



Saint Lucia **GOVERNMENT GAZETTE**

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Saint Lucia **GOVERNMENT GAZETTE**

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Quote :

If you think Education is expensive, try Ignorance, the future belongs to the people who hold on to the beauty of their dreams

GOVERNMENT NOTICE

The following document is published with and forms part of this *Gazette*:

STATUTORY INSTRUMENT

No. 63 of 2004 — The Excise Tax (Amendment) Order.



VACANCY NOTICES

POST OF VICE-PRINCIPAL

Position Identification:

Job Title: Vice-Principal

School: Piaye Secondary School

Classification: Grade 14

Reports to: Principal, Piaye Secondary School

Supervises: Teachers, Students

Internal Contacts: Works closely with the Principal, Deputy Chief Education Officer/Instruction, Education Officer and Teachers to ensure quality education at the school

External Contacts: Liaises with parents/ community members

Main Duties:

To work in collaboration with the Principal and the Ministry of Education, Human Resource Development, Youth & Sports;

To be responsible for the time-tabling and class organisation;

To monitor activities under 3.2 and ensure their successful implementation;

To enforce discipline and ensure that all students follow their programme of work;

To assist the Principal generally with

administrative duties;

To take charge of the school in the absence of the Principal;

To ensure the acquisition of instructional materials for Heads of Department at the school; .

To perform such other duties as may be requested by the Principal, Chief Education Officer or Permanent Secretary, Education, Human Resource Development, Youth & Sports.

Conditions:

Accommodation provided in the School (office).

Institutional support is provided through appropriate Public Service/Teaching Service Regulations and Ministry Guidelines.

Opportunities exist for personal development and career advancement through orientation, general, and specialised in-service training.

Standards:

Work performance will be evaluated on the basis of the following:

Level of performance and accomplishment of the school

Quality of instruction and effective utilisation of learning materials and space.

Effective supervision of instructional programmes.

Effective supervision of clerical, ancillary and teaching staff.

Report accurate and quality information to Principal.

Close collaboration with Principal and Heads of Department.

Quality management skills in absence of Principal.

Effective implementation of duties, responsibilities and assignments as defined in the job description.

Skills, Knowledge and Abilities:

Previous experience in serving as a Vice-Principal. The knowledge of the culture of the particular school will be an asset.

Qualifications and Experience:

A Bachelor's Degree from a recognised University.

OR

A post Graduate Diploma/ Degree in Educational Administration or IOB Executive Diploma would be an asset.

Teaching and educational administration experience at a Secondary School

Salary:

Salary is in the range of \$47,267.20 per annum (Grade 14)

General:

Quarters, free medical attention and medicine will not be provided. The successful applicant's income will be liable to taxation in accordance with the Income Tax Ordinance.

Applications should be accompanied by relevant documents/ transcripts from the relevant institutions, as well as two confidential testimonials, one of which should be from the applicant's immediate supervisor.

Applications on the prescribed forms should be addressed to:-

The Secretary
Teaching Service Commission
Stanislaus James Buildings
The Waterfront
CASTRIES

to reach her no later than September 30, 2004

Application Forms can be obtained from the Secretary, Teaching Service Commission.

Ministry of Education, Human Resource Development, Youth & Sports

Post of Registrar of the High Court — St. Lucia

Job Title: Registrar of the Supreme Court

Reports To: Chief Justice of the Eastern Caribbean Supreme Court
Permanent Secretary,
Ministry of Justice

Supervises: Registry Staff

Classification: Grade 19

Relationships and Responsibilities:

Works under the direction of and reports to the Chief Justice of the Eastern Caribbean Supreme Court and to the Permanent Secretary, Ministry of Justice.

Required to respond whenever necessary to the Chief Justice of the Eastern Caribbean Supreme Court and to the Permanent Secretary, Ministry of Justice on matters related to work in progress.

Duties and Tasks:

Performs duties of the Registrar of the Supreme Court, Civil Status and Deeds and Mortgages as are assigned accordingly by Law and by the Constitution of Saint Lucia.

Overall Supervision of the operations of the Registries of the Supreme Court, Civil Status and Deeds and Mortgages.

Performs duties of the Secretary of the Disciplinary Committee of the Saint Lucia Bar Association in accordance with the Legal Profession Act No.31 of 2000.

Conditions:

Functions in a scheduled traveling post and will receive basic traveling and mileage allowance in accordance with approved rates.

Required to maintain a motor vehicle for the proper performance of duties.

Accommodation provided in a general administrative office.

Institutional support is provided through appropriate Civil Service Regulations and Departmental Guidelines.

Salary is in accordance with the terms and conditions stipulated by Government in the Estimates.

Standards:

Work performance will be evaluated on the basis of the following:

Demonstrated supervisory capabilities and interpersonal skills.

Timely completion of reports and meeting of task deadlines.

Punctual and consistent attendance at Heads of Department Meetings.

Compliance with Ministry guidelines and standard operating procedures.

Effective implementation of duties, responsibilities and assignments as defined in the job description.

Skills, Knowledge and Abilities:

A working knowledge of the structure of the Public Service and the machinery of Government's administrative policies and procedures, and the ability to apply Civil Service rules and regulations.

Ability to plan and organize work and prepare clear and concise reports.

Ability to rally staff in order to meet deadlines.

Ability to analyze issues, make interpretations and recommend innovative approaches to solutions.

Ability to establish and maintain effective working relationships with associates and the Public.

Professional legal qualifications.

Qualifications and Experience:

Bachelors Degree in Law plus Legal Education Certificate or other acceptable qualifications to practice law under the Legal Profession Act No.31 of 2000 plus five years experience in the practice of Public or Private Law.

Applications must be accompanied by Curriculum Vitae together with the names, addresses and telephone numbers of three references. These should be forwarded under confidential cover to arrive **no later than Friday, 24th September, 2004** to:

The Secretary
Judicial and Legal Services
Commission
Eastern Caribbean Supreme Court
P. O. Box 1093
Castries
St. Lucia, W.I.

**POST OF
PRINCIPAL NURSING OFFICER
(Golden Hope Hospital)**

A PPLICATIONS are invited from suitably qualified persons for appointment to the post of **Principal Nursing Officer, Golden Hope Hospital**, at the Ministry of Health, Human Services and Family Affairs.

Qualifications:

Applicants should possess:

Bachelor's Degree in Nursing Administration plus one (1) year experience in a post at Grade 12

Or

Bachelor's Degree in Nursing Administration plus four (4) years experience in a post at Grade 10 and above

Or

Diploma in Nursing Administration plus one (1) year experience in a post at Grade 13.

Applicants should be a State Registered Nurse from a recognised school of nursing. He/she should also be a registered mental nurse, and a registered member of the General Nursing Council of St Lucia.

Duties and Responsibilities:

The successful applicant will be required to report and work under the direction of the Consultant Psychiatrist.

The applicant will be required to:

direct, design, organise, supervise, develop and implement the direction of all Nursing activities which must be of high quality, efficient, acceptable and meets patients needs;

establish a sound management system of delivery of service and a continuous evaluation of it and staff;

provide sufficient opportunities for Nurses to achieve and maintain a high level of Nursing care;

establish and maintain a mechanism for communicating and resolving problems, complaints or deficiencies in service;

promote innovative ideas that promote the institution's flexibility, quality and effectiveness;

be responsible for the proper utilisation of human and other resources;

provide an ongoing coaching and counselling service for staff;

prepare and submit reports, maintain records and deal with correspondence as necessary;

develop and implement strategies and procedures in the realisation of institutional, ministerial and professional

health goals and objectives.

Skills, Knowledge and Abilities:

The successful applicant should be committed to team work, and should possess flexibility, imagination and innovation.

