



# **Saint Lucia GOVERNMENT GAZETTE**

## **EXTRAORDINARY**

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GOVERNMENT NOTICE

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The following documents are published with and form part of this  
*Extraordinary Gazette*:

## Assented Acts

No. 10 of 2019 — Caribbean Electric Utility Services Corporation  
Headquarters Agreement Act .

No. 11 of 2019 — Castries Constituency Council Act .

No. 12 of 2019 — Citizenship by Investment (Amendment) Act .

No. 13 of 2019 — Money Laundering (Prevention) (Amendment) Act .

No. 14 of 2019 — Motor Vehicles and Road Traffic (Amendment) Act.

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

**SAINT LUCIA**

**No. 10 of 2019**

**ARRANGEMENT OF SECTIONS**

*Sections*

1. Short title
2. Interpretation
3. Force of law
4. Regulations

**SCHEDULE**



No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

I Assent

[L.S.]

NEVILLE CENAC,  
*Governor-General.*

*April 4, 2019.*

## SAINT LUCIA

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### No. 10 of 2019

**AN ACT** to give legal effect to and provide for the implementation of the Headquarters Agreement between the Caribbean Electric Utility Services Corporation and the Government of Saint Lucia.

[ 8th April, 2019 ]

**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. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

**Short title**

1. This Act may be cited as the Caribbean Electric Utility Services Corporation Headquarters Agreement Act, 2019.

**Interpretation**

2. In this Act —

“Agreement” means the Agreement between the Caribbean Electric Utility Services Corporation and the Government Saint Lucia signed on the 11<sup>th</sup> day of April, 2018;

“Minister” means the Minister responsible for energy.

**Force of law**

3. The Agreement set out in the Schedule has the force of law in Saint Lucia.

**Regulations**

4. The Minister may make Regulations for giving effect to this Act.

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

(Sections 2 and 3)

**SCHEDULE**

**HEADQUARTERS AGREEMENT BETWEEN THE GOVERNMENT  
OF SAINT LUCIA AND CARILEC**

The Government of Saint Lucia and the Caribbean Electric Utility Services Corporation (CARILEC) wishing to conclude an agreement regarding the establishment of a Regional Secretariat in Saint Lucia have agreed as follows:

**ARTICLE 1  
DEFINITIONS**

- 1.1 The term CARILEC means the Caribbean Electric Utility Services Corporation.
- 1.2 The term “Regional Secretariat” means the CARILEC Regional Secretariat based in Saint Lucia and serving member utilities in the Caribbean as well as regional and international associates and affiliates.
- 1.3 The term “Personnel” means full time employees of the Regional Secretariat designated by the Executive Director and accepted by the Government of Saint Lucia as such.
- 1.4 The term “Utilities” means entities (whether public or private) that engage in the sale of electricity to the public within their respective territories. They also engage in (or are stakeholders in) the Transmission, Distribution and Generation of electricity within their respective territories.

**ARTICLE 2  
STATUS**

- 2.1 The Corporation is registered as a non-profit company under the Companies Act of Saint Lucia Cap. 13.01 (Company No. C66) as shown by the Certificate of Incorporation C66 dated 20<sup>th</sup> March 2000.

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

**AIMS**

2.2 The aims of CARILEC are to:

- (a) Advance the capability of the Caribbean electricity industry;
- (b) Promote better understanding of the industry; and
- (c) Support the contribution of the electricity industry to the quality of life of the Caribbean people.

2.3 CARILEC shall be:

- (a) Guided by the ideals of democracy, human rights and social justice.
- (b) Independent of every government. It shall be selfgoverning and not subject to control by any political party or ideological or religious grouping.
- (c) Associated with the International Electricity Associations in the United Kingdom, United States, Canada and the Pacific. The Secretariat shall work very closely with the regional and international institutions and public agencies involved in the implementation of energy policies and the delivery of electricity services in the region.
  - (i) Any change in this relationship shall be subject to ratification by the CARILEC Board of Directors.
  - (ii) Affiliation of member utilities with other organisations is a matter to be determined solely by those member utilities.
  - (iii) CARILEC shall not interfere in the operational affairs of member utilities, companies and organisations. It shall respect internal freedom and diversity of expression in accordance with the principles of the constitution.



## **MEMBERSHIP**

2.4 Membership of CARILEC is classified into the following three (3) categories:

- (a) Full members that are electric utilities operating in the Caribbean;
- (b) Associate Members that are regional and international companies involved in some aspect of servicing the electric utility business;
- (c) Affiliate Members that are regional and international professional or educational institutions, public agencies and government electrical departments involved in standards, education, training and policy formulation in the electricity industry and energy sector.

## **POLICY GOVERNANCE**

2.5 Policy governance for CARILEC is provided by a Board of Directors which comprises of not less than three (3) and not more than fifteen (15) members. The majority of Directors are elected from among the Full Members with one Director elected by the Associate Members to represent them and an Executive Director who administers the Secretariat located in Saint Lucia.

## **ARTICLE 3**

### **FUNCTIONS OF THE CARILEC REGIONAL SECRETARIAT**

3.1 The main functions of the Regional Secretariat are to implement the annual work program of CARILEC as approved by the Board of Directors. Specific functions include:

- (a) Enhance communication among full, associate and affiliate members;
- (b) Serve as the main focal point for general and technical information;

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

- (c) Lobby Caribbean governments by actively evaluating, interpreting and advocating changes in policies that impact on the electricity industry and energy sector;
- (d) Co-ordinate high-quality engineering, technician, administrative and managerial training and arrange for accreditation and certification of programmes;
- (e) Co-ordinate conferences for senior professionals in the fields of engineering, finance, information systems, purchasing, customer service, human resource and executive management;
- (f) Maintain a “Register of industry Consultants” and facilitate delivery of consultancy services;
- (g) Manage disaster planning and a regional hurricane restoration programme;
- (h) Coordinate the conduct of regional technical studies and operational surveys, analysis of findings and circulation of reports;
- (i) Co-ordinate regional and international attachments and secondments for the transfer of knowledge and skills;
- (j) Implement special projects independently or in collaboration with other agencies and institutions to improve aspects of utility operations;
- (k) Publish various information documents including an Annual Programme Catalogue, an Annual Magazine and a bi-yearly Industry Journal;
- (l) Collect, compile and disseminate electric utility data and tariff information on member utilities and the sector as a whole;
- (m) Undertake regular missions and ongoing consultations with CARILEC members;
- (n) Develop, evaluate and co-ordinate joint utility activities and projects; advise participating utilities as required;

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

- (o) Evaluate current developments in the Caribbean; prepare and submit regular progress reports to the Board of Directors;
- (p) Prepare an annual budget for the administration of the regional secretariat and submit annual Financial Reports;
- (q) Manage relations with regional and international stakeholders such as institutions, public agencies and government departments;
- (r) Manage an online CARILEC Renewable Energy Community (CAREC) platform.

