



ATTORNEY GENERAL'S DEPARTMENT



— 2024 —
ANNUAL REPORT

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Annual Report 2024

Attorney General's Chambers

attorneygeneral@agchambers.govt.lc

ps.agchambers@agchambers.govt.lc

www.attorneygeneralchambers.com

ACKNOWLEDGEMENTS

My sincere gratitude is extended to the management team at Chambers for their consistent effort in the production of this Annual Report. Special thanks are also offered to Permanent Secretary Juliana Alfred for her exemplary leadership. I also wish to commend Mr. Viannie Aimable of the National Printery Corporation for the valuable graphics support.

Honourable Leslie V. Mondesir
31.5.25

THE VISION

We envision a customer focused, highly effective, driven team, committed to delivering legal services of the highest professional standards.

THE MISSION

To deliver quality and timely legal services with integrity and professionalism to fulfill the mandate of the Government of Saint Lucia.

THE VALUES

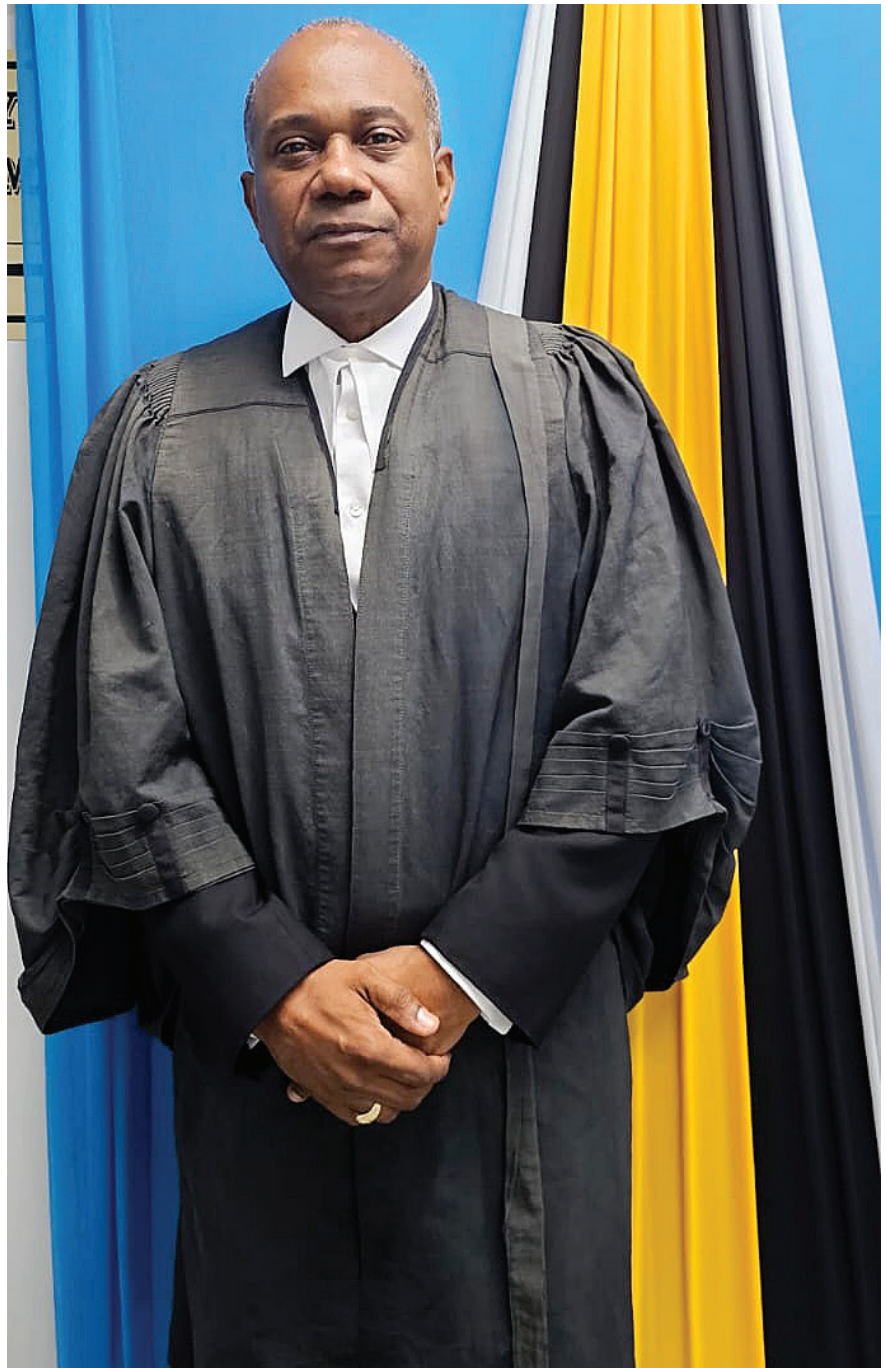
1. Integrity – we will be honest, fair, confidential and ethical in all our relations.
2. Respect - we will treat our team and customers with the utmost courtesy and respect.
3. Professionalism – we are committed to professional best practices in the public service and aim to foster seamless synergy with other government Departments and Ministries.
4. Transparency – we will be open and accountable in our activities.

MESSAGE BY THE ATTORNEY GENERAL HON. LESLIE MONDESIR

The Attorney General's Chambers continues to fulfill its mandate to the Government and the people of Saint Lucia by the issuance of its Annual Report. The commitment of Chambers to publishing this report for the edification of the public and the other Ministries of Government is reflective of our mandate of ensuring transparency in our conduct, operations and interactions with all our stakeholders. In compiling information to create this Annual Report, each department undergoes an internal review of its own operations which includes the analyzing of qualitative and quantitative data. The preparation of this report acts as a mechanism for internal checks and balances for Chambers, as our performance is measured against certain targets.

The statistics which are presented in this report are reflective of the dedication of the staff of the Attorney General's Chambers to achieving excellence and providing service that results in the just and equitable resolution of disputes to the Government of Saint Lucia and the general public.

The focus of this year's publication is on the Advice and Litigation Unit. This Unit is responsible primarily for the conduct of litigation before the Courts filed by or against the Government of



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Saint Lucia, the provision of legal advice to the Government of Saint Lucia and the vetting of contracts and agreements of which the Government is a party. Other functions of the Advice and Litigation Unit include representing the Attorney General’s Chambers on various Boards and Committees, fulfilling Saint Lucia’s reporting obligations under various multilateral treaties, vetting leases and deeds, processing applications for marriage licenses, approval for not for profit status and acting as Tutor – ad – Hoc for minors who are undergoing the process of adoption.

The list above is by no means exhaustive and the results achieved by the Advice and Litigation Unit which comprises Senior Crown Counsel, Crown Counsel and the Legal Secretaries under the guidance of the Solicitor General is nothing short of commendable. The contributions of our counsel to the legal landscape through their involvement in applications and trials before our Courts, continue to be invaluable.

Notwithstanding there has been a decrease in the number of suits filed against the Government of Saint Lucia in 2024, the Unit continues to effectively manage these new suits and those filed in prior years which have not yet been concluded by judgment, settlement or otherwise. The other Units also continued with their various work programs.

The Legislative Drafting Unit, guided by Government’s legislative agenda of 2024, facilitated the promulgation of

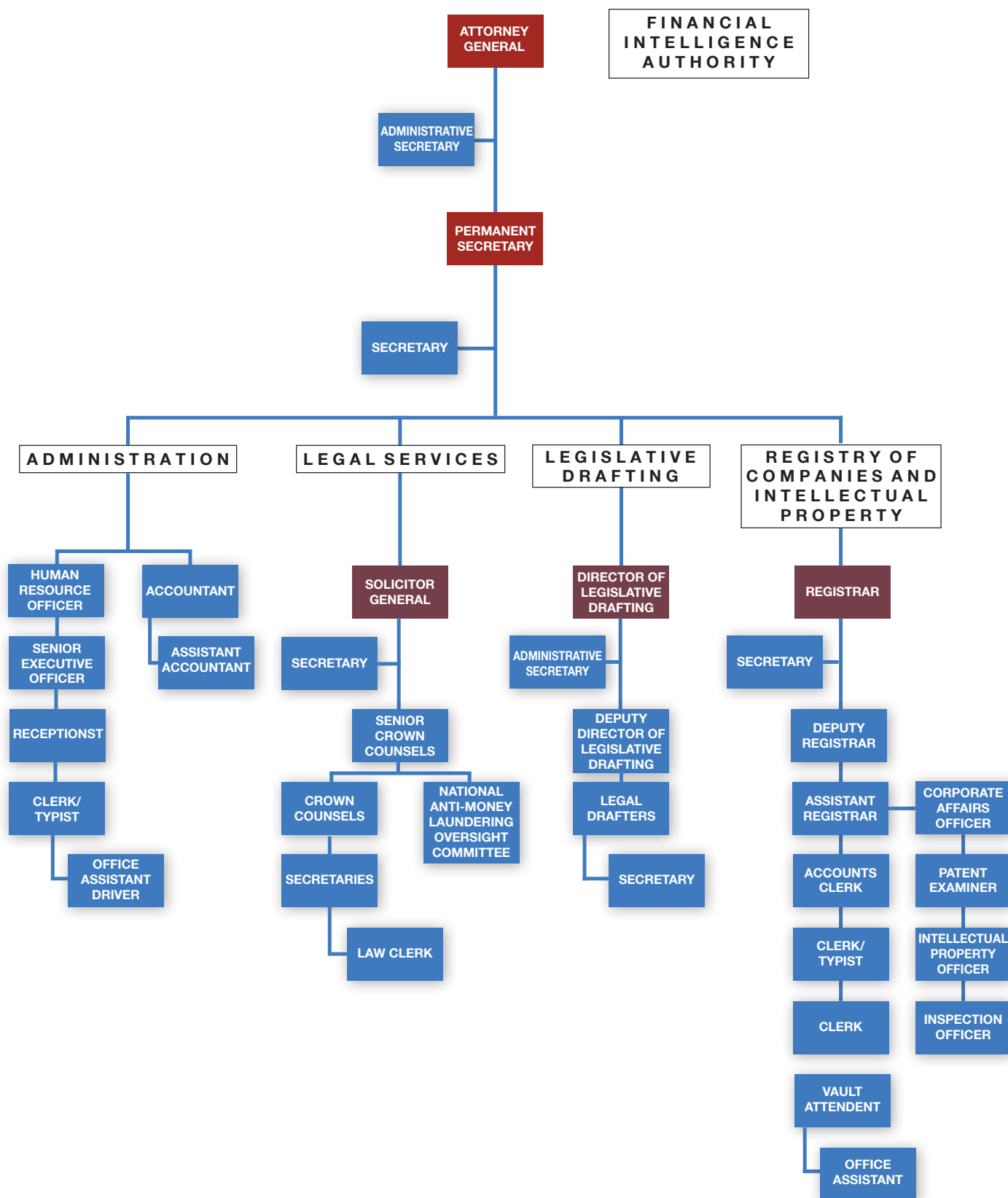
numerous Acts and Statutory Instruments. The Registry of Companies and Intellectual Property processed its first Geological Indication application which was examined, advertised and successfully registered in Saint Lucia. The Accounts and Administrative Units have throughout the year facilitated the smooth internal operation of Chambers. The NAMLOC continued with its mandate to ensure that Saint Lucia achieves the FATF 40 Recommendations, while simultaneously preparing for the 5th round mutual evaluation for the country.

The Attorney General’s Chambers encounters challenges like every other organization but through perseverance and being mindful of our shared goal, we remain focused on arriving at effective solutions, which ensures that the output of Chambers is always prompt and efficient service.

I wish to acknowledge and thank every member of staff and the management team of Chambers for their dedication and diligence in the past year, as we reaffirm to serving the public and maintaining the confidence of our partners.

I invite you to delve into this Annual Report and take some time to provide feedback on the content therein.

Honourable Leslie Mondesir
Attorney General



ADMINISTRATION UNIT



During the year under review the administration unit continued to assist with the following: -

- Capacity Building
- Human Resource Matters
- Managing Resources
- Ensuring Compliance with Department Policies
- Information Technology Support

PROMOTIONS

Some of our staff benefited from Promotions/Acting Appointments during the period April 2024 to March 2025:

Name	Acting Appointments/Promotions
Aurelia Evans	Acting Appointment as Accountant I
Gisele Joseph	Acting Appointment as Administrative Secretary
Nakisha Haynes	Promoted to the post of Secretary II Acting Appointment as Secretary IV
Kerrine Jn. Pierre-Allembert	Acting Appointment as Secretary III
Aleysha Edwin	Acting Appointment as Secretary IV
Gemma Cyril	Acting Appointment as Secretary IV

Name	Acting Appointments/Promotions
Clara Hyacinth	Promoted to the post of Secretary II
Jevani Joseph	Promoted to the post of Secretary I
Shquarn Wilkinson	Appointed to the post of Clerk/typist
Sherbaz Hercules	Temporary Appointment as Receptionist II
Etha Francis	Acting Appointment as Administrative Secretary
Cindie Dorius	Acting Appointment as Assistant Registrar
Jasmine Jules	Acting Appointment as Administrative Secretary
Leah Richard	Acting Appointment as Patent Officer I Acting Appointment as Administrative Secretary
Shamara Avril	Acting Appointment as Bursar
Kanasha Simond	Acting Appointment as Intellectual Property Officer I
Tenica Prosper	Re-assignment as Supernumerary Clerk
Kasheem Bruce	Acting Appointment as Secretary

STAFF SOCIAL EVENTS

STAFF RETREAT

The Attorney General's Staff Retreat was held on May 31st, 2024, at Coco Palm Resort under the theme ***"Growing Together through Stronger Relationships."*** The day began with an inspiring presentation by Consultant Mrs. Betty Combie, followed by a certificate presentation ceremony. Staff enjoyed an afternoon filled with games and karaoke. The day culminated with staff photo opportunities.

