

SAINT LUCIA

No. 12 of 2019

ARRANGEMENT OF SECTIONS

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I Assent

[L.S.]

NEVILLE CENAC,
Governor-General.

April 4, 2019.

SAINT LUCIA

No. 12 of 2019

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

[8th April, 2019]

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same as follows:

Short title

1. This Act may be cited as the Citizenship by Investment (Amendment) Act, 2019.

Interpretation

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

Amendment of section 2

3. Section 2 of the principal Act is amended —

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

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

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

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

Amendment of section 31

4. Section 31 of the principal Act is amended —

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

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

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

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

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

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

Amendment of section 36

5. Section 36 of the principal Act is amended —

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

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

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

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

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

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

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

Amendment of section 37

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

Amendment of section 38

7. Section 38 of the principal Act is amended —

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

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

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

ANDY G. DANIEL,
Speaker of the House of Assembly

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

JEANNINE GIRAUDY-MCINTYRE,
President of the Senate