The CARILEC Regional Secretariat will carry out all these functions in accordance with the laws of Saint Lucia.

**ARTICLE 4**  
**BENEFITS TO SAINT LUCIA AND THE CARIBBEAN**

- 4.1 The establishment of the regional Secretariat in Saint Lucia will result in a number of benefits to the country generally and the energy sector especially. Some of the more tangible benefits will include:
- (a) Creating of direct employment for five (5) professional staff members and six (6) administrative support staff and a cleaner on a full-time basis;
  - (b) Providing indirect employment for numerous technical and general service personnel in communications, transportation, housing and equipment;
  - (c) Obtaining foreign exchange earned as a result of the approximately USD1,300,000 collected annually by the CARILEC Secretariat from members in annual subscriptions, publications and service fees and used for office operations and to implement, plans, programmes and projects in the electricity industry and energy sector;
  - (d) Supporting local entrepreneurs in the procurement of material, equipment and furniture required by

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

the regional Secretariat and for utilities and other services;

- (e) Boosting the tourist industry by hosting regional and international conferences held under the auspices of CARILEC;
- (f) Using local technical expertise for the design, editing and printing of five (5) major regional publications (yearly);
- (g) Keeping utility officials abreast with developments in the field of electricity and energy by disseminating information;
- (h) Assisting Saint Lucia and the other Caribbean countries in their efforts to attain regional and international standards in electricity operations and energy management; Regulatory reform, Renewable Energy and Energy Efficiency.
- (i) Supporting efforts to improve the operations of regional utilities in general and the Saint Lucia Electricity Services Limited (LUCELEC) in particular;
- (j) Enhancing the image of Saint Lucia regionally and internationally in the field of electricity services through its contribution to discussions on energy matters.
- (k) Facilitating greater networking among regional and international officials and member companies operating in the field of electricity and the energy sector.
- (l) Collaborating with the Government of Saint Lucia on initiatives aimed at boosting the energy sector.

**ARTICLE 5**  
**REGIONAL SECRETARIAT**

5.1 The Regional Secretariat will be located on the top floor of the CARILEC Building situated at Desir Avenue, San Souci, Castries, Saint Lucia. Its mailing address is P.O. Box CP Box 5907, Castries, Saint Lucia.

**ARTICLE 6**  
**STAFFING THE CARILEC REGIONAL SECRETARIAT**

6.1 The Regional Secretariat will be managed by a core team of permanent and contract personnel performing the following executive, professional and administrative functions:

- (a) An Executive Director who is responsible for implementing the policies of the Board as well as overseeing the day to day operations of the Secretariat;
- (b) A Training Manager who is responsible for planning and directing the implementation of the regular and general training programme of the Secretariat; and the online platform (CAREC) CARILEC Renewable Energy.
- (c) Member Services Manager who is responsible for planning and directing the implementation of the annual publications, conferences, member relations and the attachment/secondment programme of the Secretariat;
- (d) A Technical Services Manager who is responsible for planning and implementing technical studies and surveys, CARILEC Disaster Management assistance (CDM), information systems, and energy projects of the Secretariat;
- (e) A Financial Controller who is responsible for planning and implementing the annual budget, managing the cash flow and the computerized accounting system and facilitating annual external audits of the finances of the Secretariat;
- (f) An Administrative Manager who is responsible for planning and implementing the general office administration programme of the Secretariat;
- (g) A core of seven (7) support staff responsible for carrying out various administrative functions including secretarial, clerical, janitorial and general assistance.

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

6.2 From time to time, the Secretariat may recruit professionals as Specialists to undertake short-term assignments in the region. Additionally, member utilities may assign staff on attachments or secondments to the Regional Secretariat to work on specially approved projects.

**ARTICLE 7**  
**FINANCING OF THE REGIONAL SECRETARIAT**

7.1 The activities of the Regional Secretariat will be financed by the annual contributions received from the full, associate and affiliate members. From time to time CARILEC may secure funding from other cooperating regional and international organizations and funding agencies to implement special projects. These include:

- (a) CARICOM Secretariat
- (b) Organization of Eastern Caribbean States (OECS)
- (c) Canadian International Development Agency (CIDA)
- (d) Caribbean Renewable Energy Development Project (CREDP)
- (e) Caribbean Development Bank (CDB)
- (f) Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
- (g) United Nations Development Programme (UNDP)
- (h) Inter-American Development Bank (IDB)
- (i) Global Environment Facility (GEF)
- (j) United Kingdom Foreign & Commonwealth Office (UK FCO)
- (k) World Bank (WB)
- (l) United States Department of State (DOE)
- (m) United States Agency for International Development (USAID)
- (n) Organization of American States (OAS)
- (o) Rocky Mountain Institute-Carbon War Room (RMI-CWR)

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

- 7.2 In addition, the Secretariat will generate revenue from fees for the delivery of training, the hosting of conferences, the sale of technical studies and surveys, reports, sponsorship of conference activities and website advertising.
- 7.3 On an average the Regional Secretariat is expected to generate a total of US\$1,300,000 per year in gross revenue. These revenues are used to finance the plans, programmes and projects of the Regional Secretariat as approved by the Board of Directors for implementation in accordance with the annual budget.
- 7.4 The Secretariat will also maintain a CARILEC Disaster Fund to assist members with hurricane restoration works. Member utilities will contribute approximately US\$81,000 annually to the fund which currently stands at US\$780,000.

**ARTICLE 8**  
**PRIVILEGES AND IMMUNITIES**

- 8.1 CARILEC, its assets and other property shall be:
- (a) Exempt from customs duties, value added tax (VAT), environmental levies and service charge and consumption taxes in respect of all materials and equipment procured locally or imported by CARILEC for the establishment of the Regional Secretariat and in the furtherance of its functions. Materials and equipment imported under such exemption shall not be sold or disposed of in Saint Lucia except under conditions agreed to by the Government of Saint Lucia.
  - (b) Exempt from income taxes in respect of corporations.
- 8.2 The Executive Director and other professional employees of the Secretariat recruited from overseas shall each be entitled to import free of duty and consumption taxes household effects and personal belongings if imported within six (6) months of taking up employment in Saint Lucia.

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

- 8.3 CARILEC personnel recruited from overseas to work at the Secretariat shall be issued with the necessary work permits and shall be exempt from the payment of applications fees for work permits and work permit fees.
- 8.4 The emoluments of CARILEC personnel (including persons on special assignments or seconded to the Secretariat), shall be free of income taxes.
- 8.5 CARILEC personnel travelling on CARILEC business overseas shall be exempt from the payment of the passenger facility charge of US\$25.00.

**ARTICLE 9**  
**LIABILITY**

- 9.1 The Government of Saint Lucia shall not be held responsible for any damage or claim arising out of the operations of the Secretariat. CARILEC shall make appropriate arrangements for insurance cover in the event of liability arising from any action, claim or other demand that may be brought against CARILEC arising out of the operations of the Secretariat.

