

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

4th April, 2003.

SAINT LUCIA

No. 16 of 2003

AN ACT to establish a National Crime Commission for Saint Lucia and to provide for matters incidental thereto.

[22nd April, 2003]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows :

Short title and commencement

1. This Act may be cited as the National Crime Commission Act, 2003 and shall come into force on a day to be fixed by the Minister by Order in the *Gazette*.

Interpretation

2. In this Act, unless the context otherwise requires —

“Chief Executive Officer” means the person seconded as such pursuant to section 9;

“Commission” means the commission established under section 3;

“crime prevention” means any action designed to reduce the actual levels of crime or the perceived fear of crime;

“Director of Audit” means the person appointed as such under section 90 of the Saint Lucia Constitution Order No. 1901 of 1978;

“member” means a member of the Commission;

“Minister” means the Minister responsible for Justice;

Establishment and composition of Commission

3.— (1) There is established by this Act a Commission to be known as the National Crime Commission.

(2) The Commission shall comprise the following persons appointed by the Minister —

- (a) one representative of Government;
- (b) one representative of the Opposition Party in Parliament;
- (c) one representative of the Sir Arthur Lewis Community College;
- (d) one representative of the Ministry of Education, Human Resource Development, Youth and Sports;
- (e) one representative of the National Youth Council;
- (f) one representative of the Saint Lucia Bar Association;
- (g) one representative of the Saint Lucia Employers’ Federation;
- (h) one representative of the Saint Lucia Hotel and Tourism Association;

- (i) one representative of the Royal Saint Lucia Police Force;
- (j) one representative of the National Mothers and Fathers Association.
- (k) one representative of the Saint Lucia Christian Council;
- (l) one person representing each of the following —
 - (a) women;
 - (b) trade unions;
 - (c) crime stoppers;
- (m) one representative of the Saint Lucia Ex-Police Officers Association;
- (n) one representative of the Saint Lucia Security Industry Association;
- (o) one representative of the press and media.

(3) Subject to subsection (2), the Minister shall, on the recommendation of each of the bodies mentioned in subsection (2), appoint an alternate member for each of the persons appointed under this section.

(4) An alternate member appointed under subsection (3) shall act as a member of the Commission during a period in which the person who is the substantive member is, by reason of illness, absence or other incapacity, unable to act as a member.

(5) The meetings of the Commission shall be held at such times and at such places as are from time to time agreed upon by the members of the Commission or as the Minister may direct.

(6) At a meeting of the Commission, eight members shall constitute a quorum.

(7) Subject to this Act, the Commission may determine its procedure and for that purpose may make rules of procedure, including rules relating to the convening of meetings and the conduct of business at meetings and may from time to time alter the rules.

(8) The Minister may, with the approval of Cabinet, by order in the *Gazette*, amend the composition of the commission.

Tenure of office and condition of member of Commission

4.— (1) The tenure of office and other terms and conditions of office of the members of the Commission shall be set out in the letter of appointment.

(2) The existence of a vacancy in the membership of the Commission shall not affect the validity of anything done by the Commission.

Chairperson and Vice Chairperson

5.— (1) The Minister shall appoint a Chairperson from amongst the members of the Commission.

(2) The Commission shall elect from among its members a Vice Chairperson who shall, in the absence of the Chairperson, preside at meetings of the Commission.

Committees of the Commission

6. The Commission may —

- (a) appoint committees comprising of such persons having such expertise as the Commission deems necessary, for the proper carrying out of its function; and
- (b) delegate to such Committees any functions it considers necessary.