LA ROSE FESTIVAL

The La Rose Festival is one of Saint Lucia's two vibrant and culturally rich flower festivals, traditionally celebrated on August 30th each year. This festival honors *La Rose* (the Rose) society, one of the two historic flower societies that represent Saint Lucian cultural heritage. During this celebration, members of the *La Rose* group from across the island dress in bright shades of red and pink, symbolizing the beauty and strength of the rose flower. At Chambers, staff members joined in this celebration with singing and dancing with a La Rose group. The event was held in collaboration with the Department of Tourism and Culture.

LA MARGUERITE FESTIVAL

In contrast to the *La Rose* celebration, the *La Marguerite* Festival is observed annually on October 17th and honors the second of Saint Lucia's flower societies, La Marguerite. Members affiliated with this society dress in blue and white, colors that symbolize the marguerite flower, often associated with humility and elegance. Staff at the Chambers actively participated in this festival by joining the lively performances and cultural appreciation by a La Marguerite group. This celebration was also held in partnership with the Department of Tourism and Culture.

CREOLE BRUNCH

The annual Creole Brunch took place on October 25th, 2024. As always, this cultural celebration was warmly embraced by staff and was hailed as an absolute success by all who participated.

PUBLIC SERVICE DAY ACTIVITIES

On Friday, June 21st, 2024, staff were invited to an ecumenical praise and worship service at the Minor Basilica of the Immaculate Conception in Castries. To commemorate Public Service Day, management treated staff to a special lunch.

CHRISTMAS DINNER AND DANCE

The annual Christmas Dinner and Dance was held at Bay Gardens Beach Resort in Rodney Bay in December 2024. Staff were presented with gifts and tokens of appreciation in recognition of their hard work and dedication throughout the year. In addition, the staff at the Registry of Companies and Intellectual Property received a special recognition from management in appreciation of their outstanding commitment during their recent relocation efforts.

INDEPENDENCE CELEBRATION

An Independence breakfast was prepared for staff at Chambers on February 21, 2025 to celebrate the 46th anniversary of Independence, the theme for that activity across Saint Lucia was "Douvansanm; Health and Well-Being for a Prosperous Nation".

Chambers also participated in the ecumenical church service and small business showcase held in Vieux Fort.

INTERNATIONAL WOMEN'S DAY

International Women's Day is an annual activity which is being celebrated across the world on March 8th. Saint Lucia celebrated this day in collaboration with private sector and government departments throughout the island. Chambers was no exception, as staff decorated the office, dressed in beautiful attire and enjoyed a treat from the Social Committee.

ACCOUNTS UNIT

The Attorney General's Chambers in addition to providing legal support to the Government of Saint Lucia is a revenue collecting agency for the following services:

1. Marriage Licenses
2. Adoptions
3. Apostilles
4. Selling of Laws, Acts and legal Publications
5. Registration of Supervised Entities
6. Registration of Companies
7. Intellectual Property
8. Registration of Business Names
9. Trademarks

For the fiscal period 2024/2025 the Cabinet of Ministers approved an increase in the rates of the following services:

Revenue Type	From	To
Marriage Licenses (Regular)	\$335	\$500
Marriage Licenses (Express)	\$540	\$700
Adoptions	\$800	\$1000
Apostilles	\$50	\$100

The impact of these adjustments to the revenue profile cannot be measured as yet, noting that implementation was at November 18, 2024. However, in addition to these adjustments and the continued buoyancy of the tourism sector it is expected to bolster revenue collections and will assist Chambers in meeting its revenue estimates for 2025/2026.

The Registration of Supervised Entities revenue stream which was introduced August 2023 has now reflected a full fiscal period of activity with cumulative actual revenue of \$20,500 versus budget revenue of \$40,000 resulting in a negative variance of \$19,500. A detail review of that performance and all available information has caused a reduction in the budgetary allocation for 2025/2026 to a more realistic expectation.

REVENUE

Actual revenue vs. Budgeted revenue (April 2024 to March 2025) ROCIP

PERIOD	ACTUAL REVENUE	BUDGETED REVENUE	VARIANCE
April 2024	196,196	104,352	91,844
May 2024	157,387	193,113	(35,726)
June 2024	149,948	160,981	(11,033)
July 2024	165,285	146,427	18,858
August 2024	199,764	167,917	31,847
September 2024	134,234	162,696	(28,462)
October 2024	73,783	138,758	(64,975)
November 2024	167,454	163,746	3,708
December 2024	140,467	129,867	10,600
January 2025	147,795	126,591	21,204
February 2025	156,632	127,569	29,063
March 2025	157,220	135,173	22,047
Total	1,846,165	1,757,190	88,975

Table 1.1

Table 1.1 refers to the revenue collection performance of 2024/2025 for the Registry of Companies and Intellectual Property. Although there were some significant adverse variances the cumulative situation did better. Cumulative actual revenue was 1,846,165 versus budget revenue of 1,757,190 resulting in a positive cumulative variance of 88,975.

Line graph Actual revenue vs. Budgeted revenue (April 2024 to March 2025)

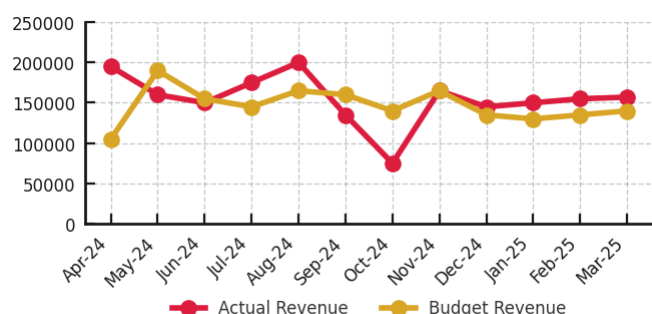


Chart 1.1

Chart 1.1 is a graph of the information contained in Table 1.1 actual revenue versus budget revenue for April 2024 to March 2025 for Registry of Companies and Intellectual Property (ROCIP).

Actual revenue vs. Budgeted revenue (April 2024 to March 2025) ADMIN

PERIOD	ACTUAL REVENUE	BUDGETED REVENUE	VARIANCE
April 2024	196,196	104,352	91,844
May 2024	157,387	193,113	(35,726)
June 2024	149,948	160,981	(11,033)
July 2024	165,285	146,427	18,858
August 2024	199,764	167,917	31,847
September 2024	134,234	162,696	(28,462)
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November 2024	167,454	163,746	3,708
December 2024	140,467	129,867	10,600
January 2025	147,795	126,591	21,204
February 2025	156,632	127,569	29,063
March 2025	157,220	135,173	22,047
Total	1,846,165	1,757,190	88,975

Table 2.1

Table 2.1 refers to the revenue collection performance of 2024/2025 for the Administration section of Chambers. Marriage licenses continue to under-perform and have struggled to match pre-COVID numbers. Cumulative actual revenue was 474,922 versus budget revenue of 569,428 resulting in a negative cumulative variance of 94,506.

Line graph Actual revenue vs. Budgeted revenue (April 2024 to March 2025)

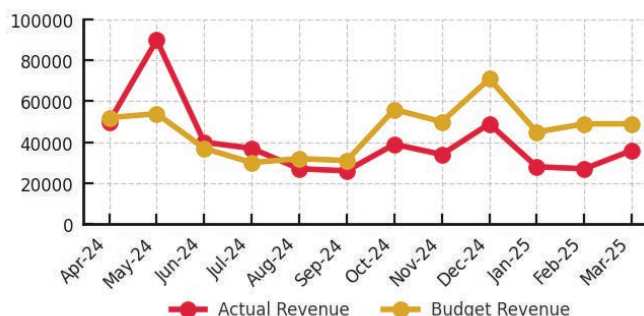


Chart 2.1

Chart 2.1 is a graph of the information contained in Table 2.1 actual revenue versus budget revenue for April 2024 to March 2025 for Chambers, Administration.

Actual revenue vs. Budgeted revenue (April 2024 to March 2025) CHAMBERS

PERIOD	ACTUAL REVENUE	BUDGETED REVENUE	VARIANCE
April 2024	247,981	152,623	95,358
May 2024	246,450	252,708	(6,258)
June 2024	186,913	200,461	(13,548)
July 2024	201,999	177,191	24,808
Aug. 2024	223,979	202,302	21,677
Sept. 2024	158,136	194,541	(36,405)
Oct. 2024	110,560	195,604	(85,044)
Nov. 2024	199,859	215,438	(15,579)
Dec. 2024	190,067	201,588	(11,521)
Jan. 2025	176,473	172,007	4,466
Feb. 2025	184,950	177,725	7,225
March 2025	193,720	184,430	9,290
Total	2,321,087	2,326,618	(5,531)

Table 3.1

Table 3.1 refers to the revenue collection performance of 2024/2025 for the Chambers. The impact of the closure

of ROCIP is seen in the month of October 2024 with a negative variance of 85,044. Cumulative actual revenue was 2,321,087 versus budget revenue of 2,326,618 resulting in a negative cumulative variance of 5,531.

Line graph Actual revenue vs. Budgeted revenue (April 2024 to March 2025)

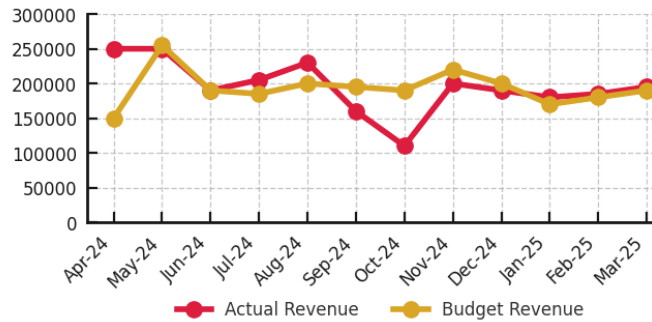


Chart 3.1

Chart 3.1 is a graph of the information contained in Table 3.1 actual revenue versus budget revenue for April 2024 to March 2025 for Attorney General's Chambers.

Summary of revenue performance for April 2024 to March 2025

Revenue Type	Revenue Projections	Actual	%Collected	%Not Collected	Balance	
Marriage Lic.	498,176	373,265	74.93%	25.07%	124,911	
ROCIP	1,757,190	1,846,165	105.06%	(5.06%)	(88,975)	
Adoption	18,128	19,400	107.02%	(7.02%)	(1,272)	
Apostille	5,600	4,500	80.36%	19.64%	1,100	
Sale of Laws	7,524	11,606	154.25%	(54.25%)	(4,082)	
Registration of Supervised Entities		40,000	20,500	51.25%	48.75%	19,500
Other Revenue		45,651			(45,651)	
Sundry Receipts	2,326,618	2,321,087			5,531	



PROFILE CORNER: **ADVICE & LITIGATION**



MESSAGE FROM **THE ACTING SOLICITOR GENERAL**

The Advice & Litigation Unit (ALU) of the Attorney General's Chambers (AGC) is a central unit within the AGC - its principal function, to assist the Honourable Attorney General in discharging his constitutional duty as principal legal advisor to the Government. In this regard, the ALU's main tasks are to advise the various Government departments so as to ensure that all executive action conforms to the rule of law, and when necessary, to litigate matters on behalf of the Government, in areas of public and private law.

It is indeed a pleasure for this Unit to be profiled in our 2024 Report. The Unit is led by the Honorable Attorney General, Mr. Leslie V. Mondesir, the ALU has in the year 2024, remained faithful to its mission and vision statements, which has resulted in the ALU recording numerous successes, despite the many challenges.

It must be highlighted that the law officers of the ALU, who, as ministers of justice, have gone about their duties with competence, integrity and with a marked sense of fairness, both before the courts and with our stakeholders.

As law officers of the Crown, we are conscious of the fact that we are representing the Attorney General, who is, ex officio, the most senior member of the Bar, and simultaneously, the most senior law officer, and as such, we must discharge our duties fairly and responsibly.

A fortiori, the ALU is mindful of the fact that the Attorney General also acts as the guardian of the rule of law. Thus, when we advise Government officials, we must ensure that they act within the law; and when we appear as law officers before the courts, we must studiously assist the court in

resolving pertinent legal issues in a manner that yields the best and most advisable jurisprudential outcomes.

Accordingly, the ALU desires also to mold our present and future attorneys as credible and reliable advocates before the courts, meticulous in preparation, current with the realities of modern practice, forever courteous and helpful to our fellow colleagues, consistent with our duties as legal professionals as articulated under our Legal Profession Act.

Further, as solicitors, our law officers endeavor to be attentive to the legal needs of the various Government departments, providing them with the best legal advice, along with legal documentation to support the departments' objectives, whilst offering effective solutions to their legal problems.