**ARTICLE 10**  
**PREVENTION OF ABUSE**

- 10.1 The Executive Director shall take every precaution to prevent any abuse in the exercise of the privileges or immunities accorded or conferred by virtue of this agreement and for this purpose shall establish such rules and regulations for officials of CARILEC as may be necessary and expedient.
- 10.2 If the Government of Saint Lucia considers that any abuse has occurred in the enjoyment of privileges or immunities accorded or conferred by virtue of this Agreement, the Executive Director shall, at the request of the Government, consult the Government to determine whether such abuse has occurred. If consultations fail to achieve results satisfactory to the Executive Director and the Government the matter shall be settled in accordance with the procedure set out in Article 11.



No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

**ARTICLE 11**  
**DISPUTE SETTLEMENT**

- 11.1 Any dispute between the Government of Saint Lucia and the CARILEC Regional Secretariat concerning the interpretation of this Agreement or any supplementary agreement which is not settled by negotiation or other mode of settlement shall be referred to a tribunal of three arbitrators for final decision. One arbitrator shall be nominated by the Executive Director a second by the Government of Saint Lucia and the third to be agreed upon by the two parties.
- 11.2 The majority vote of the arbitrators shall be sufficient to reach a decision which shall be final and binding.
- 11.3 Arbitration shall be conducted in Saint Lucia in accordance with the Laws of Saint Lucia.

**ARTICLE 12**  
**OPERATION OF THE AGREEMENT**

- 12.1 The Executive Director and the Government of Saint Lucia shall settle by agreement, the channels through which they will communicate regarding the application of the provisions of this Agreement.
- 12.2 The Agreement shall be interpreted in the light of its primary purpose, which is to enable CARILEC Regional Secretariat to discharge its responsibilities fully and efficiently so as to achieve its objectives.
- 12.3 Nothing in this Agreement shall be construed as to preclude the adoption of measures considered appropriate by the State of Saint Lucia for its security.
- 12.4 This Agreement may be revised at the request of either party. To do so, the parties shall consult each other on the modifications sought. In the event that their negotiations should fail to produce an amended Agreement within the period of one (1) year, this Agreement may be terminated by either party upon giving notice of six (6) months.




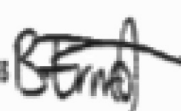
No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

**ARTICLE 13**  
**ENTRY INTO FORCE AND DURATION**

- 13.1 This Agreement will enter into force on the date of its signature.
- 13.2 This Agreement shall cease to have effect six (6) months after either of the Contracting Parties have given notice in writing to the other of its decision to terminate this Agreement or earlier by mutual consent.

In Witness Whereof, the undersigned duly authorized by the Government of Saint Lucia and the Caribbean Electric Utility Services Corporation (CARILEC).

Done in duplicate at Castries, Saint Lucia, this day of 11/4/ 2018

|   |   |
|---|---|
| Signed on behalf of:  |   |
|           |           |
| Government of St. Lucia   | CARILEC   |
| Date 11 April 2018  | Date 11 April 2018  |
| Witness  | Witness  |
| Date April 11 <sup>th</sup> , 2018  | Date 11 April 2018  |

No. 10 ] *Caribbean Electric Utility Services Corporation* [ 2019  
*Headquarters Agreement Act*

Passed in the House of Assembly this 26th day of March, 2019.

ANDY G. DANIEL,  
*Speaker of the House of Assembly*

Passed in the Senate this 28th day of March, 2019.

JEANNINE GIRAUDY-MCINTYRE,  
*President of the Senate*

**SAINT LUCIA****No. 11 of 2019****ARRANGEMENT OF SECTIONS***Section***PRELIMINARY**

1. Short title
2. Interpretation
3. Binding of the Crown
4. Application

**PART I****MUNICIPALITY AND INCORPORATION**

5. Constitution of municipality
6. Incorporation
7. Functions of the Castries Constituency Council
8. Legal actions
9. Contracts
10. Common seal
11. Acquisition of moveable and immoveable property
12. Functions of the Mayor
13. Function of the Deputy Mayor
14. Mayor and Deputy Mayor to be justices of the peace
15. Oath to be taken by member
16. Functions of the Secretary
17. Meetings of Castries Constituency Council

**PART II****OFFICERS OF THE CASTRIES CONSTITUENCY COUNCIL**

18. Chief Executive Officer
19. Other officers
20. Officers may be required to give security
21. Accountability of officer

**PART III****CASTRIES CITY POLICE**

22. Castries City Police
23. Arms and ammunitions
24. Oath by Commissioner of Police
25. Badge
26. Authority of Commissioner of Police
27. General powers and immunities of Castries City Police
28. Arrest and detention

- 29. Power to grant bail
- 30. Laying of information and conduct of proceedings
- 31. Sale of stolen or abandoned property
- 32. Policing beyond boundaries of municipality

**PART IV  
FINANCE**

- 33. Monies to be paid into approved financial institution
- 34. Signature on cheques
- 35. Orders for payment
- 36. Signature for receipts
- 37. Payments to be submitted to and approved by the Castries Constituency Council
- 38. Borrowing
- 39. Guarantee

**PART V  
MISCELLANEOUS**

- 40. Protection from liability
- 41. Institution of proceedings
- 42. Bye-Laws

SCHEDULE

I Assent

[L.S.]

NEVILLE CENAC,  
*Governor-General.*

*April 4, 2019.*

## SAINT LUCIA

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### **No. 11 of 2019**

**AN ACT** to provide for municipalities, the Castries Constituency Council and to establish the Castries City Police and for related matters.

[ 8th April, 2019 ]

**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:

**PRELIMINARY****Short title**

1. This Act may be cited as the Castries Constituency Council Act, 2019.

**Interpretation**

2. In this Act —

“Castries City Police” means the Castries City Police established and appointed under section 22;

“Castries Constituency Council” means the Council established under section 4 of the Constituency Councils Act, Cap. 17:19;

“Chief Executive Officer” means the person appointed under section 18;

“Commissioner of Police” means the Commissioner of Police appointed under section 7 of the Police Act, Cap. 14:01;

“Corporation” means the Castries Corporation bearing the name “the Mayor and citizens of Castries” established under section 5 of the Castries Corporation Act, No. 22 of 1967 and the Council referred to under section 7 of that Act;

“Deputy Mayor” means the person appointed under section 5(4) of the Constituency Councils Act, Cap. 17:19;

“Mayor” means the person appointed under section 5(4) of the Constituency Councils Act, Cap. 17:19;

“member” means a member of the Castries Constituency Council appointed under section 5 of the Constituency Councils Act, Cap. 17:19;

“municipality” means a constituency declared to be a municipal city or municipal district under section 5;

“oath” includes affirmation;

“officer” means an officer appointed under section 19 and includes the Chief Executive Officer;

“police station” means the Castries City Police Station located within the municipality;

“Royal Saint Lucia Police Force” means the Royal Saint Lucia Police Force established under section 3 of the Police Act, Cap. 14.01;

“Secretary” means the Secretary under section 5(5) of the Constituency Councils Act, Cap. 17.19.