Functions of the Commission

7. The functions of the Commission are to —

- (a) collect, through widespread public hearings and consultations in an organised, impartial and responsible manner, concerns and suggestions for preventing and controlling crime in specific ways, and make recommendations to the Minister for action;
- (b) examine specific strategies to enhance the role of the church, school, family and civic organisations in forging a national culture against crime and violence, and make recommendations to the Minister;
- (c) assist the police in the development and implementation of a nation-wide community policing programme in collaboration with local communities;
- (d) construct quality benchmarks and performance standards as feedback mechanisms for enhancing quality performance by

the police and the community within the framework of the community policing programme;

- (e) conduct periodic surveys in the various communities and in the schools to help provide a fuller picture of crime and deviance and a viable basis for proactive policies by the Government, relevant institutions and the community as a whole;
- (f) publish or cause to be published regular statistical and crime prevention reports for use by government agencies and the general public;
- (g) examine, as far as possible, the social and psychological patterns of criminal behaviour, both adult and youth, and make recommendations for crime prevention and rehabilitation to the Minister;
- (h) examine-
 - (i) reasons for any significant shifts in crime trends;
 - (ii) the various patterns of criminal behaviour in terms of geographical location and social background of offenders and victims,
 and make recommendations to the Minister;
- (i) examine the linkages between drug abuse, trafficking and related patterns of crime and make recommendations to the Minister;
- (j) examine appropriate local, regional and international research on crime and related matters, and make recommendations for improving Government policy to the Minister;
- (k) carry out any other function related to crime prevention .

Secretariat of Commission

8. — (1) The Commission shall be serviced by a secretariat comprising —

- (a) a Chief Executive Officer; and
- (b) such other general support personnel as the Commission considers necessary.

(2) The general support personnel shall be appointed by the Minister with the approval of the Commission.

Chief Executive Officer

9. The Chief Executive Officer shall be appointed by Cabinet and may be a public officer seconded by the Public Service Commission on the approval of Cabinet.

Duties of Chief Executive Officer

10. The Chief Executive Officer shall —

- (a) be responsible for the day-to-day management of the offices of the Commission including the organisation of staff;
- (b) be present at all meetings of the Commission unless he or she is incapacitated by illness or other cause from attending;
- (c) assign duties accordingly to the other staff of the Commission;
- (d) send out notices of meetings of the Commission and keep minutes of such meetings;
- (e) sign jointly with the Chairperson, reports, balance sheets and other financial statements of the Commission;
- (f) perform such other duties as the Commission or the Minister may assign to him or her from time to time.

Annual Report

11.— (1) The Commission shall —

- (a) advise the Minister of the work of the Commission and in particular on matters that could affect public policy as it relates to crime prevention or the priorities of the Commission;
- (b) prepare and submit to the Minister on or before 1st April in each year an annual report reviewing the work of the Commission;
- (c) prepare and submit interim reports to the Minister every three months, reviewing the work of the Commission.

(2) The Minister shall lay or cause to be laid a copy of every annual report on the table of the House of Assembly and the Senate.

Annual Budget

12.— (1) The Commission shall prepare for each financial year an annual budget of revenue and expenditure which shall be submitted to the Minister at least three months prior to the commencement of the financial year.

(2) The revenue of the Commission shall consist of —

- (a) revenues allocated from the Consolidated Fund;
- (b) grants from international funding or financial agencies; and
- (c) any other money lawfully contributed, donated or bequeathed to the Commission from any legitimate source.

(3) For the purposes of this Act, the financial year of the Commission shall be the twelve months ending on the 31st day of March in any year.

Accounts and Audit

13.— (1) The Commission shall keep proper accounts and other records in relation thereto, and shall prepare in respect of each financial year a statement of accounts.

(2) The accounts of the Commission for each year shall be audited by an auditor to be appointed by the Director of Audit.

(3) As soon as the accounts have been audited, the Commission shall submit a copy to the Minister and a copy of any report made by the auditor.

(4) The Minister shall lay or caused to be laid a copy of the audited accounts on the table of the House of Assembly and the Senate.

Remuneration of members

14. National Crime Commission shall be classified as a “Developmental 1 statutory body” and members shall be remunerated accordingly for each meeting attended.

Expenses of the Commission

15. The expenses of the Commission including the remuneration of members and staff thereof shall be paid out of the funds and resources of the Commission.

Regulations

16. The Minister may make regulations prescribing all matters —

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary to be prescribed for carrying out or giving effect to this Act.

No.16] *The National Crime Commission Act* [2003.

Passed in the House of Assembly this 12th day of November, 2002.

MATTHEW ROBERTS,
Speaker of the House of Assembly

Passed in the Senate this 13th day of March, 2003.

HILFORD DETERVILLE,
President of the Senate.