Salary:

Salary is in the range of \$47,267.20 - \$49,215.59 per annum (grade 14)

Applications on the prescribed form along with references and certified copies of documents pertaining to qualifications should be addressed to:

The Secretary
Public Service Commission
Block A
Waterfront
Castries

to reach her no later than **September 17, 2004.**

VICTORIA HOSPITAL
Ministry of Health

APPPLICATIONS are invited from suitably qualified persons to fill the supervisory position of **CHIEF SECURITY OFFICER** at the Victoria Hospital.

Qualifications and Experience :

Applicants should

Be between the ages of 35 and 45 years

Minimum of a High School Diploma and be fully literate

Ability to understand basic financial information and data

Ability to execute basic arithmetical calculations

Excellent verbal and written communication skills

Minimum of five (5) years related work experience

Previous supervisory responsibility is preferred

Possess Police or military training and /or experience will be considered an asset.

Police Certificate of Good Character

High moral and ethical character

Maintain high standards of conduct, personal hygiene, appearance, grooming and dress

Must be in good health and good physical condition.

Core Functions and Responsibilities:

The Chief Security Officer, under the direction of the Executive Director or his/her designate will be responsible for the overall security of Victoria Hospital, Golden Hope Psychiatric Hospital, Turning Point Rehabilitation Facility and the management, supervision and deployment of security officers under his charge. Specifically, the Chief Security Officer will be expected to:

Debrief on a daily basis with the Director Hospital Operations

Liaise with the Nursing Supervisor on duty on evening and night shifts

Be rostered to ensure that there is a visible and effective supervisory presence on the Victoria Hospital compound to facilitate scheduled and unscheduled visits (night and day) to monitor security personnel on duty

Prepare duty rosters for security officers

Manage staff, patients and visitors issues and complaints relative to security

Assist in the development of hospital security policy and procedures to safeguard hospital assets and mitigate risk and liability to the hospital

Designate a supervising security officer for each shift, from among those on duty on the particular shift

Maintain the Attendance Register for security officers

Supervise and conduct investigations into incidences of theft, loss of personal or hospital property, acts of vandalism, violence, personal physical attacks, etc

Ensure that security officers are informed of their duties and that the duties are properly carried out;

Ensure that security officers adequately and accurately maintain the Security Log

Ensure that security officers hand over on shifts

Ensure the implementation and compliance Hospital policies

Investigate and submit written reports to the Executive Director on break-ins, theft, accident or any incident affecting persons on the Hospital compound

Report to the Hospital in the event of national disaster or any major emergency at the Hospital such as fire, explosion, floods etc

Organize, coordinate and participate in training and orientation programmes for security officers

Monitoring and logging-in of Hospital vehicles

Perform such other duties as may be assigned by the Executive Director.

Application Procedure:

Interested, eligible candidates are invited to apply to the Victoria Hospital, Castries. Applications should include detailed curriculum vitae, and at least two referees who can confirm the required experience, skills and disposition of the applicant.

Salary Scale

Grade 7

Closing date:

Friday, September 10, 2004.

UNESCO Announcement

POST-GRADUATE RESEARCH FELLOWSHIP

UNESCO is pleased to announce the UNESCO/Keizo Obuchi Research Fellowship Programme, 2005 Cycle. This fellowship programme is intended to impact on capacity-building and research and focuses on post-graduate research activities in the areas of:

Environment (with particular attention to Water Sciences)

Intercultural Dialogue

Information and Communication Technologies

Peaceful Conflict Resolution

Eligibility for Entry:

The Saint Lucia National Commission must endorse all applicants.

Candidates must be no more than 40 years of age.

Candidates must be post-graduate researchers already holding a M.A., M.Sc or a PhD. degree (or equivalent). Persons who are in the process of completing their Master's or PhD. Degree must have completed it PRIOR to taking up their Fellowship. *The selected fellow must carry out the research under the auspices of an academic supervisor in a host institution. Confirmation of acceptance from the academic supervisor is imperative.*

Only candidates with the necessary qualifications, who demonstrate outstanding intellectual promise and exceptional merit, shall be considered.

Candidates must be proficient in reading and writing the language of instruction in the proposed country of study/research.

Applicants must be in good health, both physically and mentally.

Further information on the UNESCO/Keizo Obuchi RESEARCH Fellowship Programme, 2004 Cycle, including application forms and procedures are available from the Saint Lucia National Commission for UNESCO, Ministry of Education, Human Resource Development, Youth and Sports: 2nd Floor, Francis Compton Building, The Waterfront, Castries.

Completed applications should be sent to the Secretary General of the Saint Lucia National Commission for UNESCO on or before **12th December 2004.**

INTERNATIONAL TELECOMMUNICATION UNION (ITU)

Vacancy Announcement No. 35 - 2004 ITU

Functions: Sub-Editor and Production Coordinator

Grade : P.2

Post No.: E15/P2/245

Duty Station: ITU Headquarters, Geneva, Switzerland

Deadline for application: 20 October, 2004.

For further information on the above vacancy notice please contact ITU at :

Place des Nations
CH-1211 Geneva 20
Switzerland

Tel.: (+41.22) 730.51.11
Fax.: Gr3:(+41.22) 733.72.56
Gr4: (+41.22) 730.65.00

E-mail: personnel@itu.int
Website: <http://www.itu.int>

NOTICES

GOVERNMENT OF SAINT LUCIA INVITATION FOR TENDERS FOR THE PURCHASE OF A VEHICLE

THE Ministry of Finance, International Financial Services and Economic Affairs hereby invite Tenders for the purchase of a Government Vehicle.

Details of the vehicle are as follows:

**A PAJERO JEEP
REGISTRATION No. SLG 925
LOCATED IN THE PARKING LOT OF
THE MINISTRY OF FINANCE, LABORIE
STREET, CASTRIES**

Tenders should be submitted no later than 4:30 p.m. on Friday, September 10, 2004, in a sealed envelope clearly labeled "**TENDER FOR VEHICLE SLG 925**", and addressed to:

The Chairperson
Central Tenders Board
Ministry of Finance, International
Financial Services
and Economic Affairs
Old Government Buildings
Laborie Street
Castries

The Board does not bind itself to accept the highest on any Tender.

**Inland Revenue Department
Saint Lucia**

TRIBUNAL OF APPEALS COMMISSIONERS FOR IN- COME TAX

THE Inland Revenue Department, in keeping with its mission to provide impartial treatment to its customers, would like to inform the public that there is a tribunal of appeals commissioning all income tax disputes. Therefore, disputes should be addressed in sealed envelopes to :

Ms. Gillian Vidal-Jules
Secretary
Tribunal of Appeals Commissioners
for Income Tax
C/o Attorney General's Chambers
Legislative Drafting Department
Corner of Micoud and Laborie Streets
Castries

Comptroller of Inland Revenue.

POST OFFICE NOTICE TOURISM STAMP ISSUE

THE public is hereby notified that an issue of stamps commemorating "Tourism", will be released for sale at all post office outlets on Monday 6th September, 2004.

The issue comprises a set of four stamps as follows:

45c — depicts tourists involved in a sailing activity

65c — illustrates horse-back riding

70c — portrays scuba diving

\$1.10 — depicts a visit to the Diamond falls

First Day Covers

First Day Covers are available at a cost of \$5.90 each.

Souvenirs Sheets

Souvenirs sheets will not be available.

First Day of Issue Postmark

All letters posted on Monday 6th

September, 2004 will receive the first day of issue postmark.

The stamps will remain on sale for a period of six months or until stock is exhausted, whichever is the sooner.

Postmaster General

CUSTOMS EXCHANGE RATES EFFECTIVE MONDAY, 30th AUGUST, 2004

IT is notified for general information that under the provisions of section 78 (2) of the Customs (Control and Management) Act No. 23 of 1990 as amended that the under-mentioned rates of exchange shall be used for determining their equivalent in E. C. dollars.

U. K. Pound	4.9352
U.S.A	2.7169
Canadian Dollar	2.1112
Swiss Franc	2.1260
D.Krs.(Danish Kroners)	0.4404
Japanese Yen	0.0246
NZ (New Zealand Dollar)	1.7085
Australian Dollar	1.9148
Jamaican Dollar	0.0438
Guyanese Dollar	0.0139
Swedish Kroners	0.2862
Venezuelan Bolivars	0.0014
Barbados Dollar	1.3542
Trinidad Dollar	0.4545
Euro	3.2750

CLAUDE A. PAUL,
Comptroller of Customs & Excise.

EAGLE AIR SERVICES LIMITED

RESOLUTION

THE directors of Eagle Air Services Limited registered number 116 of 1987 hereby give notice that by an ordinary resolution passed at a general meeting held on the August 20, 2004 have agreed to go into voluntary liquidation because Eagle Air Services Limited is unable to pay its debts.

Eagle Air Services Limited has retained the services of Regoert & Company as Liquidators.

Managing Director
Ewart F. Hinkson

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES

THE Ministry of Agriculture, Forestry and Fisheries wishes to inform the public that it will be authorizing a three week islandwide harvest period for white sea urchins (sea eggs) from the 6th September 2004 to 26th September, 2004 (both days inclusive).

To ensure that the sea egg population is not over harvested, and that juveniles (young sea eggs) remain for the benefit of future harvest, all harvesters are required to adhere to the following conditions:

Persons must harvest only eggs that are at least 3.5 inches (9.0 cm) in diameter (measured at the widest length across the body of the animal);

No one is to harvest in any Marine Reserve such as the Maria Island Nature Reserve and the reserves within SMMA and CAMMA;

No Scuba gear is to be used for harvesting of sea urchins;

All sea urchins must be brought to shore for breaking and processing (no activities are to be carried out at sea);

All persons who operate as "cleaners" must bury urchin shells on a daily basis, placing them above the high tide mark and covering them with at least six inches of sand;

All harvesters and cleaners must make available to the Department of Fisheries any data on sizes, weights and/or numbers as requested;

All persons wishing to export any sea urchin gonads must obtain permission from the Department of Fisheries and a health certificate from the Veterinary Division of the Ministry of Agriculture, Forestry and Fisheries.

Persons failing to adhere to the above conditions will be liable to a fine of up to five thousand dollars (\$5000.00), as stipulated by the Fisheries Regulations No. 9 of 1994 Section 36(a).

The Department of Fisheries will be conducting monitoring activities islandwide to obtain an estimation of the landings during this open period and will be working along with the Police Department to ensure that all persons abide by the harvest conditions stated above.

All harvesting activities must cease after this stated period. No persons are allowed to have in their possession or expose for sale any sea urchins after the closure of the harvest period. Harvesters and the general public are hereby urged to observe and comply with the aforementioned conditions.

Judicial Sales

NOTICE is hereby given that the immovable property hereinafter described will be put up for Sale and Adjudication by the Sheriff, or her Officer, at the Court House or at the Registrar's Office in the City of Castries, on the day of Sale hereinafter stated for each property between the hours of ten and eleven o'clock in the forenoon by the Court House clock.

The purchase money shall be payable as follows: *****

1. The Officer conducting the sale shall require from the Bidder a deposit or a certified banker's cheque in the sum of **SEVEN HUNDRED AND FOURTEEN DOLLARS AND TWENTY-ONE CENTS (\$714.21)** equal to one tenth of the debt (in principal, interest and costs) due to the seizing party.
2. The Purchaser shall pay the Sheriff the Purchase price less the deposit within six months of the date of sale with interest thereon at the rate of six percent per annum. In default of such payment the deposit paid by the

Purchaser shall be forfeited and shall be applied towards the Judgement Debt.

SAINT LUCIA

IN THE HIGH COURT OF JUSTICE
(CIVIL)

Claim No. SLUHCV2001/0713

Between :

(1) MINVIELLE AND CHASTANET LTD.

Claimant

and

(1) ZEPHRIN FRANCIS

Defendant

Notice is hereby given that by virtue of Judgement of the High Court dated **3rd day of November, 2003**, against the Defendant herein and Writ of Execution Returnable on the **26th day of November, 2004**, there will be put up for Sale and Adjudication by the Sheriff or her Officer to the highest bidder in the High Court House, on Peynier Street, in the City of Castries on **Monday the 11th day of October, 2004** at ten o'clock in the forenoon the following **immovable** property of the Defendant to wit:

**SCHEDULE
(BLOCK: 1038b PARCEL: 63)**

All that piece or parcel of land comprising 4.63 Acres or 1.87 Hectares more or less situate at Ravine Poisson in the Quarter of Castries and bounded as follows:

On the **NORTH** by Lot No.2; **SOUTH** by lands of Marie Alexander; **EAST** by a reserve and the Cul-De-Sac River; **WEST** by lands of Edwedge Auguste Noel or howsoever else the same may be bounded.

The said piece or parcel of land is shown as Lot No.3 on Plan of Survey by A. J. Hippolyte Licensed Land Surveyor as Plan No. C 7604 R and lodged with the Commissioner of Crown Lands on 7th May, 1990 and recorded as 156/90.

Together with all the appurtenances and dependencies thereof.

TITLE: (1) Deed of Sale by 1. Mary Kamaki 2. Mary Kamaki (Qua Executrix to the Zepherin Francis executed before Cyril Alva Landers Notary Royal on 23rd December, 1997 and registered on 7th January, 1998 as Instrument No. 54/98.

Sheriff's Office
Peynier Street
Castries

[Third Publication]

Trade Mark Applications

REGISTRY OF COMPANIES & INTELLECTUAL PROPERTY

SAINT LUCIA

NOTICE is hereby given that the following trademark applications have been accepted for registration. Any person who has grounds of Opposition to the registration of any of the Marks advertised herein according to the classes under the heading "Trademarks Applications advertised before Registration", may within three (3) months from the date of this publication, file Notice of Opposition accompanied by a fee of \$200.00.

N.B. All trademarks are published under the **NICE CLASSIFICATION (EIGHTH EDITION) NCL (8)**.

File No (210): TM/2004/ 00000174

Mark name: MARGARITAVILLE

Applicant (730): jimmy Buffet

Filing date (220): 29/06/2004

Class (511): 07 (Electric food and drink blenders, electric mixers, electric juicers, food choppers, electric can openers, electric coffee grinders)

8 (Dining utensils, namely knives, forks, and spoons, steak knives, non-electric can openers.)

TRADE MARKS APPLICATION

and outdoor gas grills, charcoal grills, domestic electric appliances, ice cream makers, [electric or non-electric], ice cream freezers [electric and non-electric], smokers', roasters,

rotisseries, fitted and semi-fitted vinyl covers for grills, ceramic briquettes and lava rocks, wheels for grills, microwave ovens, popcorn poppers, electric waffle irons, electric sandwich makers, ice crushers, ceramic briquette for use in barbecue grills [non-flammable], electric toaster, toaster ovens, electric coffee makers.

21 (Portable food and drink coolers, bottles, sold empty, namely water bottles and squeeze bottles, foam drink holders, portable coolers, portable beverage cooler in the nature of drink can huggers, ice buckets, coasters not of plastic and not of table linen, individual bottle coolers, suncatchers, fitted picnic baskets, bottle openers, lunch boxes, waste baskets not of metal, salt and pepper shakers, canister sets, trivets, pet food bowl, carafes, flasks and cocktail shakers, cocktail picks and stirs, beverages glassware, shot glasses, mugs, dinnerware, namely, plates, and bowls, ,mixing bowls, platters, serving utensils, kitchen utensils, grill accessories, namely spatulas, tongs, forks, turners, basting brushes, grill cleaning brushes, grill baskets, and grill covers, cookware, namely pots and pans, pot and pan scrapers, rolling pins, spatulas and turners, kettes, plastic containers for food and household use, shish kabob, skewers, cooling racks, skilletts, all these goods not being of precious metals or coated therewith.