### **Binding of the Crown**

**3.** This Act binds the Crown.

### **Application**

**4.** Nothing in this Act applies so as to derogate from the operation of the Constituency Councils Act, Cap. 17.19 or another Act so far as the Act relates to the carrying out of a function or exercise of a power by the Castries Constituency Council.

## **PART I MUNICIPALITY AND INCORPORATION**

### **Constitution of municipality**

**5.—(1)** The constituency of Central Castries is declared to be a municipal city.

(2) The constituencies of Castries North, Castries East and Castries South are declared to be municipal districts.

(3) The Castries Constituency Council shall give one month’s notice of the intention of the Constituency Boundaries Commission to review the boundaries of the municipality by advertisement in the *Gazette* and in at least one newspaper of general circulation in the municipality.

(4) The Castries Constituency Council shall, as soon as convenient after the review of the municipality, cause an advertisement to be published in the *Gazette* and in at least one newspaper of general circulation in Saint Lucia describing the new municipality, if any.



(5) In this section, “Constituency Boundaries Commission” means the body referred to under section 57 of the Constitution of Saint Lucia, Cap. 1.01.

### **Incorporation**

**6.—**(1) The Castries Constituency Council is a body corporate.

(2) The Corporation is dissolved.

(3) A reference in Rules, Regulations or Bye-Laws of the repealed Act or another Act or a public or private document, to the Corporation is deemed to refer to the Castries Constituency Council.

(4) A reference in Rules, Regulations or Bye-Laws of the repealed Act or another Act or a public or private document, to the Mayor is deemed to refer to the Mayor of the Castries Constituency Council.

(5) An act or a decision that is purported to be exercised by the Mayor under the repealed Act or the Castries Constituency Council under the Constituency Councils Act, Cap. 17.19 or by the Corporation before the commencement date of this Act are deemed valid.

(6) In this section, “repealed Act” means the Castries Corporation Act, No. 22 of 1967 repealed by the Constituency Councils Act, Cap. 17.19.

### **Functions of the Castries Constituency Council**

**7.—**(1) Without prejudice to section 6 of the Constituency Councils Act, Cap. 17.19, the function of the Castries Constituency Council is to provide for the good governance of the municipality.

(2) Without limiting the generality of subsection (1), the functions of the Castries Constituency Council include —

- (a) to provide for the collection and expenditure for the benefit of the municipality of monies authorized by law to be raised for that purpose;
- (b) to provide for the improvement of the municipality;
- (c) to ensure cleanliness of streets and other public places, the width of streets and other places made or to be made,

and the regulation of the erection of houses, buildings and structures in the municipality;

- (d) to suppress or abate nuisances in the municipality;
- (e) to regulate and license the keeping of dogs and other animals in the municipality;
- (f) to establish and regulate markets, slaughter-houses, bath-houses and wash-houses in the municipality;
- (g) to license —
  - (i) pedlers, hawkers and hucksters in the municipality,
  - (ii) forms of public entertainment and amusement held in the municipality;
- (h) to collect fees, charges and dues in the municipality under this Act or another enactment; and
- (i) to enforce this Act or another enactment in the municipality.

#### **Legal actions**

**8.** The Castries Constituency Council may sue in its corporate name and be sued in its corporate name.

#### **Contracts**

**9.—(1)** The Castries Constituency Council may enter into contracts in its corporate name.

(2) A contract entered into by or on behalf of the Corporation has effect as if the Castries Constituency Council were the original party to it, and a reference in the contract to the Corporation is construed as a reference to the Castries Constituency Council.

#### **Common seal**

**10.—(1)** The Castries Constituency Council shall have a common seal.

(2) The Castries Constituency Council, after consultation with the Minister, may change the common seal under subsection (1).

(3) Subject to subsection (2), the common seal of the Corporation is deemed to be the common seal of the Castries Constituency Council.

#### **Acquisition of moveable and immovable property**

**11.**—(1) The Castries Constituency Council may acquire and hold moveable or immovable property inside or outside the municipality for the purpose of carrying out its functions or exercising a power under this Act or another enactment and to dispose of or charge such property.

(2) Property acquired and held by the Corporation is deemed to be transferred to the Castries Constituency Council.

#### **Functions of the Mayor**

**12.** The functions of the Mayor are —

- (a) to supervise and co-ordinate the affairs of the Castries Constituency Council;
- (b) to, through the Chief Executive Officer, control the activities of employees of the Castries Constituency Council;
- (c) to preside over ceremonial functions of the Castries Constituency Council;
- (d) to sign Bye-Laws and documents that require execution or authentication by or on behalf of the Castries Constituency Council; and
- (e) to perform other functions assigned in this Act or another enactment.

#### **Function of the Deputy Mayor**

**13.** The Deputy Mayor shall perform the functions of the Mayor if the office of Mayor is vacant or the Mayor is absent or mentally or physically incapacitated.

#### **Mayor and Deputy Mayor to be justices of the peace**

**14.** The Mayor and Deputy Mayor are deemed to be justices of the peace for the municipality.

**Oath to be taken by member**

**15.**—(1) A member of the Castries Constituency Council, shall at the first meeting of the Castries Constituency Council which he or she attends after having been appointed, take and subscribe to an oath.

(2) The oath under subsection (1) must be —

- (a) as set out in the Schedule;
- (b) presented to the member by the Chief Executive Officer;  
and
- (c) attested to by the Mayor.

(3) If the person taking the oath is the outgoing Mayor, the oath shall be attested by a member present at the meeting, and if he or she is the newly appointed Mayor the oath shall be attested by the member presiding at the meeting after which he or she was appointed Mayor.

(4) For the purposes of this section, a member is considered to attend the first meeting of the Castries Constituency Council when the member attends a meeting of the Castries Constituency Council for the first time after the commencement of this Act.

**Functions of the Secretary**

**16.**—(1) The functions of the Secretary include —

- (a) to ensure that meetings of the Castries Constituency Council are effectively organized;
- (b) to liaise with the Mayor to plan meetings;
- (c) to circulate the agenda of the meetings to members;
- (d) to circulate approved minutes and decisions of the Castries Constituency Council;
- (e) to check that the quorum is present at a meeting;
- (f) to file correspondence received and sent by the Castries Constituency Council; and
- (g) to carry out other functions assigned by the Castries Constituency Council.

(2) In this section, “quorum” means the quorum under section 15 of the Constituency Councils Act, Cap. 17:19.

### **Meetings of the Castries Constituency Council**

**17.—**(1) The Castries Constituency Council shall hold monthly meetings for the transaction of general business.

(2) A monthly meeting under subsection (1) must be held at a date and time the Castries Constituency Council determines.

(3) The Mayor may call a special meeting of the Castries Constituency Council —

(a) on his or her own motion; or

(b) after a requisition is presented to him or her and is signed by five members.

