one in recent times, I offer my deepest and most heartfelt sympathies. In particular, Mr. Speaker, I extend condolences to Ms. Mariah Mackintosh on the passing of her son, Varnell Gray. No parent should ever have to bear such a loss. And I pray that God grants her and her family, and of course, Chaplain of the House Bishop, Coleta, his first cousin, her family, and all who knew and loved him, the strength, comfort, and peace that only the good Lord can give.

But to speak on a brighter note, I must recognize the wonderful National Heritage Day celebrations held this past Monday in the Twin Islands and across the Turks and Caicos Islands. But, Mr. Speaker, I was in the Twin Islands. It was a day of healthy competition and genuine camaraderie. Most importantly, Mr. Speaker, it was a proud day of honouring the traditions and culture of these islands. I commend the organisers for their dedication and the entire community for their spirited participation.

Mr. Speaker, I will not say much about those birds because I still have to go home and face every one of them. But, Mr. Speaker, I do know that Grand Turk tastes better than crow. Mr. Speaker, it is in that same spirit of pride and deep sense of duty that I rise in support of this bill. Mr. Speaker, I rise in strong support of the Immigration Bill 2026.

I do so because it is at its heart built to protect Turks and Caicos Islanders and place the management of our population firmly in our own hands. This is not a bill against anyone. The Turks and Caicos Islands has grown through enterprise, investment, tourism and other contributions of many people who have come here lawfully to work and build. Without proper management, places pressure on our housing, schools, health services, infrastructure, labour market, culture and a sense of national belonging. A small country like ours cannot afford to let those pressures be managed by chance.

This bill clearly— this bill says clearly the development of our population must occur at a pace dictated by us, managed by us, and aligned with the long-term interests of Turks and Caicos Islanders. Mr. Speaker, we are putting Islanders first. The bill strengthens the principles that Islanders must have a fair and meaningful opportunity to participate in the economy of their own country. The legislation makes clear that gainful occupation is regulated and that employers cannot simply bypass Islanders when filing— when filling jobs.

This is not discrimination, Mr. Speaker. It is responsible nation-building. We cannot simply import skills forever while failing to build the skills here. Confidence and careers of our own people. This bill makes clear that workforce development must be part of doing business in these islands. This is not an anti-business measure. It is a pro-fairness, pro-training, and pro-national development measure. Businesses need access to skills, and our economy must continue to grow.

But where there are suitably qualified Islanders, that islander must have a real chance at that job. Where skills are not locally available, permits can meet legitimate needs. The bill therefore strikes the right balance, protecting opportunity for our people while ensuring that the economy has the expertise it needs.

Mr. Speaker, we ask for stronger, modern border management. As the former Minister of Immigration and Border Services, I understand that immigration reform is not optional, it is essential. During my time in that portfolio, Mr. Speaker, I championed reform that led to changes because our immigration framework had to keep pace with the realities facing the islands— increased travel, transnational crime, irregular migration, pressure on public service, and the need for a system that is both firm and fair. This bill advances that work.

Mr. Speaker, this bill puts the Caicos Islands at the centre of the workforce policy. This bill goes further by requiring larger employers and employers designated by the Ministry of Labour to submit business staffing plans. Mr. Speaker, that is a big deal. That is a meaningful shift.

It requires businesses to plan for today's vacancy. But for tomorrow's local talent. It has transformed the conversation from simply importing labour to deliberately building capacity among Turks and Caicos Islanders. Mr. Speaker, I really want to applaud the Minister for Immigration for adding that into this Bill. Mr. Speaker, the Bill also establishes a clear and more structured pathway for lawful long-term residents. This Bill also introduces a clear 10-year limit, 10-year term limit for most work permit holders, with a 1-year period outside the islands before a new work permit cycle may begin. At the same time, Mr. Speaker, it makes sensible exceptions for sectors where continuity is vital. That approach is both principled and practical.

It prevents Temporary Work Permits from becoming an indefinite substitute for a long-term immigration policy, while recognising the real staffing needs of essential sectors. Mr. Speaker, enforcement must be credible if the law is to command respect. No legislation of this importance should be viewed as static. The foundation before us is sound.

It gives our institution clear authority, our residents clear rules, our employers clear obligations, and our people stronger protection. This bill affirms a simple but fundamental principle: the Turks and Caicos Islands must remain— and I say must remain— welcoming to those who come lawfully and contribute positively, but firm with those who seek to evade our laws and to take advantage of our hospitality. Mr. Speaker, sovereignty is not an abstract ideal. It is the practical ability of a country to decide who may enter its territory, on what terms they may remain, whether they may work, and when the law requires that they leave, they should do so.

These changes give the Turks and Caicos Islanders strong, modern tools to exercise that responsibility fairly, lawfully, and effectively. This Bill is firm, but it is not arbitrary. This is a balance that this House should support: borders that are secure, laws that are enforceable, and decisions that are made within a clear legal framework. This Bill protects the rights of Turks and Caicos Islanders to control its own borders while ensuring that the authority is exercised responsibly and with due process.

Therefore, Mr. Speaker, for secure borders, fair process, stronger opportunities for Islanders, responsible economic growth, and a modern immigration system worthy of these islands, I, the people of the Twin Islands, wholeheartedly support this Immigration Bill 2026. Thank you, Mr. Speaker.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution. The Chair recognizes the Honourable Deputy Speaker for her contribution.

Hon. Jameka L. Williams:

Thank you, Mr. Speaker, and good afternoon to you. Good afternoon to colleagues here in the chamber and as well as the persons visiting here in the gallery. It's the first time I've seen Mr.. Forbes, and thank you, General, for always being here with us. Not here presently, but you know what I mean. Thank you for being here this afternoon. I'd like to say a special good afternoon to All the people throughout the length and breadth of these islands, especially those persons in our diaspora, to my friends and family, I say good afternoon to all of you. Mr. Speaker, I want to first start by congratulating the Minister and his team, the PS and his entire team, for finally bringing this important bill to this House for passage.

Mr. Speaker, this is long overdue, right? And I can recall from our first term that we had started the work on this. Mr. Speaker, a couple weeks ago I saw an appeal from the opposition for consultation, but I remember When we had started the consultation with this, going around to the islands, having the meetings, this is during our first term, the member from the opposition, the Leader of the Opposition, he had an appointee on that board. So I don't understand why the request for consultation.

Now, if you— well, not you, but, you know, some other people Who was not interested at the time and fell asleep and now just resurfaced and wants to have something to say, that's a different story. Because I see the, the, the letter that came out asking for consultation and, and, and we need more time, and they have all these people who are unelected in one, in the front and in the center, and then the opposition people sit down in the corner. So I'm not sure Who that request was coming from, but this bill was properly consulted around the

islands.

People said how they felt about it. And so to come and mislead the people, Mr. Speaker, that, you know, I can't say that I expected anything different. But I'd like to congratulate the Minister and his team for the great work we're doing with this bill. To bring this bill here, Mr. Speaker. Mr. Speaker, one of the reasons why I love— I'm in love with Turks and Caicos. I'm in love with Turks and Caicos because we are a small country.

We are more than just connection of islands. We are a village. We are family. And we have a community of people and we look out for one another. We protect each other. We know our neighbours, we know our communities, we know whose children belong to whom, and we sometimes— and when something happens in these communities, the entire country sometimes, you know, we feel it. When someone is in need, we come together, Mr. Speaker. That is the Turks and Caicos that I grew up knowing.

Mr. Speaker, that is the Turks and Caicos that I want future generations to inherit. But our country is changing, Mr. Speaker. Our population has grown, our economy has expanded, our communities have changed, and while development has brought tremendous opportunities for our people, it has also brought its challenges, and we can no longer afford to ignore them. And we must ask ourselves a very serious, important question, Mr. Speaker, as our country continues to grow.

Are we doing enough to protect the identity, the opportunities, security, and the future of the Turks and Caicos Islander? This is why, Mr. Speaker, the immigration legislation is so important. Immigration laws are not simply about deciding who can enter a country; they are about determining how countries manage its population, protect its borders. Safeguards employment opportunities, preserves its national identity, and plans for future generations. Every responsible country has immigration laws. Every responsible government has a duty to determine who enters, who works, who resides, and who eventually becomes a permanent part of that nation.

That is the government's responsibility. There is nothing wrong with welcoming people into our country. We can always welcome people, and many have made meaningful contributions to our development. But welcoming people does not mean abandoning our responsibility of our own citizens. We can, we can welcome others while protecting our own. We can appreciate foreign expertise without overlooking our local talent, and we can be fair to immigrants without being unfair to Turks and Caicos Islanders. That is the balance that we have to achieve. So, Mr. Speaker, I support this Immigration Bill 2026 because I believe it provides an opportunity to strengthen the balance.

However, I also believe that there are areas that must be carefully examined, strengthened, and properly enforced if this legislation is duty going to serve the people of these islands. Mr. Speaker, the 10-year work permit limit— on this provision, I support the introduction of the 10-year term limit on work permits for work permit holders, but we must be very clear We must be very clear and make it abundantly clear that 10 years must not become and should not— anyone should not think that it's automatically entitled, that they're automatically entitled to have 10 years. The fact that the law provides a maximum period of 10 years does not mean that every work permit holder should automatically be granted 10 years of employment in this country. A work permit is a privilege granted to meet a guaranteed labour need. It is not a guarantee for permanent employment, and it should never become an automatic pathway to remaining in a country indefinitely.

The Labour Commissioner, the work permit boards, and every authority responsible for administering this legislation must monitor these permits carefully. They must review them, they must question them, they must assess whether there is a need for the foreign worker to continue, and they must ask fundamental questions. Why does this particular position require a foreign worker after 5 years, 7 years, 10 years? Are we saying that after 10 years of a person being on a work permit that there is no trained— not one single qualified Turks and Caicos Islander to fill the position? Are we saying that there is no qualified Turks and Caicos Islander capable of becoming managers, accountants, supervisors, technicians, or professionals in its own country? How does an expert coming to this country work for 10 years and leave without helping to develop any local person, I, I just don't understand.

Someone should not be able to come into this country, work for 10 years, and we have not trained a Turks and Caicos Islander to eventually take that position. These are the questions that the Labour Department and the Work Permit Boards must answer before a permit has been given. I recognize that there are specified occupations where expertise may not be readily available locally. And I also recognize that the bill recognized these exemptions for certain professions and sectors, but those exemptions should not become a convenient escape route for, from the purpose of this law.

We cannot allow every employer to claim that a position is specialized simply because they prefer to retain a particular foreign employee. If a company has benefited from employing foreign expertise for 10 years, then that company should be able to demonstrate what it has done during those 10 years to develop a Turks and Caicos Islander. Otherwise, Mr. Speaker, what are we really trying to achieve? Government employees must not— government employees must not receive a blanket exemption. Mr. Speaker, while we are discussing the 10-year term limit, I want to draw particular attention to Schedule 3 of this bill.

Schedule 3 identifies professions and sectors that are excluded from the 10-year term limit period. Among those listed are persons employed in the service of TCIG. Mr. Speaker, I do not agree with the blanket exemption for all expatriate workers with the government. I understand and I appreciate that there are key positions within government that are currently held by non-Turks and Caicos Islanders, and I also understand that some of these positions are essential.

For example, We can consider doctors, we can consider teachers. We cannot afford to compromise our healthcare system or education of our children simply because

experienced expatriate professionals have reached a prescribed term limit. Where there is a guaranteed shortage of qualified Turks and Caicos Islanders, there must be a good reason to allow a doctor, teacher, or any essential specialist to continue serving beyond the 10 years. I, I have no objection to, to carefully consider exemptions of such critical positions, but Mr. Speaker, there is a significant difference between making reasonable exemptions for essential positions and giving expatriate government employees a blanket exemption.

Why should an expatriate employee working in the administration working in an administrative Role, management, or professional position within government automatically be exempt from the term limit when there are qualified Turks and Caicos Islanders that are available? Why should the government be exempt from the very principle that it is asking the private sector employees to respect? We cannot demand that hotels, restaurants, construction employees and businesses— we cannot demand that they train Turks and Caicos Islanders and then we allow government to retain expatriates and retain the employees indefinitely without any level of accountability. Government must lead by example. I believe that the government's HR department should have a clear responsibility, Mr. Speaker, to monitor the expatriates. Expatriate employment of these people in the public service.

Human Resource should know exactly who are the non-Turks and Caicos Islanders and who, and who are non-Turks and Caicos Islanders are employed by the government, what positions they occupy, how long they are held in that position, and whether a suitable Turks and Caicos Islander is available. If an expatriate government employee has been in a position for 5 years 7 years or 10 years, we must ask ourselves a question: who is being trained to take over that position? What opportunities are we providing for Turks and Caicos Islands to develop in the necessary qualifications and experiences? What has the department— has the department made any meaningful effort to identify and prepare a local to succeed? And if no effort has been made, Who is being held accountable, Mr. Speaker?

Mr. Speaker, I should not be— it should not be acceptable for an expatriate employee to spend 10 to 15 years in a government position while no meaningful effort is being made to prepare Turks and Caicos Islanders to eventually assume that responsibility. We cannot allow a full— we cannot allow a lack of succession planning to become jurisdiction of indefinite exemptions. Therefore, Mr. Speaker, I recommend that the blanket exemption for expatriate government employees be reconsidered.

Where an exemption is genuinely necessary, it should be justified by the nature of the position, the availability of local expert and the need of the country, and that exemption should be subject to regular review and monitoring by government HR department. A government department should not simply be able to say that it needs an expatriate worker indefinitely. It should be required to examine why and demonstrate what it's doing to develop it. Turks and Caicos Islander.

Mr. Speaker, I want to take this matter one step further. If we can go as far as identifying and protecting certain professions by exempting them from the 10-year term limit, then surely we could do that and prepare to identify positions that ought to be reserved for suitable, qualified Turks and Caicos Islanders. Why are we only identifying positions that foreign workers should be allowed to continue to occupy it? Why are we not identifying the positions that our own people should have first opportunity to occupy? Mr. Speaker, I believe we should seriously consider professions and management positions such as human resource professionals and hotel managers. If you have a general manager that is an expatriate, then your hotel manager should be a Turks and Caicos Islander. Who knows our people better than a human resource person?

Human resource professionals influence recruitment, employee development, training, promotion, workplace policies, and succession planning. These are the very areas that determine whether Turks and Caicos Islanders are being given fair opportunities in their own country, Mr. Speaker. We have qualified and experienced people who understand our laws, our culture, our communities and the challenges we face in our workplace. Why should we not consider reserving appropriate positions for qualified Turks and Caicos Islanders? And then the hotel, the hotel management, Mr. Speaker, the tourism— our tourism product is the leading industry in our economy.

For decades, our people have contributed to its growth and the success of of the tourism industry. Our people work in these hotels, they welcome the visitors, they deliver the service, they help create the experience, and they made the Turks and Caicos Islands an internationally recognized destination. But yet, Mr. Speaker, we have— we continue asking whether enough of our people are being given the opportunity to move into senior and leadership positions. We have Turks and Caicos Islanders who have studied hospitality.

I'm one of them. We study tourism, accounting, business administration, and other, this, and other related fields. We have individuals who have gained— Hon.

Hon. Gordon Burton:

Member, you have 5 minutes.

Hon. Jameka L. Williams:

Really? I haven't even got nowhere yet. Mr. Speaker, you gotta give me some more time. Anyway, we have, We have other related— exactly, you can't rush it anyway.

Hon. Rachel Marshall Taylor:

Take all your time.

Hon. Jameka L. Williams:

We have individuals who have gained years of practical experience in the industry. Our people should not be expected to remain in an entry-level position, Mr. Speaker, indefinitely. While senior management opportunities are repeatedly filled by overseas recruitment. Mr. Speaker, I am not suggesting that individuals should not be that our people should just be appointed to these positions simply because they are Turks and Caicos Islanders, regardless of their qualifications.

That is not what I am saying. I am saying that where suitable, qualified, and experienced Turks and Caicos Islanders are available, they should be given the opportunity. Okay, let me scan through. Mr. Speaker, we can't continue to encourage our children to pursue higher education, obtain professional qualifications, and return home only to discover that the positions that they trained for and studied for are continually filled by overseas workers. If this legislation can protect certain categories of foreign workers for term limits, then it must be capable of protecting Turks and Caicos Islanders. And that is the balance, Mr. Speaker, that I want to see.

Mr. Speaker, I want to speak directly to my fellow politicians, all of us here in this chamber, those both present and future. When this legislation becomes, Mr. Speaker, when it becomes law, We must have the courage and discipline to respect it. We must say we must stay away from interfering in the decisions of the Labour Department, of the work permit boards, and the immigration authorities. We all know what happens in this small country. Don't act like we don't know.

Our supporters, they come to us. Our friends come to us. Business owners come to us. People who we support, who support us politically, they come to us and they ask for special consideration. They ask us to make a phone call, they ask us to speak to somebody, they ask us to intervene because someone's work permit has expired, because someone has reached a term limit, or because someone does not qualify under the law. And sometimes those requests come from people we know personally. But we have to remember something, Mr. Speaker. We are not elected to bend the law for our supporters.

We are elected to uphold the law for our people. If the legislation requires a person who has reached the applicable term limit to leave the country and remain outside for a required period, then that requirement must be respected, subject only to the lawful exemptions that Parliament approves. There must not be one rule for some and another rule for the others. We cannot pass legislation in Parliament today and then undermine the very legislation through political interference tomorrow.

Mr. Speaker, that would defeat the entire purpose of this reform. And I want to ask, I want to ask a question that we must answer: who is going to police this law? Because the Turks and Caicos Islands is not short of laws, Mr. Speaker. We have laws, we have regulations, we have policies, we have procedures, but too often we do a terrible job at monitoring compliance and enforcing the laws that we already have. We pass legislation with good intentions and then we fail to ensure that those entrusted with administering it are doing their jobs. We must change that.