Agent: Tyrone Chong

MARGARITAVILLE

Trademarks Notice

TAKE NOTICE that the following assignment in respect of the following marks have been recorded in the Register of Trade Marks (Saint Lucia).

**Trade Mark No. Trade Person to whom trademark Date of
Mark has been assigned or Recordal of
transmitted Assignment**

2000/176 MIU MIU Prada S.A. August 30, 2004
2000/177 MIU MIU Prada S.A. August 30, 2004
2000/178 MIU MIU Prada S.A. August 30, 2004
2000/179 MIU MIU Prada S.A. August 30, 2004
2000/180 MIU MIU Prada S.A. August 30, 2004
2000/181 MIU MIU Prada S.A. August 30, 2004
2000/182 MIU MIU Prada S.A. August 30, 2004
2000/183 MIU MIU Prada S.A. August 30, 2004
2000/184 MIU MIU Prada S.A. August 30, 2004
2000/185 MIU MIU Prada S.A. August 30, 2004

Registry of Companies & Intellectual Property.



Trademarks Notice

TAKE NOTICE that the following assignment in respect of the following marks have been recorded in the Register of Trade Marks (Saint Lucia).

**Trade Mark No. Trade Person to whom trademark Date of
Mark has been assigned or Recordal of
transmitted Assignment**

T .M. 105/1998 BELMONT British American Tobacco August 18,
(Brands) Limited 2004
T.M.106/1998 BELMONT British American Tobacco August 18,
(Brands) Limited 2004
T .M. 107/1998 Device British American Tobacco August 18,
Only (Brands) Limited 2004

Registry of Companies & Intellectual Property.

SECOND SCHEDULE

PUBLICATION BY LICENSING AUTHORITY, OF PARTICULARS OF APPLICATION(S) TO OPERATE SCHEDULE AIR SERVICE(S)

IN accordance with the provisions of Regulation 9 of the Air Transport (licensing of Air Services) Regulations, the Licensing Authority of the State hereby publish the prescribed particulars of the undermentioned application (8) to operate Scheduled Air Service (s) in, to and from the State.

Any representations regarding, or objections thereto, in accordance with Regulation 10 must be received by the Licensing Authority within 14 days after the date of the first publication of this Notice; and any Notice, requiring the holding of a public inquiry must be received within 14 days after the date of the first publication of this Notice, in the Third Schedule.

PARTICULARS OF APPLICATION (S) TO OPERATE SCHEDULED AIR SERVICE (S)

Applicant : American Eagle

Date of First Publication of Application : August 30th, 2004

Route Applied For : San Juan, Puerto Rico – Saint Lucia – Canouan

Purpose of Service : Passenger, Mail, Cargo

Points of Departure, Final Destination and Intermediate Points of Call : San Juan, Puerto Rico – Canouan – St. Lucia

Frequency of Flights: 2 Flight Daily

Provisional Time Table:	DEPART	ARRIVE
Flight 5431	CIW 08:00	SJU 08:30
Flight 5430	SJU 16:35	CIW 17:00

Type (S) of Aircraft: ATR72

Signed:
Mario Reyes
Chairman
Air Transport Licensing Board

[Second Publication]

Notice

The Eastern Caribbean Supreme Court In The High Court of Justice

SAINT LUCIA

CLAIM NO. SLUHCV2003 /0634

BETWEEN:

FIRST CARIBBEAN INTERNATIONAL BANK (BARBADOS) LIMITED
formerly BARCLAYS BANK PLC

Claimant

and

- (1) ERNEST ST. ROSE of 11 Rowntree, Toronto, Ontario M6N 1R4, Canada
- (2) MATTHEW ST. ROSE of Bexon, Castries

Defendants

BEFORE: The Honourable Justice Indra Harisprashad-Charles
(*A Judge In Chambers*)

TO : (1) ERNEST ST. ROSE whose last known address was 11 Rowntree, Toronto,
Ontario M6N 1R4, Canada
(2) MATTHEW ST. ROSE whose last known address was Bexon, Castries

NOTICE

TAKE NOTICE that an action has been commenced against you in the High Court of Justice Saint Lucia No. SLUHCV2003/0634 by FIRST CARIBBEAN INTERNATIONAL BANK (BARBADOS) LIMITED formerly BARCLAYS BANK PLC in which the Claimant claims liquidated damages

AND IT HAS been ordered that service of the Notice of the Claim Form in this action on you be effected by this advertisement in two (2) consecutive issues of the local newspaper circulating in Saint Lucia and two (2) consecutive issues of the *Official Gazette*. If you desire to Defend the said action you must within 28 days of the last publication of this advertisement file an Acknowledgement of Service at the Registry of the High Court of Justice, in the City of Castries.

IN DEFAULT of such acknowledge the Claimant will be entitled to have judgment entered against you. If the Claimants do so, you will have no right to be heard by the Court except as to costs or the method of method of paying any judgment unless you apply to set the judgment aside.

Dated 19th day of August 2004

BY THE COURT

Deputy Registrar.

This Notice was filed by McNamara & Co., Chambers of #20 Micoud Street, Castries for and on behalf of the Claimant in this matter.

[First Publication]

Notice

The Eastern Caribbean Supreme Court In The High Court of Justice

SAINT LUCIA

CLAIM NO. SLUHCV2004 /0180

BETWEEN:

BANK OF SAINT LUCIA LIMITED

Claimants

and

(1) DAVID LEONCE
(2) STEPHEN LEONCE

Defendants

TO : (1) DAVID LEONCE and (2) STEPHEN LEONCE whose last known address was 19 Jn Baptiste Hill, Micoud.

NOTICE

TAKE NOTICE that an action has been commenced against you in the High Court of Justice (Saint Lucia) No. 0180 of 2004 by THE BANK OF SAINT LUCIA LIMITED in which the Claimants claim a specified sum.

AND SERVICE of the Notice of the Claim Form in this action on you be effected by this advertisement in two (2) consecutive issues of the local newspaper circulating in Saint Lucia and two (2) consecutive issues of the *Official Gazette*. If you desire to Defend the said action you must within 28 days of the last publication of this advertisement file an Acknowledgement of Service at the Registry of the High Court of Justice, in the City of Castries.

IN DEFAULT of such acknowledge the Claimants will be entitled to have judgment entered against you. If the Claimants do so, you will have no right to be heard by the Court except as to costs or the method of method of paying any judgment unless you apply to set the judgment aside.

Dated 18th day of August 2004

FRANCIS & ANTOINE

Per:
Of Counsels for the Claimants

This Notice was filed by Francis & Antoine, Chambers of 1 Bridge Street, Castries for and on behalf of the Claimants in this matter.

[Second Publication]

Notice

The Eastern Caribbean Supreme Court In The High Court of Justice

SAINT LUCIA

CLAIM NO. SLUHCV2004 /0179

BETWEEN:

BANK OF SAINT LUCIA LIMITED

Claimants

and

- (1) KERNON MC DONALD
- (2) JULIANA ROENA DUVAL MC DONALD
- (3) ANGELA MATHURIN

Defendants

TO : (1) KERNON MC DONALD whose last known address was Marchand, Castries, Saint Lucia.
(2) ANGELA MATHURIN whose last known address was Getrine, Saltibus, Choiseul.

NOTICE

TAKE NOTICE that an action has been commenced against you in the High Court of Justice (Saint Lucia) No. 0179 of 2004 by THE BANK OF SAINT LUCIA LIMITED in which the Claimants claim a specified sum.

AND SERVICE of the Notice of the Claim Form in this action on you be effected by this advertisement in two (2) consecutive issues of the local newspaper circulating in Saint Lucia and two (2) consecutive issues of the *Official Gazette*. If you desire to Defend the said action you must within 28 days of the last publication of this advertisement file an Acknowledgement of Service at the Registry of the High Court of Justice, in the City of Castries.