(4) If the Mayor after a requisition is presented under subsection (3)(b) —

(a) refuses to call the special meeting, a member may immediately on that refusal call the special meeting;

(b) does not within three days after the requisition call a special meeting, five members may on the third day from the date of notice of the requisition, call the special meeting.

(5) At least five working days before a meeting of the Castries Constituency Council, the Chief Executive Officer shall cause to be left at the usual place of business or abode of each member, a notice signed by him or her to attend the meeting, specifying the business proposed to be transacted.

(6) The validity of a meeting is not affected if a notice is not left at the usual place of business or abode of a member under subsection (5).

(7) Except by leave of the Castries Constituency Council, business transacted at a meeting must be the business specified in the notice.

**PART II****OFFICERS OF THE CASTRIES CONSTITUENCY COUNCIL****Chief Executive Officer**

**18.—**(1) The Castries Constituency Council shall, with the approval of the Minister, appoint a person as the Chief Executive Officer on terms and conditions that the Castries Constituency Council determines.

(2) The Chief Executive Officer shall —

- (a) manage the day-to-day affairs of the Castries Constituency Council;
- (b) keep the charters, deeds, records and documents of the municipality as the Castries Constituency Council directs;
- (c) in books kept for that purpose, enter accurate accounts of money received by him or her on behalf of the Castries Constituency Council and of the matters for which that money is received and paid;
- (d) communicate to the Castries Constituency Council decisions, policies and priorities to officers;
- (e) attend meetings of the Castries Constituency Council unless directed otherwise by the Mayor but have no voting rights in the meeting;
- (f) cause minutes of meetings to be printed, bound and kept in an annual volume or otherwise as the Castries Constituency Council directs; and
- (g) perform the functions assigned to him or her under this Act.

(3) The books under subsection (2)(c) must be available for inspection by the Mayor and members.

(4) The Chief Executive Officer may, in writing, delegate his or her functions to an officer.

(5) The Castries Constituency Council may remove the Chief Executive Officer from office for inability to discharge the functions of his or her office whether arising from infirmity of body or mind.

**Other officers**

**19.**—(1) The Chief Executive Officer shall appoint, at the remuneration and on terms and conditions approved by the Castries Constituency Council other officers as the Castries Constituency Council considers necessary for the performance of the functions of the Castries Constituency Council.

(2) An officer appointed under subsection (1) shall perform the duties assigned to him or her under this Act and by the Chief Executive Officer.

**Officers may be required to give security**

**20.** The Castries Constituency Council may require an officer to give security as it thinks proper for the due execution of his or her office.

**Accountability of officer**

**21.**—(1) An officer shall, at times during the continuance of his or her office, or within one month after his or her ceasing to hold it, and in the manner that the Castries Constituency Council directs, deliver to the Castries Constituency Council —

- (a) an accurate account in writing of the matters committed to his or her charge;
- (b) receipts and payments with vouchers; and
- (c) a list of persons from whom money is due for the purposes of this Act in connection with his or her office, showing the amount due from each person.

(2) An officer shall pay money due from him or her to the Chief Executive Officer, or as the Castries Constituency Council directs.

(3) An officer shall not refuse or wilfully neglect —

(a) to deliver to the Castries Constituency Council —

- (i) an account, a list or a voucher,
- (ii) a book or document; or

(b) to make a payment on behalf of the Constituency Council,

after three days notice in writing signed by the Chief Executive Officer or by three members, given or left at the last known place of abode of the officer.

(4) An officer who contravenes —

- (a) subsection (3)(a) commits an offence and is liable on summary conviction to imprisonment for a term not exceeding three months;
- (b) subsection (3)(b) commits an offence and is liable on summary conviction to the sums of money to be paid by the officer or imprisonment for a term not exceeding three months.

(5) If it appears to a magistrate that an officer does not immediately, or within the time as the magistrate allows, pay over the money to the Castries Constituency Council, the magistrate shall cause the sum to be levied by distress and sale of the goods of the officer.

(6) If sufficient goods are not found to satisfy the monies and the charges of the distress under subsection (5), the magistrate shall commit the officer to a correctional facility for a period not exceeding three months.

### **PART III**

#### **CASTRIES CITY POLICE**

##### **Castries City Police**

**22.—**(1) There is established for the municipality the Castries City Police for service in connection with the duties of the Castries Constituency Council.

(2) The Castries Constituency Council shall, in consultation with the Commissioner of Police, appoint for that purpose a sufficient number of Castries City Police.

(3) A person who immediately before the commencement of this Act held or was a Castries City Police, as from the commencement of this Act, continues to hold or act in the like office as a Castries City Police on the same terms and conditions enjoyed prior to the coming into force of this Act.



**Arms and ammunitions**

**23.**—(1) The Commissioner of Police may issue arms and ammunitions to the Castries City Police.

(2) A Castries City Police may carry and use the arms and ammunitions issued under subsection (1) for lawful purposes.

**Oath by Commissioner of Police**

**24.** A Castries City Police shall take and subscribe to an oath presented to him or her by the Commissioner of Police.

**Badge**

**25.** The Commissioner of Police may, on the advice of the Castries Constituency Council, permit persons appointed to be Castries City Police to wear the badges of the ranks and uniforms similar to those worn by members of the respective ranks in the Royal Saint Lucia Police Force.

**Authority of Commissioner of Police**

**26.** The Commissioner of Police may command a Castries City Police to perform and discharge within the municipality such duties as a police officer of the Royal Saint Lucia Police Force is required to perform and discharge.

**General powers and immunities of Castries City Police**

**27.**—(1) A Castries City Police, in addition to the special powers vested in him or her under this Act, has in respect of the whole of Saint Lucia the powers, privileges and immunities conferred on a constable by the Common Law, and the powers, privileges, immunities and liabilities conferred or imposed on a constable of corresponding rank by the Police Act, Cap. 14.01.

(2) An act done by or to a Castries City Police Officer in the execution of his or her duty has the same effect and the same liabilities and other consequences and is punishable in the same manner as if done by or to a police officer of the Royal Saint Lucia Police Force in the execution of his or her duty.

**Arrest and detention**

**28.—**(1) A Castries City Police may arrest without warrant a person —

- (a) whose name and address is unknown to him or her and who refuses to give his or her name and address to him or her; and
- (b) who is found by him or her committing within the municipality in which he or she serves, an offence against this Act or another enactment.

(2) Subject to subsection (3), a person arrested under subsection (1) may be taken to the police station and the Castries City Police who made the arrest shall sign a charge sheet that shows that the person arrested was liable to arrest under this Act.

(3) On receipt of a charge sheet under subsection (2), the Castries City Police on duty at the police station shall, detain the person at the police station until he or she can be without delay and in any case not later than seventy-two hours after the arrest and detention be taken before a magistrate to be dealt with according to law.

(4) A person arrested under this section may not be detained longer than is reasonably necessary for bringing him or her before a magistrate or in any case not later than seventy-two hours.