Mr. Speaker, the Labour Commissioner, the Work Permit Boards, and the Director-General and all relevant authorities must be the watchdog of this legislation. They have to do their job. They must be held accountable. These decisions must be consistent. Their processes must be transparent, and there must be meaningful oversight. We do not need another law that looks impressive on paper. But fails our people in practice. Mr. Speaker, I respect the RERC.

I love that. That is the Residence and Employment Rights Certificate. I support the principle of establishing a structured process through which individuals who have lived and contributed in Turks and Caicos may qualify for greater residence and employment rights and eventually apply for permanent residence. But there is an area that must be treated with the utmost seriousness.

This must be treated seriously.

Hon. Gordon Burton:

Honourable Member, 1 minute.

Hon. Jameka L. Williams:

I ain't gonna make it, but let me finish. The REC is not simply another immigration document. Under the proposed system, it forms part of the pathway towards permanent residence, which may eventually place a person in a position to pursue further status under a separate law. This is why we must protect this with integrity. Belonging to the Turks and Caicos, Mr. Speaker, is sacred.

It is sacred to me. Our national identity is sacred to us, and the responsibility of deciding who may become a permanent part of this country must never be taken lightly. Mr. Speaker, I heard about a lady, Florence Rand. She was here in the early 1970s and she went from country, from island to island teaching local children.

Mr. Speaker, those are the kind of people that we should want in our country.

Hon. Gordon Burton:

I'm going to have to ask you to please wrap up because we have to keep to the 20-minute limit.

Hon. Jameka L. Williams:

Okay, keeping to 20 minutes today.

Hon. Gordon Burton:

Yes. All right, we have 2 very important bills we need to get through.

Hon. Jameka L. Williams:

Okay, Mr. Speaker, I ain't got— so I can't, no, I can't take so much time.

Hon. Gordon Burton:

No, no.

Hon. Jameka L. Williams:

All right, no worries. Thank you so much, Mr. Speaker. I'm gonna— and I'm gonna end there. I don't have time, but I know I got some following on social media, so I will read my entire speech there and share it. Okay, for the country to speak. Thank you very much. I know we have 20 minutes, Mr. Speaker, but this bill is too— I got some still nice, some nice juicy stuff in there. And it's okay, I'll, I'm gonna yield to allow someone else.

Thank you so much.

Hon. Gordon Burton:

Thank you very much. Thank you. Honourable Members, before we move on, I'd like to take a 5-minute break. This Honourable Parliament is hereby suspended for 5 minutes.

Hon. Gordon Burton:

Honourable Members, this Honourable Parliament now resumes its sitting. Pray be seated. Honourable Members, we are now debating the Immigration Bill 2026, and we will now continue with the debate. The Chair recognizes the Honourable Ninth All-Island Member for his contribution.

Hon. Willin A. Belliard:

Thank you, Mr. Speaker. Good afternoon, Mr. Speaker. Good afternoon, Honourable Premier and Honourable colleagues and strangers in the gallery and those listening to us by the various means. Mr. Speaker, before I go into my speech, Let me express condolences to those who have lost loved ones, and in particular the sad news we got a few minutes ago, or a few hours ago, on the passing of Joy Charles.

Condolences to her family, especially her daughter Tess Charles, who we all know, and I pray that God give them strength through this difficult time. Mr. Speaker, I rise in support of Immigration Bill 2026. Brought to this Parliament by the Honourable Deputy Premier. Mr. Speaker, I commend him for advancing this reform, and I support the Government commitment to an immigration system that protects opportunities for Turks and Caicos Islanders, provides for the needs of our economy, and strengthens the administration of our borders.

Mr. Speaker, between 2022 to 2024, I served in the Immigration and Population Policy Council, and I had the privilege to serve as Acting Chairman during the island-wide consultations. I regret that the Honourable Leader of the Opposition is not present so that I can remind him that he had a member in that team and that we went to all the islands, not some of the islands.

We went North Caicos, Middle Caicos, Salt Cay, Grand Turk, South Caicos, Providenciales. We covered all the islands. And that consultation was for over a week. And in addition to the consultation, we had a portal where we received feedback and submissions, and that portal was open for over a month.

So, Mr. Speaker, this process started from 2023. I'm grateful that the Honourable Deputy Premier has brought it home, but this is not something that was short of consultation. Mr. Speaker, we hold residents from all the islands. The report records important concerns about employment for Islanders, the continuity of essential services, and the effective enforcement. I welcome provisions in this Bill that respond to several of those concerns, and I commend the Deputy Premier for carrying the reform forward.

Mr. Speaker, immigration policy has practical consequences for our people. It affects whether a returning graduate can obtain suitable employment, whether an employer can recruit a needed specialist, and whether a family member can retain a caregiver who understands her elderly relative. Parliament must consider these circumstances when deciding how this system should work. A central consideration for me is the opportunity for Turks and Caicos Islanders Our young people invest years in their education.

They should be able to return home and use their qualifications. Islanders already in employment should also have the opportunity to acquire new skills and progress into positions of greater responsibility. The Bill continues the requirement of an employer to account for applications from Islanders and explain why an Islander applicant is considered unsuitable. It also retains business staffing plans for employers with 15 or more work permit holders, or those otherwise designated by the Commission of Labour.

These plans address the prospect of positions being filled by Islanders, the time needed to achieve that, and the employer's commitment to education and training. I support these provisions because they give the Labour Department and the

Board a basis for examining employees' recruitment and succession plans. A staffing plan should lead to practical opportunities where a business anticipates an Islander taking over their position. Also, Mr. Speaker, the necessary training and experience should be identified.

Apprenticeships, scholarships, and supervised work experience can help an Islander acquire the skills required. Employers can benefit from developing a dependable local workforce, and our people can benefit from a clear route into employment and advancement. I support the Government using workforce information to connect those opportunities with the Islanders available to fill them. Information about students studying overseas can also help employers to plan for their return.

That will give practical effect to Mr. Speaker, I also support the residence framework established by the Bill. The Residence and Employment Rights Certificate provides a defined stage before the ordinary route to permanent residency. It gives the holder permission to reside and work, together with an annual declaration and continuing fee obligations. The Honourable Leader of the Opposition, Hon. The Governor remains responsible for considering the requirements, including character and public interest.

In this sphere, Mr. Speaker, I disagree with this part of the proposal. I do believe, Mr. Speaker, that the approval should be done through the Minister. When it comes to the Residence and Employment Rights Certificate, I can accept the logic and the reasoning behind the Permanent Residence Certificate. Been approved at the governor level, but the residence and employment rights certificate should have been retained at the ministerial level, Mr. Speaker.

The authority to prescribe evaluation guidelines can help to make the requirements understandable and decision-consistent. Applicants should know what is required of them. Officers should have clear criteria to apply. The public should be able to understand how the administration of residence serves the interests of the country. We should also explain the different forms of status accurately: permanent residency, British Overseas Territory citizen, and Turks and Caicos Islander status, because there are still members of the public who are confused about the various status and the route to get there. Mr. Speaker, while on this point, I saw an article in the public domain asking this government to amend the way BOTC get their status through marriage. Mr. Speaker, we can do a lot of things in this Parliament, but we are not able to amend the British Nationality Act because that law falls under the UK legislation. So I don't know if that person is trying to create confusion or mischief, but we are not able, we're simply not able to amend the British Nationality Act because it applies not only to us.

It applies to all the British Overseas Territories and Crown Dependencies. Mr. Speaker, I welcome the saving and transitional provisions. The Bill preserves existing PRC and, and investing PRC. It provides specified window in which eligible residents may apply under the old rules. Application for certificates or permits lodged before the commencement are also protected under the old law. So anyone who meets the tenure is able to apply for the next 12 months, and any applications that are already submitted, they will be considered under the old provisions.

So those persons don't have to worry about being concerned if they're going to lose their entitlement if they qualify for the next 12 months. That transition, Mr. Speaker, will be an important part of the implementation. Clear notices, published guidance, and practical examples will help employers and families understand the routes available to them and the relevant application dates. I support an island-wide information programme informing persons about the various available routes. Mr. Speaker, the Long-Term Resident Permit creates a renewable 25-year category for residents by investment.

I support the Government establishing clear conditions for investment, retention and reporting through that category. It provides a distinct form of permission for investors and allows the Government to state the obligations attached to it. Investment, Mr. Speaker, should contribute to the development across all of our islands. One of the things that we saw during the island-wide consultations As the people of the various islands— Salt Cay, Grand Turk, South Caicos, Middle Caicos, and North Caicos— they express that their economic circumstances are different and that they deserve particular attention.

That what can work for Providenciales and what can be extended in Providenciales may not be suitable for the other islands. So we have to find a way to bring the necessary investment into these islands while protecting them at the same time. So I welcome the opportunity this framework gives the Government to explain the investment routes and encourage activity that supports employment and local services.

Mr. Speaker, the work permit provisions combine a general term limit framework with exemptions for important services. The Bill provides a 10-year limit for workers within the scope, followed by 1 year outside of the islands. before a fresh work permit can be applied. It also provides a mechanism through which eligible residents and employment rights certificate applicants may seek permission from the Board to continue working while the application is being determined.

Speaker, again, there's another point here. We allow the applicant of the residency and employment rights certificate to be able to apply for a work permit Yes.— for 1 year while the application is being determined. But we don't have a similar provision for those who are applying for permanent residence certificate.

And I will address this further during the committee stages, because I do believe that similar provisions should be applied to someone who is applying for PRC, so we don't have a situation where they're coming off the residency and employment rights certificate, going into the PRC, but they are now waiting on that to be processed And in the meantime, they fall out of status.

So I think there should be a way for them to apply for a work permit or something similar while the application is being considered. Mr. Speaker, I welcome the Deputy Premier's inclusion of exemptions for caregivers, farmers, teachers,

health professionals, utilities, and other specified categories. The value of those exemptions is readily understood. in a household who has an elderly relative, a school who needs a teacher, a service requiring specialist staff. They also recognize the contribution of farmers for food production.

These are practical provisions that respond to important concerns raised during the consultations. Mr. Speaker, I support a system in which employers and workers know the period that applies to them and can plan ahead. The bill requires the Board to notify the worker and employer of the term limit and its expiry date when issuing or renewing a work permit. Accurate records and timely decisions will help those provisions work effectively.

The temporary work permit arrangement provides further flexibility within a regulated system. The bill distinguishes between emergency and short-term work permits. It provides separately for visitor's visa, business visa. It provides for a short-term work permit holder to apply for an ordinary work permit. Currently, Mr. Speaker, if you are under a short-term work permit or temporary work permit, you are not able to transition to an ordinary work permit. This new bill provides the possibility to be able to transition from a short-term work permit into an ordinary one. And I believe, Mr. Speaker, this was something that was expressed especially in the island of North Caicos and South Caicos, that they want to have this possible because they might find an employee who is working right for them and they want to keep them, but they might have someone who they brought in temporary and it's not working out and they want to be able to terminate the arrangement rather before they incur any further additional costs.

So, Mr. Speaker, I support the intended route, subject to the normal approval requirements, and of course, at all times, we have to maintain the island of preference. This can help an employer retain workers whose services are needed while allowing the authority to assess the ordinary application. The distinction between these permissions, Mr. Speaker, should keep employers choose the category appropriate for the work involved. It should also assist the offices in ensuring that temporary and business permissions are used for their authorized purposes. On family endorsement, I support the principle that an applicant must be able to maintain his or her dependents.

The bill's broader definition of dependent also recognizes older children in education and parents or children who cannot support themselves because of disability. Those circumstances, Mr. Speaker, deserve clear and practical administration. The government guidance should explain the applicable financial requirements, fees, the endorsement conditions, and terms families can understand. That will help the applicants plan responsibly and submit the evidence required.

I look forward to the implementation arrangements accompanying the Bill and its regulations. Mr. Speaker, I also welcome the specific transitional provisions for the freelancer work permit holders. The bill allows those permits to continue under the safe provisions towards the qualifying period and preserves the specified route to PRC applications, so those persons who currently hold a freelance work permit have a route they can follow under the new framework.

Mr. Speaker, young people completing school should receive clear guidance about the education and employment permissions available to them. An orderly transition supported by accessible information will help the Government carry out the reform consistently. Mr. Speaker, I support effective enforcement of immigration law. Employers must comply with the permission under which they recruit their workers.

People who assist unlawful entry or misuse the system must be investigated and dealt with in accordance with the law. Our officers need the authority, training, and coordination required to carry out their work. The Bill brings the immigration framework in line with the Border Force arrangements already established in 2024 and expressly addresses electronic processing, passenger information, identification, and digital evidence. These provisions reflect the way people now travel, communicate, and conduct their businesses.

I support equipping the officers to investigate these offences, and I support how we administer our borders effectively. Public information will support their work, Mr. Speaker. Residents should know which documents establish their identity and status, how to obtain them, and how officers will verify them. Training and clear procedures will help officers—

Hon. Gordon Burton:

Honourable Member, you have 5 minutes.

Hon. Willin A. Belliard:

—apply this requirement consistently. Thank you, Mr. Speaker. Mr. Speaker, on the issue of the stop list, Mr. Speaker, that was raised by the Leader of the Opposition, what I would suggest should happen, and this was raised during the consultation, we should have 2 stop lists. One, they can operate like a sanction list.

So if you commit minor breaches, overstay or minor immigration offenses, you can be placed on their list with the Minister having the authority to remove you from their list after you would have paid a penalty. It could be a fine. And then we have the ordinary stop list, the prohibited list, for those who commit serious crimes, those who commit serious offenses, or those who behave in a way described by the ordinance, then they should go through rigorous tests that they can only be removed by the governor. But there are some— we as politicians and members and representatives, I am sure all of us are approached from time to time about persons who were added to the stop list because they overstayed a week or other minor issues and looking for our assistance. So there should be a way for the Minister to operate one list And for the Governor to operate another list.

Mr. Speaker, fair administration supports public confidence and enforcement. Clear reasons for decisions help people

understand their obligations and the review process available to them. The Bill continues the Immigration Appeal Tribunal, and I support ensuring that it can discharge its functions promptly. Mr. Speaker, I commend the Honourable Deputy Speaker for bringing this Bill forward.

I support a second reading and the Government programme of immigration reform. At committee stage, Mr. Speaker, I will work constructively with the Honourable Minister and the Attorney General with some provisions that will be assisted by some minor amendments. I want the reform to deliver the practical benefits for our people and for the system to work in the way that it can be administered effectively. Mr. Speaker, I thank you.

May God bless our people and our Turks and Caicos Islands.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution. The Chair recognizes the Honourable Minister of Tourism for his contribution.

Hon. Zhavargo Jolly:

Thank you, Mr. Speaker. Mr. Speaker, I rise today to lend my full support to the Immigration Bill 2026 and to commend my honourable colleague, the Deputy Premier and Minister responsible for Immigration, and his team for the tremendous amount of work undertaken in consultation with the public and the private sector stakeholders in bringing this important legislation before this honourable House today. Before I begin, Mr. Speaker, I want to take a moment to wish the people of these Great Turks and Caicos Islands a happy National Heritage Month.

I was extremely proud to see our culture and heritage on full display during the celebrations across the vast islands, and I commend everyone who contributed to those activities. Preserving our traditions, celebrating our history, and passing our cultural identity on to the next generation is a major responsibility that extends well beyond Heritage Month. Mr. Speaker, I'd also like to take the opportunity to wish a happy birthday to my daughter Emma and my son Eli, who would have both celebrated their 12th and 7th birthday respectively over the last 2 weeks. They're getting older every day, and I'm starting to recognize why I'm seeing so much gray in my beard.

They're my constant reminder. So, Mr. Speaker, I'd like to focus my contribution on an aspect of this bill that is particularly important to the tourism industry, and that is the modernization of how we collect, process, and enforce the submission of immigration information. As the former Minister of Tourism would have alluded to, for many years our immigration legislation was built around a traditional system of physical arrival and departure cards. Passengers completed those cards, and the law provided the framework through which those requirements could be enforced. But Mr. Speaker, it is obvious that the world has changed. The way people travel has changed.

We all would have heard the Minister of Religious Affairs talk about his first visit to the Dominican Republic, so there is more proof that the world is constantly changing and evolving. The technology available to governments has changed over the years, and the expectations of visitors arriving at international destinations have certainly changed and evolved. Today, we have the ability to collect immigration information electronically before passengers even arrive at our borders. However, introducing this technology is only one part of the equation.

We must also ensure that our laws recognize that technology and provide the legal authority necessary to require compliance. Because, Mr. Speaker, there is little value in modernizing our systems if the legislation governing those systems remains anchored in the past. And that is one of the important issues this bill seeks to address. It updates the legislative framework to recognize digital collection and submission of immigration information rather than relying exclusively on those old-fashioned traditional visitor cards.

This is important not only for our passengers, but also for the airlines and the other operators that play a critical Role in facilitating our international travel. The objective is to ensure that the obligations associated with the collection and submission of immigration information can be properly administered and enforced within a digital environment. Mr. Speaker, from a tourism perspective, this is a key development. Our tourism industry depends on that international connectivity.

Every day visitors make decisions about where they will spend their holidays, and increasingly the ease of traveling to a destination plays a huge part in that decision. We invest considerable resources in attracting visitors to the TCI. We promote our beaches, our hotels, our culture, our cuisine, and the exceptional experiences available across our islands. But the visitor experience doesn't begin when someone reaches their hotel.

It begins when they decide to travel here, and it continues through every stage of their journey, including their arrival to our port of entry. If we can collect the necessary information in advance, reduce the necessary paperwork, and make immigration processing more efficient, we have an opportunity to improve that experience while strengthening the government's ability to manage our borders simultaneously. That is the balance we pursuing as a government. Mr. Speaker, it is at this juncture that I am proud to congratulate my colleague Minister and his ministry for the diligent work underway to establish the eGates framework to give life to the provisions within this bill.

This means that whilst the bill is progressing through the Parliament, the physical framework needed to implement this bill is actively being put in place. eGates has the potential to improve the movement of eligible passengers through our ports of entry. It reduces the pressure on manual processing and allows immigration officers to concentrate their attention where it's most needed. But I want to make an important distinction.