Moreover, the law officers of the ALU, supported by our Permanent Secretary, has throughout the year been mindful of defending public funds against unmerited claims and/or inflated ones. The team is cognizant that it is with public funds that the Government is able to pursue the development agenda of our country.

I therefore take this opportunity to thank the attorneys and administrative staff for their continued fervent efforts in pursuing the ideals and objectives of the AGC in a highly dynamic, ever changing and demanding work environment. I thank also the Honourable Attorney General and Permanent Secretary for their leadership and support as we collectively pursue our mission and vision in line with our strategic objectives. Upwards and onwards!

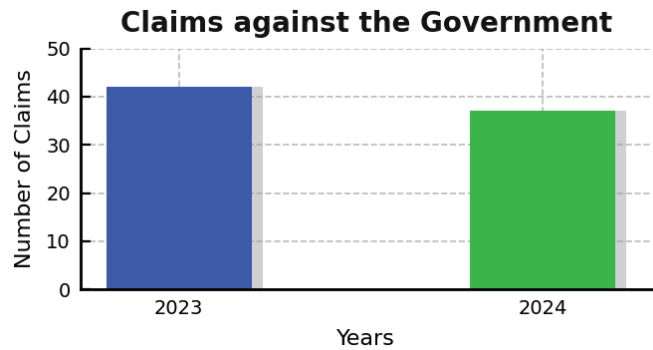
PERFORMANCE: PRODUCTIVITY AND OUTPUT

This report accounts for the work of the ALU over the last year whilst highlighting the key achievements of the department and its personnel.

LITIGATION

Litigation is a core function of the ALU and during the year under review, continues to require a vast number of resources, both human and administrative. The data for the year 2024, shows that there were thirty-seven (37) claims filed against the Government which translates into approximately three (3) claims a month, a twelve percent (12%) decrease in the number of claims filed against the Government when compared with the year 2023, which recorded forty-two (42) claims. This is a positive outcome

for the Government as fewer filed claims mean that the Government's exposure to unbudgeted expenses in the form of court ordered payments have been reduced. See Bar Graph below.



However, despite the decrease, the ALU continues to observe an increase in complexity in the nature of the issues which arise in the various claims. These include an increased number of constitutional challenges, judicial review applications and actions against law enforcement bodies.

The ALU's legal staff is commended for their laudable efforts over the period, having achieved multiple successes despite a shortfall in our staff complement.

SIGNIFICANT CASES HEARD OR CONCLUDED DURING THE YEAR 2024

During the reporting period, the ALU litigated a number of complex and important matters, principally in public law. A few of these cases are highlighted below.

BANK OF NOVA SCOTIA V COMPTROLLER OF INLAND REVENUE

This was a tax appeal case where the court was asked to determine whether a non-resident person or entity (headquarters) is liable to pay withholding tax where they perform services outside of Saint Lucia for an entity based in Saint Lucia (the branch) and whether payment for these services constituted a management charge. The Court of Appeal determined that where income accrues directly or indirectly to a non-resident person, from any source, other than from the exercise of employment or the carrying on of business through an establishment in Saint Lucia, the gross amount of such income is liable to withholding tax in accordance with sections 76 and 80 of the Income Tax Act.



The key point in this case was per section 7(5) of the Income Tax Act, income from any source that accrues directly or indirectly to a non-resident person which, subject to two exceptions, is in effect subject to withholding tax and includes payments which are properly categorized as a management charge or other payment of an “income nature” contained in the schedule to section 76 of the Act.

MAGISTRATE BERTLYN REYNOLDS AND THE FINANCIAL INTELLIGENCE AUTHORITY VS PETER HIPPOLYTE ET AL

This was a judicial review claim on appeal from the High Court’s decision finding that the magistrate did not have jurisdiction to order the detention of cash seized by a financial investigator of the FIA from the police and that the cash had been seized beyond the seventy-two hours permitted by the statute. The court, reversing the High Court’s decision, held that whilst seizure in its traditional sense referred to the act of physically taking possession of property and removing it from the owner’s control, authorities may also effect seizure by asserting control over the property, and that it was permissible for law enforcement authorities to seize the same property multiple times under separate seizure powers contained in various enactments. Accordingly, the seizure by the financial investigator from the police was lawful. The respondents appealed to the Caribbean Court of Justice (Chambers’ first appearance

before this apex court), which dismissed their appeal and upheld the decision of our Court of Appeal.

ELVIS YANNICK LEON V (I) DIRECTOR OF FINANCE AND PLANNING (II) ACCOUNTANT GENERAL (III) COMPTROLLER OF INLAND REVENUE SLUHCV2023/0342

The Elvis Yannick Leon case is a novel case which interrogates the ambit of the Inland Revenue Department’s powers as it pertains to the department’s ability to query the value of an instrument seeking to convey property or an interest in property under section 12 of the Stamp Duty Act for the purpose of assessing the amount of stamp duty to be paid on the instrument.

In this case, the frontal issue was whether the defendants had a discretion under section 12 to refuse to collect stamp duty for failure to set out all the facts and circumstances affecting the liability of any instrument to duty or the amount of duty with which any instrument was chargeable.

At the trial of the matter, the defendants argued that in order to properly assess a person’s stamp duty liability and to collect the correct amount of duty in accordance with the defendants’ statutory duty under section 3 of the Stamp Duty Act, section 12 must be construed in a manner that would allow the defendants to refuse to stamp an instrument which does not contain all the relevant facts

and circumstances affecting the instrument's liability to duty, until that information is provided to the satisfaction of the Comptroller. The judgment of the court remains pending.

Augustin Hinkson vs Attorney General - Mr. Augustin Hinkson filed a constitutional motion against the Attorney General of Saint Lucia (assigned claim no. SLUHCV2020/0108), seeking declarations that he was denied the right to enter the Criminal High Court during public hearings and that likewise, Mr. St. Brice (on whose behalf he also sought a declaration) was denied his right to a public hearing in criminal proceedings in which he was a defendant. Mr. Hinkson further sought a declaration that the permanent closure of public hearings at the Criminal High Court since its move to Vigie in Castries was unconstitutional and claimed damages for the alleged infringements.

Two pertinent issues for determination by the Court were (1) whether the right afforded by section 8(10) of the Constitution is a right guaranteed to an individual member of the public such as Mr. Hinkson who wishes to observe the proceedings and (2) If Mr. Hinkson indeed had standing to bring a claim for constitutional relief on behalf of Mr. St. Brice, whether Mr. St. Brice's right to a public hearing under section 8 of the Constitution has been infringed.

The court found, after considering the arguments of both parties, that the right guaranteed by section 8 (10) was indeed that of a litigant and not that of a member of the public. The Court further found that on the evidence before it, the Claimant had not provided any evidence or indication to show why Mr. St. Brice could not make application for constitutional redress on his own.

Notwithstanding, the Court proceeded to consider whether the right of Mr. St. Brice to a public hearing under section 8 of the Constitution had been infringed. The Court noted that no evidence was produced that all members of the public were barred access to the Court for any specified reason or that Mr. St. Brice's hearing on that day was not in camera/private. The Court further considered that the existence of signs in and around the Court advising of the manner of dress applicable to persons entering the Court, is evidence of the practice of allowing entry into the Court by members of the public.

The Court in holding that the right of Mr. St. Brice to a public hearing was not breached, referred to rule 2.7 of the

Civil Procedure Rules 2023 which provides that 'where a hearing takes place in public, the court is not required to make any special arrangements to enable the public to enter the hearing' and found that the rule applied equally apply to criminal matters.

A Notice of Appeal has been filed in this matter and these issues are likely to be deliberated upon by the Court Appeal should it proceed to the stage of hearing of the substantive appeal.

James St. Prix vs (1) the Attorney General of Saint Lucia (2) Nancy Francis and Attorney General vs Daran Edwards The Attorney General, in both the St. Prix and Daran Edwards matters, made an application to strike out the claim on the grounds that the claimants did not comply with Article 28 of the Civil Code which requires claimants to serve notice on the public officer involved at least one month before commencing a claim for damages. The evidence before the court was that the claimants failed to serve the required notice on the public officer in question. The claimants argued that the Article 28 notice had been served and received by the Attorney General's office.

The critical legal issues for determination by the court was whether the notice of intended action had to be served on the public officer personally, and if serving the notice on the Attorney General fulfilled the requirement of Article 28. Both matters have been appealed to the Court of Appeal for its determination. The significance of this decision will determine whether an article 28 notice will remain a procedural requirement before commencing a claim in damages against the State.

Saint Lucia's participation before the International Court of Justice in its advisory opinion proceedings on climate change

On 29th March, 2023, the United Nations General Assembly ("UNGA") adopted by consensus, Resolution 77/276 "Request for an Advisory Opinion of the International Court of Justice on the Obligation of States in respect of Climate Change" ("UNGA Resolution"). The UNGA Resolution was initiated by the Republic of Vanuatu which explained that the initiative was necessitated by its vulnerability and that of other Small Island Developing States ("SIDS") to climate change and the need for increased action to address the global climate crisis. In that regard, the Republic of Vanuatu assembled a Core Group of States to iterate and further develop the resolution. The Core Group was led by Vanuatu and included Angola,

Antigua and Barbuda, Bangladesh, Costa Rica, Germany, Liechtenstein, The Federal States of Micronesia, Morocco, Mozambique, New Zealand, Portugal, Romania, Samoa, Sierra Leone, Singapore, Uganda and Vietnam.

The UNGA Resolution consists of a preamble setting out several aspects deemed important by States but the operative part is essentially the legal question to be addressed by the ICJ and is reflected below as follows:

“Having particular regard to the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the United Nations Framework Convention on Climate Change, the Paris Agreement, the United Nations Convention on the Law of the Sea, the duty of due diligence, the rights recognized in the Universal Declaration of Human Rights, the principle of prevention of significant harm to the environment and the duty to protect and preserve the marine environment,

1. (a) *What are the obligations of States under international law to ensure the protection of the climate system and other parts of the environment from anthropogenic emissions of greenhouse gases for States and for present and future generations?*
2. (b) *What are the legal consequences under these obligations for States where they, by their acts and omissions, have caused significant harm to the climate system and other parts of the environment, with respect to:*
 - (i) *States, including, in particular, small island developing States, which due to their geographical circumstances and level of development, are injured or specially affected by or are particularly vulnerable to the adverse effects of climate change?*
 - (ii) *Peoples and individuals of the present and future generations affected by the adverse effects of climate change?”*

The Attorney-General's Chambers approved the engagement of external counsel from Lawyer for Trees – Mr. Justin Sobion, Dr. Jan Yves Remy and Ms. Ruenna Hayes, to assist the Attorney General's Chambers and the Department of Sustainable Development in crafting the submissions on the legal question for consideration before the ICJ.

The submissions highlighted Saint Lucia's vulnerability as a SIDS noting that SIDS rank among the most vulnerable to climate change, with Saint Lucia placing in the top ten most vulnerable developing countries and among the first in the Caribbean region.

As it relates to the question regarding a State's legal obligations in relation to climate change, Saint Lucia emphasized the climate change agreements and treaties that Saint Lucia has signed onto including the UNFCCC, Paris Agreement, UNCLOS, human right treaties and paid particular regard to the legal obligations arising thereunder as well as the duties to prevent transboundary harm and significant harm to the environment, including the duty of due diligence, and the duty to cooperate, with a particular focus on the special and differentiated treatment of SIDS. The submissions noted that these international treaties and principles do not exhaust the relevant norms that the Court should take into account as relevant to the question regarding a State's legal obligation.

The submissions argued that the principle of prevention of transboundary harm should be considered a legal obligation in relation to climate change. Saint Lucia submitted that the duty to prevent significant harm to the environment must apply to States insofar as they contribute GHG emissions that impact others.

With respect to the consequences as a result of the breach of a State's legal obligation, Saint Lucia submitted that the overarching framework governing the legal consequences is codified in the Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA). In that regard, it was submitted that the ICJ in its advisory opinion should apply ARSIWA and indicate that countries should make good on commitments to reduce GHG emissions, including those under the UNFCCC and Paris Agreements to meet their own ambitious targets made under their NDCs, and provide finance, capacity-building and technology transfer for mitigation, adaptation and loss and damage, to SIDS and should provide monetary reparation to SIDS which contribution to the negative effects of climate change is negligible.

Having regard to the nature of the question to be answered by the ICJ and the global impact of advisory opinions proffered by the ICJ which carry significant legal weight and act as an authoritative international legal guide, the Attorney General Chambers is of the opinion that the

advisory opinion is critical to inform as to (i) States' obligations towards the environment and (ii) the legal consequences, when States, through their acts or omissions, have caused significant harm to SIDS.

NOTICES OF SUIT

Notices of Suit are pre-action protocol which, pursuant to Article 28 of the Code of Civil Procedure, notify the public officer of a potential claim in damages made against him or her in respect of his or her act or omission. The utility of this procedural step has been challenged and the decision in this matter is pending before the Court of Appeal.

Chambers has however, in the year 2024, received fourteen (14) notices of suit which reflects a forty-four percent (44%) decrease in the number of Notices served on Chambers when compared with the year 2023 which totaled twenty-two (22).