**Power to grant bail**

**29.—**(1) If a person who has been arrested without a warrant by a Castries City Police under section 28 is brought to a police station and a magistrate is not sitting, the Castries City Police on duty at the police station may, unless he or she has good and sufficient reason to do otherwise, which reason must be recorded in the Station Diary, admit the person to bail by recognisance without sureties for an amount not exceeding two thousand dollars to appear before a magistrate at a time and place specified in the recognisance.

(2) The Castries City Police on duty shall enter in a book kept for that purpose the name, residence, and occupation of the person entering into the recognisance and of his or her sureties, if any, with the condition of the recognisance and the sums acknowledged and the book must be laid before the magistrate present at the time when

and place where the the person who entered into the recognisance is required to appear.

(3) If the person who entered into the recognisance does not appear at the time and place required or within one hour afterwards, the magistrate may, by endorsement on the recognisance, declare the same to be forfeited and may issue a warrant for the imprisonment of the person who entered into the recognisance for a term not exceeding six months unless the amount stated in the recognisance is paid.

(4) Whether the person who entered into the recognisance does or does not appear, the magistrate may, if he or she thinks fit, enlarge the recognisance to a further time as he or she appoints.

(5) In this section “Station Diary” means a set of records of day-to-day events that take place in the police station.

#### **Laying of information and complaints and conduct of proceedings**

**30.**—(1) Information and complaints in respect of an offence committed within a municipality against this Act or Bye-laws made by the Castries Constituency Council under this Act or another enactment, may be laid and made by a Castries City Police in his or her own name.

(2) A Castries City Police may conduct the proceedings before the magistrate in a case in which he or she is the complainant under the powers conferred by this section.

#### **Sale of stolen or abandoned property**

**31.**—(1) If property is in the possession of the Castries Constituency Council or the Castries City Police —

- (a) in connection with a charge of an offence under this Act, an Act administered by the Castries Constituency Council and Bye-laws of the Castries Constituency Council;
- (b) by reason of having been found abandoned in a public place,

and the Castries Constituency Council or the Castries City Police is unable to ascertain its owner, the Castries Constituency Council may

cause it to be sold or otherwise disposed of under this section, and subject to subsection (3), may retain to its own use the proceeds of such sale or disposition.

(2) If the property under subsection (1) —

- (a) is perishable or its custody involves unreasonable expense or inconvenience, the Castries Constituency Council may sell or dispose of it without notice; and
- (b) is not a motor vehicle, the Castries Constituency Council may sell the property after the expiration of three months from the time it came into possession of the Castries Constituency Council or the Castries City Police.

(3) If the property under subsection (1) consists of money, the money may be retained if it has remained in the possession of the Castries Constituency Council for three months.

#### **Policing beyond boundaries of municipality**

**32.** The Castries Constituency Council may undertake and agree to guard a building or area beyond the boundaries of the municipality if the Castries Constituency Council has an interest in the building or area.

### **PART IV**

#### **FINANCE**

##### **Monies to be paid into approved financial institution**

**33.—**(1) Monies of the Castries Constituency Council must be paid into an account in a financial institution approved by resolution of the Castries Constituency Council.

(2) The Chief Executive Officer shall each day, so far as practicable, pay into the financial institution under subsection (1) monies received by him or her before the closing hour of the financial institution except a sum he or she is authorised by resolution of the Castries Constituency Council to retain in his or her hand to meet immediate payments.

(3) The account under subsection (1) comprises of monies derived from —

- (a) the amount allocated annually for the use and operations of the Castries Constituency Council from the Consolidated Fund;
- (b) a fee, charge or dues collected under this Act or another enactment;
- (c) fines for breaches of the Bye-laws;
- (d) the sale, hire, or mortgage of property vested in the Castries Constituency Council;
- (e) forming and laying out, repairing, draining, cleaning and lighting of streets, footways, squares and other public places;
- (f) the maintenance and management of markets, slaughterhouses and cemeteries;
- (g) the maintenance, preservation and development of property belonging to the Castries Constituency Council;
- (h) solid waste management;
- (i) other sums which have been specifically voted by the Castries Constituency Council and the payment of which is approved by the Minister responsible for finance.

**Signature on cheques**

**34.** Cheques against the account required under section 33 to be kept shall be signed by the Chief Executive Officer and countersigned by the Mayor.

**Orders for payment**

**35.** The Chief Executive Officer shall pay money on account of the Castries Constituency Council on the order in writing of the Castries Constituency Council signed by two members.

**Signature for receipts**

**36.** Receipts for monies paid to the Castries Constituency Council may be signed for the Chief Executive Officer by the officer appointed by the Castries Constituency Council to receive monies.

**Payments to be submitted to and approved by the Castries Constituency Council**

**37.—**(1) Matters of a financial nature relating to the affairs of the Castries Constituency Council and vouchers for the payment of monies due by the Castries Constituency Council, except a sum to be fixed by resolution of the Castries Constituency Council, shall be submitted to the Castries Constituency Council.

(2) Subject to subsection (3), payments shall be made by the Chief Executive Officer and payments must be made, except a sum to be fixed by resolution of the Castries Constituency Council, on vouchers submitted to and approved by the Castries Constituency Council.

(3) In cases of urgency monies to be paid out on vouchers shall be signed by the Mayor and one other member, but the voucher shall be submitted to the Castries Constituency Council.

**Borrowing**

**38.—**(1) The Castries Constituency Council may, with the approval of the Minister responsible for finance, borrow money from the Government or a financial institution by way of loan, overdraft or otherwise on the terms with respect to the borrowing, issue, transfer and interest as the Minister responsible for finance approves for —

- (a) the provision of working capital; and
- (b) the performance of the functions of the Castries Constituency Council under this Act.

(2) The Castries Constituency Council may, with the approval of the Minister responsible for finance, raise additional working capital.

**Guarantee**

**39.—**(1) The Minister responsible for finance may, with the approval of Parliament, guarantee in the manner and on conditions he or she thinks fit, the payments of the principal money and interest of an authorized borrowing by the Castries Constituency Council.

(2) If the Minister responsible for finance is satisfied that there has been default in the payment of principal money or interest guaranteed under this section, he or she shall direct the repayment

out of the Consolidated Fund for the amount in respect of which there has been default.

## **PART V**

### **MISCELLANEOUS**

#### **Protection from liability**

**40.** An action or other proceedings shall not lie against a member, an officer or Castries City Police in respect of an act done or omitted to be done in good faith in the exercise or purported exercise of his or her functions under this Act except in cases of personal injury.

#### **Institution of proceedings**

**41.** Proceedings instituted against an offender shall be taken in the name and at the instance of the Castries Constituency Council.

#### **Bye-Laws**

**42.—**(1) The Castries Constituency Council may, with the approval of the Minister responsible for local government, make Bye-Laws for the rule and good governance of the municipality and to give effect to this Act.