Technology by itself does not guarantee the efficiency we're seeking. The success of these reforms will depend on how effectively these systems are implemented, how well they communicate within one another, and the training of the officers responsible for operating them, and the cooperation of the airlines and our other stakeholders. Our objective must be to ensure that these technological investments deliver measurable improvements in the way our borders operate. Mr. Speaker, there is another important benefit to moving towards digital systems, and that is the potential for better information to support government decision-making, which is key in my Ministry.

Industry. In tourism, reliable statistics are essential. We need to understand visitor volumes, travel patterns, source markets, and pressures being placed on our infrastructure on a daily basis. That information helps us to plan responsibly, allocate resources, and make better decisions about the future development of our tourism industry. Of course, Mr. Speaker, immigration information must be handled in accordance with the law, and sensitive passenger information must be protected. I'm not simply suggesting that personal immigration records should simply be transferred from tourism agencies for marketing purposes, but I rather believe that as a government modernizes its systems, we should also examine how appropriately authorized and anonymized statistical information can support wider national planning consistent with the protections and limitations of established by these laws, because we cannot properly manage what we do if we do not adequately measure what we do. As we continue to pursue a tourism model that is sustainable, high-value, and mindful of the carrying capacity of our islands, reliable information becomes even more important.

Ultimately, Mr. Speaker, this bill ensures that our legislation keeps pace with the systems we are putting in place. It strengthens our ability to manage our borders effectively, enforces compliance, and establishes a sound legal foundation for continued modernization of all of our ports of entry. And it is about recognizing that national security and a positive visitor experience, they're not competing objectives. Mr. Speaker, I also want to address the concern raised by the Honourable Leader of the Opposition regarding the level of detail contained in the regulations accompanying this legislation.

So, Mr. Speaker, I know I'm not the longest-tenured member of this Honorable house, and I do recognize there are others here who've been here for quite some time in one capacity or the other, some of them with major experience in legislation. But one thing I've noticed, I've learned since I've been in this house, Mr. Speaker, is that There's a key working relationship between legislative framework and the bill that provides the details that are captured in the regulations, and they all sit under the Act. Both are public documents, both are laws, both are published in the Gazette, both are available to the public. But the regulations allow for flexibility to make necessary adjustments to ensure that the framework approved by this Honourable House is working as it should. So, Mr. Speaker, you can understand why I was a little surprised to hear that this important mechanism was referred to in the way that I heard the Leader of the Opposition refer to.

Every member of this House knows, and it is well-established practice, that legislative drafting for an Act to establish the legal framework while regulations provide the detailed procedures necessary for implementation. This approach is particularly important when dealing with technology, where operational requirements can evolve much more rapidly than the legislation itself. That's why this whole operation exists, so we can actually catch up with our technological advancement.

So, Mr. Speaker, the presence of detailed provisions in the regulations should not automatically be treated as some kind of deficiency in the legislation. Regulation. The important consideration is whether those regulations are properly authorized by the Act and remain consistent with the framework that we're actually establishing in this House of Parliament. Mr. Speaker, I also low-key take issue with the suggestion that the government is somehow concealing information by establishing these thorough regulations. Although not required do so,

I would like to commend the Deputy Premier and his ministry for ensuring that these proposed regulations were circulated to all the members of this House for examination. If that's the case, Mr. Speaker, then contrary to the Leader of the Opposition, those provisions are not buried at all. They are out in the open, they're out in the sunlight, and these regulations were sent directly to the members. And so the people of this country would have an extra layer of transparency I fully support any scrutiny of any legislation, and me, I'm sure, as all my colleagues, will continue to welcome constructive questions about the implementation of any act or any regulation.

But questions should be directed towards the substance of the provisions and the safeguards that they ultimately establish. The fact that a provision appears in the regulations doesn't mean it's hidden. And I would encourage members on both sides to identify any specific provision they believe requires further scrutiny, and so that it can be examined and debated on its pure merits.

So, Mr. Speaker, I duty believe we can secure our borders and have efficient borders. We can enforce our laws while welcoming legitimate visitors with professionalism and efficiency. Therefore, Mr. Speaker, as our country continues to grow, we must insist on achieving both. I therefore welcome this legislation as an important step towards a modern, efficient, and accountable immigration system.

And I once again commend the Minister, his team, this government, and this entire House for all the hard work they've done, and I fully support this Immigration Bill 2026. Thank you, Mr. Speaker.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution. The Chair recognizes the Honourable Elected Member for Blue Hills.

Hon. Randy Dexter Howell:

Thank you, Mr. Speaker. Mr. Speaker, I rise to make a contribution to the Immigration Bill 2026, but before I do so, I want to say good afternoon to my colleagues Thank you. You yourself, to visitors and friends in the gallery, to the listening public, and to the wonderful people of Blue Hills whom I serve here in this House. I also want to convey condolences to persons who have lost loved ones and to share a word of comfort.

Deuteronomy 33:27 says, The Eternal God is your refuge, and His everlasting arms are under you. Mr. Speaker, today I stand in support of the Immigration Bill 2026, but I want to make something clear from the outset. My support for this legislation does not mean that I will not question it. It does not mean that I will not critique it, and it certainly does not mean that I will not identify areas where I believe safeguards, clarification, and stronger implementation may be necessary. After all, that is our responsibility as parliamentarians. We are not elected simply to agree with legislation placed before us.

We are elected to scrutinize, to test, to strengthen, and where necessary, to create safeguards so that the laws we pass serve our country and our people with purpose. My contribution comes from that perspective. It also comes from the perspective of the people of Blue Hills, and particularly Turks and Caicos Islanders, who want to know that as this country continues to grow, there remains a secure place for them In the country of their birth and inheritance. Mr. Speaker, Proverbs 27:23 tells us, be thou diligent to know the state of thy flocks and look well to thy herds. This is— there is wisdom in those words for a country as well as an individual.

A nation must know who is within its borders, who is entering, who is residing, who is working, And under what authority. That is not hostility towards anyone. That is responsible governance. And there's another principle that should guide us. The late United Nations Secretary-General Kofi Annan said, migration is a courageous expression of the human will to overcome adversity and to live a better life. Mr. Speaker, I agree with that. Many people who have come to our shores have done exactly that. They have built rental units, homes, businesses, and communities.

They have taught in our schools, worked in our hospitals, and served in our tourism industry. We should acknowledge their contribution, but recognizing the contribution of migration does not remove the responsibility of a government to manage it. Immigration must serve the long-term interests of the Turks and Caicos Islands. Mr. Speaker, we are no longer a small economy or a small society we once were.

Development has accelerated, tourism has expanded, construction continues, and with economic expansion comes a demand for labour and skills. The Government describes the objectives of Immigration and Employment Services as securing our borders while promoting full employment of citizens and facilitating lawful migration that contributes to national security and socio-economic development. That is the balance this Bill must achieve. An immigration law that ignores the needs of the economy will eventually frustrate development.

But one that ignores the interests of its own people will eventually frustrate its citizens. Neither outcome is acceptable. Our responsibility, then, is to create a system where we can obtain the skills and labour necessary for continued development without creating a permanent structure in which Turks and Caicos Islanders find themselves spectators in their own economy. That is the task being applied to this Bill.

Thank you, Mr. Speaker. Mr. Speaker, the bill is ambitious. It deals with control of entry, advance passenger information, residence and employment, permanent residence, work permits, term limits, business staffing plans, Border Force powers, the Work Permit Boards and Immigration Appeal Tribunal, deportation offences and penalties, biometric authentication. This is not simply a work permit bill.

It attempts to create an immigration system, and that is one of its strengths. Good immigration policy must answer fundamental national questions such as: Who do we need? For what skills? For how long? What opportunities must be made available to Turks and Caicos Islanders? Who should qualify to make these islands? Their permanent home. And what should these islands look like 20, 30 years from now? Immigration policy ultimately becomes population policy, labour policy, economic policy, and over time, social policy. That is why we must get this legislation right.

We must get it right. Mr. Speaker, I 19 establishes that a person cannot engage in gainful occupation in an unauthorized category. But legislation alone cannot guarantee opportunities for Islanders. The real question is what happens before a work permit is approved. The published work permit guidance says A permit should be sought where there is a genuine job and efforts to recruit a Turks and Caicos Islander have been exhausted or failed. That principle must not exist only on paper, it must be a reality because this is where many persons in Blue Hills become frustrated. Some say nobody called me, some say I applied, never received an interview. I have the qualifications, but somehow the position was already filled.

Enforcement must therefore go beyond asking an employer whether a position was advertised. We must be able to determine whether there was a genuine effort to recruit an Islander. That means better coordination between Employment Services, the Work Permit Boards, And employers, and that means building a reliable national database of the qualifications, skills, and experience of our own people. We cannot enforce an Islander First policy if we cannot quickly determine which Islanders are available and qualified. Mr. Speaker, Clause 45 is probably one of the most important provisions in this Bill.

Requires qualifying employers to prepare business staffing plans, and these are not meant to be meaningless paperwork. They must identify the Islanders and non-Islanders employed, the positions they occupy, how long those positions have been held by work permit holders, the likelihood that they can eventually be filled by Islanders, the anticipated growth of the business, and the employer's commitment to local education and development through scholarships, training, and in-house programs. That changes the question from, can I get this permit, to, what is your plan for developing Turks and Caicos

Islanders? In that direction, I fully support. But a staffing plan sitting in a filing cabinet accomplishes nothing.

It must become a measurable agreement. If a hotel says to government, that within 5 years it will train Islanders for supervisory and management positions, then somebody, somebody must return in year 2, year 3, year 4 and ask, where are they? How many were trained? How many were promoted? How many scholarships were awarded? And where commitments are repeatedly not honored, that record should matter when future work permits are considered. Otherwise, We would have created plans without consequences. There is also a drafting matter that requires some clarifications.

Clause 45 applies where an employer has at least 15 employees working, holding work permits, while the exemplary memorandum refers to businesses with 50 or more. 15 and 50, 2 very different thresholds. Parliament should know which is intended before this legislation is enacted. That is not opposition to the Bill, that is simply Parliament doing its job.

Mr. Speaker, Clause 43 introduces a 10-year term limit for work permit holders, subject to exceptions. At the end of that term, where the persons has not transitioned through the appropriate pathway, the work— the worker must generally leave and remain outside for at least 1 year before becoming eligible for another permit. I understand that intention. Temporary permission should not silently become permanent residence through repeated administrative renewal.

That is a reasonable principle. Term limits. can create space for workforce planning and succession. But a term limit without training policy simply creates a revolving door. If one foreign worker leaves on Friday and another one arrives on Monday to occupy exactly the same position, what have you accomplished? We changed people, but we didn't change the opportunity. Term limits must therefore work together with staffing plans scholarships, apprenticeships, and succession planning.

Where an occupation can realistically be localized, the years should be spent preparing an Islander to occupy it. The Bill also recognizes that some sectors may need exclusion from term limits. That flexibility is sensible because a small economy cannot pretend that every specialized skill will always be available locally. So the principle should not be foreign worker versus Islander.

It should be this: where the skill is unavailable, bring it in. Where an Islander can be retained, train them. Where they can be trained, train them. Where an Islander is qualified, give them a fair opportunity, or as we say, give them the first pick of the cherry. The bill also changes the pathway towards permanent residence. It introduces The Residence and Employment Rights Certificate, with criteria including character, criminal record, public interest, exceptional skills, the economic situation of the islands, and importantly, the desirability of retaining the economic resources of the islands in control of—

Hon. Gordon Burton:

Honourable Member of the— okay, you had lost your mic for a minute.

Hon. Randy Dexter Howell:

Economic growth is not sufficient if ownership, opportunity, and advancement increasingly move beyond the reach of our people. We must ask not only how large our economy is, but who participates in it, who owns, who manages, who advances, and who passes something to the next generation. At the same time, Persons who have genuinely committed themselves to this country, obeyed our laws, raised families here, and satisfied clearly established criteria deserve a transparent process. Immigration policy should be firm, but it should also be fair.

Mr. Speaker, I value the modernization of border management in this bill. Part 3 provides for advanced passenger information and screening. Including cooperation with regional and international security agencies, with API retained for up to 3 years. The bill also contemplates eGates, electronic travel authorization, and biometric authentication, including fingerprints, facial recognition, and in appropriate circumstances, DNA testing.

For an island nation, Border security is national security, but technology creates another responsibility: the protection of information. If government collects fingerprints, facial data, DNA information, and passenger information, then citizens and lawful residents are entitled to know that it is securely stored, appropriately accessed, properly shared, and ultimately disposed of According to clear rules. Clause 142 allows regulation on biometric data and immigration management systems. I encourage strong safeguards to accompany implementation— access controls, audit trails, retention policies, cybersecurity standards, and clear accountability where information is improperly accessed or disclosed.

We should build a modern immigration, yes, but it must also be trusted, a trusted one. Mr. Speaker, Part 5 gives Border Force officers considerable, considerable, considerable powers: examination, detention, arrest without warrant in specified circumstances, boarding vessels and aircraft, requiring information from employers. I understand why enforcement officers require meaningful authority. Because a law that cannot be enforced is little more than a suggestion.

But the greater the power given by Parliament, the greater the need for accountability in its exercise. Officers must be properly trained, procedures must be documented, decisions must be recorded, complaints must be capable of investigation. Because arbitrary enforcement destroys public confidence even in a good law. Mr. Speaker, the Bill preserves appeals in a number of areas.

Clauses 54 to 57 allow a person aggrieved by certain permit decisions to appeal to the Immigration Appeal Tribunal, and in specified circumstances, the appeal suspends the decision

while it is determined that is important. However, other decisions are described as final or not subject to review by a court. Where legislation gives substantial administrative discretion and simultaneously restricts review, Parliament should examine those provisions particularly carefully. A strong immigration system should be able to defend its decisions. Mr. Speaker, immigration enforcement cannot focus exclusively on the worker. If somebody is working illegally, we must ask 2 questions: who is working illegally and who employed them? The Bill prohibits the employment of persons not authorized to work in the Caicos.

That must be enforced. If enforcement consistently targets the employee while ignoring the employer, who really benefits?

Hon. Gordon Burton:

Honourable Member, you have 5 minutes.

Hon. Randy Dexter Howell:

From unlawful labour, the system will never solve the problem. Illegal employment depresses wages, disadvantages compliant businesses, and undermines opportunities for Islanders and lawful workers alike. Enforcement has to reach the entire chain. Mr. Speaker, that brings me to the central issue here: implementation. We can pass the 147 clauses. We can establish boards and a tribunal. We can create databases, require staffing plans, introduce biometrics. We can do all of that.

If the employers do not share information, if staffing plans are never reviewed, if employees can circumvent recruitment requirements, if appeals take too long, or if officers lack the resources and training to administer the legislation, then this bill will not achieve its purpose. The bill itself recognizes how much it depends on implementation. Clause 142 gives broad regulation-making authority covering entry, visas, permanent residence, the resident and employment rights certificate, fees, removal, biometrics, and electronic travel authorization. So passing this bill is not the end of immigration reform.

It is the beginning. Mr. Speaker, I want to suggest that implementation be coupled with measurable performance. Performance standards. How long should a work permit decision take? How long should an appeal take? How many employers with staffing plans— how many employers with staffing plans actually meet their localization commitments? How many Islanders move into positions previously held by work permit holders? How many people overstay? How many employers are sanctioned for unlawful employment? How— and Parliament should receive those results, because what gets measured Can be managed, but what is never measured can quickly be forgotten. Mr. Speaker, when I look at this legislation through the eyes of Blue Hills, I do not see a document processed in Grand Turk or Provo. I see people's everyday lives.

I see the young Islander wondering whether there will be a career for him after school. I see the mother wondering whether her daughter will have the opportunity to move into management. I see the tradesman competing for work and the small contractor trying to build his business. And underneath many of these conversations, I hear a question: as this country grows, where do I fit in? That question must never be dismissed.

Our people should not fear the development of their own country. They should see themselves inside it— pathways from school to employment, employment to management, employee to entrepreneur, and from small contractor to major contractor, from opportunity to ownership. Immigration legislation cannot accomplish all of that by itself, but immigration policy can either support that objective or undermine it. That is why this bill matters.

Mr. Speaker, laws cannot stop change. Change is constant. But good laws can manage change. The Turks and Caicos Islands will continue to develop. People will continue to want to come here. Investors will continue to see opportunity here, and we will continue to need people from abroad who bring expertise, investment, labour, and experience. But development must have direction. Immigration must have order.

Opportunities must have fairness. And citizenship, belonging, must continue to mean something. There are provisions I strongly support. There are provisions that require clarifications. There are safeguards that should accompany implementation, and there are areas Parliament must continue to monitor after this Bill becomes law. Our responsibility is not simply to pass legislation; it is to leave legislation better than we find it. So when this Bill is critiqued, it is not done so that it fails, but so that it succeeds.

It needs to succeed for the employee who genuinely needs skills. It needs to succeed for the lawful migrant who deserves an efficient and fair system. It needs to succeed for the Border Force officers who need clarity, who need clear authority and modern tools. But above all, Mr. Speaker, it needs to succeed for the Turks and Caicos Islander, for the young person looking for that first opportunity, for the worker seeking advancement, for the entrepreneur trying to establish himself.

And for the family wondering what place their children will occupy in the Turks and Caicos Islands of tomorrow. Because immigration policy is ultimately not just about controlling who comes through our borders, it is about determining what kind of country exists inside those borders for generations to come. Mr. Speaker, with those reservations, with those observations, those cautions, and with the expectation that implementation be firm, fair, transparent, and accountable, I lend my support to Immigration Bill 2026. And I pray that this legislation we enact today will help us build a Turks and Caicos Islands in which development continues, opportunity expands, our borders are secure, those who contribute are treated fairly, and Turks and Caicos Islanders remain firmly Firmly at the centre of the economic and social future of this, our homeland.

