ANTIGUA AND BARBUDA

ANTIGUA AND BARBUDA CITIZENSHIP BY INVESTMENT (AMENDMENT) REGULATIONS 2024

STATUTORY INSTRUMENT

2024, NO. 50

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ANTIGUA AND BARBUDA CITIZENSHIP BY INVESTMENT (AMENDMENT) REGULATIONS 2024 MADE BY THE MINISTER IN EXERCISE OF THE POWERS CONFERRED UPON HIM BY SECTION 6 OF THE ANTIGUA AND BARBUDA CITIZENSHIP BY INVESTMENT ACT, 2013.

1. Short title

These Regulations may be cited as the Antigua and Barbuda Citizenship by Investment (Amendment) Regulations 2024.

2. Interpretation

In these regulations –

"principal Regulations" means the Antigua and Barbuda Citizenship by Investment Regulations 2016.

3. Amendment of regulation 2 - Interpretation

Regulation 2 of the principal Regulations is amended by repealing the following definitions and replacing them as follows –

"child" means a biological or legally adopted child of the main applicant, or a biological or legally adopted child of the main applicant and of his or her spouse;"

"dependant"

(a) means –

(i) a spouse of the main applicant;

(ii) a child of the main applicant or of the main applicant and his or her spouse who is thirty (30) years of age or younger;

(iii) a child of the main applicant or of the main applicant and his or her spouse, of any age, who is physically or mentally incapacitated and who is fully supported by the applicant;

(iv) a parent or grandparent of the main applicant or of his or her spouse who is above fifty-five years of age or older and who is fully supported by the applicant;

(v) a parent or grandparent of the main applicant or of his or her spouse, of any age, who is physically or mentally incapacitated and who is fully supported by the applicant;

(vi) an unmarried sister or brother of the applicant or his or her spouse who is below eighteen years of age and for whom the applicant has received the consent of the parent or guardian to include the minor as part of the application for citizenship by investment; or

(vii) an unmarried sister or brother of the applicant or his or her spouse who is over 18 years old;

(b) includes –

(i) the spouse or child of a dependant who comes within the meaning of paragraph (a)(ii) or (a)(iii);

(ii) the spouse of a dependant comes within the meaning of paragraph (a)(ii) or (a)(iii) who marries after the application was approved provided the dependant is not older than thirty-five (35) years of age at the time of submitting the application to add the spouse of the dependant;

(iii) the child of a dependant who comes within the meaning of paragraph (a)(ii) or (a)(iii) who was born or was legally adopted after the application was approved, provided the dependant is not older than thirty-five years of age at the time of submitting the application to add the child of the dependant."

4. Amendment of principal Regulations to insert Regulation 5A – Designation of alternate main applicant

The principal Regulations is amended by inserting after regulation 5 the following –

"5A. Designation of Alternate Main Applicant

(1) A main applicant may, at the time of making an application for citizenship under the Act and these Regulations, designate another member of the family listed on the application as an alternate main applicant for the purpose of taking any action that may be done by a main applicant under the Act and these Regulations subject to the requirements in subregulation (2).

(2) The family member designated as the alternate main applicant –

(a) must be at least 18 years of age at the time of making the application;

(b) shall not be given authority to complete any actions required by the main applicant unless the main applicant is deceased or has become physically or mentally incapacitated;

(3) Where an application for a single applicant has been approved by the Unit, a designation of an alternate main applicant may be permitted at the time of submitting an application to add a dependant of the main applicant subject to the dependant satisfying the requirements of subregulation (2).

5. Amendment of regulation 6 - Real Estate Investments

Regulation 6 of the principal Regulations is amended –

(a) by repealing subregulation (4) and replacing it as follows –

"(4) The full purchase price of the real estate shall be at least three hundred thousand (US$300,000.00) dollars in United States currency."

(b) by inserting after subregulation (4) the following –

"(5) A property or interest in a property that is purchased by an applicant as satisfying the requirements of the programme under this option shall only be resold once for the purpose of satisfying the requirements of another applicant under the programme and the resale may not be validly completed for this purpose until a period of five years has passed since the property was first used under the programme.

(6) The limited time offer made available to applicants for an investment in real estate (co-application option) from 1st April 2020 is hereby validated and shall continue until the 31st July 2024 at 11:59 p.m. after which time this limited time offer shall cease."

