Living on Sint Maarten
Guide to Residency - Part 1

First-Time Applications
This guide is an official publication of the Immigration and Border Protection Service; an agency within the Ministry of Justice of Sint Maarten. The information provided in this document is considered public information and may be distributed without alteration.

This guide has been created to provide accurate information regarding a variety of topics within the jurisdiction of the organization.

Should you have any questions regarding the information provided in ‘Living On Sint Maarten - A Guide to Residency’ please contact the Immigration and Border Protection Service directly.
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Foreword

St. Maarten prides itself on being home to over 100 nationalities. Since the dawn of the tourism industry the island has attracted many people to its shores; many looking for better opportunities. Visitors from the United States, Canada, South America, Europe and the Caribbean decide, after experiencing the island, that this is a place they can call “home.”

Becoming a legal resident of St. Maarten however is not a simple process and any foreign national who intends to reside on the island must adhere to the laws and regulations of the Government of Sint Maarten and in particular the Ministry of Justice.

The Immigration and Border Protection Service (IBP) provides immigration services to the foreign nationals who reside on St. Maarten as well as those vacationing on island. This agency is also responsible for border protection and control; safeguarding the island from illegal immigration and threats to the public order. There are border control officers stationed at the Princess Juliana Airport, Simpson Bay lagoon and the Great Bay Harbor. The IBP also boasts a mobile control unit charged with continuous surveillance and in-land controls.

If you are interested in moving to St. Maarten your first stop is usually the IBP. Dependent upon the reason or length of time in which you would like to live on the island, there are various ways in which to obtain residency.

Types of Permits

- Employment
- Family Reunification
- Netherlands and United States Friendship Treaty
- Higher Education
- Investment
- Cohabitation
- Pensioner

Official Document Checklist

There are number of official documents required when placing new applications or extensions. Be sure to always have these original or notarized documents in your possession and up to date when visiting the IBP.

- Passport
- Birth Certificate
- Marriage or Divorce Certificate
- Adoption records for adopted children
- Police Record

If you are a first time applicant it is important to verify the category in which you must apply and submit all relevant paperwork in a timely manner. If you already hold a permit and would like to request an extension, please see Guide to Residency - Part 3.

NOTE: All first time applicants must await the decision of their residency application abroad and not on-island. It is imperative to abide by all laws and regulations of the Government of Sint Maarten. Illegal immigration is punishable by law.
Employees

The most common reason foreign nationals move to St. Maarten is work/career. You should have an indication of whether or not you will be offered a job before staying on the island past your allowed time.

In order to apply for residency based on work, an employment permit must first be requested. This procedure is separate and takes place at the Department of Labour. Your prospective employer must be involved in requesting an employment permit. Once this has been finalized, you may visit the IBP to obtain a residence permit.

Documents necessary for this application include:

1. Model I completely filled out and signed by employee;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Birth Certificate; date of issue cannot be older than 3 years, legalized or with an apostille not older than 3 years (if this document is not in Dutch or English it must be translated in to Dutch or English by a certified translator and all translations must be legalized with a stamp)
4. Original Police Record not older than 6 months (if not issued in Sint Maarten must be translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. Statement of Guarantee completely filled out and signed by the Employer in addition to having a NAF 5,- stamp;
6. Copy of the employment permit request from the Department of Labor.
7. Original marriage certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated to Dutch or English). Or a detailed registration form from the Census Office (if marriage has been registered at the Civil Registry on St. Maarten);
8. School registration letter for any children;
9. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children;

If the company is a sole proprietorship or if personnel is residing on premise:
10. A declaration of the Inspectorate of Taxes, confirming that the income of the employer is at a minimum of NAF 24.000,-.

**Sole Proprietors**

Small business is beneficial to any economy around the world. If you would like to establish a sole proprietorship on the island, a residence permit based on this purpose is possible, however you must be living on the island for longer than 10 years in order to be eligible.

Documents necessary for this application include:

1. Model I completely filled out and signed by applicant;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Birth Certificate date of issue cannot be older than 3 years, legalized or with an apostille stamp not older than 3 years (if this document is not in Dutch or English it must be translated into Dutch or English by a certified translator and all translations must be legalized with a stamp)
4. Original Police Record not older than 6 months (if not issued in Sint Maarten must be translated into English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. Copy of Business license;
6. Copy of Director’s license (issued by the Economic Affairs Department);
7. Copy of the Chamber of Commerce registration (not older than 6 months);
8. Statement that company is operational (if company is already in existence);
9. Reference letter from the bank.

**Pensioners**

The current retirement age on St. Maarten is 60 years. If you are at least 60 years of age and would like to retire on the island, a Pensioner’s permit may be a viable option for you.