May God continue to bless the people of Blue Hills. May He continue to bless these beautiful-by-nature Turks and Caicos Islands. Mr. Speaker, I thank you.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution. The Chair recognizes the Honourable Eighth All-Island Member, for her contribution.

Hon. Sharon A. Simons:

Good afternoon, Mr. Speaker. Those persons in the gallery To the people of these beautiful-by-nature Turks and Caicos Islands, to those persons listening via Radio Turks and Caicos and viewing via our social media platforms. Mr. Speaker, let me mention at this time there's some disturbing news coming out of Grand Turk.

There have been 2 robberies today. Last week there were also 2 robberies. Including La Brisa. This trend is getting very troubling, and I'm calling on the Police Commissioner to please see if he can increase police presence here in Grand Turk to deter any further incidents like this. Mr. Speaker, I'd also like to express my condolences to those persons that are mourning at this time, especially Miss Doreen on the passing of her husband, Mr.. Lyons, and to my goddaughter Crystal Tass on the passing of her mother and her family. However, on a lighter note, Mr. Speaker.

Hon. Gordon Burton:

Excuse me, Honourable Members, we don't have quorum, so I'll have to suspend this Honourable House until we get quorum. This Honourable House is hereby suspended.

Hon. Gordon Burton:

Honourable Members, this Honourable Parliament resumes its sitting. Pray be seated. Sorry, let me bow first. Pray be seated. Honourable Members, before our suspension, the Honourable Eighth All-Island Member was making her contribution, and I will now ask her to proceed with her Contribution on the Immigration Bill 2026.

Hon. Sharon A. Simons:

Thank you, Mr. Speaker. Mr. Speaker, I rise to make my contribution to the Immigration Bill 2026. Mr. Speaker, it is important that we seek to strengthen laws that will advance and protect our people and for the further development of these islands. Mr. Speaker, I would like to record my support for this bill and would like to highlight the following sections that I believe will strengthen the laws that govern our borders and immigration in these islands.

Mr. Speaker, this bill seeks to encompass clearer pathways to residency and employment. Mr. Speaker, with the introduction of the Residence and Employment Rights Certificate and structured progression to permanent residence, which is a bridge to the introduction of a clear 10-year term limit on work permit holders. Mr. Speaker, for the enhancement of border security, to advance the passenger information requirements and data sharing with international agencies to improving security and screening. Mr. Speaker, it also has stronger enforcement and penalties with significant fines and penalties for unlawful entry, overstaying, unauthorized employment, and assisting illegal entry.

Mr. Speaker, there also— there's protection of local workforce where work permit conditions and business staffing plans prioritize Islanders for employment opportunities. Mr. Speaker, it also defines appeals and oversight with the establishment we already have with the Work Permit Board and Immigration Appeals Tribunal for transparency and recourse. Mr. Speaker, there's also Certain professions such as health, education, law enforcement are exempted from work permit term limits, supporting critical sectors. However, Mr. Speaker, at this juncture, this should not be a blanket exemption for government employees.

Mr. Speaker, however, in the same vein, I would also like to highlight, in my opinion, some potential loopholes and unclear language in the bill. Mr. Speaker, discretionary powers. The Governor has broad, often undefined discretion to grant, refuse, or revoke certificates and permits. The phrase, it is owned in his own discretion, without clear criteria, which could lead to inconsistent or opaque decision-making. Mr. Speaker, in my most humble opinion, this is a blank check.

Mr. Speaker, in this day and age, no branch of government should have unchecked powers. Mr. Speaker, what does this say about good governance? Mr. Speaker, in regards to final decisions not subject to reviews, many decisions are stated as final and shall not be reviewed or inquired into by any courts. This limits legal recourse and could be challenged as lacking procedural fairness. Mr. Speaker, Section 53, which says the decision of the Director General On a visa is final, and a refusal, refusal shall not be appealed, reviewed, or inquired into by any court.

Mr. Speaker, I believe this should be reviewed and appealed to the Minister. Mr. Speaker, in regards to ambiguous and broad definitions, Such as public interest and good character. Terms like public interest, good character, not conducive to the public good are used as grounds for refusal or revocation but are not precisely defined, allowing for subjective interpretations. Mr. Speaker, revocations of residency and employment rights certificate or permanent residency certificate for any other reason the Governor considers that it is not in the public interest that P continues to reside on the island.

Mr. Speaker, in regards to gainful occupation. While defined, the expectations could be interpreted verbally, potentially allowing some to work without proper work permits. Mr. Speaker, I believe that this should be defined in the bill in order that we have definitions for gainful occupation. Mr. Speaker, in regards to terms limit— term limits and

expectations, Schedule 3 exempts certain professions, which I spoke about before, from work permit term limits, but the criteria for inclusion or removal from this list are not detailed, potentially allowing for arbitrary changes.

Mr. Speaker, I believe that this should be well defined. Mr. Speaker, in regards to employment compliance and staffing plans, Mr. Speaker, large employers must submit detailed staffing plans, but this bill does not specify enforcement mechanisms or consequences for non-compliance beyond permitted refusal. Mr. Speaker, I believe that this should be included in the bill so that it is well defined.

Mr. Speaker, in regards to the limited appeal rights, Mr. Speaker, some refusals are not appealable while others are. And the rationale for these distinctions is not always clear, which could be challenged as inconsistent. Mr. Speaker, we, however, don't want to go back down the road that we were before.

Mr. Speaker, in regards to the refusal of certain permits and denial Also final but not subject to appeal. Mr. Speaker, I believe that there should be some provisions in regards to appeal to the Minister. Mr. Speaker, the Border Force— the broad search and detention powers by Border Force officers, which have wide authority to search, detain, and require information Sometimes without warrants or clear limits, raising potential for overreach or abuse. Mr. Speaker, I believe this loophole must be looked into in regards to the overuse— overreach of abuse.

Mr. Speaker, In regards to the transition, the bill transition of existing permits, the bill provides for transitional arrangements but leaves some ambiguity, ambiguity about how overlapping rights and obligations are handled, especially for those with pending applications or mixed Mr. Speaker, I believe we should look into filling some of these loopholes in order for the transitional period in regards to overlapping rights and obligations. Mr. Speaker, the bill relies on discretionary powers Underdefined terms and limited appeal rights creates potential loopholes and areas of ambiguity that could be exploited or lead to inconsistent enforcement. Mr. Speaker, I believe that clear definitions, procedural safeguards, and transparent criteria, in my opinion, would reduce some of these risks.

Mr. Speaker, with all that being said, I commend the Deputy Premier, the Minister, along with his team for the work done in bringing forth this important bill. Mr. Speaker, I thank you.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution to this debate. The Chair recognizes the Honourable Minister of Education for her contribution.

Hon. Rachel Marshall Taylor:

A pleasant good evening, Mr. Speaker, those in the gallery, those viewing via livestream or listening to on RTC, to the beautiful people of Electoral District 9, Five Cays, South Dock, and Chalksound, know that you are loved. Mr. Speaker, my deepest sympathy to all those who are grieving the loss of a loved one. Condolences to the bereaved family of Mr. Voynell Gray, his wife, children, and siblings, especially Gertie, Tracy, Mack, and Llewellyn Gray, better known as Cowboy. May God continue to give each family strength.

Happy birthday, Mr. Speaker, to all those celebrating birthdays today, including my Soroptimist sisters Mary Durham and Jameka Williams, as well as one of my good, good friends, Kimberly Williams. Continue to make today great, ladies. Mr. Speaker, As the Minister with responsibilities for culture, I am especially pleased by the level of participation we witnessed across our islands during the recent National Heritage Day celebrations. The activities showcased the pride, patriotism, and deep appreciation our people have for the rich history, culture, and traditions that defined us as Turks and Caicos Islanders.

I commend the organisers, volunteers, performers, schools, community groups, and every individual who played a Role in making the celebrations a success. I also thank those who came out in large numbers to support and, of course, to participate. Heritage, Mr. Speaker, is not simply about remembering our past; it is about preserving our identity and passing it on to future generations. My challenge to us all is, let us not celebrate our heritage on one day alone.

Let us commit to living it, protecting it, teaching it, and promoting it throughout the year so that future generations will know who we are and be proud of who they came from. Now, Mr. Speaker, I rise in full support of the Immigration Bill 2026. The Act. The Act. The Bill.

The Bill. The Bill. The Bill. The Bill. Let me get it right. I'm too excited. The Honourable Minister say calm down. This Bill represents an important step in modernizing our immigration framework, strengthening the integrity of our systems, promoting fairness and accountability, and ensuring that the interests of the people of the Turks and Caicos Islands remain at the heart of our nation's development. Mr. Speaker, we are living in a period of continued growth.

Our economy is expanding, investment is increasing, and opportunities are being created across multiple sectors. While these developments are welcome, they also require an immigration system that is modern, balanced, transparent, and responsive to the needs of our country. Every successful nation understands that immigration must be managed carefully and responsibly. Immigration policy is not simply about who enters a country; it is about protecting opportunities for citizens, supporting economic growth, preserving national identity, and ensuring that development benefits the people of that nation.

This bill seeks to achieve that balance for Turks and Caicos Islands. There is a scripture, Mr. Speaker, in Nehemiah 2:18 that states, let us rise up and build. Mr. Speaker, that is precisely what we are doing today. We are building a stronger immigration system for current and future generations.

But let me also remind this Honourable House and the people of the Turks and Caicos Islands that this is fundamentally a repeal and replace bill. Mr. Speaker, a repeal and replace bill is like renovating an old house. Instead of constantly patching walls and fixing individual rooms, You rebuild and modernize the house while keeping the parts that still work. The result is a stronger, more functional structure fit for today's needs. The bill consolidates, modernizes, and strengthens those provisions to better serve the needs of a growing nation.

But, Mr. Speaker, let me bring clarity to what was said by the Loo. First, before I make my contributions, Mr. Speaker, he spoke about the API, the Advanced Passenger Information System.

Hon. Gordon Burton:

Honourable Member, please refer to the Leader of the Opposition, my good friend, with his proper title, please. Thank you.

Hon. Rachel Marshall Taylor:

Yes, and he likes me I love him. He knows that. My deepest apologies. The Honourable Distinguished Leader of the Opposition. However, that advanced passenger information system that he spoke about— however, let us not forget that this was introduced and enacted into law in 2017 by Honourable Shaun Astwood, Minister of Immigration, from their own administration.

And Mr. Speaker, our beloved Leader of the Opposition was in government seat When those amendments were brought to this very House. The Opposition has also suggested that there are no provisions or safeguards regarding children who enter the country unlawfully with family members or whose parents may be detained. That assertion is incorrect and so ably stated by the Minister of Public Safety.

Standard operation procedures already exist. To guide how vulnerable children are treated. The child protection system has established policies that prioritize the welfare and protection of minors. But furthermore, Mr. Speaker, where repatriation becomes necessary, those SOPs ensure that children are appropriately supported and safeguarded in coordination with the receiving country.

Order! So, Mr. Speaker, Let us say we had to deport a child or send a child back to the country of his family, mother or father. We have protocols in place, Mr. Speaker, with those countries to ensure that we safeguard our young people. We are a caring government. Mr. Speaker, as other members have pointed out and as the Leader of the Opposition knows, Safeguards exist under the authority of the law and serve to protect vulnerable persons. Mr. Speaker, there has also been concern— concerns expressed regarding visa applications and refusals.

The impression has been given that if an individual's visa application is denied, That person is permanently barred from applying again. Nothing could be further from the truth. There is absolutely nothing wrong with this legislation that prevents an individual from submitting a subsequent visa application. Mr. Speaker, there seems to be a misunderstanding, whether genuine or convenient, regarding visa refusals under this bill.

Mr. Speaker, I have to emphasize on it because it was highly emphasized by our Leader of the Opposition. Let us be clear, a visa refusal simply means— and listen to me, Turks and Caicos— that an applicant did not satisfy the requirement at the time the application was made. If circumstances change, if additional information becomes available, or if deficiencies are corrected, that individual is free to submit another application. Mr. Speaker, that is how immigration systems work around the world.

It is not revolutionary. It is not controversial. It is common sense. What concerns me is the suggestion that immigration decisions will somehow be based on personal relationships, friendships, grudges, favouritisms, or spite. Mr. Speaker, immigration officers are not operating a dating service. They are administering the law. The question is not who do you know. The question is who do you qualify.

The question is not who likes who. The question is have you satisfied the requirements. The question is not who is vaxxed with whom this week. The question is, have the necessary conditions been met? Mr. Speaker, if we are going to debate this bill, let us debate what is actually in the bill and not imaginary scenarios that belong in a soap opera rather than in immigration law.

The legislation establishes criteria, procedures, and accountability. It doesn't establish a Ministry of Romance, a Department of Hurt Feelings, or a unit of settling personal scores. Mr. Speaker, the Leader of the Opposition would have the public believe that Border Force officers are suddenly being granted sweeping new powers under this bill. Let us deal with the facts, not the fiction.

Border Force officers already possess powers under existing laws to stop, To search, to detain, to arrest, and conduct searches without a warrant in prescribed circumstances. The overwhelming majority of these provisions are not new. They already exist within our legal framework today. Let me remind you, arrest without warrant is under Section 55 of the current Act, and under— and enter and search without warrant is under 61 of In fact, Mr. Speaker, if one were to listen carefully to the contributions from the other side, one would think this bill arrived from another planet and landed on this House this evening.

The reality is far less dramatic. But listen to this, Mr. Speaker. The principal addition— addition being highlighted— Addition. Is the authority in defined circumstances for officers to examine electronic devices as part of their investigations. There has been no evidence presented of widespread abuse of the powers officers already possess. None. Yet the Leader of the Opposition is speaking as though our Border Force officers have suddenly been transformed into action heroes from a television crime scene. Order! Mr. Speaker, our officers are not spending their days looking for excitement.

They are performing the difficult job of protecting our borders and enforcing the laws. The public deserves facts, not fear. Mr. Speaker, every time the Opposition discovers an exciting provision in this bill, he presents it as if he has unearthed a shocking new government conspiracy. Piracy, only for us to turn the page and find that the provision has been sitting comfortably in the law for years.

Mr. Speaker, after a while, one begins to wonder whether the Leader of the Opposition is debating the bill before us or a different bill that only he has received. Let us not alarm the public unnecessarily. Let us not create drama where none exists. And Mr. Speaker, that's why I had to put on my dramatic skills as a teacher, because I have to match drama with drama so that people can get it and understand it.

But Mr. Speaker, one of the most significant reforms contained within this bill is the introduction of the Residence and Employment Rights Certificate. For many years, Mr. Speaker, there has been ongoing debate regarding who should be afforded long-term residency rights and under what circumstances? This bill provides a clear answer. Long-term rights should be earned through lawful conduct, meaningful contribution, commitment to our country, and respect for our laws and values. Under the provision of this bill, applicants must satisfy prescribed requirements.

They must demonstrate proficiency in English, possess good character, provide character references from Islanders, maintain a clean criminal record, and demonstrate that granting such status is in the public interest. Mr. Speaker, these safeguards are essential. Immigration decisions cannot be based solely on the passage of time. We passed that.

They must also take into account an individual's contributions, as I mentioned, to society, and of course, Mr. Speaker, their commitment That is the key word there, Mr. Speaker— their commitment to the Turks and Caicos Islands. This provision recognises the legitimate concerns of our people. Our citizens are not opposed to development. They are not opposed to investment, nor are they opposed to individuals who make positive contributions to our society.

What they expect, Mr. Speaker, is a system that protects their opportunities while ensuring that national development remains beneficial to Islanders. This Bill achieves that balance. It recognizes exceptional skills and valuable contributions while safeguarding the interests of our people. Mr. Speaker, another important feature of this legislation is that permanent residence will no longer be viewed as an automatic entitlement.

Individuals who qualify will first receive a Residence and Employment Rights Certificate after maintaining lawful employment in the Turks and Caicos Islands for a period of 10 years. They must then continue to demonstrate compliance with our laws and the requirements of that certificate for an additional 10 years before becoming eligible to apply for permanent residence. Mr. Speaker, this is an important shift. It moves us away— Mr. Speaker, and I say it is an important shift because during the consultation with the people of the Turks and Caicos Islands, this was high on the agenda.

So therefore, we are here in this House representing the voices of the people of the Turks and Caicos Islands that we were elected to do. It moves away from a system based simply on passage of time, as I mentioned. It allows our country to assess not only whether an individual has lived here, but whether they have duty invested in our society And, Mr. Speaker, it is true— duty invested. Mr. Speaker, this Government recognizes the values and contributions of those who have served this country faithfully for many years. We recognize the nurses who cared for our families.

We recognize the teachers who have been dedicated. We recognize the healthcare workers, the skilled professionals, long-serving employees who have worked hard, paid taxes, respected our laws and contributed positively. Honourable Member.

Hon. Gordon Burton:

Honourable Member, you have 5 minutes.

Hon. Rachel Marshall Taylor:

Well, Mr. Speaker, our responsibility does not end there. While we recognize and appreciate those who contribute to our nation's growth, we must never lose sight of our first responsibility, and, Mr. Speaker, that is to the people of the Turks and Caicos Islands. Mr. Speaker, we want our young people to see a future for themselves in these islands. That is why this bill strikes the right balance.

Mr. Speaker, I don't know why you tell me 5 more minutes. This bill also recognizes the importance of family unity. So therefore, holders of PR, permanent residence, and employment rights certificates may have their spouses and dependent children endorsed on their certificates, subject to appropriate verification requirements. So we have considered them.

But let us speak plainly about the improvement to the visa provisions in the bill, because they are important not only for border security but for the continued growth and development. This legislation, Mr. Speaker, creates a structured visa system With clearly defined categories. There was B-1 business visitor single visa for business executives who need to enter the country for a single visit of up to 14 days. There was B-2 visitor multiple visa, multiple visa valid up to 1 year, allowing multiple entries while limiting each stay to 14 days.