6. Amendment of regulation 6A – Higher Education

Regulation 6A of the principal Regulations is repealed and replaced as follows –

"6A. Higher Education

(1) The Minister may, after consultation with the Minister responsible for education, and with the approval of the Cabinet, designate any institution of higher education as an avenue of investment for a family of at least six (6) persons who desire to apply for Citizenship by Investment.

(2) An application for Citizenship by Investment under subregulation (1) may be submitted by an Agent where the family proposes to make a contribution of two hundred and sixty thousand (US$260,000.00) dollars in United States currency to the designated institution of higher education."

7. Amendment of regulation 7 – National Development Fund Investments

Regulation 7 of the principal Regulations is repealed and replaced as follows –

"7. National Development Fund

(1) An application for citizenship may be submitted by an agent on behalf of a single applicant or a family who proposes to make a contribution to the National Development Fund and where that contribution is in the amount of Two Hundred and Thirty Thousand (US$230,000.00) dollars in United States currency.

(2) The limited time offer incentive for an investment in the National Development Fund that was continued in use by the Unit since October 2018 is hereby validated shall continue until the 31st July 2024 at 11:59 p.m. after which time this limited time offer shall cease."

8. Amendment of regulation 15 – Limited Time Offer

Regulation 15 of the principal Regulations is repealed and the following is hereby substituted –

"15. Limited Time Offer

No applications based on a Limited Time Offer incentive offered by the Unit shall be accepted after the 31st July 2024 at 11:59 p.m."

9. Amendment of the principal Regulations

The Schedule of Fees attached to the principal Regulations is amended as follows –

(a) by repealing the table under item 2 (Citizenship by Investment) and replacing it with the following:

Fees in United States Dollars (USD$)	
(a) Initial Submissions	
Processing fee – Single applicant	$10,000.00
Processing fee – Family of up to four persons	$20,000.00
Processing fee – Family of more than four	$10,000.00 per additional member
(b) Post Approval Additions	
Processing fee – Dependant child aged 0 – 5 years	$10,000.00
Processing fee – Dependant child aged 6 – 17 years	$25,000.00
Processing fee – Dependant aged 18 years and older	$50,000.00

(c) Due Diligence Fees	
Due diligence fee – Single applicant	$8,500.00
Due diligence fee – Spouse	$5,000.00
Due diligence fee – Dependant child aged 0 – 11 years	FREE
Due diligence fee – Dependant child aged 12 – 17 years	$2,000.00
Due diligence fee – Dependant child 18 years and over	$4,000.00
Due diligence fee – Benefactor	$5,000.00
Enhanced due diligence fee (denied application)	Double the due diligence fee
(d) Other	
Passport Fee	$ 300.00 per person
5-year Renewal Application fee (*per person*) 18 years and over 17 years and under	 $1,000.00 $ 500.00

(b) by inserting after the table for item 2 the following new table as item 3

3. Auxiliary Services Fee

The following fees are payable for auxiliary services provided by the Unit in connection with an application or for reinstating an application.

Service	Fee
Police Certificate Request Letter	US$100.00 (*Free prior to submitting application*)
Antigua and Barbuda Police Certificate	US$100.00
Non-Objection Letter	US$250.00
Replacement Certificate (*Agents & Authorised Representatives*)	US$200.00
Certification of Passport	US$200.00
Copy of signed oath document	US$100.00

Preparation of oath document	US$250.00
Confirmation Letter (*Citizens, Agents, Authorised Representatives*)	US$500.00
Copy of Certificate of Registration (COR)	US$100.00
Late Renewal fee (*Agents & Authorised Representatives*)	US$500.00
Reinstatement of Applications:	
(i) Inactive file	10% of processing fees + due diligence fee
Continuation of Approved application (*payment not received within the legal timeframe*)	US$3,000.00

MADE this 25th day of July, 2024

Hon. Gaston Browne
Prime Minister
Minister of Finance and Corporate Governance
And the Minister with responsibility for the administration of
The Antigua and Barbuda Citizenship by Investment Act, 2013

Passed by Resolution of the House of Representatives this 18th day of July 2024

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Speaker

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Clerk to the House of Representatives