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EXTRAORDINARY

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GOVERNMENT NOTICE

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

Assented Acts

Act No. 3 of 2021 — Counter-Trafficking (Amendment) Act.

Act No. 4 of 2021 — Companies (Amendment) Act.

Act No. 5 of 2021 — Money Services Business (Amendment) Act.

Act No. 6 of 2021 — Tourism Stimulus and Investment (Amendment) Act.

SAINT LUCIA

No. 3 of 2021

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Amendment of section 5
4. Substitution of section 6
5. Amendment of section 7

I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

May 12, 2021.

SAINT LUCIA

No. 3 of 2021

AN ACT to amend the Counter-Trafficking Act, Cap. 3.17.

[17th May, 2021]

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 Counter-Trafficking (Amendment) Act, 2021.

Interpretation

2. In this Act, “principal Act” means the Counter-Trafficking Act, Cap. 3.17.

Amendment of section 5

3. Section 5 of the principal Act is amended by deleting subsection (1) and by substituting the following —

“(1) A person who —

(a) engages in;

(b) conspires to engage in;

(c) attempts to engage in;

(d) assists another person to engage in; or

(e) organizes or directs another person to engage in,

trafficking in persons commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding five years.”.

Substitution of section 6

4. The principal Act is amended by deleting section 6 and by substituting the following —

“Offence of unlawful withholding of identification papers

6. A person who, for the purposes of trafficking in persons knowingly possesses, procures, conceals, removes, confiscates, or destroys a passport, immigration document, or other government identification document, whether actual or purported, belonging to another person, commits an offence and is liable on summary conviction to imprisonment for a term not exceeding two years.”.

Amendment of section 7

5. Section 7 of the principal Act is amended by deleting subsection (1) and by substituting the following —

“(1) A person who —

- (a) knowingly transports;
- (b) conspires to transport;
- (c) attempts to transport; or
- (d) assists another person engaged in transporting,

a person to Saint Lucia, or across an international border for the purposes of exploiting that person for prostitution commits an offence and is, subject to subsection (2), liable on conviction on indictment to imprisonment for a term not exceeding five years.”.

Passed in the House of Assembly this 4th day of May, 2021.

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

Passed in the Senate this 6th day of May, 2021.

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate.

SAINT LUCIA

No. 4 of 2021

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Substitution of section 18
4. Amendment of section 59
5. Amendment of section 64
6. Amendment of section 69A
7. Amendment of section 77
8. Insertion of new section 517A
9. Amendment of section 521
10. Amendment of section 523

I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

May 12, 2021.

SAINT LUCIA

No. 4 of 2021

AN ACT to amend the Companies Act, Cap. 13.01.

[17th May, 2021]

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 Companies (Amendment) Act, 2021.

Interpretation

2. In this Act, “principal Act” means the Companies Act, Cap. 13.01.

Substitution of section 18

3. The principal Act is amended by deleting section 18 and by substituting the following —

“Restrictions on exercise of powers

18. A company shall not —

- (a) carry on a business or exercise a power that it is restricted from carrying on or exercising by its articles;
- (b) exercise a power in a manner that is contrary to its articles; or
- (c) commence business before it has made an allotment of shares and files with the Registrar a return of allotments in the prescribed form within ninety days of its incorporation.”.

Amendment of section 59

4. Section 59 of the principal Act is amended by —

(a) deleting subsection (2) and by substituting the following —

“(2) Within ninety days of its incorporation, a company shall send to the Registrar a notice of secretary or assistant secretary in the prescribed form.”;

(b) inserting immediately after subsection (2) the following new subsection (3) —

“(3) A notice under subsection (2) must be accompanied by the prescribed filing fee.”.

Amendment of section 64

5. Section 64 of the principal Act is amended by —

(a) deleting subsection (6) and by substituting the following

—

“(6) Within ninety days of its incorporation, a company shall send to the Registrar the bye-laws of the company.”;

(b) inserting immediately after subsection (6) the following new subsection (7) —

“(7) A bye-law under subsection (6) must be accompanied by the prescribed filing fee.”.

Amendment of section 69A

6. Section 69A of the principal Act is amended —

(a) by deleting subsection (1) and by substituting the following

—

“(1) Subject to subsection (3) and within ninety days of its incorporation, a company shall send to the Registrar a notice of the beneficial owners in the prescribed form.”;

(b) in subsection (3) —

(i) under paragraph (d), by deleting the semicolon and the word “and” and by substituting a full stop,

(ii) by deleting paragraph (e);

(c) by inserting immediately after subsection (3), the following new subsection (4) —

“(4) A notice under subsection (1) must be accompanied by the prescribed filing fee.”.

Amendment of section 77

7. Section 77(1) of the principal Act is amended by —

(a) deleting the comma after the word “directors”; and

(b) inserting immediately after the word “directors” the words “or beneficial owners,”.

Insertion of new section 517A

8. The principal Act is amended by inserting immediately after section 517 the following new section 517A—

“Extention of time

517A.—(1) If an act is required by this Act to be done within a certain time and is not, or cannot be, done within that time, the Registrar may, on application made by a company, extend the time for a further period of no more than ninety days, for doing the act.