And Mr. Speaker, there was a C-1 single visit visa and the C-2 multiple visit visa. Order. For general visitors. There is a D-1 student visitor for those pursuing educational opportunities. And, Mr. Speaker, I want to say that for information purposes, the community college is working very closely with Border Force.

And for information purposes, individuals on a student visa is not allowed to engage in employment. I must make that clear. But, Mr. Speaker, there is the E-1 seaman's visa to facilitate

maritime activity. Which is crucial to our economy, and there is the S-1 special visa to address circumstances that require special consideration. Mr. Speaker, these categories are not arbitrary. Each one serves a distinct purpose and allows immigration authorities to properly manage who is entering the country and why.

Mr. Speaker, this bill also introduces a practical and business-friendly process whereby a company can apply for multiple business visas and multiple visits through a single annual application. But Mr. Speaker, let me highlight a significant improvement in this bill. Job vacancies, Mr. Speaker, will no longer be limited to newspaper advertisements alone. Mr. Speaker, guess what? Employers will now be able to advertise positions across social media and other modern platforms, ensuring that opportunities reach a wider audience. This is progress, don't you think so?

This is modernization, don't you think so? And most importantly, it puts job opportunities directly before our people where they are most likely to see them. Mr. Speaker, a job cannot be filled by an Islander if an Islander never knows it exists. What do you say? I totally agree, Mr. Speaker. So, Mr. Speaker, with that being said, I rise to say that I support the Immigration Bill.

I want to take this opportunity to commend the Minister and all the former Ministers who have contributed, and of course to our PS who is in the gallery. Thank you very much for your support. So, Mr. Speaker, if we are serious about protecting our heritage, then we must also be serious about protecting the future of our people.

For this reason, I wholeheartedly support the Immigration Bill 2026, and I encourage all Honourable Members to do the same. And like the Honourable Member mentioned, my speech is not finished, so I will put it in the public domain so that people can see that we in this Honourable House are fighting for their rights.

With that said, Mr. Speaker, I thank you.

Hon. Gordon Burton:

Thank you very much, Honourable Member, for your contribution. Are there any further contributions? Are there any further contributions? Are there any further contributions? The Chair recognizes the Honourable Premier.

Hon. Charles Washington Misick, OBE:

Okay, can you pass me that? Lend me a little machine. Yes, sir. Please. Thank you, sir. That's the bottom there. I think that's the bottom. Okay. Yeah. Anything? No, no, no. You have to be right like this. Thank you. All right, so Speaker, I turn it on. He was right. Okay. Oh, you were right. You were right.

That's going to stop it from— Thank you, sir. Okay. All right. So, Mr. Speaker, before I speak directly to the bill, let me express my condolences to, specifically to the family of Joy Williams, who was a former— my former— Joy Charles. Joy Charles, who was my former PA, to her family. Christel and Christopher, to the extended family at her passing, and to my cousin Vonnell Gray's family, and to— there was one other person who recently passed that I'm forgetting at the moment, but to all those who are bereaved. As I mentioned when I got up early today to speak, Without mentioning specific names, but in light of what has transpired since then, I just think it's important that I do so.

And let me say at the beginning that debate is healthy, and this bill is very important, so it's critical that everyone that parliamentarian would have contributed to the bill. And so, Mr. Speaker, I rise in support of the Immigration Bill 2026, a legislation that speaks to the fundamental question of what kind of Turks and Caicos Islands What are we building?

For whom are we building it? And what responsibilities do we owe to future generations? Whilst this Bill addresses immigration procedures, work permits, residency, and the qualifying period for permanent status, its main purpose is striking the right balance between economic growth and national development, between investment and employment, between attracting the workforce we need and protecting the opportunities of our people, and between recognizing the contribution of those who have made these islands their home and safeguarding the rights, identity, and inheritance of Turks and Caicos Islanders. Mr. Speaker, before I deliver my substantive contributions, permit me to briefly comment on the Leader of the Opposition's rebuttal to the opening of the debate by the Deputy Premier. Mr. Speaker, the Immigration Bill 2026 represents an important opportunity for the Turks and Caicos Islands to reconsider and to modernize The legislative framework governing immigration, border security, residency enforcement, and the management of our population in the national interest.

Mr. Speaker, the underlying policy principles of the Bill is the protection of our borders, improving immigration administration, strengthening compliance addressing irregular migration and ensuring that immigration policy supports the sustainable development of the Turks and Caicos Islands. And so, Mr. Speaker, if the Honourable Leader of the Opposition objects to particular provisions, that is entirely within his parliamentary responsibilities.

Indeed, thoughtful scrutiny is indispensable to sound legislation. And it was clear that the Leader of the Opposition did read the Bill as he indicated he did. But there is an important distinction between disagreeing with a policy principle, challenging the legal means selected to achieve it, and using a debate on immigration reform to raise broader grievances about enforcing The central question is straightforward, Mr. Speaker. Which policy principles of the Immigration Bill does the Opposition support? Which does it oppose? And what legislative alternative does it propose? That, Mr. Speaker, is a discussion the public deserves to hear.

The Honourable Leader of the Opposition. The policy intention must remain central. The Government's stated immigration reform agenda is not confined to outline— sorry, to routine

administrative changes. Reporting on the Bill's introduction identifies proposed reforms to border management systems, residency qualifications, immigration enforcement, penalties, And the assessment of applications for long-term status.

These matters require serious consideration because immigration policy touches the fundamental responsibilities of the State, that is, determining who may enter, who may reside and work in the jurisdiction, establishing the conditions under which immigration status is granted, and ensuring that the law is administered fairly and consistently. Mr. Speaker, it is entirely legitimate to demand safeguards against arbitrary decision-making, discrimination, or excessive administrative discretion. Equally, however, concerns about potential abuses should be connected to identifiable provisions of the legislation and supported by reasoned arguments.

Mr. Speaker, the existence of enforcement powers does not itself establish an intention to discriminate, nor does a concern about discrimination automatically invalidate the legitimate policy objective of stronger immigration control. Mr. Speaker, both propositions must be properly understood if the debate is to assist rather than to confuse the public. And Mr. Speaker, may I say these are related but distinguishable areas of public policy. A useful parliamentary contribution by the Leader of the Opposition would have explained precisely where the interaction between immigration policy and enforcement produces an identifiable legislative problem and what amendment would address it.

Without that connection, Mr. Speaker, the debate risks becoming so expansive that the actual provisions before Parliament receive insufficient scrutiny. And hopefully when we get to the Committee of Supply, it will all become clearer because I believe the breadth of the contribution by the Honourable Leader of the Opposition was indeed rather expensive, and I think even sitting here myself, if I wasn't already familiar with the bill, I would have added some level of confusion. Mr. Speaker, the office of the Leader of the Opposition carries significant constitutional and democratic responsibilities. It provides an institutional means of challenging the government, testing the quality of proposed laws, and holding ministers accountable for decisions taken in the public interest. Those responsibilities, Mr. Speaker, become particularly important when complex legislation is being considered.

Mr. Speaker, given the experience of the Opposition's parliamentary leadership in both the Executive and the Legislature, there is a reasonable expectation that criticism of the Immigration Bill should distinguish between the responsibilities of Ministers, the statutory powers of immigration officials, the Role of the public service, and the independent legal safeguards intended to protect individuals. This distinction, Mr. Speaker, matters because Ministers establish policy and exercise powers conferred on them by law while public offices perform administrative and enforcement functions within their statutory authority. Mr. Speaker, where a proposed provision gives a Minister or an official excessive discretion, that provision should be identified and examined, and where procedural protections appear inadequate, Parliament should consider specific amendments, and the Leader of the Opposition did raise a number of issues where he thought that procedural protections were inadequate.

And so, Mr. Speaker, where there is evidence of administrative misconduct, based on that, on the drafting of the legislation, the appropriate accountability mechanism should be engaged in the Committee of the Whole. The more productive question is not whether an individual Minister might exercise a power improperly, but whether the legislation establishes sufficient clear limits And I do believe it does. Whether there is appropriate oversight, whether there is transparent decision-making and effective means of redress. Several references were made to the power of the Minister, the power of the Director, and the power of the Governor, and these will have to be taken seriously. Thank you.

In light of the meaning of these functions, as it is provided for in the laws of the Turks and Caicos Islands. But allegations of discrimination and the importance of evidence, the concern raised about the apparent personalization of statutory functions deserve careful attention because there is a substantial difference between arguing that a particular provision could permit discriminatory treatment and suggesting that public authorities are operating within an established culture of discrimination or routinely circumventing legal procedures to the disadvantage of immigrants. Mr. Speaker, that latter is a serious allegation and it should not be accepted or dismissed without supporting evidence. Importantly, Mr. Speaker, the rights of immigrants and the legitimate authority of the State to enforce immigration law are not mutually exclusive.

Immigration officers must act within the law. Decisions affecting a person's status, liberty, or entitlement to remain in the jurisdiction must comply with applicable legal standards. At the same time, Mr. Speaker, the Government has a legitimate responsibility to prevent unlawful entry, enforce immigration conditions, and protect the integrity of the country's immigration system. The meaningful legislative questions therefore include whether affected persons receive adequate notice of decisions, whether reasons must be provided, whether review and appeal mechanisms are sufficient, whether enforcement powers are proportionate, and whether statutory discretion is subject to effective safeguards.

To the extent that the Leader of the Opposition believes the legislation as it is drafted is deficient in those areas, I think he has had the right to ask those questions and to expect them to be addressed, and that is why we have A committee of the House to examine the legislation. As someone said earlier, no legislation is perfect, and this has been coming for a long time, and I will address that later. But these are substantive matters on which Parliament can disagree Without reducing the debate to personalities or unsupported assumptions about institutional motives. Mr. Speaker, the actual proposals deserve detailed scrutiny.

The published accounts of the Immigration Bill identify several proposed changes that provide a practical foundation for debate. And this is where I think the Leader of the Opposition did sort of a detour. These include electronic travel authorization, advanced passenger information, biometric border controls, revised visa categories, a proposed increase

in the permanent residency qualifying period from 10 to 15 years, and a points-based assessment framework for certain residence and employment rights. And Mr. Speaker, each raises legitimate policy questions, and I would expect that the Deputy Premier in his rebuttal will address them, where the Leader of the Opposition Might have raised concerns in those areas.

For example, Mr. Speaker, expanded border technology requires consideration of privacy, data security, and implementation costs. Longer residency requirements raise questions about transitional protections and the treatment of existing residents. A points-based assessment system requires sufficiently transparent criteria to guard against arbitrary decisions. These, Mr. Speaker, are matters of substance and not personality.

The Government has explained its proposals and has defended the safeguards included in the legislation based on the contributions made by various members of the Cabinet and others. But it would be a mistake to frame immigration reform as a choice between national protection and respect for immigration rights. Mr. Speaker, both are important. And the Bill provides for security— the Bill provides for security of the border, facilitating legitimate travel and employment, protecting the rights of persons lawfully present and ensuring that enforcement action is taken in accordance with the law.

So the national interest is not served, Mr. Speaker, by uncontrolled immigration, neither is it served by arbitrary or discriminatory enforcement. Mr. Speaker, the relevant test of the Immigration Bill 2026 is whether its provisions strike a lawful, workable, and proportionate balance between these responsibilities. And the challenge before Parliament is, Mr. Speaker, that the Bill raises issues of considerable importance to the future of Turks and Caicos Islands. It therefore deserves a debate that makes clear where genuine disagreements of principle exist, where technical amendments are required, and where concerns relate instead to the implementation of existing law or the quality of public administration.

Mr. Speaker, strong border protection, respect for immigration rights, transparent administration, and adherence to due process are not competing ambitions. They are complementary requirements of responsible immigration governance. This, Mr. Speaker, is the standard against which the Bill The Government's defence of it and the Opposition's critique should all be assessed. With that, Mr. Speaker, allow me to take a few minutes to provide the historic background to the Bill in front of us today.

The most influential impact on the Bill arises from the work of the IPPC, that is, the Immigration and Population Policy Council. The Immigration and Population Policy Council emerged from the recommendations of the 2020 Population Policy Report for the Turks and Caicos Islands prepared by Cary Consultants Limited. This report followed a population policy consultancy and examined population growth, immigration, labour market demands, social development and the long-term sustainability of the Turks and Caicos Islands. Mr. Speaker, a key recommendation of the report was the establishment of a bipartisan, multi-stakeholder Population Policy Council—sorry, Population Council—to provide strategic oversight and continuity in population planning.

The IPPC was subsequently established to take the work forward. With its membership including provisions for the appointment of the Honourable Leader of the Opposition, reflecting the importance of bipartisanship participation in matters of national significance. The 2020 Consultancy provided the foundational research and analysis for population policy development. The subsequent work of the IPPC has built upon the foundation examining the relationship between immigration, labour requirements, population growth and national development.

Mr. Speaker, this work has also informed the development of the new Immigration Policy that is being debated today, or the Immigration Bill that is being debated today. And I'd like to make reference to a comment by the, I think, the Seventh All-Island Member. And at this juncture, I'd like— she's not here, but I'd like to congratulate her. I understand she was named in the pink as the patron, the forever patron. of the In the Pink event.

And it is true that she's been involved in this charitable effort to support cancer from its very inception, and I think that's very admirable that she's done that. I am very pleased to congratulate her on that achievement. Mr. Speaker, the recent issue of an Invitation to Tender, ITT, for consultancy service for the National Population Policy, TR26-14, referred to by the Honourable Member, seeks to advance and complete the development of a comprehensive National Population Policy And this one, this is very important. It seeks to do so using the information, the research, and the recommendations contained in the 2020 report as an important foundation, together with updated demographic data and stakeholder engagement.

It is important to recognize that the earlier population policy work provided an extensive foundation for this undertaking. The new consultancy represents a continuation and further development of that work rather than the commencement of an entirely new process. I think that is very important because it makes the meaning clearer. And if I were to interpret that in my own language, I would say the based on the long list of recommendations provided by the Population Policy Report, it is mostly a write-up exercise to consolidate those recommendations into a clear policy document rather than to go through a whole process of consultation.

That was done. There's an extensive, very thick document was done in 2020 and presented to the government And initially in 2020, and then again once, once the government changed, it was presented to the new 2021 government. So that has been accepted in both cases. So that is the basis of the population policy, those recommendations.

And that work, as I said earlier, was taken forward by the IPPC. Thank you. So in summary then, there is a clear progression from the 2020 Population Policy Report to the establishment and work of the IPPC to the development of the Immigration Bill present— presenting before this House. And To the completion of the National Population Policy. This demonstrates the ongoing relationship between population planning, immigration reform, and the long-term development

objectives of the Turks and Caicos Islands under Vision 2040. Mr. Speaker, I now return to the meat of the matter, and in so doing, we must recognize a fundamental truth: economic growth does not automatically translate into national prosperity.

A country can attract billions in investment while its citizens struggle to afford homes. It can create thousands of jobs with its people remaining unrepresented in management and ownership. It can build world-class resorts while its young people struggle to access meaningful opportunities, and it can become internationally successful while its own people grow increasingly uncertain about their place in their homeland. This government, Mr. Speaker, refuses to accept that economic, that economic success must come at the expense of national identity, social stability, or the advancement of our people.

And so, Mr. Speaker, our responsibility is to ensure that growth serves our people, investment strengthens our country, and immigration supports our national development rather than dictates it. This, Mr. Speaker, is the purpose of the balanced, responsible approach we are defending here today. Mr. Speaker, the Turks and Caicos Islands has experienced remarkable economic transformation. Our tourism industry has gained international recognition, attracting substantial investments in hospitality, in real estate, in construction and supporting sectors. That investment has generated employment, public revenue and significant economic opportunity.

We should be proud of that success without being boastful. But growth also brings demands that cannot be ignored. Our hotels require hospitality professionals. Our construction industry needs engineers, architects, electricians, plumbers, and skilled tradespeople. Our hospital needs medical professionals. Our schools require qualified teachers. Our businesses depend on technical expertise. Expertise, management and specialized skills.

The reality is undeniable: our domestic labour market, given our population size and the pace of development, cannot presently supply every worker and specialist our economy requires. Mr. Speaker, that is not a fault of our people; it is the reality of a small island economy competing in a global marketplace. We therefore need immigration, but we need immigration that is properly managed, responsive to genuine labour demands, and aligned with our national priorities.

We must never allow the availability of foreign labour to become an excuse for failing to train, to employ, to promote and empower Turks and Caicos Islanders. Equally, Mr. Speaker, we must not impose restrictions so severe that we undermine investment, weaken essential services, or jeopardize the jobs and public revenues upon which our people depend.

Mr. Speaker, the choice is not between protecting our people and sustaining our economy. Good government requires us to do both. Mr. Speaker, immigration cannot be considered separately from investment, from employment, from education, from housing, from healthcare and the cost of living. They are all connected. Investors need confidence that legitimate projects can access the workforce necessary for construction and operation. A hotel cannot function without adequate staff. A development cannot proceed without skilled workers. A hospital cannot deliver quality healthcare without qualified professionals.

But an investment cannot be judged solely by the number of jobs it creates or the capital it brings. Mr. Speaker, We must ask harder questions. How many Turks and Caicos Islanders are being employed? How many are advancing into supervisory, managerial, technical, and executive positions? What opportunities exist for local business and suppliers? How much wealth remains within our economy? And what enduring benefits does the investment create for our people? Investment must do more than build properties; it must help build a nation. Mr. Speaker, the Government welcomes responsible investors, entrepreneurs, skilled professionals, and individuals who contribute meaningfully to our economic and social development.

But, Mr. Speaker, investment cannot become an automatic entitlement to permanent immigration privileges, nor should immigration restrictions make legitimate investment impractical. Mr. Speaker, our policies must complement one another, encouraging productive investment While protecting the national interest. So, Mr. Speaker, let me be unequivocal. The Turks and Caicos Islands belong to Turks and Caicos Islanders. Our first responsibility as elected representatives is to safeguard their jobs, heritage, identity, economic opportunities, and future. Our children must have the opportunity to live, to work, own homes, build businesses, raise families, and prosper in their homeland. They must not become economically marginalised by the very development their country makes possible.

