

Harvey Law Group Reviews Grenada High Court Ruling on Citizenship Rights for Spouses of CBI Citizens

The judgment clarifies that spouses may qualify for Grenadian CBI even if they married before their partner acquired citizenship through investment.

MIAMI, FL, UNITED STATES, October 15, 2026 /EINPresswire.com/ -- A recent judgment of the High Court of Justice in Grenada has clarified how the country's constitutional citizenship provisions apply to spouses of people who obtained [Grenadian citizenship](#) through the Citizenship by Investment (CBI) Programme.

The Court confirmed that citizenship obtained through Grenada's CBI legislation remains [citizenship of Grenada](#) and that the route through which a person became a citizen does not, by itself, prevent their spouse from relying on the separate constitutional citizenship route under section 98 of the Constitution.

The ruling may be particularly relevant to couples who were already married before one spouse obtained Grenadian citizenship through investment.

The case concerned a couple who married on Aug. 27, 1999. More than two decades later, on Oct. 23, 2023, the husband obtained Grenadian citizenship through the country's CBI Programme. His wife subsequently applied for Grenadian citizenship under section 98 of the Constitution and section 5(3) of the Citizenship Act.



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The Ministry of Home Affairs declined to process her application through that route. Its position was that applications under section 98 were only processed where the marriage took place after the applicant's spouse had become a Grenadian citizen. Because the couple had married before the husband acquired Grenadian citizenship, the wife was directed towards the CBI framework instead.

Harvey Law Group represented the claimant in the judicial review proceedings in *Keturah Heather James v. The Ministry of Home Affairs*, Claim No. GDAHCV2024/0401, before the High Court of Justice in Grenada. The judgment was delivered on Oct. 7, 2026.

The High Court rejected the interpretation that the timing of the marriage prevented the claimant from relying on section 98.

Section 98 provides a constitutional route through which a person married to a Grenadian citizen may apply, in the prescribed manner, to be registered as a citizen of Grenada. The Court found that the provision does not state that the marriage must have taken place after the Grenadian spouse acquired citizenship.

The Court also considered whether the husband's status as a CBI citizen changed the position. It concluded that it did not, stating that:

“citizenship obtained pursuant to that legislation is citizenship of Grenada”

The Court found that the CBI Programme does not become the only citizenship route available to a spouse simply because their husband or wife originally obtained Grenadian citizenship through investment.

The judgment therefore provides greater clarity for families where one spouse acquired Grenadian citizenship through the CBI Programme after the couple had already married.

Grenada's CBI framework allows qualifying spouses and other family members to be included in, or in certain circumstances added to, a CBI application. However, the High Court's ruling confirms that the CBI framework is not necessarily the only citizenship route available to a spouse where a separate right may arise under Grenadian law.

For existing CBI citizens, this means that a marriage which predates the acquisition of Grenadian citizenship does not, by itself, prevent the other spouse from seeking to rely on section 98.

The ruling may also be relevant to prospective CBI applicants and their families when considering how an application should be structured. Where one spouse obtains Grenadian citizenship through investment, the other spouse's potential citizenship options may not necessarily be limited to inclusion within the original CBI application or a subsequent CBI-based process. The appropriate route will depend on the circumstances of the family and the applicable legal requirements.

Importantly, the judgment does not mean that every spouse of a Grenadian citizen will automatically be registered as a citizen under section 98.

The Court's decision was narrower. It determined that the claimant could not be excluded from

the section 98 route because her husband had obtained his citizenship through the CBI Programme or because their marriage took place before he became a Grenadian citizen. Applications remain subject to the applicable constitutional and legal requirements and must be considered according to their individual circumstances.

In this case, the Court quashed the Ministry's decision and ordered it to process and determine the claimant's application in accordance with the law. The judgment did not itself grant the claimant Grenadian citizenship.

The decision also provides wider clarification on the status of citizenship acquired through investment. The Court confirmed that citizenship obtained through Grenada's CBI legislation remains citizenship of Grenada. The constitutional rights available to a Grenadian citizen are therefore not displaced simply because citizenship was originally acquired through the CBI Programme.

For Grenadian CBI citizens, their spouses and prospective applicants considering the programme, the judgment provides greater clarity on how the CBI framework operates alongside the constitutional citizenship route available to spouses under Grenadian law.

Harvey Law Group represented the claimant in the judicial review proceedings, with Managing Solicitor Steven Corbin acting as counsel.

About Harvey Law Group

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Jean François Harvey

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