(2) Without limiting the generality of subsection (1), the Castries Constituency Council may make Bye-Laws —

- (a) for the circumstances in which a licence may or shall be granted, refused, revoked or suspended and the matters to which the Castries Constituency Council must have regard in deciding whether to grant or refuse a licence;
- (b) for the conditions which may be attached, to a licence and for securing compliance with a condition attached to the licence;
- (c) for the information to be furnished to the Castries Constituency Council by a person applying for a licence;
- (d) prescribing the fees to be paid in respect of the grant of a licence;
- (e) exempting a person from the provisions of the Bye-Laws;

- (f) prescribing forms;
- (g) for the recovery of monies due to the Castries Constituency Council under this Act or another enactment;
- (h) for the classification of officers in the Castries City Police, including qualifications, duties and remuneration and providing generally for the discipline, good order and governance of the Castries City Police;
- (i) prescribing a duty allowance to Castries City Police;
- (j) for the description and issue of arms, ammunitions, accoutrements, uniform and necessities to be supplied to the Castries City Police;
- (k) for the title of an account with a financial institution into which the monies of the Castries Constituency Council must be paid under a resolution of the Castries Constituency Council;
- (l) for the custody of a pass book and paid cheques;
- (m) authorising the transfer from an account of a sum to a deposit account or the re-transfer of a sum from a deposit account to the current account;
- (n) for the good governance of its officers, including with respect to the granting of leave of absence to officers;
- (o) generally as to matters necessary for the proper keeping of an account; and
- (p) generally for the carrying out of its functions under this Act.

(3) Until Bye-Laws are made under subsection (1)(h), Regulations made under the Police Act, Cap. 14.01 insofar as the Castries Constituency Council considers applicable to a matter concerning the Castries City Police, apply *mutatis mutandis*.

(4) Bye-laws under this section —

- (a) must be styled “A Bye-Law Ordained by the Castries Constituency Council” ;
- (b) has the force of law within the limits of the municipality;



- (c) may impose a penalty for the breach of the Bye-laws, and impose different penalties in the case of successive breaches but the penalty must be a fine not exceeding five thousand dollars.

(5) Bye-Laws made by the Corporation and in force at the commencement of this Act continue to be in force until revoked or altered by the Castries Constituency Council.

## **SCHEDULE**

(Section 15)

### **OATH /AFFIRMATION**

I            having been appointed to the office of            of the municipality, do hereby swear/declare and affirm that I will faithfully fulfil the duties of the office without fear or favour partiality or ill will, and to the best of my judgment and ability. (So help me God/I do affirm).

Passed in the House of Assembly this 26th day of March, 2019.

**ANDY G. DANIEL,**  
*Speaker of the House of Assembly*

Passed in the Senate this 28th day of March, 2019.

**JEANNINE GIRAUDY-MCINTYRE,**  
*President of the Senate*

No. 12 ]      *Citizenship by Investment (Amendment) Act*      [ 2019

**SAINT LUCIA**

**No. 12 of 2019**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title
2. Interpretation
3. Amendment of section 2
4. Amendment of section 31
5. Amendment of section 36
6. Amendment of section 37
7. Amendment of section 38



I Assent

[L.S.]

NEVILLE CENAC,  
*Governor-General.**April 4, 2019.*

## SAINT LUCIA

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### No. 12 of 2019

**AN ACT** to amend the Citizenship by Investment Act, No. 14 of 2015.

[ 8th April, 2019 ]

**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 Citizenship by Investment (Amendment) Act, 2019.

**Interpretation**

2. In this Act, “principal Act” means the Citizenship by Investment Act, No. 14 of 2015.

**Amendment of section 2**

3. Section 2 of the principal Act is amended —

- (a) by deleting the definition of the words “authorised agent” and substituting the following —

“ “authorised agent” means a person who is licensed by the Board under section 31;”;

- (b) by inserting in the proper alphabetical sequence the following —

“ “citizen” means a person who is a citizen of Saint Lucia under section 36(4), (5) and (6);”.

**Amendment of section 31**

4. Section 31 of the principal Act is amended —

- (a) by inserting immediately after subsection (2) the following new subsections (2A), (2B) and (2C) —

“(2A) The Board may, on the recommendation of the Unit, grant with or without conditions or refuse to grant an authorised agent licence.

(2B) Where the Board grants an application under subsection (2A), it may issue an authorised agent licence in the prescribed form on payment of the prescribed authorised agent licence fee.

(2C) An authorised agent licence permits an authorised agent to —

- (a) make an application on behalf of an applicant under section 30;

- (b) perform duties related to an application for citizenship by investment as specified under this Act or requested by the Unit and the Board.”;
- (b) in subsection (4) by deleting the words “An authorised agent licence shall be revoked if” and substituting the words “The Board may revoke an authorised agent licence if”.

#### **Amendment of section 36**

##### **5. Section 36 of the principal Act is amended —**

- (a) by inserting immediately after subsection (1) the following new subsections (1A) and (1B) —

“(1A) Without limiting the generality of subsection (1), in the case of a qualifying investment in cash, the Board may grant an application for citizenship by investment to a qualifying dependant after citizenship by investment is granted to a person if the Board is satisfied that —

- (a) he or she was a qualifying dependant when the application was made by the citizen;
- (b) he or she is a child born after the application was made by the citizen;
- (c) he or she is the spouse of the citizen and was married after the application was made by the citizen; and
- (d) the application for citizenship by investment of the qualifying dependant is made no more than five years after the application was made by the citizen.

(1B) Subsection (1A) applies from the 1<sup>st</sup> day of January, 2016.”;

- (b) in subsection (4) by deleting paragraph (b) and substituting the following —
- “(b) payment of the qualifying investment within ninety days of the grant of the application unless the applicant makes a request to the Board for an extension.”;

- (c) by inserting immediately after subsection (4) the following new subsection (4A) —

“(4A) On receipt of a request under subsection (4)(b), the Board may grant an extension not exceeding ninety days if exceptional circumstances exist.”.

### **Amendment of section 37**

6. Section 37(8) of the principal Act is amended by deleting the words “The Minister” and substituting the words “Within sixty days of the grant of the request under subsection (3), the Minister”.

### **Amendment of section 38**

7. Section 38 of the principal Act is amended —

- (a) in subsection (1) by deleting the words “of Saint Lucia by virtue of this Act”;
- (b) by inserting immediately after subsection (2) the following new subsection (2A) —

“(2A) If the citizenship by investment of a citizen is revoked under subsection (1), the citizenship by investment of a qualifying dependant under section 36(1A) is revoked.”.

Passed in the House of Assembly this 26th day of March, 2019.

ANDY G. DANIEL,  
*Speaker of the House of Assembly*

Passed in the Senate this 28th day of March, 2019.

JEANNINE GIRAUDY-MCINTYRE,  
*President of the Senate*

No. 13 ] *Money Laundering (Prevention) (Amendment) Act* [ 2019

**SAINT LUCIA**

**No. 13 of 2019**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title
2. Interpretation
3. Amendment of section 2
4. Amendment of section 6
5. Insertion of new section 41





No. 13 ] *Money Laundering (Prevention) (Amendment) Act* [ 2019

I Assent

[L.S.]