This is consistent with the decrease in the number of litigated matters and is a positive outcome for the Government as fewer filed claims mean that the Government's exposure to unbudgeted expenses in the form of court ordered payments have been reduced. It also suggests that in the year 2024, there have been fewer instances where citizens have felt that a public officer has caused them harm by the public officers unlawful act or omission.

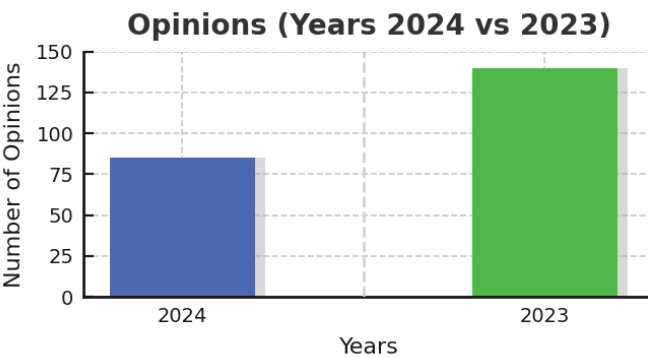
RELEASES

In the year 2024, Chambers executed only five (5) releases which reflects a one hundred and thirteen percent (113%) decrease over the year 2023 which recorded eighteen (18) releases. Releases are representative of payments made by the Government of Saint Lucia in respect of court judgments, ex-gratia payments or out of court settlements. This decrease is consistent with the decrease number of litigation matters and notices of suit as there would be fewer occasions which would justify a payment and subsequent release. It also suggests that there have been fewer instances where the Government has been ordered to pay a litigant a sum of money and/or fewer occasions where the Government accepted liability. This tends to support the effectiveness of the law officers of the ALU.

OPINIONS

In 2024, with respect to opinions, the ALU submitted eighty-four (84) opinions to Government departments,

averaging seven (7) opinions a month. This represents a notable decrease of about fifty-two percent (52%) from the year 2023 which recorded one hundred and forty-four (144) requests for opinions. See Bar graph below.



The ALU partly attributes this decline to the recommendation made to several departments to rely on earlier submitted advice on recurring issues.

KEY ISSUES ARISING FOR ADVICE

PENSIONS LAW

During the period, a recurring area in which advice was sought from ALU was in the area of pensions law, particularly in relation to the interpretation of sections 6 and 19 of the Pensions Act, temporary appointments and compulsory retirement.

SURROGACY LAWS

Chambers was also asked to provide information on the law relating to surrogacy in Saint Lucia. Specifically, Chambers was asked to consider whether surrogate motherhood is legal in Saint Lucia; provide information on what laws regulate the concept and implementation of surrogacy; how the parenthood of a child born to a surrogate mother would be identified; and whether there would be a difference in treatment between a child born by surrogate motherhood, and a child who is not, in applying for a Saint Lucia birth certificate. In addressing this novel issue within the Saint Lucia legal landscape, Chambers considered the provisions of the Civil Code of Saint Lucia Cap.4.01 of the Revised Laws of Saint Lucia, the Child (Care Protection and Adoption) Act, Cap 4.07 of the Revised Laws of Saint Lucia, and the Civil Status Act, Cap.4.02 of the Revised Laws of Saint Lucia.



ABSENTEEISM

The Unit also remitted a number of opinions on absenteeism in the public service. The outcome of each of these matters usually differ. Absenteeism occurs when an officer is absent from work without permission after a certain number of days.

The key issues in these opinions were (1) what constitutes absenteeism; (2) when can a Government department stop the payment of the salary; and (3) the process of reinstating an officer who has vacated his post.

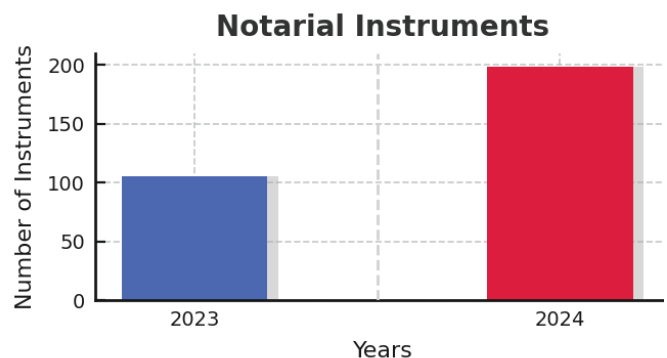
ROAD WORKS

Chambers has remitted numerous opinions on legal issues arising from road works, centered around the doctrine of nuisance, particularly where it affects business income and works done by independent contractors on behalf of government.

NOTARIAL INSTRUMENTS

Notarial instruments are legal documents such as deeds and registrable leases relating to immovable property (including Crown and commercial property) which seek to transfer some interest in that property. In the year 2024, the ALU vetted ninety-eight (98) deeds and one hundred and two (102) leases, totaling two hundred (200) notarial instruments for the year, averaging approximately sixteen

(16) instruments a month. This reflects a eighty-eight percent (88%) increase in the number of vetted instruments when compared with the year 2023 which recorded one hundred and six (106) instruments submitted for vetting. See Bar graph below.



AGREEMENTS/CONTRACTS

Generally, contracts involving the Government are vetted and approved by the Office of the Attorney General, prior to execution. This ensures that prior to the signing and consequential binding of the Government to the terms of the agreement, the relevant departments are provided with the necessary legal advice.

Consequent on that premise, Chambers received a total of forty-four (44) contracts for vetting which saw a decrease of sixteen percent (16%) over the year 2023 which recorded

fifty-two (52) submitted documents for vetting. Chambers observes the fluctuating number of contracts submitted for vetting when compared with the year 2022 which recorded forty-one (41). Reference is made to Line Chart below.



MUTUAL LEGAL ASSISTANCE

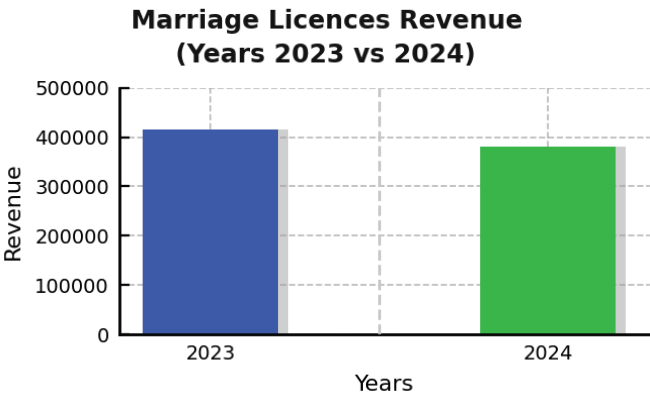
In the year 2024, there were a total of twenty-six (26) requests for assistance processed. This marks a three percent (3) decrease over the 2023 period which recorded twenty-seven (27) processed requests. The majority of processed requests were from the Republic of France (Martinique). The Office of the Attorney General participated in a high-level delegation to Martinique to discuss the forging of deeper linkages and networks in combatting cross border crime for the mutual benefit of the participating countries. Saint Lucia has also amended its mutual assistance laws by expanding the scope of its assistance beyond commonwealth countries, but now, to all foreign countries.

MARRIAGE LICENSES
OVERVIEW

Marriages in Saint Lucia are governed by *sections 81-155 of the Civil Code, Cap 4.01 of the Revised Laws of Saint Lucia*. Marriages in Saint Lucia can proceed by publishing of banns or by obtaining a licence. A licence is obtained from the Attorney General’s Chambers and is valid for one (1) month.

For 2024, Chambers processed a total of eight hundred and forty-six (846) licences, comprising of five hundred and ninety-one (591) ordinary licenses and two hundred and fifty-five (255) emergency licences, giving a total annual revenue of three hundred and seventy-seven thousand, and fifty dollars (\$377, 050.00). This reflects a nineteen percent

(19%) decrease in the number of licences over the year 2023 which had a total number of one thousand and fifty-four licences (1,054) comprised of seven hundred and sixty (760) ordinary and two hundred and ninety-four (294) urgent licences, giving a total revenue of four hundred and thirteen thousand, three hundred and sixty-one dollars (\$413,361.00), a decrease in revenue of approximately eight percent (8%). The Chart below illustrates the comparison.



During the reporting period, Chambers noting that it had been over ten years since the last revision of the fee structure, increased its marriage licence fees to \$500.00 (ordinary) and \$700.00 (urgent) pursuant to the Civil Code (Marriage Licence Fees) (Amendment) Order, Number 158 of 2024.

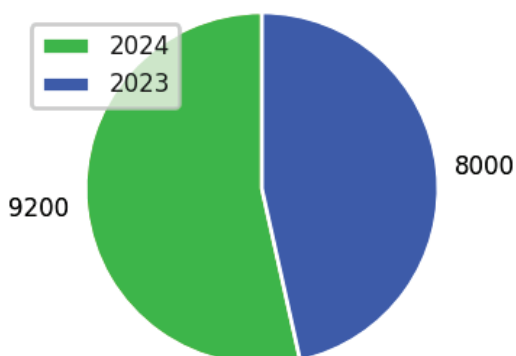
ADOPTIONS

It was previously reported in Chambers’ 2020 annual report that the adoption committee was yet to be established and as such it was necessary for the provisions of the Adoption Act to be introduced into the Child Care Act to cater for the various challenges in implementation. To date, the position remains the same and adoption applications are still currently processed through the Office of the Attorney General.

In that regard, Chambers recorded receipt of twenty-two (22) adoption applications in 2024, which reflects a ten percent (10%) increase from 2023 which recorded twenty (20) applications (the same number as the preceding year, 2022).

Chambers received nine thousand two hundred dollars (\$9,200.00) in tutor ad hoc fees which reflects a thirteen percent (13) increase over 2023 which earned eight thousand (\$8,000.00) in such fees. The Pie Chart below illustrates the relevant data.

Adoption Revenue (Years 2024 vs 2023)



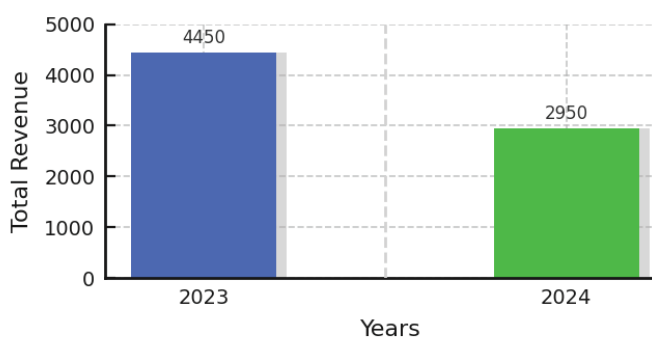
This increase in revenue notwithstanding the reduced number of applications is attributable to more tutor ad hoc fees being paid for the period as well as the gazetted increase in the fee rate passed during the year.

APOSTILLES

Pursuant to section 4 of the Apostille (Hague Convention) Act, Cap. 2:18 of the Revised Laws of Saint Lucia, fifty-nine (59) apostilles were signed by the Acting Solicitor General for the year 2024 which reflects a decrease of approximately forty percent (40%) over the year 2023 which recorded eighty-nine (89) apostilles.

The total revenue generated from apostilles for the year 2024 was two thousand nine hundred and fifty dollars (\$2,950.00) which is a forty percent (40%) decrease from the year 2023 which recorded four thousand four hundred and fifty dollars (\$4,450.00) in revenue. See Bar graph below.

Apostilles Revenue (Years 2024 vs 2023)



The significant dip is attributed to the fact that the department did not have the statutory designated officer (Solicitor General) for a third of the year which precluded the department from executing any further apostilles.

NON-PROFIT ORGANIZATIONS

In the year under review, Chambers received ten (10) applications for approval for registration pursuant to section 328 of the Companies Act, Cap. 13:01 of the Revised Laws of Saint Lucia. See below Table.

This marked a twenty-six percent (26%) decrease over the previous year, 2023 which recorded thirteen (13) applications.

CALLS TO THE BAR

It is a requirement under section 16 (3) of the Legal Profession Act, Cap. 2:04 of the Revised Laws of Saint Lucia, for a non-citizen who is desirous of practicing law in Saint Lucia, to be called to the Bar.

In compliance with that provision, Chambers processed twelve (12) applications for calls in 2024 a sixteen percent (16%) increase over the year 2023 which recorded ten (10) applications.

KEY LEGISLATIVE HIGHLIGHTS

CHILD JUSTICE ACT

The Child Justice Act Number 9 of 2018 is an enactment designed to establish a judicial process for a child in conflict with the law with a view to protecting the rights of children as envisaged by Saint Lucia's international obligations.

It seeks, as far as possible, to remove or divert children (persons under the age of 18) from the criminal process and direct them towards a process more conducive to the non-criminalization of the child.

Accordingly, the offence is sought to be resolved with the assistance of probationary services, the Director of Public Prosecutions, the court and victim. It places central importance on the child accepting responsibility for the offence without exposing the child unduly to the criminal system designed for adults. Diversion is generally excluded for a child who has been alleged to have committed murder.

Notwithstanding the fact that this enactment was passed some six (6) years ago, in 2024, its impact was felt in relation to the number of issues it raised in attempts to comply with its stringent procedural requirements and provisions. Chambers was called upon to defend a habeas corpus matter arising from a seventeen-year-old incarceration at the Bordelais Correctional Facility as well as issues concerning the length of time a child could be imprisoned for the offence of murder.