IN DEFAULT of such acknowledge the Claimants will be entitled to have judgment entered against you. If the Claimants do so, you will have no right to be heard by the Court except as to costs or the method of method of paying any judgment unless you apply to set the judgment aside.

Dated 18th day of August 2004

FRANCIS & ANTOINE

Per:
Of Counsels for the Claimants

This Notice was filed by Francis & Antoine, Chambers of 1 Bridge Street, Castries for and on behalf of the Claimants in this matter.

[Second Publication]

Notice

The Eastern Caribbean Supreme Court In The High Court of Justice

SAINT LUCIA

CLAIM NO. SLUHCV2004 /0143

BETWEEN:

NATIONAL INSURANCE CORPORATION

Claimant

and

MAPCAM ENTERPRISES LIMITED

Defendant

BEFORE : The Honourable Justice Indra Hariprashad-Charles
(*A Judge in Chambers*)

APPEARANCE: A. Cadie Bruney of Counsel for the Claimant

DATED : 20th July, 2004

ENTERED : 29th July, 2004

TO : Mapcam Enterprises Limited whose last known address was Darling Road, Castries

NOTICE

TAKE NOTICE that the Claimant National Insurance Corporation has filed a claim against you in the High Court of Justice, St. Lucia in Claim No. SLUHCV2004/0143.

AND IT HAS BEEN ORDERED that service of the Claim Form in this action be effected on you by advertisement in two (2) consecutive issues of the *Official Gazette* and in two (2) consecutive issues of a Newspaper circulating in Saint Lucia.

IF YOU DESIRE to Defend this action or to be heard you must within twenty-eight (28) days of the last publication file an Acknowledgement of Service at the Registry of the High Court of Justice, Peynier Street in the City of Castries in this Island.

IN DEFAULT of filing an acknowledgement of Service within the time stipulated the Court may hear the Case in your absence without further notice and Judgment may be granted in favour of the Claimant.

BY THE COURT

Deputy Registrar.

The Court Office is at Peynier Street, telephone number 453-1916, Fax 453-2071; E-mail: sluhco@candw.lc. The office is open between 9:00 a.m. and 2:00 p.m. from Monday to Thursday and on Friday from 9:00 a.m. and 3:00 p.m. except public holidays.

This Notice is filed on behalf of the National Insurance Corporation by A. Cadie Bruney, Legal Practitioner for the Claimant whose address is 1st Floor, Francis Compton Building, John Compton Highway in the City of Castries in the State of Saint Lucia, telephone number 452-2808, Fax Number 451-9882.

[Second Publication]

Notice

Eastern Caribbean Central Bank

UNAUDITED BALANCE SHEET AS AT JUNE 2004
(Expressed in Eastern Caribbean Dollars)

LIABILITIES AND NET WORTH

DEMAND LIABILITIES:		
Internal	\$ 1,505,219,456	
IMF Government Reserve Accounts	841,729	
Foreign	4,786,749	
Statutory Bodies Deposits	816,000	
Bankers Deposits	17,464,000	
Other	13,939,060	
		1,543,068,994
OTHER LIABILITIES		3,807,039
NET WORTH:		
General Reserve	80,748,379	
Other Reserves	23,520,069	
		104,268,448
TOTAL		1,651,144,481

REPRESENTED BY:-

ASSETS:

FOREIGN RESERVE ASSETS:		
Foreign Securities	\$ 1,043,825,215	
Term Deposits and Money at Call	378,305,266	
Balances with Foreign Banks	12,999,915	
Interest Accrued on Securities and Deposits	11,227,964	
Regional and Foreign Currencies	35,495,751	
		1,481,854,151
DOMESTIC ASSETS:		
Participating Governments Securities	39,370,780	
Balances with Local Banks	250,084	
Due from Participating Governments	19,100,586	
Long Term Loan Receivable	264,375	
Fixed Assets	73,648,185	
Other Investments	5,500,020	
		138,134,030
OTHER ASSETS		31,156,300
TOTAL		1,651,144,481

Proportion of Foreign Reserve Assets held under Article 24(2) of the ECCB Agreement as a Percentage of Demand Liabilities is: 96.03%


 GOVERNOR

SAINT LUCIA
 PRINTED BY THE NATIONAL PRINTING CORPORATION
 CASTRIES
 2004

| Price :



PRESS RELEASES

MINISTRY OF COMMUNICATIONS, WORKS, TRANSPORT AND PUBLIC UTILITIES

THE Minister of Communications, Works, Transport and Public Utilities wishes to advise the general public and more specifically stakeholders in the Telecommunications Sector that the Telecommunications (Retail Tariff) Regulations for Saint Lucia is now available for review and public comment.

The full document is available in the *Official Gazette* and on the Government of Saint Lucia's website: www.stlucia.gov.lc.

Instructions on how to respond has also been provided.

All responses to this consultative document must be received by September 13, 2004.

Thecla Augustin
Permanent Secretary
Ministry of Communications, Works, Transport and Public Utilities

Minister of Telecommunications' Public Consultation

**Recommendation of the Eastern Caribbean Telecommunications Authority
("ECTEL")**

**To Minister of Telecommunications of Saint Lucia to publish
Telecommunications (Retail Tariff) Regulations**

Consultation Document

/N0.

4th August 2004

1. The Minister of Telecommunications is in receipt of a submission from ECTEL containing ECTEL's recommendation for Telecommunications (Retail Tariff) Regulations for Saint Lucia.
2. A copy of the Telecommunications (Retail Tariff) Regulations is annexed to this Consultative Document.
3. The Minister considers that it is appropriate to hold a Public Consultation in order to make a determination whether to publish these regulations.
4. The consultation period will run from Wednesday 4th August 2004 to 13th September 2004. All responses to this Consultative Document should be written and sent by post, fax or email to: -

Hon. Felix Finisterre
Minister
Ministry of Communications, Works
Transport & Public Utilities
Union
CASTRIES
Fax: 1-758-468-6380
Email: ffinisterre@gosl.gov.lc

Managing Director or General Counsel
ECTEL
P.O. Box 1886
Vide Boutielle
CASTRIES
St. Lucia
Fax: 1-758-458-1698
ewilliams@ectel.int
dredman@ectel.int

Saint Lucia

**TELECOMMUNICATIONS (RETAIL TARIFF)
REGULATIONS, 2004**

ARRANGEMENT OF REGULATIONS

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SAINT LUCIA
STATUTORY RULES AND ORDERS No. [·] of 2004
REGULATIONS

IN EXERCISE of the powers conferred by Section 74 of the Telecommunications Act No. 27 of 2000 the Minister makes the following Regulations:

TELECOMMUNICATIONS (RETAIL TARIFF) REGULATIONS, 2004

PART I
INTERPRETATION

Short Title

1. These regulations may be cited as the – TELECOMMUNICATIONS (RETAIL TARIFF) REGULATIONS, 2004

Commencement

2. These regulations shall come into force on the date of publication in the *Gazette*.

Definitions

3. The definitions in this section apply in these regulations:

“business day” means a day that falls on a Monday, Tuesday, Wednesday, Thursday or Friday, except where such day is a public holiday in Saint Lucia.

“combination service” means a combination of telecommunications services provided by a telecommunications provider under a combined rate or rate formula where the offering of one or more services within the combination is contingent on acceptance of the entire combination and comprising (i) one or more regulated services and one or more unregulated services, or (ii) two or more regulated services.

“major supplier” means a telecommunications provider that is designated as a major supplier under regulation 6(5).

“price cap plan” means an incentive-based method for regulation of the rates charged by a telecommunications provider for one or more regulated services, and may include other provisions as to the rates, or the maximum or minimum rates, terms and conditions for any such regulated service.

“regulated service” means a telecommunications service that is designated by the Commission as a regulated service under regulation 6 or deemed to be a regulated service under regulation 43.

“tariff” means the rates, terms and conditions applicable to a regulated service.

“unregulated service” means a telecommunications service that is not a regulated service.

