



CHAPTER 15.25

NATIONAL SAVINGS AND DEVELOPMENT BONDS ACT

Revised Edition

Showing the law as at 31 December 2001

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

NATIONAL SAVINGS AND DEVELOPMENT BONDS ACT

Act 7 of 1982 in force 12 October 1982

Amended by Act 12 of 1992 in force 4 July 1992

Amended by Act 5 of 1996 in force 11 May 1996

Amended by Act 17 of 1997 in force 6 December 1997

Amended by Act 19 of 2000 in force 25 November 2000

NATIONAL SAVINGS AND DEVELOPMENT BONDS REGULATIONS – Section 11

Statutory Instrument 2/1983 in force 29 January 1983

Amended by S.I. 53/1985 in force 17 August 1985

CHAPTER 15.25

NATIONAL SAVINGS AND DEVELOPMENT BONDS ACT

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CHAPTER 15.25

NATIONAL SAVINGS AND DEVELOPMENT BONDS ACT

(Acts 7 of 1982, 12 of 1992, 5 of 1996, 17 of 1997 and 19 of 2000)

AN ACT to provide for the issue and payment in Saint Lucia of savings bonds.

Commencement [12 October 1982]

1. SHORT TITLE

This Act may be cited as the National Savings and Development Bonds Act.

2. INTERPRETATION

For the purposes of this Act—

“**bank**” means a bank licensed under the Banking Act;

“**bond**” means a savings bond issued under section 3;

“**Minister**” means the Minister to whom responsibility for the subject of finance is assigned.

3. ISSUE OF SAVINGS BONDS

The Minister may, under authority of a resolution of Parliament, raise by the issue of savings bonds in Saint Lucia, money up to the amount of \$150,000,000 for financing such capital or other expenditure as he or she may determine. (*Amended by Acts 12 of 1992, 5 of 1996, 17 of 1997 and 19 of 2000*)

4. FORM OF BONDS

Bonds shall be issued in such form and on such terms and conditions as the Minister may direct.

5. SPECIFIC REQUIREMENTS

- (1) Every bond shall be signed by the Director of Finance and Planning and the Accountant General or by persons authorised by them.
- (2) The Accountant General shall keep a register of bonds issued.

6. INTEREST ON BONDS

Interest shall be payable in respect of bonds at such rate and in such manner as the Minister may direct but the bond ceases to accumulate interest after the date on which it becomes redeemable. The interest so accrued shall be exempt from tax leviable under any other Act.

7. PROCEEDS OF BONDS

All money raised as the result of the issue of bonds shall be paid into the Consolidated Fund and the principal money and interest thereon payable in respect of bonds are a charge on and are payable out of the Consolidated Fund.

8. LOST OR DEFACED BONDS

- (1) Where a bond presented to the Accountant General is damaged, defaced or rendered illegible, he or she may issue a duplicate bond in its place.
- (2) Where a bond is lost, a duplicate bond shall not be issued by the Accountant General unless the applicant—
 - (a) produces an affidavit to the effect that the original bond was lost or destroyed; and
 - (b) guarantees to indemnify the Government against loss in case the bond is subsequently found and presented for payment.
- (3) A duplicate bond issued under this section shall be in accordance with the requirements of section 5.

9. CANCELLATION OF BOND

- (1) A bond shall be delivered to the Accountant General for cancellation on payment of the value of the bond.

- (2) Despite subsection (1), a bond may be exchanged for an amount equal to the market value thereof upon being presented to any bank that agrees to act as agent for the Government.

10. EFFECT ON BOND OF THE DEATH OF HOLDER

The Director of Finance and Planning and the Accountant General upon application made to them and upon being satisfied as to—

- (a) the death of the holder of a bond; and
- (b) the grant of legal representation to the applicant,

shall endorse on the bond the name of the person entitled to the bond under the will or intestacy of the holder and make the appropriate alteration in the register of bonds; and, from the date of the endorsement and alteration, the person entitled under the will or intestacy of the holder becomes for all purposes the holder of the bond.

11. REGULATIONS

The Minister may make regulations for the carrying into effect of the provisions of this Act.

12. OFFENCES

A person who, with intent to defraud, forges, alters, utters or puts off any bond or any endorsement or assignment of a bond or any receipt or certificate for interest accruing thereon, knowing the same to be forged or altered, commits an offence and is liable on summary conviction to imprisonment for a period of 10 years.

Revision Date: 31 Dec 2001

NATIONAL SAVINGS AND DEVELOPMENT BONDS REGULATIONS

ARRANGEMENT OF REGULATIONS

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Revision Date: 31 Dec 2001

NATIONAL SAVINGS AND DEVELOPMENT BONDS REGULATIONS – SECTION 11

(Statutory Instruments 2/1983 and 53/1985)

Commencement [29 January 1983]

1. SHORT TITLE

These Regulations may be cited as the National Savings and Development Bonds Regulations.