CIVIL PROCEDURE RULES (REVISED EDITION) 2023

The Honourable Chief Justice, Dame Janice M. Pereira, DBE (as she then was) caused the Eastern Caribbean Supreme Court Civil Procedure Rules to be revised with a view to modernising civil practice across the nine (9) member states. Two (2) important changes to the rules are:

- (i) The removal of the requirement for a claimant in judicial review proceedings to first apply for leave to file a claim for judicial review. A claimant may now apply immediately for an administrative order by way of fixed date claim form; and
- (ii) The inclusion of judge-led settlement discussions termed “judicial settlement conferences”, which now feature as a part of the litigation process designed to encourage parties to settle cases where the case appears amenable to settlement.

The AGC commends the former Chief Justice and her committee in completing this laudable initiative which will undoubtedly impact upon the litigation process in the Eastern Caribbean.

Connected to this initiative, Practice Direction 8, Number 2 of 2023 (Pre-Action Protocols) was passed which seeks to direct potential litigants to engage in discussions with a view to settling disputes before commencing litigation by open discussion of the issue in dispute and whether it could be resolved without judicial intervention. This PD is expected to reduce the number of matters before the court and is expected to affect the number of filed suits against the Government.

Both this initiatives have impacted the litigation process in the year under review.

HALLS OF JUSTICE

The AGC was pleased to participate in reviewing the legal documents associated with the Halls of Justice project which will culminate, over the next two (2) years approximately, in the construction of a new and modern Halls of Justice building on the site of the old court house.

ARTIFICIAL INTELLIGENCE

The technological landscape has over the last few years exploded with the availability of more interactive artificial intelligence tools designed to assist users with everyday tasks whilst reducing the time in which those ordinary tasks

are completed. The AGC, as it seeks to realise its vision to have a modern legal chambers, is actively considering incorporating artificial intelligence technology into its operations in an effort to improve productivity and efficiency.

PACE JUSTICE

During the period under review, the AGC chaired the National Pace Justice Working Committee which included representatives from the DPP's office, the magistracy, police, prisons and the criminal division. Despite a very tight window, the Working Committee met the initial objective of the PACE JUSTICE PROJECT by providing the needs of Saint Lucia in the three (3) funded areas: technology and infrastructure enhancement; capacity building; and enhanced processes and procedures. It is anticipated that the criminal justice system will benefit directly from this project which continues the implementation and delivery of its objectives.

SPOTLIGHT – THOSE WHO SERVE LAW OFFICERS



Crown Counsel IV Rochelle John-Charles

Mrs. Rochelle John-Charles has been a Crown Counsel attached to the Attorney General's Chambers from October 2018 to present. In 2024, she represented the Government of Saint Lucia on an international platform before the International Court of Justice where she formed part of Saint Lucia's delegation to present arguments to the international court on its Advisory Opinion on Climate Change.



Crown Counsel III George K. Charlemagne

On 6th December 2024, Crown Counsel George K. Charlemagne was appointed Registrar (Ag.) of the Registry of Companies and Intellectual Property for the period 6th December 2024 to 6th January 2025 by the Judicial and Legal Services Commission.

During his tenure Mr. Charlemagne was tasked with managing the day-to-day functions of the Registry including the services provided to the public on the DigiGov platform. Mr. Charlemagne dealt with approximately 418 applications in the respective services offered on the DigiGov platform namely: the registration of domestic for-profit and non-profit companies, member state companies, external profit and non-profit companies, the registration of business names by an individual or a firm, business name searches and company name searches and reservations.

Mr. Charlemagne credited the assistance of Ms. Tamara Mathurin, Deputy Registrar, Ms. Cindie Dorius, Assistant Registrar (Ag.) Ms. Samantha Dupre, corporate officer, Ms. Shamara Avril, printing officer, and AalyhiaCharles, clerk who he was required to work closely with in performing his duties. He commented that during his tenure, the entire

staff of the Registry provided meaningful guidance and unwavering assistance which ensured that his tenure was a success.



Senior Crown Counsel Seryozha Cenac

Mr. Seryozha Cenac has been a Senior Crown Counsel with the Attorney General's Chambers since March 2017 and has been called to the Bar of England and Wales as well as the Saint Lucia Bar and has over seventeen (17) years post bar experience having practiced as a crown prosecutor in the Office of the Director of Public Prosecutions, as legal officer and general counsel for Invest Saint Lucia, and has appeared before the Privy Council in the United Kingdom. Mr. Cenac was recently given a six (6) month appointment as the Acting Solicitor General and currently heads the Advice and Litigation Unit of the AGC as the officer-in-charge. Mr. Cenac has advocated for the state in numerous matters of jurisprudential significance and has currently recommended a number of initiatives in seeking to modernize the operations of the AGC in the use of artificial intelligence and other modern office tools. Mr. Cenac also chaired the national working group committee for the PACE JUSTICE project.

ADMINISTRATIVE STAFF



Nakisha Haynes – Secretary III

Ms. Nakisha Haynes serves the AGC in the capacity of secretary III. She has been employed with Chambers from February 2014, having grown through that period, having started as a clerk/typist. Nakisha is one of the key members of the administrative staff who assists greatly with the work of the ALU.

Nakisha has this to say:

“When I joined the Chambers family, I was appointed as a clerk/typist. With my previous experience in the legal field, I developed a strong interest in the legal profession. In 2017, I was afforded the opportunity to move to the Legal Services Unit as a legal secretary. This move generated a deeper appreciation for the legal system.

As a legal secretary, I am tasked with preparing notarial documents for the attorneys’ review and providing administrative and legal support to the attorneys employed within the Unit. Working in this Unit has been immensely beneficial to my personal and professional development. The continued support and guidance from the attorneys together with relevant training has assisted me in executing my assigned tasks.

In September 2020, I was given the opportunity to pursue a certificate in Paralegal Programme with the University of the West Indies sponsored by Improved Access to Justice in the Caribbean (Impact Justice). As an individual who is always willing to acquire knowledge, with great enthusiasm, I embarked on this educational journey along with other legal secretaries within the Department.

Overall, working at the Attorney General’s Chambers has been beneficial as I continue to learn and enhance my knowledge in the field of law and the legal systems within my jurisdiction.”

NEW HIRES



Senior Crown Counsel Nichola George-Benjamin

Nichola is an attorney-at-law with over twenty (20) years of regional experience across multiple Caribbean jurisdictions, namely the Bars of Trinidad and Tobago, Bermuda, Saint Lucia, and Barbados. She holds a Bachelor of Laws (Hons) from the University of the West Indies and is a graduate of the Hugh Wooding Law School followed by a Master’s degree in Corporate and Commercial Law (2010).

Her diverse practice areas encompass corporate and commercial law, corporate governance, utilities regulation, consumer protection, and competition law. In her professional journey, she has served in the Commercial Litigation Department of a private law firm in Bermuda. She then became the General Legal Counsel and Commission Secretary at the Fair-Trading Commission in Barbados, where she was involved in regulatory matters, consumer protection and fair-trading practices.

Nichola brings to the AGC her extensive experience and deep understanding of regulatory law, corporate law and commercial law.

Nichola’s experience at AGC:

“My short time at the AG Chambers has been a great experience. The staff are friendly, helpful and very knowledgeable. Being at AG Chambers allows me to continue the pursuit of knowledge and growth as an all-round professional both in and out of court whilst maintaining a healthy work life balance. I draw daily inspiration from my favourite Winston Churchill quote: “Success is not final; failure is not fatal: it is the courage to continue that counts.”



Crown Counsel Kimberley Williams

Kimberley K. Williams joined the Attorney General's Chambers on 4th March 2024 as Crown Counsel II. She was admitted to the Jamaican Bar in December 2016 and the Saint Lucian Bar in December 2020. Kimberley obtained her Bachelor of Laws Degree (First Class Honours) from the University of the West Indies (2014) and subsequently obtained her Legal Education Certificate from the Norman Manley Law School (Principal's Roll of Honour) (2016). She also possesses a Bachelor of Arts Degree in International Relations and Spanish (2010) and a Master of Science Degree in International Development Studies (Cum Laude) (2023). Prior to joining us, Kimberley accumulated experience in civil and commercial practice as legal officer in the High Court of Saint Lucia where she provided support to the judges of the Civil and Commercial Divisions, and as an associate at law firms where she practiced primarily property and commercial law. She is also a Member of the Chartered Institute of Arbitrators and of the Rotary Club of Saint Lucia.

Experience at AGC

"My experience at Attorney General's Chambers has been insightful and rewarding. I have had the opportunity of immersing myself in the diverse areas of civil practice in which we are called upon to advise the Government and have deepened my understanding of the complexities of these areas. I have received an abundance of guidance, support, and mentorship from my colleagues who are extremely knowledgeable and experienced. The challenges experienced have tested my ability to work independently and proactively in a fast-paced and dynamic environment, and allowed me to apply and refine my knowledge and skills in a meaningful way, also reinforcing my commitment to public service."

CONCLUSION

The ALU considers 2024 to have been a particularly challenging but successful year. A shortage in the staff complement for much of the year and the amount of work required of the law officers to fulfil during this period demonstrates the commitment, effort and resilience of the ALU. The ALU anticipates that given some of the new initiatives being pursued, 2025 offers to be another year of opportunities and successes.

CORPORATE SOCIAL RESPONSIBILITY

HAMPER DRIVE

During the month of August 2024, Chambers embarked on a "BACK TO SCHOOL DRIVE" where all staff members contributed by providing the necessary stationery and monetary funds towards thirteen hampers. A total of fifteen children benefited from the Back-to-School Drive. The Staff were equally excited to present the hampers at eight different school identified by Chambers.

The AGC also remains dedicated to offering opportunities for young persons and aspiring lawyers. In that vein, during the period, AGC offered two (2) internship opportunities and one (1) placement.

Mr. Ethan Gallion

Ethan is an aspiring law student who started his internship at the AGC on July 17th 2024 to August 2nd 2024. Ethan was exposed to some of AGC's internal processes as well as viewing the civil and criminal justice system work in real time.

Ethan had this to say:

"I came to AGC to pursue my interest in law and to get a grasp of how attorneys operate in the courtroom. I have always had a personal interest in criminal and civil law so I wanted to use this opportunity to decide whether this was the right career choice. To conclude, I must say that the chance to be an intern at Chambers was an amazing experience which now motivates me to further pursue my law degree."

Intern – Zarek Philip

The Attorney General's Chambers ("Chambers") during the period of 1st July to 31st July, 2024 had the pleasure

of facilitating the legal internship for law student, Zarek Philip ("Mr. Philip"). Mr. Philip recently completed a Postgraduate Diploma in Law at BPP University, England and is currently matriculating to the Bar Training Course at Manchester Metropolitan University, England.

During his tenure at Chambers, Mr. Philip conducted research and provided support in litigation matters. He also attended the High Court of Justice and the Master's Court with Crown Counsel. Mr. Philip-also assisted with

the preparation of legal opinions in collaboration with various Crown Counsels.

Intern – Imani Pierre

The Attorney General's Chambers ("Chambers") during the period of 1st July to 31st July, 2024 had the pleasure of facilitating the legal internship for law student, Ms. Imani Pierre ("Ms. Pierre"). During her internship, Ms. Pierre conducted research and provided support in conveyancing matters.



LEGISLATIVE DRAFTING UNIT



INTRODUCTION

The mandate of the Legislative Drafting Unit for the financial year 2024-2025 was determined by the Legislative Agenda provided in the Throne Speech and the Budget Address. Collectively, the Throne Speech and the Budget Address identified the following legislation for enactment:

COMPANIES (AMENDMENT) BILL	PATENTS BILL	REGISTRATION OF BUSINESS NAME BILL	PUBLIC DEBT MANAGEMENT (AMENDMENT) BILL	LEGISLATIVE CHANGES TO ADDRESS THE DISPROPORTIONATE SIZE OF CERTAIN ELECTORAL CONSTITUENCIES
GRANTING OF CITIZENSHIP BY DESCENT TO THE GRANDCHILDREN OF PERSONS WHO ARE SAINT LUCIA BY BIRTH	AMENDMENTS TO EXISTING LEGISLATION FOR THE EFFECTIVE CURTAILMENT OF NOISE POLLUTION	EDUCATION BILL	MACRO INVESTMENT BILL	CANNABIS BILL
DIASPORA INVESTMENT BILL	CLIMATE CHANGE BILL	BANKRUPTCY AND INSOLVENCY BILL	LEGISLATION THAT WILL PROVIDE THE FRAMEWORK FOR SAINT LUCIA'S CREATIVE AND CULTURAL DEVELOPMENT	MODERNIZING THE BANKING SYSTEM AND CREDIT UNION SECTOR THROUGH NEW LEGISLATION
		NATIONAL ENERGY POLICY WILL BE SUPPORTED BY NEW RELEVANT LEGISLATION		

This Report presents the Acts and Statutory Instruments completed during the financial year as well as the legislation that is currently being prepared by the Legislative Drafting Unit. In addition, this report highlights some of the meetings and workshops that were attended by staff of the Legislative Drafting during the financial year.