PART II
GENERAL

Scope

4.— (1) These regulations apply to telecommunications services that a telecommunications provider provides or offers to provide to one or more customers that are members of the general public.

(2) These regulations do not apply to interconnection services or wholesale telecommunications services that a telecommunications provider provides or offers to provide to another telecommunications provider as contemplated by the Telecommunications (Interconnection) Regulations, 2002.

(3) Except in relation to rates, nothing in these regulations shall be interpreted to override the provisions in a telecommunications provider’s licence relating to terms and conditions for specified telecommunications services.

Objectives

5. The following objectives shall guide the Commission, ECTEL and telecommunications providers in the application of these regulations:

(a) the availability of reliable, affordable and high quality telecommunications services throughout the country should be

fostered;

- (b) the interests of consumers, particularly low income consumers, should be safeguarded;
- (c) wherever practical, reliance on market forces in the provision of telecommunications services should be encouraged;
- (d) regulation, where required, should be efficient and effective;
- (e) the rates, terms and conditions for regulated services should be just and reasonable, not unreasonably discriminatory and not anti-competitive;
- (f) price regulation for regulated services should take account of the interest of telecommunications providers in earning a fair return on prudently made investment; and
- (g) telecommunications providers should be encouraged to operate efficiently.

PART III DESIGNATING REGULATED AND UNREGULATED SERVICES

Designating Regulated Services

6.— (1) Where the Commission determines that a telecommunications service provided by a telecommunications provider is not subject to a degree of competition that is sufficient to protect the interests of customers, the Commission may designate the telecommunications service as a regulated service.

(2) No designation under regulation 6(1) shall be made unless ECTEL makes a recommendation to the Commission to that effect.

(3) A telecommunications service shall be deemed to have been designated by the Commission as a regulated service where the telecommunications provider consents in writing to the designation, and files a copy of the consent with the Commission.

(4) A consent under regulation 6(3) may contain conditions as to its application, and where it does, such consent shall not be effective until the Commission accepts those conditions.

(5) A telecommunications provider that provides a regulated service shall be designated as a major supplier for the purposes of these regulations, unless the Commission exempts a telecommunications provider from such a designation.

(6) Within 30 days of the designation by the Commission that a telecommunications service is a regulated service, or such other time period as the Commission may specify, the telecommunications provider shall file a tariff applicable thereto with the Commission for approval and provide a copy to ECTEL.

Designating Unregulated Services

7.— (1) Where the Commission determines that a regulated service provided by a telecommunications provider is or will be subject to a degree of competition sufficient to protect the interests of customers, the Commission shall designate that telecommunications service as an unregulated service.

(2) The Commission may make a determination that a telecommunications service is an unregulated service where the Commission finds as a question of fact that to do so is consistent with the objectives in regulation 5.

(3) No determination under regulation 7(1) or (2) shall be made unless ECTEL makes a recommendation to the Commission to that effect.

(4) Either a telecommunications provider or ECTEL may apply to the Commission under regulation 6(1) or 7.

Change of Designation Not Precluded

8.— (1) A designation as a regulated service under regulation 6 does not preclude the subsequent determination by the Commission under regulation 7 with respect to the same telecommunication service.

(2) A determination by the Commission under regulation 7 does not preclude a subsequent designation under regulation 6 with respect to the same telecommunication service.

Treatment of Unregulated Services Under a Price Cap Plan

9. Where the Commission makes a determination under regulation 7 that a telecommunications service included in a price cap plan is an unregulated service, the Commission shall remove that telecommunications service from the price cap plan as soon as practicable and on such terms as may be specified in the price cap plan, or in the absence of any such terms, as the Commission may decide.

New Telecommunications Services

10. —(1) For the purposes of this regulation 10, a “new telecommunications service” means a telecommunications service or combination service that a major supplier does not presently provide or offer to provide.

(2) A major supplier that proposes to make available a new telecommunications service shall, at least 10 business days before providing the new telecommunications service:

- (a) file with the Commission a description of the new telecommunications service, including the rates, terms and conditions applicable thereto, and the major supplier's assessment as to the categorization of the new telecommunications service as a regulated service or an unregulated service; and
- (b) provide a copy of the description to ECTEL.

(3) In making its assessment in regulation 10(2),

- (a) the major supplier shall categorize a new telecommunication service consistent with the categorization of its existing telecommunications services; and
- (b) the major supplier shall categorize as a regulated service, a new telecommunications service that is a combination service comprising predominantly or exclusively regulated services.

(4) Without prejudice to any subsequent designation under regulation 6, or subsequent determination under regulation 7, the Commission shall be deemed to have accepted the categorization of the new telecommunications service, as assessed by the major supplier, unless, prior to the end of the 10 business day period referred to in regulation 10(2), the Commission determines an alternative categorization.

(5) The major supplier may file the information required to be filed pursuant to this regulation on an ex parte basis, and the Commission and ECTEL shall not disclose such information until such time as the Commission has made a determination of the categorization of the new telecommunications service.

(6) No determination under regulation 10(4) shall be made unless ECTEL makes a recommendation to the Commission to that effect.

PART IV REGULATED SERVICES

General

11. No telecommunications provider shall provide a regulated service except in accordance with a tariff filed with and approved by the Commission.

Substitution of rates, etc

12. For the purposes of this Part, the Commission may determine any matter and make any order relating to tariffs and the Commission may substitute rates, terms and conditions for those in effect or applied for.

Rates for regulated services to be just and reasonable

13. Every rate charged by a major supplier for a regulated service shall be just and reasonable.

Tariffs not to be anti-competitive

14. No provision of a major supplier's tariff shall be anti-competitive.

Discontinuation of regulated service

15. — (1) A major supplier shall not discontinue the provision of a regulated service without the prior approval of the Commission where that regulated service is specified in a price cap plan as requiring Commission approval for discontinuation.

(2) An application to discontinue a regulated service in accordance with regulation 15(1) shall be deemed to be approved if the Commission neither approves nor denies such application within 60 days of the application being filed and a copy provided to ECTEL.

(3) A major supplier shall give the Commission and customers of the service 60 days notice of its decision to discontinue the provision of a regulated service which is not specified in a price cap plan as requiring Commission approval for discontinuation.

(4) Subject to regulation 15(1), a major supplier shall give the Commission 15 days notice of its decision to no longer offer an existing regulated service to new customers.

Applications Related to Tariffs for Regulated Services

16. Except as provided under regulation 22 or 25, a telecommunications provider that proposes to establish or change the tariff for a regulated service shall, at least 30 days before the tariff or change in tariff is to come into effect,

- (a) file an application with the Commission;

- (b) provide a copy of the application to ECTEL; and
- (c) provide notice of the application, and a summary of its contents, to customers.

Applicant to file further information

17. The Commission or ECTEL, or both, may, require that the telecommunications provider file further information relating to its application.

ECTEL recommendation to Commission

18. ECTEL may, within 30 days of receipt of the application under regulation 16 or within 10 days of receipt of the further information required under regulation 17, whichever is later, make recommendations to the Commission, providing a copy of any such recommendations to the telecommunications provider.

Commission approval of r.16 application

19. Where the Commission approves an application under regulation 16, and the Commission substitutes one or more rates, terms and conditions for those in the telecommunications provider's application, such approval is conditional on the telecommunications provider filing its acceptance to the substitution with the Commission within 3 business days after the Commission's approval.

Application for increase in rate for regulated service

20. Notwithstanding regulation 13, but subject to regulation 26, the Commission shall approve as filed an application under regulation 16 to change the rate for a regulated service, where the proposed change complies with a price cap plan approved by the Commission.

Deemed approval of increase in rate for regulated service

21. The Commission shall be deemed to have approved an application to increase the rate of a service subject to a price cap plan, where it neither approves nor denies the application within 45 days of filing.

Application to decrease regulated service rate

22. A telecommunications provider that proposes to only decrease the rate charged for a regulated service shall, at least 3 business days before the reduced rate is to come into effect,

- (a) file an application with the Commission;
- (b) provide a copy of the application to ECTEL.

