

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

1st March, 2007.

SAINT LUCIA

No. 2 of 2007

AN ACT to amend the Immigration Ordinance, Cap 76, Revised Laws of
Saint Lucia 1957.

[12th March, 2007]

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

1. This Act may be cited as the Immigration (Amendment) Act 2007.

Interpretation

2. In this Act “principal Act” means the Immigration Ordinance, Cap.76, Revised Laws of Saint Lucia 1957.

Insertion of new section 10A in the principal Act

3. The principal Act is amended by inserting the following section after section 10:

“Advance passenger information

10A. (1) In this section—

“advance passenger information” means the information in respect of a passenger, crew member or other occupant transported in the vessel;

“competent authority” means such person or entity as the Minister may by Order prescribe;

“domestic space” means the countries listed in Schedule II;

“passenger” means any person not being a bona fide member of the crew, travelling or seeking to travel on a vessel.

(2) This section applies to a vessel which —

- (a) is expected to arrive in Saint Lucia; or
- (b) has left or is expected to leave Saint Lucia.

(3) The master of a vessel to which subsection (2) applies, shall, at such time as provided in subsection (4), provide to the competent authority in such form and manner as may be approved by the Minister, the relevant advance passenger information data set out Schedule 1, in respect of the vessel and each person on board.

(4) Where—

- (a) subsection (2)(a) applies, the data referred to in subsection (3) shall be provided —
 - (i) in the case of a commercial aircraft, no later than fifteen minutes after departure from the last port of call;

- (ii) in the case of a private aircraft, no later than thirty minutes prior to the departure from the last port of call;
- (iii) in the case of a ship arriving from outside the domestic space, no later than twenty-four hours prior to arrival; and

- (iv) in the case of a ship arriving from a destination within the domestic space, no later than one hour prior to arrival of the vessel from the last port of call; or

- (b) subsection 2(b) applies, then, subject to subsection (5), the data referred to in subsection (3) shall be provided no later than fifteen minutes after the departure from Saint Lucia,

(5) Subsection (4)(b) does not apply to the departure of a vessel from country to a destination within the domestic space.

(6) Where a master, intentionally or recklessly—

- (a) fails to transmit the data in accordance with subsection (3) or (4); or
- (b) transmits incomplete or false data;

the master commits an offence and is liable to a fine not exceeding US\$100,000.00 or its equivalent in Eastern Caribbean dollars.

(7) The Minister may waive the requirements of subsection (3) or (4) in such circumstances and on such conditions as the Minister may prescribe.”.

Insertion of Schedules

4. The following Schedules are inserted as Schedule 1 and Schedule II of the principal Act:

“SCHEDULE I

ADVANCE PASSENGER INFORMATION

(a) Data relating to the flight or voyage:

Flight Identification (if applicable)

(IATA Airline code and flight number)

Vessel Identification (if applicable)

(vessel name and voyage number)

Vessel Registration

(Vessel Registration Number)

Country of Registration

(Country where vessel registered)

Agent or Owner (where applicable)

(Name of Agent for the vessel or where no Agent, name of Owner)

Scheduled Departure Date

(Date of scheduled departure of vessel (based on local time of departure location))

Scheduled Departure Time

(Time of scheduled departure of vessel (based on local time of departure location))

Scheduled Arrival Date

(Date of scheduled arrival of vessel (based on local time of arrival location))

Scheduled Arrival Time

(Time of scheduled arrival of vessel (based on local time of arrival location))

Last Place/Port of Call of Vessel

(Vessel departed from this last place/port of call to go to “place/port of vessel initial arrival”)

Place/Port of Vessel or Aircraft Initial Arrival

(Place/port in the country of destination where the vessel arrives from the “last place/port of call of vessel”)

Subsequent Place/Port of Call within the country/domestic space

(Subsequent place/port of call within the country)

Number of Persons on board

(Total number of passengers, crew on board)

Place/Port of Onward Foreign Destination

(For departure from [country])

- (b) Data relating to each individual on board:
- Core Data Elements of the Official Travel Document
 - Official Travel Document Number
(Passport or other official travel document number)
 - Issuing State or Organisation of the Official Travel Document
(Name of the State or Organisation responsible for the issuance of the official travel document)
 - Official Travel Document Type
(Indicator to identify type of official travel document)
 - Expiration Date of Official Travel document
(Expiration date of the official travel document)
 - Surname/Given Name(s)
(Family name and given name(s) of the holder as it appears on the official travel document.)
 - Nationality
(Nationality of the holder)
 - Date of Birth
(Date of birth of the holder)
 - Gender
(Gender of the holder)

SCHEDULE II

DOMESTIC SPACE COUNTRIES

Antigua and Barbuda
 Barbados
 Dominica
 Grenada
 Guyana
 Jamaica
 St. Kitts and Nevis
 Saint Lucia
 St. Vincent and the Grenadines
 Trinidad and Tobago”.

No. 2] *Immigration (Amendment) Act* [2007.

Passed in the House of Assembly this 6th day of February, 2007.

SARAH FLOOD-BEAUBRUN,
Speaker of the House.

Passed in the Senate this 15th day of February, 2007.

ROSE MARIE HUSBANDS-MATHURIN,
President of the Senate.