2024-2025 ACTS, BILLS AND STATUTORY INSTRUMENTS

ACTS

There were sixteen Acts enacted during the months of April and December, 2024. The Table below provides the title of the Act as well as the purpose and commencement date of each Act.

Title of Act	Purpose	Commencement Date
1. Land and House Tax (Amendment) Act	Section 7 of the Land and House Tax Act, Cap. 15.13 was amended to exempt the payment of tax for the year 2023 and all properties owned and managed by Sports Saint Lucia Incorporated.	8 April, 2024
2. Climate Change Act	To implement the United Nations Framework Convention on Climate Change, the Paris Agreement and the Kyoto Protocol to the United Nations Framework Convention on Climate Change, to provide for the functions of the Department responsible for climate change matters, to establish an electronic climate change database and the Climate Change Committee, to set the parameter for the development of the Climate Change Adaptation Policy, the National Adaptation Plan, the Nationally Determined Contribution, and to account for greenhouse gas emissions.	Publication Date: 15 April, 2024 Coming Into Force By Order
3. Appropriation Act	To provide for the services of the State of Saint Lucia for the year ending on the thirty-first day of March, two thousand and twenty-five.	6 May, 2024
4. ICC Cricket World Cup West Indies Act	Makes provision for the fulfillment of the commitment of Saint Lucia to the efficient and effective staging of ICC Cricket World Cup West Indies 2024.	17 May, 2024
5. Visiting Police Forces (ICC Cricket World Cup West Indies) Act	To regulate the performance of official duties in Saint Lucia by members of police forces visiting Saint Lucia and civilian personnel attached to the police forces during the period of Cricket World Cup West Indies 2024.	17 May, 2024
6. Citizenship of Saint Lucia (Amendment) Act	To amend the Citizenship of Saint Lucia Act, Cap. 1.04 to provide citizenship for second generation.	27 June, 2024

Title of Act	Purpose	Commencement Date
7. Registration of Business Names (Amendment) Act	To amend the Registration of Business Names Act, Cap. 13.03 for a firm or person registered under the Act to obtain the written consent of the Director of the Financial Services Regulatory Authority for specified business names and specified businesses.	8 July, 2024
8. Pensions (Amendment) Act	To amend the Pensions Act, Cap. 15.26 to set a minimum pension of \$750 per month from the 1 August, 2024.	8 July, 2024.
9. Immigration (Amendment) Act	To amend the Immigration Act, Cap. 10.01 to provide for a waiver of permit fees.	8 July, 2024.
10. Companies (Amendment) Act	To amend the Companies Act, Cap. 13.01.	8 July, 2024.
11. Copyright (Amendment) Act	To amend the Copyright Act, Cap. 13.07 to provide exceptions relating to beneficiary persons.	8 July, 2024.
12. Julien Alfred Day Act	To make provision for a Julien Alfred Day.	20 September, 2024.
13. Companies (Amendment) (No. 2) Act	To amend the Companies Act, Cap. 13.01 to change responsibility from the Minister of Justice to the Attorney General.	8 October, 2024.
14. Eastern Caribbean Asset Management Corporation (Amendment) Act	To amend the Eastern Caribbean Asset Management Corporation Act, Cap. 19.25.	8 October, 2024.
15. Co-operative Societies Act	To make new provision with respect to the registration, supervision, regulation, governance, operation and management of a co-operative society.	Publication Date: 8 October, 2024 Coming Into Force By Order
16. Insolvency Act	To provide for the appointment of a Supervisor of Bankruptcy and Insolvency and a Government Trustee; licensing of trustees; bankruptcy orders; assignments; administration of estates; international insolvencies; the regulation of corporate and individual insolvencies and the rehabilitation of an insolvent debtor.	Publication Date: 8 October, 2024 Coming Into Force By Order.

BILLS IN PROGRESS

Based on the Throne Speech and Budget Address, the Legislative Drafting Unit has prepared the following Bills:

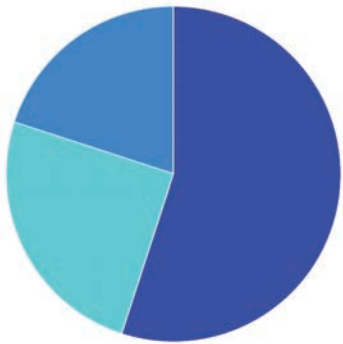
- Patents Bill
- Cannabis Bill
- Criminal Code (Amendment) Bill to deal with noise pollution
- Banking (Amendment) Bill
- Payment System and Services Bill
- Electricity Bill to give effect to the National Energy Policy.

MAIN ACHIEVEMENTS FROM THRONE SPEECH AND BUDGET ADDRESS

In the Table above, the laws highlighted in green are the laws that were completed in keeping with the Throne Speech and Budget Speech. In the 16 laws required by the Throne Speech and Budget Address, 7 Acts were passed and 6 Bills are in progress. The achievements from the Throne Speech and Budget Address are represented in the following pie chart:

Achievements

- Bills in Progress
- Acts Passed
- Throne Speech and Budget Speech



STATUTORY INSTRUMENTS

For the months April to December, 2024, the Legislative Drafting Unit completed for the month, under the relevant Act the number of Statutory Instruments indicated in the Table below:

Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
APRIL	Constitution of Saint Lucia, Cap. 1.01	Proclamation Proroguing Parliament Appointment of Session of Parliament	2
	Distribution and Price of Goods Act	Amendments to the Schedule to the Act	1
	Excise Tax Act	Amendment to Schedule 1 of the Act	1
	Fiscal Incentives Act	Incentives granted to Nobletree Coffee and Cocoa Production Inc.	1
	Legal Profession Act	Eligibility Orders	3
	Public Finance Management Act	Resolution of Parliament to establish the Regulated Substances Fund	1
	Saint Lucia Air and Sea Ports Authority Act	Amendments to Seaport Tariff Regulations	1
	Supreme Court Act	Legal Profession Disciplinary Procedure Rules amended	1
	Tourism Development Act	Commencement Order Rate of Tourism Levy for tourism accommodation Order Exemption form Payment of Tourism Levy Order	3
	Tourism Incentives Act	Incentives granted to JTB Limited Incentives granted to Prugus Palace	2
	Tourism Stimulus and Investment Act	Incentives to Green Fig Resort Ltd.	1
	Value Added Tax Act	Resolution for amendment of Schedule 2 Resolution for amendment of Schedule 3 Amendment of Schedule 2 Order Amendment of Schedule 3 Order	4
	TOTAL		21

Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
MAY	Community Tourism Development Act	Incentives granted to La Belle Piton	1
	Distribution and Price of Goods Act	Amendments to the Schedule to the Act	2
	Excise Tax Act	Amendment to Schedule 1 of the Act	2
	Fiscal Incentives Act	Incentives granted to Lubeco (1991) Ltd. Incentives granted to Gee and Gee Interiors Ltd.	2
	Immigration Act	ICC Cricket World Cup West Indies Mutual Recognition of Visas Regulations	1
	Legal Profession Act	Eligibility Orders	3
	Micro and Small Scale Business Enterprises Act	Declaration of Excelsior Management Incorporated as a Small Business Enterprise	1
	Motor Vehicles and Road Traffic Act	Amendments to the Public Omnibus Fees Regulations	1
	Public Debt Management Act	Resolution of Parliament to Raise Funds to meet fiscal requirements	1
	Public Finance Management Act	Resolution of Parliament to authorize the Minister of Finance to Guarantee borrowing by the National Lotteries Authority to finance youth and sports Resolution of Parliament to borrow for capital or current expenditure for Contingency Emergency Response Component of Saint Lucia's Unleashing the Blue Economy of the Caribbean Project	2
	Tourism Incentives Act	Incentives granted to The Island Experience - SAMO Incentives granted to The Roseau Sugar Factory Limited Incentives granted to Cabot Saint Lucia Inc.	3
	Tourism Stimulus and Investment Act	Incentives granted to The Island Experience – SAMO Incentives granted to Travel Boutique Incentives granted to Green Fig Resort Ltd. Incentives granted to HSL Ltd.	4
	Value Added Tax Act	Resolution for amendment of Schedule 2 Amendment of Schedule 2 Order	2
	Water and Sewerage Act	Water-Related Emergency Declaration Order	1
TOTAL			26

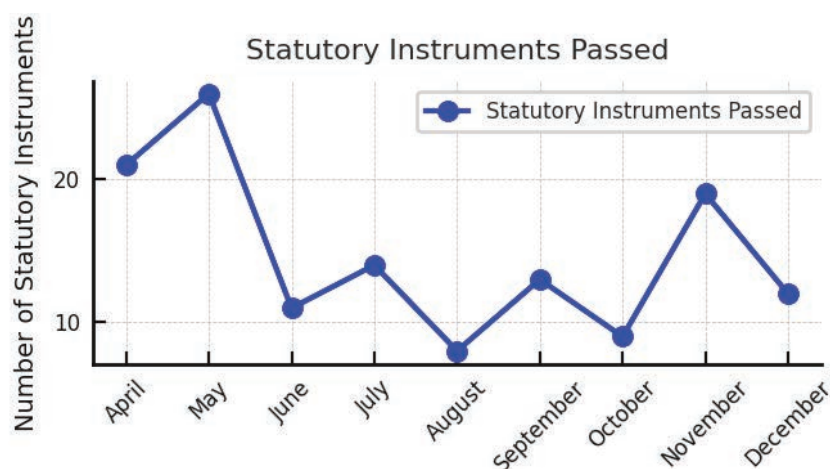
Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
JUNE	Distribution and Price of Goods Act	Amendments to the Schedule to the Act	1
	Excise Tax Act	Amendment to Schedule 1 of the Act	1
	Fiscal Incentives Act	Incentives granted to J.E. Bergasse & Company Limited Incentives granted to Tolyn Manufacturers & Engineering Consultant Limited amended Incentives granted to Bonne Baguette Baker Ltd. Incentives granted to Vision Express Company Limited amended	4
	Micro and Small Scale Business Enterprises Act	Declaration of Prince Richie's Bakery as a Small Business Enterprise	1
	Revised Edition of the Laws Act	Resolution for the making of an order for the 2021 Supplement to the Revised Edition of the Laws	1
	Tourism Incentives Act	Incentives granted to Uno Calabash Incentives granted to JP Trading Limited	2
	Tourism Stimulus and Investment Act	Incentives granted to Uno Calabash	1
	TOTAL		11
JULY	Revised Edition of the Laws Act	Commencement Order for the 2021 Supplement to the Revised Edition of the Laws	1
	Tourism Incentives	Incentives granted to GPH (St. Lucia) Limited	1
	Distribution and Price of Goods Act	Amendments of the Schedule to the Act	2
	Excise Tax Act	Amendments to Schedule 1 of the Act	2
	Citizenship by Investment Act	Amendment to the Citizenship by Investment Regulations	1
	Physical Planning and Development Act	Order to declare the Piton Management Area as an Environmental Protection Area	1
	Health and Citizen Security Levy Act	Variation of Levy Order	1
	Fiscal Incentives Act	Incentives granted to Excelsior Management Incorporated	1
	National Insurance Corporation Act	Amendments to the National Insurance Corporation Regulations	2
	Alien Landholding Act	Partial Waiver of Alien Landholding Licence Fee granted to VICI Lendco LLC	1
	Special Development Area	Amendment of Schedule 1 of the Act	1
	TOTAL		14

Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
AUGUST	Fiscal Incentives Act	Incentives granted to Concrete Xpress Limited (CXP)	1
	Stamp Duty Act	Amendment of Schedule by Regulations	1
	Alien Landholding (Licensing) Act	Exemption granted to GPH (St. Lucia) Limited	1
	Distribution and Price of Goods Act	Amendment to the Schedule to the Act	1
	Excise Tax Act	Amendment to Schedule 1 of the Act	1
	Credit Reporting Act	Commencement Order	1
	Tourism Development Act	Tourism Development Regulations	1
	Water and Sewerage Act	Water-Related Emergency Declaration revoked	1
TOTAL			8
SEPT.	Fiscal Incentives Act	Incentives granted to Kaiyo Industries Corp. Incentives granted to Island Property Development Limited Incentives granted Ganash Machine Shop Limited	3
	Stamp Duty Act	Amendment to Stamp Duty Regulations	1
	Distribution and Price of Goods Act	Amendments to the Schedule to the Act	2
	Excise Tax Act	Amendments to Schedule 1 to the Act	2
	Money Laundering (Prevention) Act	Amendment made to the Money Laundering (Prevention) Regulations	1
	Public Finance Management Act	Resolution to Authorize the Minister of Finance to Guarantee borrowing by the Saint Lucia Development Bank for the Housing Sector and Productive Sector of Saint Lucia Resolution to borrow for capital and current expenditure to finance emergency clean up and restoration of critical infrastructure projects	2
	Tourism Stimulus and Incentives Act	Incentives granted to Rodney Bay City Center Ltd.	1
	Labour Act	Minimum Wage Order	1
TOTAL			13

Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
OCT.	Tourist (Duty-Free Shopping System) Act	Cabot (St. Lucia) Inc. declared a duty-free shopping system G.M.C. Holdings Inc. declared a duty-free shopping system	2
	Civil Aviation Act	Flight Safety Regulations	1
	Citizenship of Saint Lucia Act	Amendment to the Citizenship of Saint Lucia Regulations	1
	Alien Landholding (Licensing) Act	SDSL Limited, SDSL Enterprises Limited and SDSL Ventures Limited exempted from licensing	1
	Legal Profession Act	Eligibility	1
	Distribution and Price of Goods Act	Amendment to the Schedule of the Act	1
	Excise Tax Act	Amendment to Schedule 1 of the Act	1
	Fiscal Incentives Act	Incentives granted to The Ice Factory Ltd.	1
TOTAL			9
NOV.	Physical Planning and Development Act	Land Development Regulations Amendment to Schedule 4 of the Act by Regulations Environmental Impact Assessment Regulations	3
	International Business Companies Act	Amendment to the International Business Companies Regulations	1
	Value Added Tax Act	Resolution for the amendment of Schedule 1 Resolution for the amendment of Schedule 3 by Order No. 4 Resolution for the amendment of Schedule 3 by Order No. 5 Amendment of Schedule 1 Order Amendment of Schedule 3 (No. 4) Order Amendment of Schedule 3 (No. 5) Order	6
	Labour Act	Exemption from the payment of work permit fees for 1881 Holdings Inc.	1
	Distribution and Price of Goods Act	Amendment of the Schedule of the Act	1
	Excise Tax Act	Amendment of Schedule 1 of the Act	1
	Citizenship by Investment Act	Revocation of citizenship by investment of Junje Su formerly known as Haijin Su	1
	Civil Code of Saint Lucia	Amendment to the fees for marriage licenses	1
	Apostille (Hague Convention) Act	Amendment of Schedule 2 of the Act	1

Month	Name of Act	Statutory Instruments made under the Act	No. of Statutory Instruments completed
	Legal Profession Act	Eligibility Order	1
	Customs Duties Act	Amendment of Schedule 4 of the Act	1
	Tourism Development Act	Incentives granted to The Landings Body Corporate	1
TOTAL			19
DEC.			
	Stamp Duty Act	Amendment of Schedule of the Stamp Duty Regulations	1
	Distribution and Price of Goods Act	Amendments of the Schedule of the Act	2
	Excise Tax Act	Amendments of Schedule 1 of the Act	2
	Fiscal Incentives Act	Incentives granted to Saint Lu Woodworking Ltd. Incentives granted to Green Energy Company Limited	2
	Saint Lucia Tourism Authority Act	Board of Directors Notice	1
	Eastern Caribbean Supreme Court (Judicial Officers Pensions) Act	Commencement Order	1
	Revised Edition of the Laws Act	Resolution of Parliament to authorize the making of an Order for the 2022 Supplement to the Revised Edition of the Laws	1
	Value Added Tax Act	Resolution to approve amendment of Schedule 3 by No. 6 Order	1
	Customs Duties Act	Amendment of Schedule 4 by No. 3 Order	1
TOTAL			12

As shown in the Table above, for the months April to December, 2024, 133 Statutory Instruments were passed. The number of Statutory Instruments passed for each month is reflected in the graph to the right.





MILESTONES IN RELATION TO STATUTORY INSTRUMENTS

Commencement Orders	Regulations	Orders
1. Tourism Development Act 2. Credit Reporting Act 3. Eastern Caribbean Supreme Court (Judicial Officers Pensions) Act 4. 2021 & 2022 Supplements to the Revised Edition of the Laws	1. Tourism Development Regulations 2. Flight Safety Regulations 3. Land Development Regulations 4. Environmental Impact Assessment Regulations	1. Order declaring the Piton Management Area as an Environmental Protection Area 2. Minimum Wage Order

Appendix 1 contains a list of the Acts and Statutory Instruments passed in 2024.

LAWS PASSED FROM JANUARY TO MARCH 2025

For the months January, February and March, 2025 the following laws were passed:

January		February		March	
Acts	Statutory Instruments	Acts	Statutory Instruments	Acts	Statutory Instruments
-	1-11	-	12-30	7	31-55



A summary of the seven Acts passed in the period January to March 2025 is provided in the table below:

Title of Act	Purpose	Commencement
Virtual Asset Business (Amendment) Act	To amend the Virtual Asset Business Act, Cap. to allow the Financial Services Regulatory Authority to monitor a virtual asset business to determine compliance with the Act.	17 March, 2025
Security Interest in Movable Property (Amendment) Act	To amend the Security Interest in Movable Property Act, Cap. to make it clear that the Act applies to a transaction that does not involve immovable property.	17 March, 2025
Child Justice (Amendment) Act	To amend the Child Justice Act, Cap. 3.09 to give the court the power to impose a sentence that it considers appropriate when a child is sent to a correctional facility.	17 March, 2025
Real Estate (Brokers and Agents) Act	To provide for the licensing of real estate brokers and real estate agents, regulate and control the practice of a real estate business.	17 March, 2025
Sovereign Wealth Fund of Saint Lucia	To provide for the establishment of the Sovereign Wealth Fund of Saint Lucia	Published: 31 March, 2025 Commencement: By Order
Criminal Code (Amendment) Act	To amend the Criminal Code, Cap. 3.01 to provide for judge alone trials	Commencement: 31 March, 2025
Supreme Court (Amendment) Act	To amend the Supreme Court Act, Cap. 2.01 to provide for judge alone trials	Commencement: 31 March, 2025

WORKSHOPS, CONSULTATIONS AND MEETINGS

Some of the workshops, consultations and meetings attended by staff of the Legislative Drafting Unit are stated in the Chart below:

WORKSHOPS

- Virtual Consultation Workshop: Legislative Gap Analysis for the Sustainable Development of the Blue Economy in Saint Lucia
- Trans Fats and Salt Workshop

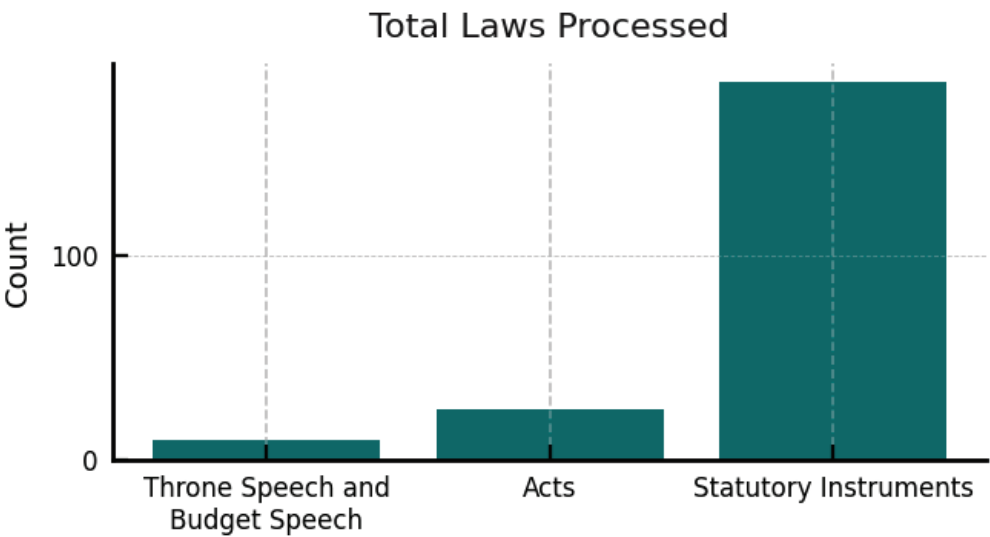
CONSULTATIONS

- Virtual Stakeholders’ Meeting on Plastic Waste Mangement
- Consultation on the Model Aquatic Animal Health Bill and Regulations

MEETINGS

- 6th Joint Meeting with ECCU Attorneys General and Chief Parliamentary Counsel
- Meeting with the World Bank on Advance Rulings

In total, the Legislative Drafting Unit processed 8 of the laws required by the Throne Speech and Budget Speech for a total of 23 Acts and 188 Statutory Instruments as reflected in the diagram to the right.



NATIONAL ANTI-MONEY LAUNDERING OVERSIGHT COMMITTEE (NAMLOC) UNIT



INTRODUCTION

The National Anti-Money Laundering Oversight Committee (NAMLOC) remained steadfast in its commitment to overseeing and advancing Saint Lucia's efforts to strengthen its anti-money laundering/countering financing of terrorism/counter-proliferation financing (AML/CFT/CPF) framework in 2024. NAMLOC continues to work closely with all relevant stakeholders to ensure that Saint Lucia remains compliant with international obligations.

NAMLOC is chaired by Permanent Secretary, Ms. Juliana Alfred of the Attorney General's Chambers, with membership of Mrs. Antonia Charlemagne Senior Crown from the Attorney General's Chambers, Mrs. Nathalie Dusauzay, Executive Director of the Financial Services

Regulatory Authority (FSRA), Ms. Fleur Simmons, Deputy Comptroller of the Inland Revenue Department (IRD), Ms Diana Fanis and Mr. Troy Lamontagne, Superintendent at the Royal Saint Lucia Police Force (RSPF), Ms Kelly Thompson, Deputy Director at the Office of the Director of Public Prosecutions, Mr. Paul Thompson, Director of the Financial Intelligence Authority and Mrs. Livia Bertin-Mark, Deputy Director AML Supervisory Unit at the Eastern Caribbean Central Bank.

SAINT LUCIA'S FOURTH ENHANCED FOLLOW-UP REPORT

Saint Lucia's Fourth Enhanced Fourth Follow-Up Report (4th FUR) was submitted to the Caribbean Financial Action Task Force (CFATF) in May 2024. This report detailed the country's progress in addressing deficiencies relating

to Financial Action Task Force (FATF) Recommendations for which Saint Lucia remained either partially compliant (PC) or non-compliant (NC) following its Third Enhanced Follow-up Report (3rd FUR) submission. These included the following Recommendations:

Recommendations	Ratings
6 - Targeted financial sanctions related to terrorism and terrorist financing	NC
7 - Targeted financial sanction related to proliferation	NC
8 - Non-profit organizations	NC
15 - New technologies	PC
24 - Transparency and beneficial ownership of legal persons	PC
25 - Transparency and beneficial ownership of legal arrangements	PC
26 - Regulation and supervision of financial institution	NC
28 - Regulation and supervision of DNFBPs	PC
33 - Statistics	PC
38 - Mutual legal assistance: freezing and confiscation	PC

Out of these Recommendations, Saint Lucia applied for technical compliance re-rating of seven: Recommendations 6, 7, 15, 26, 28, 33, and 38. The country achieved upgrades for all seven as detailed in the table below:

Recommendations	Ratings
6 - Targeted financial sanctions related to terrorism and terrorist financing	PC
7 - Targeted financial sanction related to proliferation	PC
15 - New technologies	LC
26 - Regulation and supervision of financial institution	LC
28 - Regulation and supervision of DNFBPs	LC
33 - Statistics	LC
38 - Mutual legal assistance: freezing and confiscation	LC

Rating Meaning
NC: Non-Compliant | PC: Partially Compliant
LC: Largely Compliance

The report was approved through the written process and officially adopted at the CFATF 59th Plenary and Working Group Meetings (Plenary) held in Hanover, Jamaica, during December 2024. Saint Lucia's delegation at this Plenary comprised of NAMLOC members from the Attorney General's Chambers (AGC), the Eastern Caribbean Central Bank (ECCB) and the Financial Intelligence Authority (FIA).

Saint Lucia is expected to submit its 5th and final FUR at the CFATF Plenary in November 2025.

LEGISLATIVE ADVANCEMENTS

Throughout the period, NAMLOC played a pivotal role in advancing legislative amendments aimed at addressing identified gaps in Saint Lucia's AML/CFT/CPF framework. Key legislative developments included:

- **Non-Governmental Organisations (NGO) (Amendment) Bill:** To enhance regulatory measures for the NGO sector, including those aimed at mitigating the money laundering and terrorist financing risks posed to the sector, in line with FATF standards.
- **Money Laundering (Prevention) (Amendment) Act (MLPA):** which included amendments to strengthen measures in relation to beneficial ownership and supervision of supervised entities.
- **Companies (Amendment) Act (November 2024):** To strengthen measures relating to beneficial ownership transparency, in line with the revised FATF standards.
- **Virtual Assets Business Act:** The Virtual Asset Business Act in Saint Lucia was enacted as Act No. 24 of 2022. This legislation provides the legal framework for regulating and supervising virtual asset businesses operating in or from Saint Lucia, including licensing requirements and oversight by the Financial Services Regulatory Authority (FSRA).

TRAINING INITIATIVES AND CAPACITY BUILDING

In October 2024, NAMLOC facilitated an internal Anti-Terrorism Training session. This session served as both a refresher and an orientation for new NAMLOC members on FATF Recommendations 6 and 7, and the related United Nations Security Council Resolutions.



NAMLOC members and other key stakeholders also benefited from multiple training opportunities including:

- Virtual Assets and Risk Regulation Training (March-April 2024): Conducted by Chainalysis in collaboration with the World Bank.
- Joint Assessor's 5th Round Training (July 2024): Facilitated by the FATF and CFATF to train assessors for the upcoming Mutual Evaluation cycle.
- FATF Standards Training: Facilitated by the FATF Training Institute, in collaboration with the EU AML/CFT Global Facility, to provide participants with an overview of the FATF standards on AML/CFT/CPF.
- ECCB/IMF Beneficial Ownership Seminar (October 2024): To build capacity for officials tasked with implementing the international standards on AML and CFT and, in particular, updates to FATF Recommendations 24 and 25 concerning the transparency of legal persons and arrangements.