Deemed approval of decrease in rate for regulated service

23. The Commission shall be deemed to have approved an application under regulation 22 if the Commission does not approve or disapprove the application within 3 business days after the application is filed with the Commission and a copy provided to ECTEL.

ECTEL recommendation

24.— (1) Where ECTEL considers that a major supplier's tariff is not just and reasonable, ECTEL may recommend to the Commission that the major supplier's tariff be changed, and shall provide a copy to the telecommunications provider concurrently.

(2) Subject to regulation 26, the Commission shall not change the rate for an existing regulated service, where the existing rate complies with a price cap plan approved by the Commission.

Market Trials

25.— (1) A telecommunications provider may conduct a market trial or short term promotion for a regulated service or a combination service without prior approval of the Commission, provided that

- (a) the market trial or short term promotion does not exceed 90 days in duration;
- (b) the market trial or short term promotion is not similar to a market trial or short term promotion that concluded less than 120 days earlier; and
- (c) the telecommunications provider files a description of the market trial or short term promotion, and the rates, terms and conditions applicable thereto, with the Commission, and provides a copy to ECTEL, at least 10 days before the beginning of the market trial or short term promotion.

(2) The major supplier may file the information required to be filed pursuant to this regulation on an ex parte basis, and the Commission and ECTEL shall not disclose such information until at least such time as the telecommunications provider has commenced the market trial or short term promotion.

(3) The Commission may order a telecommunications provider not to conduct a market trial or short term promotion for a regulated service or a combination service, or may require a telecommunications provider to suspend or discontinue a market

trial or short term promotion in progress where such market trial or short term promotion would be contrary to regulation 25(1) or where the Commission determines that the market trial or short term promotion is anti-competitive.

Minimum Rates for Regulated Services

26.— (1) A telecommunications provider shall not charge a rate for a regulated service or a combination service that is less than the long run incremental cost of providing the service, except

- (a) where the telecommunications provider is conducting a market trial or short term promotion where such market trial or short-term promotion is not anti-competitive; or
- (b) where the Commission determines that it is in the public interest to do so.

(2) The Commission may, upon application by ECTEL or any other person, require a telecommunications provider to demonstrate that the rate charged for a regulated service or the combination service satisfies the requirements of regulation 26(1).

(3) Where the Commission requires a telecommunications provider to demonstrate that the rates charged for a regulated service or combination service satisfies the requirements of regulation 26(1):

- (a) the telecommunications provider shall file with the Commission a report demonstrating such compliance within 30 days; and
- (b) the Commission shall approve or disapprove the rates charged for the regulated service or the combination service within 30 days of the filing of the telecommunication provider's report.

(4) Where the Commission disapproves the rates charged for a regulated service or a combination service pursuant to regulation 26(3), the telecommunications provider shall forthwith increase the rates in the manner specified by the Commission.

Price Cap Plan

27.— (1) ECTEL or a major supplier may develop a price cap plan applicable to the major supplier.

(2) Prior to finalizing a price cap plan for filing with the Commission, ECTEL or the major supplier as the case may be shall provide the other with a copy of the proposed price cap plan, and allow at least 30 days during which ECTEL and the major supplier may exchange comments on the proposed price cap plan.

(3) During the period referred to in regulation 27(2), ECTEL and the major supplier shall make reasonable efforts to reach agreement on the terms of the price cap plan for filing with the Commission.

Commission Approval of Price Cap Plan

28.—(1) Following the 30 day period in regulation 27(3), ECTEL or the major supplier may file the price cap plan with the Commission for approval.

(2) Within 30 days of the filing under regulation 28(1), the Commission shall initiate a public consultation process on the proposed price cap plan.

(3) Within 60 days of the completion of the public consultation process under regulation 28(2), the Commission shall either approve or disapprove the price cap plan.

(4) Where ECTEL and a major supplier agree on the provisions of the price cap plan filed with the Commission.

- (a) the Commission shall approve or disapprove the price cap plan within 120 days after the price cap plan is filed with the Commission, failing which the Commission shall be deemed to have approved the price cap plan; and
- (b) the Commission shall not amend the price cap plan except pursuant to an application filed by ECTEL or the major supplier, where the provisions of the amendment are agreed by ECTEL and the major supplier.

(5) Where the Commission approves a price cap plan, it shall come into effect on the date established in the price cap plan, or such other date as ECTEL and the major supplier may agree, and subject to compliance with such conditions as may be specified in the price cap plan.

(6) A major supplier shall comply with all reporting, monitoring and compliance requirements specified in an approved price cap plan, or as the Commission may direct.

Notice to Customers

29. Where a major supplier gives notice to its customers of an application filed with the Commission under regulation 16, the notice shall, unless the Commission directs otherwise,

- (a) be published both on the major supplier's website and in a local newspaper with widespread circulation;
- (b) briefly describe the subject matter of the application in plain language;
- (c) set out the proposed effective date of the matters described in the application;
- (d) indicate that the complete application is available for examination on the major supplier's website, and at its main office in Saint Lucia at the address stated in the notice, and at the Commission's office at the address stated in the notice;
- (e) inform customers that they may make submissions to the Commission within 15 days of the filing date, and setting out the postal, facsimile transmission and email addresses of the Commission for the filing of such submissions; and
- (f) request customers that make submissions to the Commission to provide a copy of the submissions to both the major supplier and ECTEL, and setting out the postal, facsimile transmission and email addresses of the major supplier and ECTEL.

PART V UNREGULATED SERVICES

Changes in Rates, Terms and Conditions

30. Subject to any specific commitment in its licence, a telecommunications provider may change the rates, terms and conditions applicable to an unregulated service without the Commission's approval

Notice for certain unregulated services

31. Where a telecommunications provider is subject to conditions of licence that restrict or limit the rates that may be charged for an unregulated service, the telecommunications provider shall give notice to the Commission, ECTEL and affected customers of any increase in the rates, or change in the terms and conditions, applicable to the unregulated service at least 15 days before the new rates, terms and conditions come into effect.

PART VI PETITIONS IN RELATION TO RATES, TERMS AND CONDITIONS

Filing of Petition

32.— (1) Any person may file a petition with the Commission for the purpose of initiating an investigation into the rates, terms and conditions for regulated services provided by a telecommunications provider.

(2) A petition filed pursuant to regulation 32(1), shall:

- (a) be in writing;
- (b) state the interest of the petitioner;
- (c) specify the name of the telecommunications provider; and
- (d) specify the reasons for instituting the investigation.

(3) The Commission may reject, without further process, a petition that is frivolous, vexatious or that raises issues previously decided by that the Commission.

Steps prior to issuing order

33. In response to a petition under regulation 32, the Commission may make an order suspending, cancelling, or changing the rates, terms and conditions applicable to a regulated service, but before so doing, the Commission shall:

- (a) seek the recommendation of ECTEL; and
- (b) provide the telecommunications provider with an opportunity to make submissions to the Commission in response to the petition, and to ECTEL's recommendation.

No change to rates etc approved in Price Cap Plan

34. Subject to regulation 26, the Commission shall not suspend, cancel or change a rate, term or condition that complies with an approved price cap plan, where the provisions of the price cap plan have been agreed by ECTEL and the telecommunications provider to which the price cap plan applies.

PART VII AVAILABILITY OF INFORMATION

Requirement to Publish Rates, Terms and Conditions

35. Unless the Commission otherwise permits, a telecommunications provider shall make the rates, terms and conditions for its telecommunications services available to the public by

- (a) publishing in its white pages directory, if any, the rates for its regulated services and for its generally available unregulated services that are currently available at the time of publication; and
- (b) publishing current rates, terms and conditions on its Internet website for its regulated services and generally available unregulated services.

Compliance with Request for Information

36. A telecommunications provider shall comply with a request for information from the Commission or ECTEL including a request for information in respect of an audit.