But putting our people first cannot simply be a slogan. It must mean better access to education, to technical training, apprenticeships, and professional certification, and this Government is making a very bold effort to do just that. It must mean fair recruitment, stronger local participation, and genuine pathways into management and ownership. Mr. Speaker, it must mean protecting appropriate opportunities for local enterprise, improving access to capital, And ensuring that work permits are not used to bypass suitable qualified Turks and Caicos Islanders.

This is reflected in this bill and in other legislation, including the amendments that are now being made to the Business Licence Regulations and amendments that have been made and passed in this House So the Real Estate Association, and there are others. Before the end of this year, there will be a construction contractors bill that speaks to making sure that there are opportunities reserved in that sector for locals. So, Mr. Speaker, above all, The Bill must mean that our people become not merely employees within our economy, but increasingly its managers, professionals, entrepreneurs, investors and owners.

Mr. Speaker, that is genuine empowerment, and that is what this Bill is about. And that is the national development objective of our immigration policy. That is the objective that we must support. Thank you. Mr. Speaker, I guess there are those who would ask why reform is necessary. Mr. Speaker,

the immigration policies that served our country at an earlier stage of development cannot remain unchanged as our economic and demographic circumstances evolve. Mr. Speaker, economic expansion increases demand for labour. Population growth increases pressure on housing, on roads, on schools, on healthcare, on utilities, and the environment.

It also raises important questions about integration, social cohesion, long-term residence, and the future composition of our society. These are not theoretical concerns; they are the predictable consequences. of rapid development in a small island country with finite land, infrastructure, and resources. Mr. Speaker, we cannot continue expanding our economy without considering the capacity of our islands to sustain that growth, and we cannot continue improving— approving employment and residence without considering the cumulative social and economic consequences.

And, Mr. Speaker, we cannot allow the passage of time, as said by the Honourable Minister of Education, alone to determine questions of permanent settlement and national status without regard for our long-term interests. Mr. Speaker, immigration policy is not simply about who enters our country It is about how we manage our economy, our population, our resources, and ultimately our national future. That is why reform is necessary. And so, Mr. Speaker, a major question is, and it is reflected in some of the comments made earlier today, The major question is extending the qualifying period, and I would say that this is a responsible national decision to do so.

Mr. Speaker, I would like to address that directly because it is one of the most important and potentially contentious elements of the Government's immigration reform policy. And I think if we go back in recent history, we are aware of some of that. I think it's— somebody referred to one particular incident as the infamous '49, extending the qualifying period for certain forms of long-term immigration status. Mr. Speaker, when that is altered it becomes very contentious. And so, Mr. Speaker, some will argue that this is unfair.

Others will suggest that it discourages investment or fails to recognise the contributions of long-serving residents. These concerns deserve consideration, Mr. Speaker, but we must first establish a critical distinction. Mr. Speaker, Lawful residence, permanent residency, and Turks and Caicos Island status are not the same. They serve different purposes and carry different rights and responsibilities.

Permission to work is not an automatic promise of permanent residence. Permanent residence is not interchangeable with Turks and Caicos Island status. Mr. Speaker, the fact that someone has lived and worked lawfully in our country for a particular period does not by itself mean that every form of permanent status must follow automatically. Sorry.

Mr. Speaker, the Government's position is both reasonable and defensible. A long qualifying period allows the country to assess more fully the sustainability of long-term settlement, the genuine nature of an individual's connection to the islands, their compliance with the law, their contribution to society and the broader national interest. Mr. Speaker, it also allows us to manage more reasonably or responsibly, rather— the pace at which temporary immigration arrangements may develop into permanent legal and social commitments. Mr. Speaker, we must remember that decisions concerning permanent residence and status have consequences that extend beyond the individual applicant.

Mr. Speaker, they affect future population growth, public services, infrastructure, economic opportunities, and the long-term character of our society. Mr. Speaker, it is often said here that you don't really fully appreciate the character of an expatriate until we give them status. And so we have to be careful who we give status to and what are the conditions.

And again, that is not to be vindictive, but that is to be protective. Thanks. Mr. Speaker, these are lasting national decisions. They must not be made casually. They must not be made automatically or without regard for their cumulative consequences. Mr. Speaker, let me also be clear, because I don't want to say that we are not being balanced.

This Government recognises the important contributions of long-term residents. Many have worked diligently, invested, supported families, created businesses, respected our laws, and contributed to our communities. Mr. Speaker, their conditions matter— their contributions matter, rather. But recognition of contributions is not the same as an automatic entitlement to permanent national status.

Mr. Speaker, we can value those who have helped build our economy while preserving our right to determine the conditions under which permanent immigration Mr. Speaker, extending a qualifying period is not an act of hostility. I say that again. Extending a qualifying period is not an act of hostility. Mr. Speaker, it is a legitimate policy decision about when, how, and under what conditions our country assumes more permanent obligations.

Mr. Speaker, that decision must take account of the interests of Turks and Caicos Islanders, lawful residents, and generations, may I say, yet unborn. But, Mr. Speaker, greater control must be accompanied by greater certainty. One of the problems we have is the arbitrariness and the lack of certainty in the process. And so, Mr. Speaker, extending the qualifying period must not mean creating unnecessary uncertainty for those lawfully living, working, and investing in the Turks and Caicos Islands.

Mr. Speaker, we must distinguish between delaying eligibility for permanent status and denying reasonable stability during lawful residence. Say that again because it's important. It's important to distinguish between delaying eligibility for permanent status and denying reasonable stability during lawful residence. People who are here lawfully deserve To know that their presence on the island is stable.

Employees must be able to retain essential workers through a legally— through a reliable legal framework, and long-serving residents must understand the rules governing their continued residence. Investors must have confidence that legitimate investments can operate without unnecessary administrative disruption. And, Mr. Speaker, families must be treated fairly, consistently, and in accordance with the law. Mr. Speaker, this requires transparent criteria, efficient processing, appropriate

transitional arrangements, effective enforcement, and clear administrative procedures.

And so, just to hearken back for a second at some of the comments that the Leader of the Opposition made earlier today. We can't have rogue offices making— giving the entire country a bad name by not operating within these frameworks. It also requires due regard for existing legal rights and legitimate expectations. Mr. Speaker, a credible immigration system must be firm in its standards. And I must say, Honourable Leader of the Opposition, some of what I heard you said today— and, and I'm going to— I know you will use it against me, but some of what you said today sound a little bit wishy-washy.

Excellent. So, so I gave you that one. A credible immigration system must be firm in its standards, fair in its decisions, and efficient in its administration. We should encourage compliance rather than create incentives for irregularity. And this is where it is very important to make sure we have a technological system that will remove the arbitrariness, and that is why the establishment and the implementation of the border system is very important. We should reward genuine contribution without weakening national protections, and Mr. Speaker, we should ensure that the rules are applied consistently.

Because again, Leader of the Opposition, you— one would listen to you would think that you have a concern that the rules are not being applied consistently, without favouritism or arbitrary treatment. And I did hear that word raised today on more than one occasion. Mr. Speaker, We do take into consideration and recognize long-term residents and investors. And so, Mr. Speaker, a balanced system must recognize that not every long-term resident seeks Turks and Caicos Island status.

Some wish to continue working lawfully, others wish to manage business or investments, and some have established families and homes here while maintaining wider international connections. Mr. Speaker, different circumstances require appropriate differentiated immigration arrangements, and Mr. Speaker, there is merit in recognizing sustained long— sorry, lawful residence, economic contributions, and good conduct through greater administrative certainty and appropriate long-term residence arrangements. But such recognition must not become an uncontrolled or indirect path to rights reserved for Turks and Caicos Islanders. Mr. Speaker, the same principle applies to investors.

Our country must remain attractive to serious, responsible and productive investment. Investors need certainty, stable rules, access to essential skills and a fair regulatory environment. We must protect that confidence. And we like to speak to places like Singapore and Dubai. Neither of them are strict democracies in the way that we are, and so sometimes that comparison is not apples and apples and oranges and oranges.

But let me say that Those economies do very well with large transient population. There's no reason why we can't find a way, even with our liberal democracy, to do the same, because we must protect the confidence of investors. We must distinguish between investment that generates lasting national value and an active activity driven primarily by speculation or the acquisition of property. And that has been part of the problem. We focus on property acquisition, and that was the basis on which PRC was designed at one stage.

And so that is now being changed. Investments should be judged not merely by the size of the check But by the lasting value it creates for the country. And the Honourable Member, I think it was the Sixth All-Island Member, I'm not sure, indicated that, and a particular name of a lady ran, who went around the country teaching people. And I remember those days. Because I was around those days and I remember the lady very well.

And so sometimes it's not the size of the cheque but the contribution that is made in kind. Investment that generates jobs, develops local talent, supports local suppliers, expands productive enterprise, and contributes to our family islands should be recognized and encouraged. Mr. Speaker, long-term investors who meet their obligations and contribute meaningfully should operate within clear, credible, and predictable frameworks. But purchasing an asset must not automatically confer permanent immigration privileges, and investment incentives must remain proportionate to the genuine economic benefits delivered. And this law speaks to all of that.

Mr. Speaker, we welcome investment. But we will not surrender our national priorities in order to attract it. And, Mr. Speaker, we must manage the social cost of growth because there could come a time, and we are not sure where we are on that continuum, when the social cost of growth outweighs the growth itself. So, Mr. Speaker, we must Acknowledge that growth carries cost.

A large population requires more housing, roads, utilities, schools, medical services, public infrastructure, and administrative capacity. And I wouldn't want to go into that now because it will take me a while, but I can speak to that and demonstrate how that may be the road that we are on today. Thank you. It places pressure on land, the natural environment, and the cost of living.

And in a small island society, these pressures can become significant very quickly. Mr. Speaker, the true cost of development is therefore not limited to the private capital invested. Mr. Speaker, government and communities must also absorb the additional demands that development places upon public services and infrastructure, and therefore we must ask whether our housing market can accommodate growth without pricing local families out.

And I think that is something we are challenged with, and this government is working on policy to correct. Whether schools and hospitals can meet rising demand, Mr. Speaker, whether our infrastructure is expanding at an appropriate pace, and whether economic growth is improving living standards or merely increasing the cost of maintaining them. Mr. Speaker, we cannot judge national prosperity by economic output alone. We must judge it by the quality of life, security, and the opportunity it delivers to our people.

Mr. Speaker, immigration, population growth, infrastructure, And investment must therefore be planned together, and any less would be irresponsible. Mr. Speaker, critically though, we must protect the identity and social cohesion of our people. We are a small island society with a distinct history and heritage, identity and culture. Which the Minister of Education referred to. These are not incidental considerations.

They are essential elements of who we are. People from many countries have contributed to the development of the Turks and Caicos Islands, and their contributions should be respected. But openness to the world must never mean indifference to the preservation of our own national identity. We have every right to expect those who come to live and work among us to respect our laws and We also have a responsibility to manage demographic change in a way that supports social stability and cultural community.

Some of this don't sound like immigration, eh? But every bit of it is. At the same time, immigration reform must never become an excuse for hostility towards those who are here lawfully. Thank you. Protecting our national identity does not require diminishing the dignity of others. We can safeguard our people while treating lawful residents with fairness, with humanity, and with respect. Mr. Speaker, this is not a weakness. This is responsible, confident leadership. And that allows me to segue into workforce development.

Which I think we all can agree must be a national priority. Mr. Speaker, immigration reform alone will not resolve every challenge facing our people. Restricting imported labour will not automatically produce engineers, doctors, accountants, electricians, or hotel executives, nor will extending residency requirements requirements automatically improve wages or make housing more affordable. Those outcomes require investment in education, technical training, professional development, entrepreneurship, and housing.

Mr. Speaker, strengthening our connection between immigration approvals and genuine labour market needs is important, and where critical shortages exist, employers must be able to recruit. And an object lesson for us really is what had happened in our big country north of us based on the draconian immigration clampdown. Our communities are experiencing economic decline in some places and we don't want that to happen here because we overplay our hands. Where Turks and Caicos Islanders are appropriately qualified, they must have fair access to employment and advancement.

And where overseas recruitment is necessary, it should support rather than displace the development of local talent. Mr. Speaker, we must create strong opportunities for entrepreneurship, professional certification, returning graduates, local entrepreneurship, and advancement into management. Our long-term objective must be to reduce avoidable dependence on imported labour, and I would say avoidable dependence on imported labour, by increasing the skills, capabilities and economic participation of Turks and Caicos Islanders. Mr. Speaker, that is how we build lasting prosperity, and that is how immigration policy becomes an instrument of genuine National employment— empowerment.

Mr. Speaker, our national development must not be concentrated in one island alone. Providenciales, Grand Turk, South Caicos, North Caicos, Middle Caicos, and Salt Cay have different economic needs and development opportunities. Immigration and investment policies must support a broader national vision. We should encourage productive investment in our Family Islands facilitate access to essential skills where genuine shortages exist, and ensure that development incentives generate real and measurable benefits.

Our goal must be an inclusive economy in which every island has an opportunity to prosper, and Mr. Speaker, that is reflected in our National Investment Policy. But, Mr. Speaker, there are critics, I am sure, and I think it's really important that I anticipate what those criticisms are and preempt to some extent, the questions and the comments that they may be asking. Some will say legislation goes too far. Others will say it does not go far enough.

Some will argue that extending qualifying periods discourages investors and skilled professionals. Others will demand that we close the door more firmly to foreign labour. But neither extreme offers a sustainable solution. To those concerned about investment, I say this: investors need certainty and access to essential workers. They do not require an automatic or accelerated entitlement to permanent status for everyone associated with their investment. A business can prosper with a fair, predictable, and properly administered immigration framework. A skilled professional can contribute meaningfully without an automatic promise of permanent settlement. And a long-term investor can receive appropriate recognition without compromising our national interests.

This is not whether our immigration system is restrictive or generous. It is whether it is fair, whether it is predictable, whether it is economically sensible and sustainable. And to those who demand that we simply close our doors to foreign workers, I say this: our hotels must operate. Our construction projects must proceed.

Our hospitals and schools must function. Our businesses must have access to the skills they require. Policies that prevent essential recruitment could undermine investment, employment, public revenues, and the very services upon which our people depend. Mr. Speaker, that is not protection. That is economic self-harm. And to those who believe that our national priorities must always yield to the expectations of investors, employers, or those seeking permanent status, I say this: this Government rejects that proposition. That is why we have the Immigration Bill. Yes, investment matters, employment matters, economic growth matters, but our people are not incidental to those objectives.

They are the reason those objectives matter. We will not pursue growth at any cost. We will pursue growth with purpose, with responsibility and national benefit. But fairness must apply to everyone, Mr. Speaker. Fairness is central to this reform, but fairness must not be confused with automatic entitlement. Fairness is not subjective. A fair system establishes clear criteria, applies them consistently, respects legal rights, provides appropriate safeguards, and ensures that decisions are lawful and transparent. It recognizes legitimate contributions while preserving the country's right to

determine its immigration policy.

And fairness must operate in more than one direction. We owe fairness to lawful residents and responsible investors. We owe fairness to employers who genuinely require access to labour. But we also owe fairness to the young Turks and Caicos Islanders seeking a first job, to the qualified local professionals seeking promotion, to the entrepreneurs seeking an opportunity to compete.

And to the families struggling to afford a home, and above all, to future generations who will inherit the consequences of our decisions. Mr. Speaker, we cannot define fairness solely by the expectation of those seeking to establish themselves in our country while overlooking the legitimate rights and expectations of people whose homeland this is. Our duty is to balance these interests within a lawful and sustainable national framework. And Mr. Speaker, one of the reasons why we must pass the bill is we must govern for the next generation.

We have learned lessons in this 50th year anniversary Of the implementation of self-government or ministerial government. It's— we have to look forward with vision for the next 50 years, with boldness, with confidence, with the ability, and with the knowledge and intention that if we have to endure hardship because we stand on principle, Then that is what we have to do. So, Mr. Speaker, we make— we make— the decision we make today will shape our country for decades.

They will influence the size and composition of our population, the demand for public services, our labour market, investment confidence, social cohesion and the preservation of our national identity. Mr. Speaker, these matters are too important to be determined by convenience or short-term political calculations, and I say that to both sides of the aisle. We cannot make lasting national commitments simply because doing so is political easier today.

Nor can we ignore genuine economic needs because restrictive policies may be politically popular. The right policy is not always the one that produces the easiest headline today. It is the one that leaves the country stronger tomorrow. Mr. Speaker, leadership requires making difficult decisions, balancing competing interests, and protecting the wider public good.

The Government is prepared to do precisely that. Mr. Speaker, in conclusion, I say a stronger nation, not simply a bigger economy. That is what we seek, and that is what this Bill will help us. Thank you. A stronger nation, not simply a bigger economy. Ultimately, this debate comes down to the future we want for Turks and Caicos Islanders.

We want a country that attracts investment without surrendering national priorities. A country that welcomes the talent and skills necessary for growth while developing its own workforce. A country that recognizes the contribution of long-term residents without automatically converting residency into permanent national entitlement. Mr. Speaker, we want a country that protects its culture, identity, and resources while treating everyone lawfully within its borders with dignity and fairness.

And above all, Mr. Speaker, a country where Turks and Caicos Islanders remain the principal beneficiaries of their nation's success. Our position is grounded in 5 fundamental commitments, Mr. Speaker. First, our people must remain the centre of national development. Second, our economy must have reliable access to labour and skills necessary for sustainable growth.

Third, responsible investment and genuine long-term contribution must be encouraged and recognised Fourth, access to permanent immigration status must be carefully managed, fairly administered, and consistent with the national interest. And fifth, Mr. Speaker, the social, cultural, environmental, and infrastructural consequences of immigration must be considered alongside its economic benefit. Mr. Speaker, these principles are not contradictory. They are foundation of responsible national leadership.

