



BERMUDA

BERMUDA IMMIGRATION AND PROTECTION (LAND-HOLDING CHARGES) REGULATIONS 2007

BR 56 / 2007

The Minister responsible for immigration, after consultation with the Minister of Finance, in exercise of the powers conferred by section 102C (1)(a) of the Bermuda Immigration and Protection Act 1956, makes the following Regulations:

Citation

1 These Regulations may be cited as the Bermuda Immigration and Protection (Land-Holding Charges) Regulations 2007.

Schedule of charges

2 (1) The land-holding charges payable under section 96(2) of the Bermuda Immigration and Protection Act 1956 are set out in the Schedule.

(2) The charges in subsection (1) shall be payable to the Accountant General in accordance with these Regulations.

Reduction or deferral of charge

3 (1) A hotel developer (as defined in section 2(1) of the Hotels Concession Act 2000) is entitled to a reduction or deferral of a land-holding charge to the extent that that is provided for in an order made under section 4 of that Act.

(2) A developer (as defined in section 2 of the Tourism Investment Act 2017) is entitled to a reduction or deferral of a land-holding charge to the extent that is provided for in an order made under section 5 of that Act.

[Regulation 3 amended by 2017 : 36 s. 14 & sch. 3 effective 10 November 2017]

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Refund of charge

4 (1) Where a licence has been issued to a restricted person and the licence lapses without the land being conveyed to the licensee, the restricted person may apply to the Minister for a refund of the land-holding charge in respect of that application, setting out the reasons for the application.

(2) The Minister shall refer the application to Cabinet to decide whether the charge is to be refunded.

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SCHEDULE

(regulation 2)

LAND-HOLDING CHARGES

In this Schedule, "the statutory period" means the period beginning on 1 April 2013 and ending on 31 March 2021.

Type of restricted person	Type of land	Means of holding or acquisition of land	Charge
Spouse of Bermudian	Residential valuation unit	Jointly with Bermudian spouse	Nil
Spouse, Child or Parent of Bermudian	Any	Land held by Bermudian by any means; restricted person has an equitable right in land	Nil
Permanent resident	Residential valuation unit that is not a condominium unit	Any, other than by devise, inheritance or voluntary conveyance	(a) during the statutory period, 4% of the value of the land (b) after the expiry of the statutory period, 6% of the value of the land
	Condominium unit that is not tourist accommodation or a hotel residence	Any, other than by devise, inheritance or voluntary conveyance	(a) during the statutory period, 4% of the value of the land (b) after the expiry of the statutory period, 6% of the value of the land
Any, other than Spouse, Child or Parent of Bermudian, or Permanent resident	Residential valuation unit that is not a condominium unit	Any, other than by devise, inheritance or voluntary conveyance	(a) during the statutory period, 8% of the value of the land (b) after the expiry of the statutory period, 12.5% of the value of the land

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	Condominium unit that is not tourist accommodation or a hotel residence	Any, other than by devise, inheritance or voluntary conveyance	(a) during the statutory period, 6% of the value of the land (b) after the expiry of the statutory period, 8% of the value of the land
Any, other than Spouse, Child or Parent of Bermudian	Tourist accommodation or hotel residence	Any, other than by devise, inheritance or voluntary conveyance	
	(a) election to place on hotel inventory		0% of the value of the land
	(b) election to keep for private use		6.5% of the value of the land
	Any, other than land of a specific type referred to above	Any	5% of the value of the land.

[Schedule amended by BR 16/2008 effective 28 March 2008; amended by BR 17/2008 effective 1 April 2008; revoked and replaced by BR 59 / 2010 s. 2 effective 27 August 2010; amended by BR 28 / 2013 reg. 2 effective 28 March 2013; amended by BR 27 / 2014 reg. 2 effective 28 March 2014; amended by BR 83 / 2015 reg. 2 effective 30 September 2015; amended by BR 28 / 2017 reg. 2 effective 31 March 2017; amended by BR 42 / 2019 reg. 2 effective 27 March 2019]

Made this 22nd day of June, 2007

Minister of Labour and Immigration

[Amended by:

BR 16 / 2008
BR 17 / 2008
BR 59 / 2010
BR 28 / 2013
BR 27 / 2014
BR 83 / 2015
BR 28 / 2017
2017 : 36
BR 42 / 2019]