Documents necessary for this application include:

1. Model I completely filled out and signed by applicant;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Birth Certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years legalized or with an apostille not older than 3 years (translated into Dutch or English by a certified translator and all translations must be legalized with a stamp)
4. Original Police Record not older than 6 months (translated in to English or Dutch by a certified
translator and all translations must be legalized with a stamp);
5. If married, original marriage certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated to Dutch or English) Or a detailed registration form from the Census Office (if marriage has been registered at the Census office);
6. School registration letter for the children (if applicable);
7. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children;
8. Proof of sufficient income:
   a. A statement by the local bank stating that the applicant has sufficient income;
   b. A declaration by a local registered accountant of monthly income
9. Statement of Guarantee completely filled out by the guarantor in addition to having a NAF 5,- stamp.

Students and Interns

A number of students decide to pursue their higher education on St. Maarten with many in the Netherlands and elsewhere choosing the island to complete their internships or job training programs. For these foreign nationals the student/intern permit is an option for temporary residency.

Documents necessary for this application include:

1. Model I completely filled out and signed by student/intern;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Police Record not older than 6 months (translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);
4. Original Birth Certificate (if applicable) date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated in to Dutch or English by a certified translator and all translations must be legalized with a stamp).
5. For Intern:
   a. A signed internship agreement between the school abroad and the company (granting internship permission) located on Sint Maarten.
   b. Proof of registration of the company abroad.
6. For Student:
   a. Proof of registration at the educational institute located in Sint Maarten
   b. Proof of sufficient income, minimum NAF. 1000,- per month
      1. By means of a scholarship
      2. Bank statement with monthly deposit of min. NAF. 1000,-
7. Declaration of guarantor completely filled in by a local guarantor, accompanied by a NAF 5,- stamp;
8. A declaration of the Inspectorate of Taxes of the guarantor, confirming the income (for non Dutch national).
Directors

Persons who are coming to the island to be the director of a company are eligible for this permit. Be sure however to have your director’s and business license before applying for residency. You must first visit the Department of Economic Affairs for these licenses.

Documents necessary for this application include:

1. Model I completely filled out and signed by applicant;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Birth Certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated in to Dutch or English by a certified translator and all translations must be legalized with a stamp);
4. Original Police Record not older than 6 months (translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. Copy of Business license;
6. Copy of Director’s license (issued by the Economic Affairs department);
7. Copy of the Chamber of Commerce registration (no older than 6 months);
8. Copy of labor registration (first page);
9. If married, original marriage certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated to Dutch or English). Or a detailed registration form from the Census Office (if marriage has been registered at the Census office);
10. School registration letter for the children( if applicable);
11. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children ;
12. If applicant is abroad the following is needed:
   - letter of a foreign financial institution stating the financial position (assets, liabilities equity), an 
     amount must be stated.
   If applicant is already living in Sint Maarten
   - a letter/statement of financial position (assets, liabilities equity); figures must be present
   - proof of Inspectorate of Taxes with personal crib number

13. SZV registration of the company;

**Investors**

If you are interested in purchasing land or a residential property on St. Maarten, an investor’s permit is a 
viable option for obtaining residency.

Documents necessary for this application include:

1. Model I completely filled out and signed by employee;
2. Copy of valid Passport (all pages and page with the photo must be colored);
3. Original Birth Certificate date of issue cannot be older than 3 years legalized or with an apostille not 
   older than 3 years (if this document is not in Dutch or English it must be translated in to Dutch or 
   English by a certified translator and all translations must be legalized with a stamp)
4. Original Police Record not older than 6 months (if not issued in Sint Maarten must be translated in 
   to English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. If married, original marriage certificate date of issue cannot be older than 3 years legalized or with 
   an apostille not older than 3 years (translated to Dutch or English). Or a detailed registration form 
   from the Census Office (if marriage has been registered at the Census office);
6. School registration letter for the children;
7. If one of the parents of one or more children is staying in the country of origin, the following is 
   required:
   a. a letter of consent;
   b. proof of custody of the children;
8. Bank references of two international banks whereof one is located in the country of origin (not 
   older than 3 months);
9. A statement by a local bank in which the bank declares the following: “that the applicant has the in 
   tention to make a business investment and/or acquire real estate in Sint Maarten with a total value 
   of NAF 900.000,00. This intention needs to be fulfilled within 18 months;”
10. Full proof of the required investment.
Family Reunification

It is common for family members to be separated from each other for migration purposes. Children are often left in the home country while the parent works abroad. For this reason the family reunification permit exists in order to reunite families separated across borders. There are cases where one member of the family may hold Dutch nationality or a valid residence permit and in turn have the ability to assist the other members with obtaining legal residency.