And we are not against immigration. Again, we are not against immigration. We are for managed immigration that serves our country's needs. We are not against investment. We are for investment that creates genuine and lasting national value. And we are not against long-term residents. We are for fair and transparent arrangements that recognize contributions while respecting the distinct rights of Turks and Caicos Islanders. And we make absolutely no apology for putting the long-term interests of our people first.

Mr. Speaker, we owe a responsibility to those who built these islands through sacrifice and determination. We owe a responsibility to those who live and work here today, and we owe an even greater responsibility to the children who will inherit the country tomorrow. Mr. Speaker, we must not confuse an open economy with an unrestricted right to permanent settlement, and we must not confuse attracting investment with surrendering national priorities. And, Mr. Speaker, We must never, never confuse economic growth with genuine national progress.

Mr. Speaker, the objective of the Government is not simply to build a bigger economy. It is to build a stronger nation, a nation where our people are protected, where opportunity is expanded, where responsible investment is welcomed, where essential workers can contribute lawfully and productively, where long-term residents are treated fairly, and where our institutions remain strong, and where future generations of Turks and Caicos Islanders can live with confidence, dignity, and opportunity in the land they call home. Mr. Speaker, the future of the Turks and Caicos Islands cannot be left to chance. It must be shaped by deliberate decisions, responsible policies, and an unwavering commitment to our national interests.

This, Mr. Speaker, is the balance we seek. This is the responsibility we accept, and that is the future this Government is determined to secure. Mr. Speaker, I stand firmly in support of Immigration Bill 2026. Thank you, Mr. Speaker.

Hon. Gordon Burton:

Thank you very much, Honourable Premier, for your contribution.

Hon. Charles Washington Misick, OBE:

Mr. Speaker, there is something I didn't mention when I got up. It's regrettable what is happening in Grand Turk with a few rogue criminals terrorizing the decent people of Grand Turk. And I promise I will put every effort to snuff that out ASAP. Thank you.

Hon. Gordon Burton:

Thank you very much. Honourable Deputy Premier, you'll be about an hour or so. Okay, before we do, can we take a quick 5-minute break? This Honourable Parliament is hereby suspended for 5 minutes. Honourable Members, this Honourable Parliament now resumes its sitting. Pray be seated. I want to welcome the Honourable Elected Member for The Bight.

Are there any further contributions? We will be debating the Immigration Bill 2026. Are there any contributions? If there will be no further contributions, I'll ask the Honourable Deputy Premier to wrap up the debate.

Hon. Jamell Rayan Robinson:

Thank you, Mr. Speaker, and good night, one and all. And thanks for the healthy contributions to this very, very important debate by all of my colleagues on this side of the floor as well as that side of the floor. It's very impactful and very important for the overall support. And in wrapping up, I will touch on some of the issues that were raised by various members, but before I get too, too far I'd like to thank, as I missed out in my beginning presentation, the Attorney General's Chambers, though the Attorney General herself is a member of Cabinet who I did thank, but I needed to signal them out, particularly the Chief Parliamentary Counsel, Dr. McCartney, who is our drafter Who, as with my Permanent Secretary, has been under immense pressure for a long time dealing with what I would call the whims of policymakers of putting stuff in the bill, out the bill, plenty to beat.

For which she has ably gotten us to this point as well with all the various instructions with the over 100-plus page bill, as well as the over 100-plus page regulations and all the supporting documentations as well. So I am very grateful for their assistance in, in helping us to get here.

And also, I'd like to share my bereavement with the Charles family, aka the Francis family, on the passing of Mrs. Joy Charles today. That happened. I was only notified about that specifically after I would have given my presentation. So, my condolences go out to Tess and Christopher on their loss of their mother, and the entire Francis family.

So, Mr. Speaker, in my wrapping up, I want to note here what I may have not noted in my original presentation, Mr. Speaker. The fact is, the Turks and Caicos Islands is at a crossroads. We know how we got here when it comes to immigration and the openness of what we would have seen as persons quickly and easily moving to permanent residence status. After 10 years, then on to BOTC status, British Overseas Territory status, citizenship status after a year, so it's 11 years, and then being eligible to apply for Turks and Caicos Islander status.

So in 12 years over the introduction of this, previous Immigration Bill, persons had the eligibility to, to get on that pathway, rather quickly. And one of the things that we are fixing in this bill is implementing the point system not only for the residence and employment rights certificate but also introducing that for the PRC as well, because it was there in the original bill which was passed in, I believe, 2015-2016, but it was never implemented or enforced. Because if that was done I'm certain that— and the quota, by the way— I'm certain we might not have to, quote unquote, go as far or be as, quote unquote, as harsh as we have to now. Because while they might say the horse has bolted the pen, we're just building a bigger pen to ensure some of them horses that are out are kept right back in, and then we can utilize them as we see fit.

So, Mr. Speaker, The Leader of the Opposition raised several things, and, and the thing I, I don't understand— Leader of the Opposition being the second, I believe, most tenured member of Parliament, only behind our Honourable Premier and tied with the Honourable Minister of Home Affairs. As well as the Honourable Seventh All-Island Member in terms of tenure, being 2 terms. No, no, and we'll be in only 3 terms so far.

We won't even get to 4, but anyway, that's a different story for a different time. You say let me leave that part alone, right? He behaves like The Leader of the Opposition behaves like he doesn't understand how governance works. So let me do a quick tutorial for the Leader of the Opposition.

The foundational document is called the Turks and Caicos Islands Constitution. Out of that constitution, which is very broad, comes legislation, which we are celebrating 50 years of ministerial government in the Legislative Council, which provides those legislations by our hands as Turks and Caicos Islanders. Out of the legislation, or bills, or acts, or ordinances, which is a little bit more specific, comes regulations. And the regulations drills down even more Mr. Speaker, to tease out the bills which precedes the Constitution, right? And out of the regulations further drills down with policies, which are decisions made at cabinet level to support the regulations, which supports the bills, which supports the Turks and Caicos Islands Constitution.

And even further, Mr. Speaker, you have standard operating procedures even within departments that are implemented by the public servants and staff across the Turks and Caicos government to ensure we can operationalize any vision that we have from a policy standpoint, Mr. Speaker. So when you have the Leader of the Opposition Ranting and raving about why is the bill so vague.

He knows better. He used to be on this side. I know it's been a

while since he's been on this side and he can't remember what it is to govern. And, and if it is up to— if it is up to me, he will never get to see this side.

So I don't know who he was saying I can be the Leader of the Opposition for. Might be his, his young daughter, my cousin. Who he talking about? In about 20 or 30 years, but it shan't be anytime soon, Mr. Speaker. So knowing that that is the case, Mr. Speaker, right, let me lay the foundation for the listening public, because this bill didn't just come here by chance.

The regulations that we shared to support this bill didn't also come here by chance. All of what you see here is supported by policies and programs that the Ministry of Immigration and Border Services have finalized, approved in cabinet, and I will list them, although not in its entirety, but the key ones, so persons will know we ain't some fly-by-night type of government.

Policy 1, stop list policy. We hear all of that. Couple of people ask about the stop listing. Why is the details and all the whims of the Director General? The Director General is governed by the existing stop list policy as well as what will become the amended stop list policy which will support this legislation.

It provides the framework for which someone can be added to the stop list, which is within reason. Also the framework for which they can be removed, right, which is the appeal mechanism. And I can get to the appeals part later, which is you write to the Minister, we review it internally, and then the Minister can make a recommendation to the governor whether to add some or to remove somebody, to essentially keep them on. That's just a part of the process.

And then in the cases of overstayers, Who might have been added to the stop list. There's a 2-year mandatory, wait that they have to be on the stop list, but we're working on to ensure that that is something that can be automatically— they can automatically be removed if they overstayed and was added to the stop list versus having to write to the Minister to be able to be removed. Also, Mr. Speaker, we have the visa policy, very thing we was talking about, and I can get into the visa refusal process later. We also have the immigration removal policy.

We have the processing of passengers guidance. We have the detention policy. We also have the data management policy, which speaks specifically to how data that is received to the Turks and Caicos government through the various platforms Is managed. Oh, and back to the, sorry, the detention center policy, just to touch on, what the Leader of Opposition was wondering about the length of time to have anybody detained.

There's a mandatory 7-day review by senior officers for persons who are detained 7 days or more. So every 7 days you review why you have them there. Thank you. Otherwise, they would automatically be deported or repatriated, depending on the circumstances, out of the country. So if there's a reason to have them in detention for an extended period of time, that will be reviewed every 7 days by a senior officer.

So the circumstances which was described during the debate ought not to happen unless it's Necessary. Absolutely necessary. Also, we have the agency protocol, Mr. Speaker. So that's the policy standpoint. And Mr. Speaker, I'm certain persons might have grown tired of hearing me say it over and over. We have the $12 billion Digital Borders program, which deals with biometrics, deals with the electronic auth— The electronic travel authorization, how people come into the country, deal with moving all of our products online, Mr. Speaker, deal with installing e-gates at our entry points, Mr. Speaker. All of that is to ensure we can run our ministry and run our borders more efficiently, Mr. Speaker, and this bill supports that program. Also, Mr. Speaker, we would have also recently signed or about to sign an MOU with the International Labour Organization, and they will institute the Labour Market Information System on our behalf, as well as conduct an additional skills audit for the Turks and Caicos Islands.

All of that information will feed into how we operate the, this bill. Also, we are upgrading ASSECUDE, so our border force agency can actually work more efficiently in terms of collecting import duties. And of course, the Immigration Population Policy Council is nearing the— well, soon to be completed population policy, which will also support this bill. So, Mr. Speaker, the bill, the regs, all these policies and programs come together to ensure that we are in a position to better manage our borders and our marketplace, Mr. Speaker.

So now to some of the things that the Leader of the Opposition says. He's concerned about broad discretion, Mr. Speaker. He's concerned about ill intent, Mr. Speaker. What I say to that is, yes, you might sometimes find bad apples, but we can't legislate or govern for the minority. We have to assume the majority is how things are going to go, but also we have to put the checks and balances in place, which I believe we do have, to also ensure that should something go wrong, we have the ability to check it.

And Mr. Speaker, given that he was talking so much about the Border Force officers, let me just take you quickly To Clause 72, because the Leader of the Opposition would have you believe that Border Force officers has this unchecked power. So 72, I would touch on and then go into 72.

So 72 says, and he read it with plenty passion, he had the spirit earlier today. 72 says, without prejudice to any other power under this part, for the purpose of the exercise of his functions under this Act, a Border Force officer has the following general powers. And I'll just touch on 2. A, without warrant, to enter and search any premises. Wow, boy, that sounds like that's power, boy. 2, without warrant, to seize and detain anything, including any ship, Aircraft or vehicle.

Wow, plenty powerful Border Force. But let's go to 72, because with every check there's a balance. So here's the balance. The balance says 72: For the purpose of the exercise of any power conferred by or under this Act, a Border Force officer may use such force As reasonable in the circumstances. So it's talking about the reasonability of the forces that are used within these powers, Mr. Speaker.

And 472 also says, if in any question as to whether the use of force was reasonable, it shall be presumed, unless to the contrary is shown, that a person acting in accordance with

such guidance used reasonable force. So, Mr. Speaker, we in that particular clause, Mr. Speaker, show where there is a check.

Now on to the use of the visa refusals. Mr. Speaker, we very well know that when we travel to places, you could get refused entry. You can apply for and get refused a visa without an appeal process. That happens all over the world. Both the Minister of Public Safety and the Minister of Education alluded to those circumstances, so I wouldn't go into any detail.

That's something, again, if you You are refused a visa application, you can apply again. There's no prohibition of you applying again if it is refused, Mr. Speaker. And there's nothing untoward because we have skilled, trained officers to review applications and be able to make a determination. And when we introduce our Digital Borders program and put everything online, that process will be faster, more efficient, and less reliant on human judgment as well.

Thank you. We will deal with those assessments. Again, Mr. Speaker, talking about appeals on the outside, Section 8 and . I'll go too quickly to touch on those. 55, 56. Appeal against the officer's refusal to give leave to enter. 8 says, where a person is refused leave to enter the islands by a Border Force officer, he may, within 7 days from the date of the refusal, appeal in writing to the Minister. So that means— and this is a leave of entry, so that's on arrival, right? 2, A person refused entry under subsection 1 shall leave the islands and may make an appeal outside.

Subsection 4 says, where a person is— 8 says, where a person is refused leave to enter the islands by a Border Force officer, the Border Force officer shall inform the person of his right of appeal to the Minister. So, Mr. Speaker, if you go to the great USA right now, Trump's America.

You land in Miami, let's say, that's a big gateway city. You come out, you do your biometric testing, you stand in front of the camera, they do your eyes, they put you in a little wiki and say, well, you got to go back to Turks and Caicos on the next available flight. You go, you turn around, Well, I don't even think there's an appeal process. They just say you ain't getting to enter.

At least with this, you could appeal to the Minister and say come back at another time. So you just have to leave because that's usually the process. So for whatever reason they refuse to leave a vendor, the first thing— smoking, and we do it to people here now— you come in, once the next flight is available that you can't enter the country, you got to go.

So if that's the next day, You leave. You leave. That's something that's basic, straightforward practice. None really to talk about. So, Mr. Speaker, again, the Minister of Public Safety touched on the DNA testing in relation to biometrics and other, other realms, so I wouldn't go into that.

Then the Leader of the Opposition Touched on the the length of the detention at the time, and I mentioned in referencing the detention policy, detention policy that every three days, sorry, every seven days, a senior officer would have to review why a person is being detained if they are continued. But on a regular basis, once persons are detained. If it's for repatriation or deportation, that's usually a 3, maybe 4-day process. So nobody's in there for extended periods of time without cause.

Of course, we have our standard operating procedures when it comes to if there's a need for detention of children who might be associated with adults or connected. There's protocols within social development, human rights, that we have to adhere to when dealing with children, and they aren't in the general population with adults. So we have those procedures, we follow those.

Also was raised data governance gaps. Again, we have the data management policy that will govern how that works. Also raised was work permits and the persons being on the jobs, as well as a call for tightening of the process when it comes to domestic workers and laborers. I get what the Leader of Opposition is getting at there, because with anything, if there is a perceived loophole, there could be an attempt to abuse it.

We get that. What I say to that is we have to, one, make sure we have the right resources in place, which we're doing because we are restructuring the labor— the Employment Services Department, aka the Labor Department. We have to ensure that people get the right resources that they need and that they're able to do their job and do it well. My bet is that that is exactly what we will do.

So we don't anticipate there being a flood of persons who are trying to get through the system as a laborer or a domestic worker, because if they try to do that without the advertising component, I have to say that they would still be subjected to getting the labor clearance renewal, rather, and going to a labor caseworker to be able to assess that.

So persons have to be made to ensure that they just do their job. So if you're seeing an influx of persons all of a sudden wanting to be laborers from our quote-unquote G8, 20 countries, that's a red flag. And if they slip through the crack, not that a G8 country person can't come to the Turks and Caicos Island as a laborer, but we're seeing it plentiful, plentiful, plentiful. That's a red flag. And plus, we're reintroducing the clearance lattice so we can check what those persons are being paid as well.

So we triangulating, and that's in the regulations that, you know, you like, you like to talk about, but that's in there as well, right? To ensure we triangulating it to make sure there isn't an abuse. So checks and balances, Mr. Speaker. And I know the Honourable Member from Blue Hills raised in his contribution about persons holding a job and whether there's follow-up in relation to interviews or lack of interviews on, on persons applying for jobs and work permit renewals, etc. Again, our first Our first job or responsibility is to ensure that every qualified Turks and Caicos Islander has an opportunity for whatever job that's available. We have thousands. That's our first responsibility, that they get the first bite, a legitimate bite, because a work permit is not a right to— for anybody to have in the first instance or to even be renewed.

It's not their right. So once a labor clearance is given, we have to know. And this is why, with the introduction of the LMIS, the Labor Market Information System, we will know all of the

persons— not just the work permit holders, but all Turks and Caicos Islanders will have to register for that as well. Because we need to know, one, when you apply, we need to be notified, but also If we see a job that you could potentially do, we will notify you, hey, maybe you should go and try apply for this job. So the, the need— so we want to manage our labor market even more intently.

So these are why these policies and programs and spending— that one is a $2.1 million project with the ILO being put in place. To be able to get in front of all these concerns. So know that, and again, once our team does the job that we know they're capable of doing, properly resourced, we will have better results.

Also, let me move to 70— 77— 76.7. 76.7. Which is in relation to removal without cause and the— I think the governor in the case of the boards. I will read that quickly. Sorry, not quickly. I have to touch that. Okay. So in relation to the constitution of the board, it was flagged that In this part, the governor may at any time without cause terminate the appointment of a chairman and an appointment— and an appointed member.

That governor there, like the governor running, is, the governor in cabinet. So the same way the governor makes the appointments on the recommendation of the Minister in cabinet, because it's really a appointment by the Minister substantively to the work permit boards or the appeals tribunal boards. Those are recommended and it's executed by the Gazette, by the governor. So that isn't governor in his or her own discretion.

It is the governor and cabinet basically with the ministry making the recommendations. So if it becomes certain, and again this isn't using it willy-nilly, like without cause. If it's certain that one of your members might not be pulling his or her weight, but you don't have any quote-unquote proof about that, you can change them without cause. So it doesn't have to be a particular reason.

If you need to remove somebody ahead of time because the appointments are 1 year, 2 years, 3 years, if for whatever reason you believe You might have somebody who might serve in that Role better. You don't have to give a reason. So that's the flexibility that we are providing. And of course, you wouldn't want to abuse that, so you should have a legitimate reason.

But this just gives the flexibility in the event that you need to use it. All right, so it isn't anything untoward, and that governor isn't governor in his or her own discretion, as which was reference in another part, I believe Part 28, and I can get to that as well.

So just to clear that up. And you— okay,

Hon. Gordon Burton:

You have a point of order, clarification? Okay, you— and you— okay, put on your mic for me, please.