Appointment of Independent Auditor

37. The Commission may appoint an independent auditor to conduct audits into information provided by a telecommunications provider, in order to verify the accuracy of the information so provided.

Auditor to Submit Report

38. An auditor who is appointed pursuant to regulation 37 shall provide the Commission and the telecommunications provider with a report containing the conclusions and reasons for its findings.

Notification of Reports

39. Where the Commission is in receipt of an audit report which discloses that certain information provided by the telecommunications provider is inaccurate or incomplete, the Commission shall provide to the telecommunications provider

- (a) a copy of the report, including the findings of the auditor and the reasons for those findings;
- (b) notice of the action which the Commission proposes the licensed telecommunications provider must take to remedy the inaccuracy or incompleteness;
- (c) notice of any additional action that the Commission intends to take; and
- (d) an opportunity to respond to the notice and the required time frame for such response.

PART VIII ADMINISTRATION

Orders

40. The Commission may order a telecommunications provider, at or within any time and subject to any conditions that it determines, to do anything the person is required to do under these regulations, and may forbid a person to do anything that the telecommunications provider is prohibited from doing under these regulations.

Timing

41. The Commission may extend the period of time, whether fixed by these regulations or otherwise, for doing anything required or permitted to be done pursuant to these regulations, or in proceedings before the Commission or under its decisions.

Disapproval of Application

42. Where the Commission makes an order disapproving an application filed under these regulations, except pursuant to a petition filed under regulation 32, it shall:

- (a) issue the order in writing;
- (b) state the reasons for the disapproval;
- (c) endeavour to issue the reasons at the time of the order, but in no event later than 21 days thereafter;
- (d) send the order to the applicant on the date of issue;
- (e) send the reasons as soon as they are issued; and
- (f) publish the order and reasons on the Commission's website and in the Gazette.

Services deemed regulated

43. Where, as of the date of these regulations coming into force, a major supplier and ECTEL have agreed on a price cap plan, all services designated as regulated in that price cap plan shall be deemed to be regulated services for the purposes of these regulations, and all services designated as unregulated in that price cap plan shall be deemed to be unregulated services for the purposes of these regulations.

Services deemed approved

44.— (1) As of the date of these regulations coming into force, the regulated services referred to in regulation 43 shall be deemed approved hereunder, shall continue as regulated services under these regulations at the rates, and subject to the terms and conditions, in effect at the date that these regulations come into force.

(2) Nothing in this regulation 44 shall derogate from a major supplier's obligations to make price changes in accordance with a previously approved price cap plan.

Approved Price Cap Plan saved

45. A price cap plan that is approved by the Commission before these regulations come into force shall continue as an approved price cap plan under these regulations.

Price Cap Plan Application saved

46. Where an application for approval of a price cap plan is filed with the Commission before these regulations come into force, the Commission shall remain seized of the application under these regulations at the date that these regulations come into force and as if filed under these regulations.

Filed Price Cap Plan saved

47. Where ECTEL and a telecommunications provider agree on the provisions of a price cap plan that is filed with the Commission before these regulations come into force, the provisions of the price cap plan shall be considered as agreed by ECTEL and the telecommunications provider under these regulations.

Revocation

48. The Telecommunications (Tariff) Regulations 2002 is hereby revoked.

Made this [[·]] day of [[month]], 2004.

Signed: _____
MINISTER FOR TELECOMMUNICATIONS

RSS Places Greater Focus on Security

A Strategic Review Team of the Regional Security System (RSS), was on the island recently, on a fact-finding mission, regarding the provision and state of security surrounding a number of issues and institutions.

While here, the team focussed on port security, tourism, illegal importation of drugs and fire arms, as well as the impact of HIV/AIDS and school drop outs.

Head of the visiting Strategic Review Team of the RSS, retired General Cameron Ross, explained that they would be in consultation with a number of stakeholders to discuss the various security needs of the state. He added that the RRS would also be examining whether their own structure, organisation and funding met the present requirements to effectively deal with the anticipated security threats to the region.

Referring for example, to the ability of people to walk to school and work in the market place without the threat of some security attack against them, General Ross said, "The RSS perhaps has a role in this, because drugs are a major factor, fire arms are a major factor in the security dynamics. Each country cannot afford to deal with these issues as a single entity. It is very clear that there must be a pooling of resources and this is perhaps what the RSS can assist in."

During the RSS short visit, they paid courtesy calls on Governor General, Her Excellency Dame Pearlette Louisy; and Prime Minister, Honourable Dr. Kenny Anthony. The visiting delegation also met with members of the local media.



CXC results are out, Ministry Officials Celebrate!

Officials from the Ministry of Education, Human Resource Development, Youth and Sport are celebrating an improvement in the performance of St Lucian Students in the May/June 2004 CXC Examinations.

In a statement released by Minister of Education, Human Resource Development, Youth and Sports, the Hon Mario Michel, it was revealed that students had registered a one per cent increase in this year's CXC examination.

"Last year, the overall pass rate in the General and Technical Proficiency subjects was 70.63 per cent, while this year, it climbed to 71.62 per cent. Eleven of the 19 secondary schools recorded improved performances this year, with over five percent increases being recorded by the Babonneau Secondary, the Clendon Mason Memorial, the Vide Boutielle Secondary, the Anse Ger Secondary and the SDA Academy," Minister Michel informed.

Seventeen of the 19 secondary schools that entered students in the exam registred overall pass rates in excess of 50 per cent. Five schools attained pass rates of over 80 per cent - St Joseph's Convent with 96.17 per cent, St Mary's College at 91.05 per cent, Leon Hess Comprehensive at 84.07 per cent, followed by Castries Comprehensive and Vieux Fort Comprehensive at 81.46 per cent and 81.14 per cent, respectively.

The top five St Lucian performers at CXC this year were Skeeta Carasco with nine Grade Ones and a Grade Two, Lisa Mohammed, Phylcia Joseph, Huanna French, and Kelvin Cenac, who all scored nine Grade Ones.

The improvement in this year's CXC results follows improvement recorded earlier this year at the Primary School Level in the Minimum Standard Test and the Common Entrance, making 2004 a good year for St Lucian students.

Telecommunications (Retail Tariff) Regulations

The Minister of Communications, Works, Transport and Public Utilities wishes to advise the general public and more specifically stakeholders in the Telecommunications Sector that the Telecommunications (Retail Tariff) Regulations for Saint Lucia is now available for review and public comment.

The full document is available in the official gazette and on the Government of Saint Lucia's website.

Instructions on how to respond has also been provided.

All responses to this consultative document must be received by September 13, 2004.

Thecla Augustin
Permanent Secretary
Ministry of Communications, Works, Transport and Public Utilities



Regional Association of Catholic Communicators Formed

Practitioners in the field of Catholic Communications from several countries of the Caribbean region and Latin America, together with representatives from the international Catholic communications body, SIGNIS and the Latin American Catholic organization, OCLACC, met in Trinidad from 16th - 17th August, 2004.

Arising out of the meeting, the practitioners agreed to form a regional Communications Organization open to membership from countries that belong to the Caribbean Catholic Bishops' Conference (AEC) as well as other countries in the region that wish to participate in this initiative. They also agreed to set up the necessary mechanism to exchange information, ideas, resources and media productions among members. Sub committees were formed to develop a Constitution for the organization, to communicate with the Antilles Episcopal Conference (AEC), to facilitate the communications process between the member countries and to plan and fund the agreed activities including the first meeting of the new organization which will be held in May 2005.

Participating countries and organizations at the meeting included Antigua, Barbados, Belize, Curacao, Dominica, Guyana, Santa Domingo, St. Lucia, Suriname, St. Thomas and Trinidad and Tobago. SIGNIS, the official international Catholic organization responsible for communications and OCLACC the Catholic Communications Organization for Latin America facilitated the two day meeting and provided valuable insights to participants.

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