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British Virgin Islands Labour Code Exempts Arbitrators from Work Permit Requirement

Tortola, British Virgin Islands [July 27, 2017]: The BVI International Arbitration Centre (BVI IAC) is delighted to announce that on 20th July 2017, the Government of the Virgin Islands passed the Labour Code (Work Permit Exemption) Order, under which persons coming into the territory to undertake select classes of business will be exempted from the requirement of a work permit. One class of persons captured by this exemption, are persons coming into the territory to participate in international arbitrations.

In exercise of the power conferred under section 172(d) of the Labour Code, 2010 (No. 4 of 2010), the government made the Order that Part X of the Labour Code, 2010, henceforth, will not apply to persons conducting, participating in (whether as legal counsel or representative of a party or as a witness or expert witness) or providing support services for the conduct of Arbitration or Mediation including arbitrators, mediators, legal counsel, parties, parties' representatives, witnesses (whether at the request of one of the parties or summoned to appear), translators, stenographers, writers, interpreters, transcript writers, tribunal secretaries, tribunal and party nominated, experts, representatives of arbitral institutions and other associated person will be exempted from having to seek a work permit for a period of 60 days in the first instance with extensions based on a request for extension.

The Government, who has been instrumental in the development of the BVI IAC, continues to play a very supportive role. Its latest pledge of support will ease the regulatory requirements of persons coming into the territory to participate in arbitrations thereby further enhancing the territory's international arbitration product. This exemption to the Labour Code 2010 will ease the Immigration and Labour process involved with coming into the territory to engage in the resolution of disputes for the above category of persons, thereby further positioning the BVI as a destination of choice for the resolution of international commercial disputes. This is a momentous achievement, which will put the BVI IAC one step closer to achieving its vision of becoming the institution of choice for International Arbitration and all other forms of dispute resolution in the Caribbean, Latin America and beyond.

For additional information on the BVI International Arbitration Centre visit www.bviiac.org