Hon. Edwin Andre Astwood:

Thank you very much. A point of elucidation, Honourable Minister. I understand what you're But what about protections? For instance, government change and the board members are still in place. Will a new government or a new Minister— ministers change— can they use that clause right there inside the law to say, I'm going to move the members of this board without cause because this allowed me to not to give a reason that I can move all the members of this board or a particular member of this Board without cause, whether it's a new Minister from the same party or a new government with a new Minister coming in.

So I'm wondering if there are any protections against that mischief happening.

Hon. Edwin Andre Astwood:

Thank you, and that is a question for the committee, but I'll answer it here. Let's be frank, particularly for Immigration Board, Any government or Minister should be allowed to have their persons who's going to carry out their mandate in position. It's happened in the past, previous governments, for our 50 years of PNN where administrations change and boards change automatically. So what the Leader of the Opposition is describing isn't anything that's new under the sun.

If we had a situation where persons were— let's do the honourable thing. If you know you're not going to support the government of the day, step down. We don't have that, unfortunately. We have persons who would want to frustrate governments, and we've seen it. And both sides know of individuals who would want to frustrate governments. Now, this doesn't apply in every board. Because some boards have specific technical requirements and skills to ensure that that's why they're there. So it isn't as politicized as this may be.

And in the regulations, I believe we tease out a little bit more the types of skills that are in this board. And again, if someone is on your board and you believe they have a value and they continue serving, it isn't the case you just get rid Keep them, because they might have been somebody who used to, used to support the other side. Now they support you. Keep them going.

So it isn't a case where you can knock them out wholesale without reason if you're a shrewd politician, which I believe we have a lot of shrewd politicians on this side. 14 to 1, 16 to 3, or is that 17 to 2? Or— but anyway, get it. So with that, I believe we'll be fine.

Continuing on, AP I system, as Honourable Taylor would have mentioned, the Advanced Passenger Information System. This was something that was introduced by the Leader of the Opposition's government and signed off on. So it isn't new, it's, something that's in the existing Immigration Bill. That's something that we're moving over. It isn't anything

groundbreaking, but it's being available. And again, it's being managed by our data management Policy as well. So all the concerns previously raised, we're taking into consideration.

Now, Mr. Speaker, I will take my time with Section 20, which is in relation to the resident employment rights certificate, on how that is issued and on the application process, which I'll go through for the listening public. But also touch on some of the concerns that was raised by the Leader of the Opposition and some others. So Section 20, which relates to application for residence and employment rights certificate. 20A, 21.

An application for residence and employment rights certificate to reside and be gainfully employed in the islands may be made to the Governor in the prescribed 2, an application made under subsection 1 shall precede an application for permanent residence. So that says you have to get the RERC before you can apply for a PRC.

Good. 3, an application made under subsection 1 shall be submitted to a place designated by the ministry, meaning ministry responsibility for, And the administrative process may be undertaken by the department on behalf of the Governor. Number 4, the ministry may require a person to attend personally for an interview to assist in the administrative process of an application. So you have your application in, we're doing the point system review, we might want to have a conversation with you to, to have that initial interview.

Thank you. 5, an applicant shall provide further information that may be required in the particular case. 6, which is the most important part, the Minister may, on completion of the assessment of an application by the Department, make a written recommendation to the Governor for a person to be issued or refused a Residence and Employment Rights Certificate Stating the reasons for the recommendation. So the department and ministry does the assessment, the Minister with responsibility who's elected by the people makes the recommendation based on that assessment, and that's a yes or no.

And then if an applicant fails to provide any information as may be required or fails to attend an interview where required, the governor may refuse the application. So if that— if they don't attend the application or provide the information, they just get refused automatically, basically. So that feeds into from 6, 7, to 8 now.

For the purpose of applications and provisions relating to a residence and employment rights certificate or permanent residence certificate, the governor— means the governor acting in his discretion. But the governor can't act unless the Minister makes the recommendation. And it flows that way sequentially. So you can't give someone a PRC unless they have 10 years of— well, 10 years of having the RERC.

And you can't jump the Minister and issue an RERC ahead. So those are the checks so that we don't find ourselves in a situation where quote-unquote the '49 happens again, right? So we are ensuring that that takes place. So that's the process. Also, we have the introduction of our points-based system, which is very extensive. I would have mentioned it, but also in that you would have our Quota system where we make note of— I believe it's in here. Yep. Let me just double-check what the quota will be as a part of the point system.

So we know there's going to be a limit there. So how does it work in terms of the years? Number 1, as mentioned, I believe, by Honourable Ninth All-Island Elected Member. Thank you. Once this bill is passed, persons basically in their 10th year will have 12 months to apply for the RERC to qualify. If you— no, sorry, for the PRC, as normally as you would.

So persons in their 10th year, it's a reasonable expectation that they would be able to continue as is under the existing law. If you're not in your 10th year or your 10th work permit cycle, then you will be subjected to having to apply for the RERC. On that application, if you are successfully recommended to the Governor for the RERC, which is the Residence and Employment Rights Certificate, you will have to hold that for 10 years After being recommended and approved. Annually, you will pay the same fee as your present work permit amount, or whatever that is, as well as you will have to provide returns as well as good character references for that 10 years. And then you would apply one more time, which essentially is the same point system that you have for the RERC, it's the same point system that you would have for the PRC.

So essentially, for that 10 years, you're basically maintaining your point system, your point total, which I believe you have to get above 70% to be able to qualify at the various levels. Now, if you refuse on application, then you have to leave for 1 year mandatory. And if you don't apply, you have to leave 1 year mandatory. And then we, of course, we speak about the exempted categories, which essentially is to ensure that we don't cut off our nose to spite our face. And the reason the exempted categories are in the— are in the regulations is to allow that if we need to modify it based on an updated skills review, which we are doing, which tells us what particular skills we need or we lack, until we are in a position to to be able to utilize them or produce them locally over any particular time period, then we know we would have to keep them for a little bit longer.

So that in a nutshell is the RERC. And again, if you find yourself falling out and not being able to maintain, yes, you would start from zero again. So anytime you fall off or fall out and you have to leave for At least a year, you start from zero.

So any broken service. Okay, so I'll continue on, Mr. Speaker. Hopefully that clarifies some things. Spoke about— Leader of the Opposition spoke about the stop list. I touched that already. Deportation as well. I will see if I will touch that. Okay, deportation. I'm sorry, I'm sorry. One second.

Page 25. Okay, so with the deportation— sorry. So deportation is clause 91— so 98 A person other than an Islander, a British Overseas Territory citizen, or permanent resident shall be liable for deportation from the islands if the person— C. Is a person whose presence in the islands would, in the opinion of the Director-General, be undesirable and not conducive to the public good, and the Director-General has recommended that the person be deported. So again, That provision particularly is governed by the various policies we would have for

detention, repatriation, etc.

So in that particular sense, we are fine. Also, Mr. Speaker, there was concern raised about, I guess, ministerial authority, whether it's in their own discretion, whether it's in cabinet, etc. So as a part of the definitions page On page 13-5, reference to the ministers— to the Minister in Section 8, 20, 21, 25, 37, 49, 58, 67, 77, 82, 98, 100, and 137 means the Minister acting in his discretion.

So that's on page 13 of the bill. So that describes— anytime you see Minister in those sections, it means Minister in their own discretion. If you see it anywhere else, that means Minister in cabinet. Also, reference was asked about the quarterly reports, and I don't believe the quarterly reports that was referenced about the activities of the boards or the director general. That means Minister and Cabinet. Once something is discussed in Cabinet, it will be noted, and of course, once we do our ministerial updates, the public will be notified.

So there will be 2 times where you'll note it in Cabinet to note that the report came, and as we do our regular ministerial updates, we will dip into the details of what that might be. Also, There was raised concerns about staffing plans and those thresholds. So in, in the instance of the staffing plans and those thresholds being 15 or so.

So with that, again, Mr. Speaker, When it comes to the staffing plans, essentially we have to ensure that we monitor and ensure that Turks and Caicos Islanders within those firms get their just opportunities, or those organizations. So that's something we're working towards. Also, Mr. Speaker, in Section 49, it speaks to the review of the Act, and I'll Quickly touch base on just one or two clauses. 149— sorry, 146: The Minister shall appoint a suitable— suitably qualified independent person to review the operations of this Act and regulations made under the Act, A, not later than 4 years after the commencement of this Act, and B, thereafter intervals not exceeding 4 years. Essentially, Mr. Speaker, We know that this act may not be perfect, but we are building in the legislation an automatic review period of at least every 4 years to ensure that we are able to come back to the House and to the people to say, right, well, these are the parts that work, these are the parts that don't work.

So it's an automatic build-in, right? So I'm going to quickly go through the concerns raised because I would have touched on a lot of them with the initial. So the 12 concerns that were raised, just to reiterate, decisions by discretion. So we would have touched on that. We have the various checks and balances on the directors of— the Director General of Border Services. Labour Commissioner, the Minister, Appeals Tribunal, etc. Also, we touched on the refusals, the issue of refusals of visas. It's either or, but again, it isn't something that's outside of what takes place anywhere in the world.

Also, you had the concern raised about Border Force officers and the black blank check to search persons. They have restraints that's built in that I touched on, on 72 clause. You also have raised detention provisions on how long a person can be detained, as well detention of children, what those processes— I've outlined what the standard operating procedures would be in our detention policy, as well as referencing what was already mentioned by the Minister of Public Safety, who has responsibility for Child Safeguarding and Social Development, a number of other departments. Also referencing travel data in the Advanced Passenger Information System, mentioned that the data management policy has already been approved.

Also would have been able to touch on the concerns in relation to any abuses with domestic workers and laborers. And what that may mean. Also, I would have touched on the 10-year work permit cycle and the exemptions, but just to reiterate one more time that whether it's the exemptions or the 10 years, which is the term limit before a person would have to, unless they're exempted, have to take a 1-year break if they don't qualify for the RARC or if they don't apply for that. Thank you.

That. Just to reiterate, work permits are not automatically a right. And to touch on that, what the Deputy Speaker raised in terms of TCIG and sweeping around your own door, a work— a government contract renewal isn't automatic as well. Because in both instances, the work permitting process as well as the process to determine whether an expatriate gets a government contract in the first instance or gets it renewed, Turks and Caicos Islanders are at the center of both processes.

So if we allow persons to stay long enough to quote-unquote disenfranchise ourselves, it's on us. It isn't a case where The person coming outside can grant themselves a work permit or government contract. So we have to do it. We— our hands as Turks and Caicos Islanders are somewhere in it. So yes, it's not a right, so it has to be monitored across the board, and I think that will be done.

Also, you mentioned workforce plan, business staffing plan— touched on that already. Director General and the stop list— touched on that already. Detention orders— Thank you. Again, referencing the detention policy and the length of review of being every 7 days by a senior officer. Also, the reference to executive power being too much. I don't understand the push for that and the concern there because one instance you're saying The executive got too much power. In essence, since you're saying the public servants have too much power, it sounds like you want to give the governor all the power herself. Because if the executive, who's the people's representative, can't have the power, and the public servant can't have the power, and we serve the people, who clearly can't have the power, I'm not sure who you want the power to have to administer any particular person.

The only way you could go after the Premier and his cabinet Heads up, that's the UK itself, and I thought we were celebrating 50 years of ministerial government where we take power from the crown. So I ain't sure where you trying to go with that. Independence of the board, of the persons making decisions. Well, that— well, those persons as well. That's, that's where they have any appeals board or an initial board. You have in some instances where that power is delegated to the board rather than either the department or the Minister to make those decisions.

And I'm not sure if this was corrected in Jamaica already, but at some point, even recent times, I understood that the Minister of Labour personally signed off on all work permits in the country rather than being the department or a board. So we are a bit more advanced than they are with the delegation of those powers, right?

So it's one of those things that you pick good people to administer But also, I believe that if a person is entrusted with elected office and entrusted with the ministerial portfolio, they ought to have the wherewithal to be able to execute their duties on behalf of the people.

Otherwise, they will be ousted by the next election. So any post isn't forever and ever. And of course, thanks for pointing out some of the drafting errors. I believe we caught some of that as well, because again, It's been a lot of back and forth, so we only— we have our main principal parliamentary drafter that is being pulled in a million and one directions, so errors can happen.

But that's why due diligence on all our parts to catch these, these, these minor errors, and that's why we have the Committee of the Whole to be able to correct those. All right, so just a few more things in terms of what some of my colleagues would have said.

Also in your, your wrap-up, you mentioned why the 2-year transition between employers and why not allow John Doe to, to be able to move from one person to the next person without cause. We've tried that, there's been abuse. We can't go down that route, and plus we don't want it to be a case where existing employers who would have paid the initial upfront cost to bring in an employee, and that employee sees someone that's a little bit more lucrative paying a couple, 3 more dollars than they are at their existing place, and they just get slide right over. Which is why the 2-year minimum, so you at least serve 2 years in that particular organization before you can move on.

And again, If you want to move one, you will have your break period, whatever that period is under the law, and then you could come back later on. Because we don't want to encourage poaching, because we have too much of that right now in the industry, even after the 2 years where people up, down, round and round for a couple cents. Every time a new hotel open, somebody moving up, down and round and round. So we're trying to minimize that, right?

So we understand the movement of people. And that, but this is safer. This is, this is a safer move. And again, you don't want them to be coming in, headhunting themselves, and then disenfranchising Turks and Caicos Islanders as well on top of that, right? So that's where that kind of, kind of came from.

Thank you. No, you want to do a point of clarification, sit on the mic so they can hear you. Okay, I touched on the discretion by the governor, which the Honourable Eighth All-Island Member raised. So it's not really a discretion that the governor would have, it's just in the flow of things.

Also, the Honourable Member of Blue Hills would have raised the business staffing plans. Again, in all instances The law is only as good as our people's ability to enforce it and implement it as, as written. We'll have more technology which will make our tasks a bit more easier over time once the Digital Borders program is fully implemented by next summer, and once we get more resources that we have the commitment to with the restructuring. But again, we have to do our part.

Term limits and training. As well, for persons that don't meet the 10-year limit, and what are we doing for the training of our Turks and Caicos Islanders? We have the ability to put in clauses on each work permit in terms of what we can require a business to do. So we don't only have the business staffing plan which you have to provide a business staffing plan if you have 15 work permit holders and more, which is a more structured way to note.

If a, if a company has 5 highly skilled work permit holders, while they might not be required to have a business staffing plan submitted to the Employment Services Department, we still have the ability to add any clause or provision to ensure that Those skills are transferred in a timely manner as well. So those provisions always existed.

It's about utilizing them and enforcing them because again, my theory has always been if you're here to train me to replace you, if you do that, I get your job, you succeeded. If you don't do that, you fail, sayonara, because that's a failure. Because if your job was to empower me and help me, whatever, whatever, Rewarding you with another year to say, all right, well, you can train me in this year, and then 10 years later you would have gotten your PRC and I still ain't trained, I know no better. We have to enforce it.

So the, the ability is within the law for these things. Also, there was concerns raised about the appeals tribunal and other arms being the final final decision-making without review with the Honourable Member from Blue Hills as well as a few others who had that concern. What I say to that is in some instances, in a number of these instances, you have a case where common practice, there's no route for appeal. Straightforward, like the visa refusals. Other countries do it.

We used to do it the other way where you had the opportunity to appeal. We're not utilizing that anymore. Cool, no big deal. At some point, whether at the ministerial level or the appeals tribunal level, a decision is a decision. And a lot of decisions with immigration, it don't need to be reviewed or appealed because if somebody's saying, all right, Anyway, because who we giving rights to? Because half these processes, if not all of them, ain't affecting Turks and Caicos Islanders. So we ain't disenfranchising ourselves.

So I ain't sure who we so concerned about. That's okay. They could reapply for the visa because they have that within their right, right? And at some point we have to elevate ourselves. Now, I sure between 2016 and 2021 you might have known of situations where persons from on high was instructing visa people to refuse based on the things you was talking about, but that don't happen in this administration. We don't deal like that.

We've elevated the standard. And of course, the— I certainly

Sure. Member for South Caicos, East Caicos too, South Caicos, East Caicos, and all them little cays round up, could attest that the Director of— the Director General of Border Services is running a tight ship when it comes to visas and all of that stuff. I don't speak for him.

That's okay, I can speak for you to speak for him, right? So, so, Mr. Speaker, We just have to trust but verify, because again, every check has a balance. So every set of decisions that are made without— without or with discretion, there's somewhat— everybody has a boss, right?

Which is why you have in the cycle of the entire thing is the quarterly reports. So again, Mr. Speaker, We are at a crossroads. I believe this is a great bill. We have the review provision for every 4 years, and of course, if something comes up sooner that we see needs to be fixed, we can fix it as is parliamentary. But I think this is more than a great start to help protect the people and put some of those horses back in the barn. Might have to build the Great Wall of China, Great Wall of Turks and Caicos.

Thank you. To catch them before they get too, too far out, because they're already almost to the shoreline in the sea. They ain't got no more land to run off for no more. So with that, Mr. Speaker, I move pursuant to Standing Order 93 that the Immigration Bill 2026 be referred to the Committee of the Whole.

Do I have a seconder?

IMMIGRATION BILL 2026 — REFERRAL TO COMMITTEE OF THE WHOLE

Hon. Tamell Seymour:

Second.

Hon. Gordon Burton:

Honourable Members, motion moved by the Honourable Deputy Premier and Minister for Immigration and Border Services and seconded by the Honourable Member for South Caicos that the bill entitled Immigration Bill 2026 be referred to the Committee of the Whole. All in favour say aye. All to the contrary, no. Aye.

The ayes have it. Honourable Premier.

ADJOURNMENT

ADJOURNMENT

Hon. Charles Washington Misick, OBE:

Mr. Chair, I move that this House stands suspended until 10:00 a.m. tomorrow. Adjourned until 10:00 a.m. tomorrow.

Hon. Gordon Burton:

Honourable Members, this Honourable House now stands adjourned until 10:00 a.m. tomorrow morning.