

BAHAMAS SALES REPRESENTATIVE PERMIT

In supplementing our previous blog post, *Work Permit Applications in The Bahamas*, as gaining entry into the country for business purposes differs from seeking employment in the country, the procedures of acquiring a Bahamian work permit are not the same.

A travelling agent conducting business physically within The Bahamas on behalf of a corporate entity will require a Sales Representative Permit, which is granted by the country's Department of Immigration. It is unlawful for a non resident to conduct business in The Bahamas without, and we strongly advise foreigners of The Bahamas to avoid the risks involved (i.e. detainment and repatriation). Business operations in The Bahamas may also require sight of the agent's sales representative permit in order to do business with the agent.

Newspaper Advertisements and Notice to the Department of Labor

In sharing similarities with work permit applications, agents will be required to advertise in the local Bahamian newspapers for 3 days, the evidence of which are required for submission to the Department of Immigration. Additionally, the agent will require a certificate from the Department of Labor in which the agent will need to submit a Notice of Vacancy application in order to receive the certificate. In submitting a Notice of Vacancy application the agent will also have to advertise to the Department of Labor its intentions of conducting business in The Bahamas.

Required Documents

Applying for a sales representative permit will require preparation of documents and reserved time of about 5 – 8 months in which to allow the various government departments to process all documents required. With the inclusion of the evidence of the newspaper advertising and certificate from the Department of Labor, the following documents are required for submission to the Department of Immigration for the acquisition of a sales representative permit:

- Application form 1, Section A completed and notarized with a \$4.00 Bahamian stamp affixed;
- A cover letter from the company stating reasons for the application, the position, and period of time needed;
- Two passport sized photographs with signature on reverse of prints;
- Police certificate covering a period of five years residence immediately preceding the application or a sworn affidavit in lieu of same;
- Medical certificate dated no more than 30 days prior to submission;

- Financial reference;
- Two character references from persons knowing the applicant two or more years;
- Written reference letter from the Employer giving full details of the position which the applicant is to fill, stating duties, required qualifications, etc.
- A processing fee of \$100.00.

Additional requirements where the Employer is a newly incorporated Company:

- Copy of the Certificate of Incorporation.
- Letter of verification as to the identity of the Beneficial Owner; their status as Bahamian or Non-Bahamian; the Directors and the issued share capital.

Requirements for renewal applications

- Letter to the Director of Immigration requesting a renewal of the permit upon its expiration. We recommend that this is done at least three months prior to the expiration of the present permit.
- Certificate from the Labor Department. This is necessary if one was submitted on the initial application. There is a fee of \$25.00 for the Certificate.
- Position of applicant has to be advertised in the local newspaper for two issues. This is necessary if it was submitted on the initial application.
- 2 x black and white passport-size photographs.
- Police Certificate.
- Medical Certificate.
- \$25.00 processing fee.

Business License Applications

In addition to the application made to the Department of Immigration, an application for a business license must be made in accordance with the Business License Act, 1980 which stipulates that anyone operating a business aimed at obtaining a turnover must obtain a license to do so. The Act's definition of "business" includes all types of manufacturing and commercial undertakings, and covers professions such as law, accounting, and medicine. Where a business consists of separate and distinct undertakings, a separate license must be obtained for each.

In the case of an applicant wishing to obtain a sales representative permit, approval must be obtained from the National Economic Council and then wait for the license application to be approved before commencing applications.

Annual license renewal applications and payments are due every January – April and expire on 31st of December. Fees are based on their annual gross receipts less the direct cost of producing the turnover. They range from 0% for a petty business to 1 ½ % of turnover or \$500,000.00 (whichever is greater) for a very large business with a high profit. Companies designated as non-resident companies under the Exchange Control Regulations Act pay an annual fee of \$300.00. Companies licensed under the Banks and Trust Companies Regulation Act, 2000 (which imposes separate fees) do not pay for a business license. Gas stations pay a fixed fee of 1/5 of 1% of turnover (a business with a turnover of \$250,000.00 per year or more).

Annual Residence Application for Spouse & Dependant Children

Where an applicant (the Primary applicant) wishes to have a spouse and dependent children or any of them reside with the Primary applicant then an annual residence application must be separately submitted in respect of each of the dependents so involved. On a renewal of a work permit, the dependent's residence permit may similarly be renewed.