NATIONAL RISK ASSESSMENT (2025)

One of the mandates of NAMLOC is to lead Saint Lucia's National Risk Assessment (NRA) process. Saint Lucia's 2023-2026 AML/CFT/CPF Policy mandates that the NRA must be updated biennially. The purpose of the NRA is to provide an overview of the AML/CFT/CPF landscape for the assessment

period. The NRA also assists in evaluating the effectiveness of the existing mitigation measures and how they can be improved. Once these risks are understood, countries can apply AML/CFT/CPF measures that are suitable for the level of risk. This approach is known as the risk-based approach (RBA). In response to the FATF revised Recommendation 1, Saint Lucia's 2025 NRA will also include an assessment of Saint Lucia's proliferation financing risks.

NAMLOC initiated the NRA process by conducting meetings with the various heads of departments to assess progress on Saint Lucia's 2023-2026 AML/CFT/CPF Action Plan and provide information on the upcoming NRA process. These meetings also served to outline the expectations for the upcoming 5th Round of CFATF Mutual Evaluations.

CARIBBEAN FINANCIAL ACTION TASK FORCE FIFTH ROUND MUTUAL EVALUATION

Saint Lucia's 5th Round Mutual Evaluation is tentatively scheduled for 2028. Mutual Evaluations comprises two components:

- Technical compliance assessment
- Effectiveness assessment

However, in the 5th round of Mutual Evaluations, there will be an increased focus on the level of effectiveness



of countries' AML/CFT/CPF framework. NAMLOC, in collaboration with relevant stakeholders, has been working diligently to address deficiencies identified in the Fourth Round Mutual Evaluation Report and to ensure compliance with the updated standards. Some of the FATF Recommendations that have been updated since the last evaluation include:

- Recommendation 1: Now mandates countries to "identify, assess, and understand proliferation financing risks" and emphasizes a risk-based approach.
- Recommendation 8: To clarify measures concerning oversight of the non-profit organisations sector.
- Recommendations 24 and 25: To strengthen beneficial ownership and transparency requirements.

PUBLIC RELATIONS

NAMLOC has focused on strengthening public awareness and engagement regarding Saint Lucia's AML/CFT/CPF activities. As part of this ongoing initiative, members of the Committee, alongside private sector partners from the

insurance and credit union, engaged in panel discussions during the period. This served as a platform for informing the public about the role of NAMLOC in AML/CFT/CPF oversight in Saint Lucia, financial inclusion, the process of registration of supervised entities, and AML governance in the credit union and insurance sectors. The Chairperson of NAMLOC also participated in various press interviews on the progress of Saint Lucia's re-rating applications and the work of NAMLOC during 2024.

CONCLUSION

NAMLOC has made significant strides in advancing Saint Lucia's AML/CFT/CPF agenda, including overseeing key legislative amendments, ensuring a successful re-rating of the thirty five recommendation and spearheading capacity-building initiatives. The Committee is also in the process of conducting a National Risk Assessment (NRA) and preparing for the upcoming 5th Round of CFATF Mutual Evaluations. These efforts will ensure Saint Lucia's continued alignment with FATF's and other international standards on AML/CFT/CPF.





REGISTRY OF COMPANIES AND INTELLECTUAL PROPERTY UNIT



The Registry of Companies and Intellectual Property (ROCIP) is responsible for registering of legal structures (business names, companies and partnerships) and Intellectual Property (IP) rights (trademarks, design rights, geographical indications, and patents). ROCIP ensures effective and efficient enforcement of the various legislation; and awareness of company and intellectual property law.

ROCIP's main objective is to deliver a Corporate and Intellectual Property System that promotes and supports the culture of creativity and innovation that encourage investment and growth in the economy. The team remains fully committed to delivering high-quality, timely, efficient and consistent services.

2024 HIGHLIGHTS

MODERNISATION PROJECT - DIGIGOV

During the year 2024, ROCIP continued its efforts to strengthen its legal framework and has shown notable improvement in performance due to digitization and reengineering of some processes. Significant strides were made in furthering transformation of services and continuing on the path of becoming a more innovative and high-performing Unit. In February 2024, ROCIP, launched its phased delivery of an online business registry as part of Saint Lucia's digital transformation project undertaken by the Department of the Public Service (DPSM) through its Digital Integrated Services Platform – digiGov. This digital

advancement has enabled customers with the ability to access seven of ROCIP's services, namely; (i) to conduct searches and inquiries; (ii) business name searches; (iii) company name searches and reservations, (iv) apply for the registration of business names; (v) company incorporation/registration; (vi) authorization/de-authorization of Agent and (vii) register as a ROCIP agent.

Being mindful of the challenges of implementing a new system, ROCIP conducted stakeholder meetings in order to obtain feedback/ suggestions on procedural and technical issues that partners experienced. ROCIP also welcomed two service bureau agents attached to the DPSM to facilitate assistance to the public with its online services. ROCIP has managed to and continues to reengineer its internal procedures to guarantee improved performance, and to ensure quick processing of applications received. Notably, this new system has also introduced electronic payment for the payable services currently accessible on digiGov as well as providing stakeholders with real time updates regarding applications.

During the upcoming years, ROCIP will continue to focus on service development through digital modernization of its post incorporation services in order to deliver quality client-focused service in a timely manner, while offering a seamless experience.

GEOGRAPHICAL INDICATIONS

The Geographical Indications Act Cap. 13:14, was first enacted in 2000 with the objective to afford protection of intellectual property inherent in geographical indications and thereby prevent their misuse and to foster growth of exports of goods bearing geographical indications (GIs). A geographical indication identifies a product (such as wine, spirits, agricultural products or food) with a specific geographical origin and a quality or reputation attributable to that origin.

This year, ROCIP received its first application for protection of goods originating from Saint Lucia which resulted in the first ever geographical indication application being examined and subsequently advertised then registered having received no oppositions. This is considered a historical feat for Saint Lucia and ROCIP. ROCIP is keen on organizing awareness programmes throughout Saint Lucia to promote registration of Saint Lucian GIs.

MEETINGS ATTENDED AND OUTREACH ACTIVITIES

ROCIP Registrars and staff attended or participated in the following meetings and activities in 2024:

- Fourth Meeting of CARIFORUM Officials on the Protection of Geographical Indications, 2 February 2024. (Videoconference)
- ROCIP staff received a refresher training with the Department of Public Sector Modernization (DPSM) in preparation of the first batch of services as part of its Online Business Registry via the digiGov platform. (6 February 2024, virtual)
- Harmonization of Laws and Administrative Procedures relating to Business Entities/Mutual Recognition. (14 February 2024)
- Creativity and IP in Schools Regional Meeting with CARIFORUM IP Offices and Ministries of Education. (20 February 2024, Videoconference)
- Sub-Regional Patent Cooperation Treaty (PCT) Prime Seminar for Caribbean Countries - Kingston, Jamaica, March 5 to 7, 2024
- Conference on Regional Mechanisms for The Administration of Intellectual Property Rights, Alicante, Spain, 15-16 April 2024
- Diplomatic Conference on Genetic Resources and Associated Traditional Knowledge, Geneva, May 13-24, 2024
- Sixty-Fifth Series of Meetings of the Assemblies of the Member States of WIPO, Geneva, Switzerland, 9 – 17 July, 2023
- Industrial Property Automation System (IPAS) Technical Advisory Workshop, Basseterre Saint Christopher and Nevis, October 14-18, 2024
- Diplomatic Conference to Conclude and Adopt a Design Law Treaty, Riyadh, November 11-22, 2024
- Regional Conference: Combating Corruption in Latin America and the Caribbean through the Use of Beneficial Ownership Registers, Panama City, Panama, November 19- 21 2024



Total Number of Registrations 2024			
Business Names	Companies	Partnerships	Trade Marks
2203	386	Nil	465

Comparative Statistics Registrations for 2022 - 2024			
	2022	2023	2024
Business Names	1,739	2,519	2203
Companies	314	375	386
Partnerships	Nil	Nil	386
Trade Marks	321	379	465

ADMINISTRATIVE MATTERS

ROCIP's Mr. Kasheem Bruce, Office Assistant and Ms. Jasmine Jules, Administrative Assistant presented hampers to Principal of St. Aloysius R.C. Boys' Infant School as part of the Attorney General's Chambers Annual Back to School Hamper Drive.

FAREWELL TO STAFF MEMBERS

ROCIP bade farewell to Ms. Andrea Hippolyte, Assistant Registrar in November 2024 and Ms. Desma Charles, Registrar in December 2024.

ROCIP provided enriching work experiences to three students through its annual internship.









APPENDIX 1

NAME OF ACTS	ACTS NO.	PAGE NO.
Tourism Development Act	1	1 - 86
Land and House Tax (Amendment) Act	2	87 - 90
Climate Change Act	3	91 - 189
Appropriation Act	4	191 - 197
ICC Cricket World Cup West Indies Act	5	199 - 239
Visiting Police Forces (ICC Cricket World Cup West Indies) Act	6	241 - 253
Citizenship of Saint Lucia (Amendment) Act	7	255 - 261
Registration of Business Names (Amendment) Act	8	263 - 267
Pensions (Amendment) Act	9	269 - 272
Immigration (Amendment) Act	10	273 - 279
Companies (Amendment) Act	11	277 - 281
Copyright (Amendment) Act	12	283 - 290
Julien Alfred Day Act	13	291 - 295
Companies (Amendment) (No. 2) Act	14	297 - 300
Eastern Caribbean Asset Management Corporation (Amendment) Act	15	301 - 304
Co-operative Societies Act	16	305 - 509
Insolvency Act	17	511 - 765
Money Laundering (Prevention) (Amendment) Act	18	767 - 772
Land and House Tax (Amendment) (No. 2) Act	19	773 - 776
Intellectual Property and Unfair Competition (Miscellaneous Amendments) Act	20	777 - 781
National Insurance Corporation (Amendment) Act	21	783 - 787

NAME OF STATUTORY INSTRUMENTS	S.I. NO.	PAGE NO.
Customs Duties (Amendment of Schedule 4) Order	1	1 - 8
Price Control (Amendment) (No. 1) Order	2	9 - 10
Excise Tax (Amendment of Schedule 1) (No. 1) Order	3	11 - 12
Tourism Stimulus and Investment (Bel Jou (St. Lucia) Limited) Order	4	13 - 15
Price Control (Amendment) (No. 2) Order	5	17 - 18
Excise Tax (Amendment of Schedule 1) (No. 2) Order	6	19 - 20
Saint Lucia Tourism Authority (Board of Directors) (Amendment) Notice	7	21 - 22
Legal Profession (Eligibility) (Gabrielle Anne Gellineau) Order	8	23
Price Control (Amendment) (No. 3) Order	9	25 - 26
Excise Tax (Amendment of Schedule 1) (No. 3) Order	10	27 - 28
Credit Reporting Regulations	11	29 - 71
Public Finance Management Act — Resolution of Parliament to borrow for capital and current expenditure to support the Organisation of Eastern Caribbean States Skills and Innovation Project.	12	

NAME OF STATUTORY INSTRUMENTS	S.I. NO.	PAGE NO.
Public Finance Management Act – Resolution of Parliament to borrow for capital and current expenditure for Recovery and Resilience-Building Policy-Based Loan	13	
Public Finance Management Act – Resolution of Parliament to borrow for capital or current expenditure – Community Tourism Programme	14	
Civil Aviation (Units of Measurement for Air and Ground Operations) Regulations	15	79 - 94
Civil Aviation (Air Navigation Services Fatigue Management) Regulations	16	95 – 120
Civil Aviation (Certification of Air Navigation Services) Regulations	17	121 – 140
Aliens Landholding (Licensing) (Exemption) (Arlette Eriste) Order	18	141
Tourism Stimulus and Investment (Lucien Business Services Ltd.) Order	19	143 - 144
Tourism Incentives (Soufriere Hotwire Rides Inc.) (Amendment) Order	20	145 - 146
Tourism Incentives (St. Lucia Helicopters Limited) Order	21	147 - 149
Fiscal Incentives (Orbtronics Ltd.) Order	22	151 – 153
Value Added Tax Act - Resolution of Parliament to approve draft Value Added Tax (Amendment of Schedule 3) Order	23	155 – 158
Tourism Incentives (Hibiscus Tours St. Lucia Ltd.) Order	24	159 – 160
Tourism Stimulus and Investment (Kidz Klub Limited) Order	25	161 – 163
Price Control (Amendment) (No. 4) Order	26	165 – 166
Excise Tax (Amendment of Schedule 1) (No. 4) Order	27	167 - 168
Citizenship by Investment (Amendment) Regulations	28	169
Special Development Areas (Amendment of Schedule 1) Order	29	171
Value Added Tax (Amendment of Schedule 3) Order	30	173 – 174
Fiscal Incentives (Ski Ice Limited) Order	31	175 - 176
International Business Companies (Declaration of Head Office Company) (Cabot Pointe Developments Inc.) Order	32	177
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Attorney General's Chambers
attorneygeneral@agchambers.govt.lc
ps.agchambers@agchambers.govt.lc
www.attorneygeneralchambers.com