(2) The time allowed for doing an act may be extended, whether before or after a certain time specified in this Act has expired.”.

Amendment of section 521

9. Section 521 of the principal Act is amended by —

- (a) deleting the full stop at the end of paragraph (b) and by substituting a semi-colon;
- (b) inserting immediately after paragraph (b) the following new paragraph (c) —

“(c) by being published in the *Gazette*.”.

Amendment of section 523

10. Section 523 of the principal Act is amended by deleting paragraph (c) and by substituting the following —

“(c) shall not suggest or imply a connection with the Crown, the Government, a ministry, a department, or activity of the Government, unless consent in writing of the proposed name is obtained from the Minister who is responsible for a sector;”.

Passed in the House of Assembly this 4th day of May, 2021.

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

Passed in the Senate this 6th day of May, 2021.

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate.

SAINT LUCIA

No. 5 of 2021

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Amendment of section 2
4. Amendment of section 5
5. Amendment of section 6
6. Amendment of section 19
7. Amendment of Schedule 1
8. Amendment of Schedule 3
9. Amendment of Schedule 4

No. 5] *Money Services Business (Amendment) Act* [2021

I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

May 12, 2021.

SAINT LUCIA

No. 5 of 2021

AN ACT to amend the Money Services Business Act, Cap. 12.22.

[17th May, 2021]

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 Money Services Business (Amendment) Act, 2021.

Interpretation

2. In this Act, “principal Act” means the Money Services Business Act, Cap. 12.22.

Amendment of section 2

3. Section 2 of the principal Act is amended —

(a) in the definition of “money service business” under paragraph (a) —

(i) in subparagraph (v), by deleting the word “and”,

(ii) by deleting subparagraph (vi),

(iii) by inserting immediately after subparagraph (v) the following new subparagraphs (vi) and (vii) —

“(vi) lending, or

(vii) any other services the Minister may specify by notice published in the *Gazette*.”;

(b) by inserting in the correct alphabetical sequence the following definition —

“ “lending” means moneylending or granting credit facilities in excess of fifty thousand dollars by a financial institution that does not solicit, receive, or accept monetary deposits, investment or other instruments from the public to finance a loan;”.

Amendment of section 5

4. Section 5(2) of the principal Act is amended —

(a) in paragraph (e), by deleting the full stop that appears immediately after the words “micro-lending”; and

(b) by inserting immediately after paragraph (e), the following new paragraph (f) —

“(f) “Class F” licence permits a licensee to carry on the business of lending.”.

Amendment of section 6

5. Section 6(3) of the principal Act is amended by deleting the words “Class A, Class B or Class E licence” and by substituting the words “Class A, Class B, Class E or Class F licence”.

Amendment of section 19

6. Section 19(1) of the principal Act is amended by deleting the words “Class A, Class B or Class E licence” and by substituting the words “Class A, Class B, Class E or Class F licence”.

Amendment of Schedule 1

7. Schedule 1 of the principal Act is amended by inserting immediately under the heading for a “Class E” licence a new class of licence for a “Class F” licence and the corresponding description of that licence as follows —

“

Class of licence	Description of licence
Class F	Lending”.

Amendment of Schedule 3

8. Schedule 3 of the principal Act is amended by inserting immediately after the words “Class E: Micro-lending]*” the words “Class F: Lending”.

Amendment of Schedule 4

9. Schedule 4 of the principal Act is amended by inserting immediately under the heading for a “Class E” licence a new class of licence for a “Class F” licence and the corresponding description of that licence, the application fee and annual licence fees as follows —

“

Class of licence	Description of licence	Fees		
		Application fee \$	Annual licence fee \$	
			Main agent	Sub-agent
Class F	Lending	1,000	15,000	3,000”.

Passed in the House of Assembly this 4th day of May, 2021.

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

Passed in the Senate this 6th day of May, 2021.

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate.

No. 6]

*Tourism Stimulus and Investment
(Amendment) Act*

[2021

SAINT LUCIA

No. 6 of 2021

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Amendment of section 3
4. Amendment of Schedule 2

I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

May 12, 2021.

SAINT LUCIA

No. 6 of 2021

AN ACT to amend the Tourism Stimulus and Investment Act,
Cap. 15.03.

[17th May, 2021]

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 Tourism Stimulus and Investment (Amendment) Act, 2021.

Interpretation

2. In this Act, “principal Act” means the Tourism Stimulus and Investment Act, Cap. 15.03.

Amendment of section 3

3. Section 3(3) of the principal Act is amended by deleting the words “shall be made prior to the 31st day of March, 2021” and by substituting the words “shall be made prior to the 31st day of March, 2024”.

Amendment of Schedule 2

4. Paragraph G of Schedule 2 of the principal Act is amended by deleting the words “This application must be made prior to the 31st day of March, 2021” and by substituting the words “This application must be made prior to the 31st day of March, 2024”.

Passed in the House of Assembly this 4th day of May, 2021.

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

Passed in the Senate this 6th day of May, 2021.

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate.