

No. 8] *Saint Lucia Air and Sea Ports Authority  
(Amendment) Act* [2006.

I ASSENT

[L.S.] PEARLETTE LOUISY,  
*Governor-General.*

*30th January, 2006.*

# SAINT LUCIA

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## **No. 8 of 2006**

AN ACT to amend the Saint Lucia Air and Sea Ports Authority Act 1983,  
No.10 of 1983.

[ 6th February, 2006 ]

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 :

No. 8] *Saint Lucia Air and Sea Ports Authority* [2006.  
(*Amendment*) Act

**Short title**

1. This Act may be cited as the Saint Lucia Air and Sea Ports Authority (Amendment) Act 2006.

**Interpretation**

2. In this Act —

“principal Act” means the Saint Lucia Air and Sea Ports Authority Act 1983, No. 10 of 1983.

**Amendment of section 2**

3. Section 2 of the principal Act is amended by adding the following definition in its proper alphabetical order:

““Secondary Asset” means any asset declared to be a Secondary Asset by the Minister by Notice published in the *Gazette* in accordance with subsection 28 (4);”.

**Amendment of section 4**

4. Section 4 of the principal Act is amended by deleting 4 (1) (b) and substituting it with the following:

“4. (1) (b) an officer from the Attorney General’s Chambers;”.

**Amendment of section 28**

5. Section 28 of the principal Act is amended by inserting the following new subsections (4), (5), (6), (7) and (8) immediately after subsection (3):

“(4) Subject to subsection (5), the Minister may, by Notice published in the *Gazette*, on the recommendation of the Authority, declare any asset of the Authority, not critical to the daily operations of the airports and seaports, to be a Secondary Asset.

(5) An asset shall be deemed to be a Secondary Asset one month after the date of publication of the Notice pursuant to subsection (4).

(6) The Minister may, by Notice published in the *Gazette*, on the recommendation of the Authority withdraw an asset as a Secondary Asset.

No. 8] *Saint Lucia Air and Sea Ports Authority* [2006.  
(Amendment) Act

(7) Where a Secondary Asset is withdrawn pursuant to subsection (6), sufficient alternative guarantee must be provided by the Authority to a party in whose favour a guarantee against the Secondary Asset has been affected, prior to the withdrawal of that asset as a Secondary Asset.

(8) Notwithstanding the provision of subsection (1), the Authority may effect a guarantee against a Secondary Asset of the Authority, without requirement for Parliamentary approval of such guarantee, in such manner and on such terms as may be required in the circumstances and otherwise in accordance with this Act.”.

**Amendment of section 40**

6. Section 40 of the principal Act is deleted and substituted by the following:

**“Payment of dues and charges**

40. (1) All dues and charges payable under this Part shall be paid at the prescribed time, and where no such time is prescribed such dues and charges shall be paid on demand.
- (2) All dues and charges payable under this Part shall be deemed to have been demanded when they become payable.
- (3) Any dues and charges, being in whole or in part, not paid to the Authority at the prescribed time or on demand, shall bear interest, after the expiration date when the payment is due and payable, at the rate of one percent per month or part thereof, or such other rate as may be prescribed by the Minister by Order published in the *Gazette*.

**Amendment of section 91**

7. Section 91 of the principal Act is amended by:

- (a) renumbering section 91 as section 91 (1);
- (b) inserting the word “or” between the words “arbitration” and “tribunal” appearing in that section;

No. 8] *Saint Lucia Air and Sea Ports Authority* [2006.  
(*Amendment*) Act

(*c*) deleting the full stop appearing at the end of paragraph (*a*) and  
by replacing it with a semi colon; and

(*d*) adding the following as subsection (2):

“(2) The provisions of subsection (1) shall not apply where a  
guarantee is effected against a Secondary Asset of the  
Authority.”.

**Amendment of Section 93**

**8.** Section 93 of the principal Act is amended by inserting the  
following subsection (5) immediately after subsection (4):

“(5) The Authority may, with the approval of the Minister, sell,  
transfer, or dispose of any Secondary Asset as it deems  
necessary.”.

Passed in the House of Assembly this 20th day of December, 2005.

J. BADEN ALLAIN,  
*Speaker of the House of Assembly.*

Passed in the Senate this 22nd day of December, 2005.

HILFORD DETERVILLE,  
*President of the Senate.*