

No. 2]

Civil Status (Amendment) Act

[2008.

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

January 24, 2008.

SAINT LUCIA

No. 2 of 2008

AN ACT to amend the Civil Status Act, Cap. 4.02.

[11th February, 2008]

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. 2] *Civil Status (Amendment) Act* [2008.

Short title

1. This Act may be cited as the Civil Status (Amendment) Act 2008.

Interpretation

2. In this Act “principal Act” means the Civil Status Act, Cap 4.02.

Amendment to section 2

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

“Minister” means the Minister responsible for matters relating to Civil Status;”.

Insertion of section 3A

4. The principal Act is amended by adding the following section after section 3 as section 3A:

“Disqualification

3A. A person is disqualified from being a status officer who performs a marriage if he or she —

- (a) is less than forty-five years;
- (b) is in part time or full time employment;
- (c) has been convicted of a criminal offence except where the offence is a minor traffic offence or has been spent in accordance with the Criminal Records (Rehabilitation of Offenders) Act 2004, No. 2;
- (d) is certified by two psychiatrists to be mentally incapacitated by reason of unsoundness of mind; or
- (e) is declared by a court to be a bankrupt.”.

Insertion of section 3B

5. The principal Act is amended by adding the following section after section 3A as section 3B:

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“Revocation of authorisation

- 3B. Cabinet may on the recommendation of the Minister, revoke the authorisation of a person as a status officer to perform a marriage where —
- (a) in the case of a religious officer, a request for revocation is made by a religious organization which the religious officer represents or the religious officer ceases to be affiliated to the denomination for which he or she is appointed;
 - (b) he or she is convicted of a criminal offence except where the offence is a minor traffic offence;
 - (c) he or she fails to comply with the provisions of this Act, the Civil Code, Cap. 242 of the Revised Laws of Saint Lucia 1957 or any of the laws of Saint Lucia in relation to the performance of religious or civil marriages;
 - (d) he or she is certified by two psychiatrists to be physically or mentally incapacitated by reason of unsoundness of mind; or
 - (e) he or she is declared by a court to be a bankrupt.”.

Insertion of section 4A

6. The principal Act is amended by adding the following section after section 4 as section 4A:

“Disqualification

- 4A. A person is disqualified from being appointed as a district registrar if he or she —
- (a) is in part time or full time employment;
 - (b) been convicted of a criminal offence except where the offence is a minor offence or has been spent in accordance with the Criminal Records (Rehabilitation of Offenders) Act 2004, No. 2;
 - (c) is certified by two psychiatrists to be physically or mentally incapacitated by reason of unsoundness of mind; or
 - (d) is declared by a court to be a bankrupt.”.

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Insertion of section 4C

7. The principal Act is amended by adding the following section after section 4B as section 4C:

“Revocation of appointment

- 4C. The Governor General may, on the recommendation of the Minister, revoke the appointment of a person as a district registrar where —
- (a) he or she is convicted of a criminal offence except where the offence is a minor traffic offence;
 - (b) he or she fails to comply with the provisions of this Act, the Civil Code or any of the laws of Saint Lucia in relation to civil status;
 - (c) he or she is certified by two psychiatrists to be physically or mentally incapacitated by reason of unsoundness of mind; or
 - (d) he or she is declared by a court to be a bankrupt.”.

Insertion of section 4D

8. The principal Act is amended by adding the following section after section 4C as section 4D:

“District registrar to be paid salary

- 4D. A district registrar shall be paid a monthly salary as may be fixed by Parliament.”.

Amendment of section 9

9. Section 9 of the principal Act is amended by inserting immediately after subsection (3) the following new subsection (4):

- “(4) The mother of a child shall upon notifying the district registrar of the birth make a declaration of the dwelling place of the child.”.

Amendment of section 10

10. Section 10 of the principal Act is amended by deleting the words “one year” appearing in that section and substituting the words “six months”.

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Amendment of section 11

11. Section 11 of the principal Act is amended by deleting the words “one year” and substituting the words “six months” appearing —

- (a) in the heading for that section; and
- (b) in that section.

Passed in the House of Assembly this 20th day of November, 2007.

SARAH FLOOD-BEAUBRUN,
Speaker of the House.

Passed in the Senate this 4th day of December, 2007.

ROSEMARIE HUSBANDS-MATHURIN,
President of the Senate.