NEVILLE CENAC,  
*Governor-General.*

*April 4, 2019.*

## SAINT LUCIA

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**No. 13 of 2019**

**AN ACT** to amend the Money Laundering (Prevention) Act,  
Cap. 12.20.

[ 8th April, 2019 ]

**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. 13 ] *Money Laundering (Prevention) (Amendment) Act* [ 2019

**Short title**

1. This Act may be cited as the Money Laundering (Prevention) (Amendment) Act, 2019.

**Interpretation**

2. In this Act, “principal Act” means the Money Laundering (Prevention) Act, Cap. 12.20.

**Amendment of section 2**

3. Section 2 of the principal Act is amended by inserting in the correct alphabetical sequence the following definition —

“Central Bank” means the Eastern Caribbean Central Bank established under Article 3 of the Eastern Caribbean Central Bank Agreement the text of which is set out in the Schedule to the Eastern Caribbean Central Bank Agreement Act, Cap. 19.07;”.

**Amendment of section 6**

4. Section 6 of the principal Act is amended by inserting immediately after subsection (4) the following new subsection (5) —

“(5) In the case of a financial institution licensed under the Banking Act, No. 3 of 2015 or an enactment replacing it, the Authority shall, after consultation with the Central Bank, issue guidelines under subsection (1)(f).”.

**Insertion of new section 41**

5. The principal Act is amended by inserting immediately after section 40A the following new section 41 —

**“Duties of Central Bank**

**41.—(1)** The Central Bank shall —

- (a) conduct an audit of a financial institution licensed under the Banking Act, No. 3 of 2015 whenever, in its judgment an audit is necessary or expedient to determine whether suitable measures to counter money laundering, terrorist

No. 13 ] *Money Laundering (Prevention) (Amendment) Act* [ 2019

financing and other offences under this Act have been adopted by the financial institution in compliance with the requirements of this Act;

- (b) submit to the Authority information derived from an audit carried out under paragraph (a) if the Central Bank has reasonable grounds to suspect that a money laundering offence, terrorist financing offence or another offence under this Act is being, has been, or is about to be committed;
  - (c) create and promote training requirements for a financial institution in respect of reporting obligations in accordance with this Act.
- (2) Subject to subsection (3), in conducting an audit under subsection (1)(a) or otherwise, the Central Bank shall not have access to or examine a report of a suspicious transaction required under this Act from a financial institution.
- (3) Subsection (2) does not apply to a sample of a sanitized report of a suspicious transaction that is submitted to the Central Bank for the purposes of the audit.”.

Passed in the House of Assembly this 26th day of March, 2019.

ANDY G. DANIEL,  
*Speaker of the House of Assembly*

Passed in the Senate this 28th day of March, 2019.

JEANNINE GIRAUDY-MCINTYRE,  
*President of the Senate*

No. 14 ] *Motor Vehicles and Road Traffic (Amendment) Act* [ 2019

**SAINT LUCIA**

**No. 14 of 2019**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title
2. Interpretation
3. Amendment of section 127
4. Amendment of section 128
5. Amendment of section 132
6. Amendment of section 133
7. Amendment of section 137
8. Amendment of section 138
9. Amendment of section 144
10. Amendment of section 165



No. 14 ] *Motor Vehicles and Road Traffic (Amendment) Act* [ 2019

I Assent

[L.S.]

NEVILLE CENAC,  
*Governor-General.*

*April 4, 2019.*

## SAINT LUCIA

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**No. 14 of 2019**

**AN ACT** to amend the Motor Vehicles and Road Traffic Act,  
Cap. 8.01.

[ 8th April, 2019 ]

**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. 14 ] *Motor Vehicles and Road Traffic (Amendment) Act* [ 2019**Short title**

1. This Act may be cited as the Motor Vehicles and Road Traffic (Amendment) Act, 2019.

**Interpretation**

2. In this Act, “principal Act” means the Motor Vehicles and Road Traffic Act, Cap. 8.01.

**Amendment of section 127**

3. Section 127 of the principal Act is amended —

(a) by deleting the definition of the word “Corporation” and substituting the following —

“Castries Constituency Council” means the Castries Constituency Council established under section 4 of the Constituency Councils Act, Cap. 17.19;”;

(b) by inserting in the proper alphabetical sequence, the following definitions —

“Parking Authority” means the person responsible for a regulated parking area referred to under section 128;

“regulated parking area” means a zone specified under section 132;”;

(c) by deleting the definition of the words “Responsible Authority” and substituting the following —

“Responsible Authority” means —

(a) in the case of a regulated parking area containing a public road under the control of the Castries Constituency Council, the Castries Constituency Council;

(b) in the case of a regulated parking area under the control of a Constituency Council designated under section 128(3), the Constituency Council;

(c) in the case of any other regulated parking area, the Minister.”.



No. 14 ] *Motor Vehicles and Road Traffic (Amendment) Act* [ 2019**Amendment of section 128**

4. Section 128 of the principal Act is amended by inserting immediately after subsection (2), the following new subsections (3) and (4) —

“(3) Notwithstanding this section, the Minister may, by Order published in the *Gazette*, designate a Constituency Council as a Parking Authority.

(4) In this section, “Constituency Council” means a body of local representatives who have been appointed under section 4 of the Constituency Councils Act, Cap. 17.19.”.

**Amendment of section 132**

5. Section 132 of the principal Act is amended by inserting after the words “traffic control devices” the words “in the prescribed form and manner”.

**Amendment of section 133**

6. Section 133 of the principal Act is amended —

(a) by inserting immediately after subsection (2), the following new subsection (2A) —

“(2A) A Parking Authority may purchase and use parking meters and other devices for the purposes of subsection (2) (b) in the prescribed manner.”;

(b) by inserting immediately after subsection (4), the following new subsection (5) —

“(5) In this section, “parking meter” means a mechanical device registering and collecting payment for the length of time that a motor vehicle is in a paid-parking zone.”.

**Amendment of section 137**

7. Section 137(1) of the principal Act is amended by inserting immediately after the words “reserved parking permit” the words “in the prescribed form”.

No. 14 ] *Motor Vehicles and Road Traffic (Amendment) Act* [ 2019

**Amendment of section 138**

**8.** Section 138(1) of the principal Act is amended by inserting immediately after the words “special parking permit” the words “in the prescribed form”.

**Amendment of section 144**

**9.** Section 144(1) of the principal Act is amended by inserting immediately after the word “trailer” the words “in a regulated parking area”.

**Amendment of section 165**

**10.** Section 165(2) of the principal Act is amended by deleting the words “Parking Authority” and substituting the words “the Minister”.

Passed in the House of Assembly this 26th day of March, 2019.

ANDY G. DANIEL,  
*Speaker of the House of Assembly*

Passed in the Senate this 28th day of March, 2019.

JEANNINE GIRAUDY-MCINTYRE,  
*President of the Senate*