A happy society consists of happy families and so throughout the Dutch Kingdom family reunification is one of the most important measures taken to improve the overall quality of life.

Important: All requirements must be satisfied before a permit can be issued. It should never be assumed that a permit will be automatically granted regarding family reunification.

Family members must await the decision of their residence application in the home country.

Family Reunion - Dutch Citizen

If you are a foreign national and married to a Dutch citizen and have children who do not carry Dutch passports, this option offers you the opportunity to regulate the status of yourself and those children.

1. Model I completely filled out and signed by husband, wife and children 12 years and older;
2. Copy of valid Passport (all pages and page with the photo must be colored) for every family member;
3. Original Birth Certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated in to Dutch or English by a certified translator and all translations
must be legalized with a stamp) for every family member.

4. Original Police Record not older than 6 months of the arriving family member(s) (translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);

5. Statement of Guarantee completely filled out and signed by husband and wife in addition to having a NAF 5,- stamp;

6. Original marriage certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated to Dutch or English). Or a detailed registration form from the Census Office (if marriage has been registered at the Civil Registry);

7. School registration letter for the children;

8. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children;

9. Copy “van rechtswege verklaring”

Family Reunion - Non-Dutch Citizen

If you are a foreign national with a valid residence permit and would like to apply for residency for your family you may do so.

Documents necessary for this application include:

1. Model I completely filled out and signed by husband, wife and children 12 years and older;
2. Copy of valid Passport (all pages and page with the photo must be colored) for every family member;
3. Original Birth Certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated in to Dutch or English by a certified translator and all translations must be legalized with a stamp) for every family member.
4. Original Police Record not older than 6 months of the arriving family member(s) (translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. Statement of Guarantee completely filled out and signed by husband and wife in addition to having a NAF 5,- stamp;
6. Original marriage certificate date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated to Dutch or English). Or a detailed registration form from the Census Office (if marriage has been registered at the Civil Registry);
7. School registration letter for the children;
8. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children;
9. Copy residency permit of husband or wife;
10. Husband or Wife’s job letter stating: date of employment, monthly gross income;
11. A declaration of the Inspectorate of Taxes, confirming that the income is at a minimum of NAF 24.000,-;
Cohabitation with Dutch Citizen

A cohabitation agreement is a form of legal agreement reached between a couple who have chosen to live together but are not married. This permit is available to foreign nationals who have this agreement with a Dutch citizen.

Documents necessary for this application include:

1. Model I completely filled out and signed by both partners;
2. Copy of valid Passport (all pages and page with the photo must be colored) both partners;
3. Original Birth Certificate, for non Dutch, date of issue cannot be older than 3 years legalized or with an apostille not older than 3 years (translated in to Dutch or English by a certified translator and all translations must be legalized with a stamp) for every family member.
4. Original Police Record not older than 6 months, of both partners (translated in to English or Dutch by a certified translator and all translations must be legalized with a stamp);
5. Statement of Guarantee completely filled out and signed by Dutch partner in addition to having a NAF 5,- stamp;
6. Original cohabitation agreement;
7. Detailed census registration form for both partners (if applicable);
8. Proof of non married / no cohabitation agreement not older than 3 months (if applicable);
9. Model 79 Form B
10. School registration letter for the children;
11. If one of the parents of one or more children is staying in the country of origin, the following is required:
   a. a letter of consent;
   b. proof of custody of the children;
1. What is the minimum amount of income a person should have when signing for someone else?  
The minimum amount of income required is FLS 2000,- gross per month. This amount applies to the family as a whole; wife/husband and children.

2. Can I submit a request for residency while I’m on the island as a tourist or living illegally?  
No. If you have applied for a work permit your employer must start the process. If it is related to family reunion, your family must start the process. Once the process has been started you are not allowed to be on the island until a decision is given.

3. If I reside on French St. Martin but work on Dutch St. Maarten, can I obtain a residence permit?  
No. You must reside on the Dutch side and be registered at the Civil Registry to be eligible for a residence permit.

4. I was born on St. Maarten, went to school here but my parents are foreign nationals and illegal. How can I obtain legal residency for myself?  
If you were born on the island, never left and attended primary and secondary school, you can submit a request for residency based on human rights.

5. If I have been deported, how soon can I return to the island and apply for residency?  
You must wait at least three (3) years before attempting to return to St. Maarten. Residency cannot be requested during that period of time.

6. I would like to bring my child to live with me on St. Maarten. Can they come on vacation and then stay permanently?  
No. You must first submit a request for the child and once the request has been approved, the child may be allowed to enter the island with a landing permit.