

**DIRECTORATE OF TRADE DEVELOPMENT AND EXTERNAL ECONOMIC
RELATIONS**

Country Questionnaire Results

**II MEETING OF THE WORKING GROUP OF THE TRADE
COMMITTEE ON
BUSINESS VISAS**

Association of Caribbean States (ACS)

ACS Secretariat, Port of Spain, Trinidad and Tobago, January 25, 2013

II Working Group on Business Visas
September 2013

Questionnaire Results

Questionnaires devised to ascertain procedures for the issuance of business visas and how it might encourage and facilitate trade throughout the ACS region.

Number of Countries participating in workshop: 9

List of participants:

- Barbados
- Colombia
- Dominican Republic
- Guyana
- Mexico
- Panama
- St. Kitts and Nevis
- St. Vincent and the Grenadines
- Trinidad and Tobago

1. Does your country currently issue business visa to nationals of foreign countries?										
Response	Total	Barbados	Colombia	Dominican Republic	Guyana	Mexico	Panama	St. Kitts & Nevis	St. Vincent and the Grenadines	Trinidad & Tobago
Yes	6		X	X	X	X	X			X
No	3	X						X	X	
2. If yes to the question above, has this been provided for in your country's immigration policy?										
Yes	6		X	X	X	X	X			X
No	0									

The extent to which countries allow the flow of immigrant business persons can have a profound impact on the formation, innovation and development of certain industries. This question looks at the openness of Member States towards business persons. This gives an indication as well about the level at which ACS Member states can engage with each other to exploit business opportunities. It is noted that Barbados, St. Vincent and the Grenadines, and St. Kitts and Nevis do not issue business visas to nationals of foreign countries.

3. What are the legal frameworks applicable for the entry of business people into our territory?

Country	Legal frameworks
Barbados	No Legal Framework – Enter as visitors.
Colombia	<ul style="list-style-type: none"> - Decree 4000 of 2004 - Decree 2622 of 2009 - Decree 3914 of 2011 - Resolution 4700 of 2009 - Resolution 5707 of 2008
Dominican Republic	Act 875 of July 21, 1978 Act 285 of 15 August 2004 and its Implementing Regulations of October 19, 2011 by Decree 631-11.
Guyana	Laws of Guyana Immigration Act Chapter 14:02
Mexico	Framework Agreement Pacific Alliance; APEC, bilateral FTAs, Bilateral suppression of ordinary Visas.
Panama	Decree Law No. 3 of 22 February 2008. Article 43 Entry and Executive Order no. 320 of August 8, 2008.
St. Kitts and Nevis	The Investment Promotion Act of 2007 and the Incentive Act guide the entry of business persons into St. Kitts and Nevis. They also mentioned that they are currently working on an Investment Code. Those nationals of foreign countries that require a visa to enter St. Kitts and Nevis must apply for this visa no less than 14 days before entering the Federation (by Administrative Procedure). Business persons traveling to the Federation will be interviewed by immigration on arrival and there they must satisfy border security officer as to the purpose of entry.
St. Vincent and the Grenadines	None listed
Trinidad and Tobago	Immigration Act, Chapter 18:01. Regulations 13(5), 13(6) and 13(7) of the said Act determine the current framework. Additionally under regulation 13(13) the Minister may exempt any person or class of persons from the visa requirement.

As seen above, St. Vincent and the Grenadines had listed no legal frameworks applicable to the entry of business people. It was noted upon further investigation that there were no visa requirements for tourists or business persons up to 6 months. The St. Vincent and the Grenadines Immigration Act and Immigration Restriction Act dictate the conditions for entry.

4. Has your country signed any international agreements and treaties which govern the entry of business people and investors?			
Country	Yes	No	If yes, please detail:
Barbados	X		<ul style="list-style-type: none"> Treaty of Chaguaramas Economic Partnership Agreement between CARIFORUM States and European Community and its Members
Colombia	X		<p>Enforced:</p> <ul style="list-style-type: none"> Colombia-US FTA Triangle Colombia-Central America Colombia-Canada FTA TLC Mexico Economic Complementation Agreement CAN-MERCUSOR Chile Free Trade Agreement CARICOM EFTA Pacific Alliance <p>Not applicable:</p> <ul style="list-style-type: none"> Colombia-EU FTA Colombia-Turkey Colombia-Israel <p>All Treaties have a chapter or excerpts on immigration</p>
Dominican Republic			
Guyana	X		Agreements with the Princess Casino, Oil & Exploration Companies, Atlantic Hotel Project etc.
Mexico	X		Framework Agreement on the Pacific Alliance, APEC, bilateral FTAs; Bilateral suppression of ordinary visas
Panama		X	

St. Kitts and Nevis	X		European Union - CARIFORUM Economic Partnership Agreement CAIPA (Caribbean Association of Investment Promotion Agencies), WAIPA (World Association of Investment Promotion Agencies), CBI (Caribbean Basin Initiative), CSME (Caribbean Single Market and Economy) and CARIBCAN.
St. Vincent and the Grenadines	X		European Union- CARIFORUM Economic Partnership Agreement
Trinidad and Tobago	X		By Cabinet Minute dated 20/09/2007, The Honourable Minister exempted nationals of the following countries from the visa requirement for visits for any purpose up to ninety days: <ul style="list-style-type: none"> - Chile, Cuba, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru. <p>All member states of the ACS with the exception of Colombia and Venezuela do not require visas for entry into Trinidad and Tobago for any purpose up to 90 days.</p> <p>1. CARICOM Single Market and Economy affords additional privileges to CARICOM member states (except Haiti) and do not require entry visas for any purpose.</p>
Total	7	1	

N.B.:

- While not explicitly listed, the CARICOM Single Market and Economy affects the terms of entry for all CARICOM member states.
- No response given by Dominican Republic for this question.