2. INTERPRETATION

In these Regulations—

“**bank**” means any domestic or foreign company licensed under the Banking Act to carry on banking business;

“**Minister**” means the Minister to whom the responsibility for the subject of finance is assigned.

“**minor**” has the meaning assigned to it by article 213 of the Civil Code;

“**Register**” means the National Savings and Development Bonds Register referred to in regulation 5(1).

3. DENOMINATIONS OF BOND

(1) The Accountant General or his or her authorised agent may issue Bonds in denominations of \$50, \$100, \$500, \$1,000, \$5,000, \$10,000, \$25,000, \$50,000 and \$100,000 in value.

(2) Despite paragraph (1), bonds inherited from a deceased person may be held in addition to, and in excess of, the value specified in that paragraph.

(Substituted by Act 53 of 1985)

4. MINOR'S BOND

(1) A bond may be issued to a parent or guardian on behalf of a minor or to a person who satisfies the Accountant General or

the Accountant General's authorised agent that he or she is the proper person to act on behalf of the minor.

- (2) A bond that is issued in accordance with paragraph (1) shall be construed as being held by the person on whose behalf it is issued.

5. REGISTER OF BONDS

- (1) All bonds issued by the Accountant General shall be registered in a register to be known as the "National Savings and Development Bonds Register".
- (2) The Register must contain in respect of a bond—
 - (a) the name and address of the holder;
 - (b) the denomination of the bond;
 - (c) the serial number;
 - (d) the date of issue; and
 - (e) any other information the Minister thinks necessary.

6. MANNER AND CONSEQUENCE OF REGISTRATION

- (1) A Bond may be registered in—
 - (a) the name of a person or the joint names of 2 persons; or
 - (b) the name of a registered "body of persons" within the meaning of section 2 of the Income Tax Act a friendly society, credit union, or any other non-profit organization.
- (2) Subject to regulation 4, bonds may not be registered in the name of a person as a nominee.
- (3) Where, in accordance with these Regulations, an entry in respect of a bond is made in the Register in the name of a person or an organisation, that entry is conclusive evidence that that person or organisation is the holder of that bond.

7. JOINTLY HELD BONDS

- (1) Where the names of 2 persons are to be entered in the Register as holders of a bond, one address only given by the holders must be entered in the Register for all purposes relating to the bond.

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- (2) Where a bond is registered in the joint names of 2 persons, it may be encashed on the signature of either or both of those persons.
- (3) Where a bond is registered in the joint names of 2 persons and one of them dies the full interest in the bond passes to the surviving holder; and the Register must reflect that transfer.

8. MANNER AND CONSEQUENCE OF ENTRY OF NAME ON BOND

- (1) Where the name of a person or an organisation is entered in the Register by the Accountant General as the holder of a bond, the Accountant General must enter that name on the bond.
- (2) An entry made by a person other than the Accountant General or his or her authorised agent of the name of any person on a bond as the holder of that bond is not effective to confer any right to or interest in the bond.
- (3) Where a bond is issued by the Accountant General to a person before that person's name is entered on it, the bond is deemed to have been validly issued and that person may subsequently apply to the Accountant General to have his or her name entered on the bond.
- (4) No alteration or erasure of the name of any person entered on a bond by the Accountant General or by his or her authorised agent is effective to deprive the owner of any right to or interest in that right or interest.

9. INTEREST RATE TO BE PUBLISHED

The Accountant General shall cause the rate of interest on each issue of bonds to be published in the Gazette.

10. APPLICABLE RATE OF INTEREST

Interest on bonds accrue at the rate applicable at the time of issue, and payment of the interest shall be made in accordance with the terms of the bond.

11. ENCASHMENT

A bond is encashable on maturity upon surrender to the Accountant General or his or her authorised agent.

12. BOND IS TRANSFERRABLE

- (1) A bond is a registered security and on registration is proof of ownership by the person so registered; the ownership thereof may be legally transferred to another person or body of persons.
- (2) A personal representative of a deceased holder of a bond may request that such a bond be transferred in the name of the beneficiary legally entitled to that bond.

13. BANK AS AGENT OF MINISTER

The Minister may in writing authorise any bank that agrees to act as his or her agent for the purposes of these regulations, to so act; and the appropriate officers and employees of such a bank shall be deemed to be authorised accordingly.

14. CANCELLATION OF BOND

The Accountant General may cancel any bond that is not issued in accordance with these Regulations and shall, where he or she does so, refund the money advanced in respect of the bond.