5. Do mechanisms exist to encourage foreign investment in your country?

Response	Total	Barbados	Colombia	Dominican Republic	Guyana	Mexico	Panama	St. Kitts & Nevis	St. Vincent & the Grenadines	Trinidad & Tobago
Yes	8	X	X	X	X	X	X	X	X	X
No	0									

It was unanimous among States that mechanisms be put in place to encourage foreign investment in their countries. This demonstrates the importance of the

foreign direct investment as a contributor to the economy and the facilitation of technical skills.

6. Which institutions or chambers represent the interests of business persons in your country?	
Country	Institutions/Chambers
Barbados	- Barbados Chamber of Commerce - Barbados Invest Corporation Invest Barbados
Colombia	Ministry of Commerce, Industry and Tourism; Republic Bank, Proexport, Regional branches of chamber of commerce.
Dominican Republic	Export and Investment Center of the Dominican Republic (CEI – RD), Ministry of Labour
Guyana	Guyana Office for Investment (Go-Invest) and Georgetown Chambers of Commerce & Industry.
Mexico	The Ministry of Economy, ProMexico, the Mexican Agency for International Development (AMEXCID) of Ministry of Foreign Affairs, Directorate General for Cooperation and International Economic Development (DGCPEI), Bancomext, Mexican Business Council for Foreign Trade, investment & Technology (COMCE), Business Leaders, chambers of commerce, bilateral chambers of commerce
Panama	Chamber of Commerce, Industries and Agriculture of Panama, Panama Association of Entrepreneurs (APEDE), Chamber of Commerce and Industry of Panama MERCOSUR.
St. Kitts & Nevis	The St. Kitts and Nevis Chamber of Industry and Commerce, Ministry of Trade and Finance, St. Kitts Investment Promotions Agency, Nevis Investment Promotion Agency, National Entrepreneurial Development Division
St. Vincent & the Grenadines	- Invest SVG, Commercial and Intellectual Property, Chamber

	of Industry and Commerce and Brokers Association
Trinidad & Tobago	N/A

As observed, there is a plethora of institutions which are meant to serve the interests of the business person such as the Chamber of Commerce, non-governmental organizations and other governmental bodies such as ministries. These institutions act as liaisons between private and public sector while providing valuable resources and information at the disposal of business persons for ease of transactions.

7. Briefly detail the process to obtain a business visa with the competent authorities

Country	Process To Obtain A Business Visa
Barbados	N/A
Colombia	<p>Resolution 5707 of 2008, establishes a list of 88 countries can enter Colombia without a visa for a period of 90 days extendable for the same period, to establish business contacts.</p> <p>The alien must make the request for business visa at a consulate of Colombia, after paying \$50 a concept study, providing the requirements of Resolution 4700 of 2009, Article 8, which must clear the legal representative and / or partner company legally incorporated overseas or quality of business person.</p> <p>This visa can be issued in Colombian territory to persons with entry permit issued by the Special Administrative Migration Colombia.</p> <p>If the visa is sought within the framework of a free trade agreement, may be issued for up to four years, allowing for a continuous stay in Colombia for up to 2 years.</p>
Dominican Republic	<p>Visa applications are sent to our consular missions abroad having met the requirements:</p> <ul style="list-style-type: none"> - Letter request - Application form - Photo - Original Passport - Job letter - Civil Status - Police certificate of good character - Warranty card <p>Inter alia See accompanying documents</p>

Guyana	<p>Applicants who require a Business Visa must make an application to the Ministry of Home Affairs and submit the following requirements:</p> <ol style="list-style-type: none"> 1. Passport Copy 2. Two passport-sized photographs 3. Financial Statements 4. Evidence of Business relations and credentials, and outline their area of business (business plan)
Mexico	<p>As of November 9, 2012, Mexico has not known as such a business visa, foreigners of any nationality who require a visa for that purpose, may obtain a visitor visa without permission to engage in gainful activity if your visit will be for less than 180 days. To get it, the applicant must provide several documents to prove it is solvent.</p> <p>The visa is entered with multiple stays up to 180 days per entry. If your stay will be more than 180, to obtain a temporary resident visa credit submitting documents, including a section is foreseen for investors. In this case, the person concerned was issued a visa by 180 days for one entry, which must go to the National Migration Institute to obtain a Temporary Resident Card, which can come and go over a period of up to four years.</p>
Panama	<p>SHORT STAY VISA FOR BUSINESS:</p> <ol style="list-style-type: none"> 1. Application of short-stay visa for business 2. Payment of expenses for immigration services in the amount of one hundred dollars for the National Migration Service 3. Payment of deposit of five hundred dollars to guarantee for National Migration 4. Solvency test the applicant must demonstrate a minimum of four high figures 5. Documentation certifying the purpose of travel and stay conditions for negotiate. <ol style="list-style-type: none"> a. Certificate of foreign companies existence short detailing the position of responsibility and functions of the applicant <p>Legal representative letter from the foreign subsidiary</p>
St. Kitts & Nevis	N/A
St. Vincent and the Grenadines	N/A
Trinidad and Tobago	See flow chart (Attached as ACS/2013/TRADEBusinessVisasWorkingGroup.II/WP.003/Annex01)