

No. 3 of 2018.

*Saint Christopher Air and Sea*

Saint Christopher

and Nevis.

~~Port Authority~~

*Act, 2018.*

I assent,



SAMUEL WEYMOUTH TAPLEY SEATON

*Governor-General*

19<sup>th</sup> February, 2018.

## **SAINT CHRISTOPHER AND NEVIS**

AN ACT to amend the Saint Christopher Air and Sea Ports Authority Act, Cap. 8.07.

*[Published 19<sup>th</sup> February 2018, Extra-Ordinary Gazette No. 11 of 2018.]*

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

**1. Short title.**

This Act may be cited as the Saint Christopher Air and Sea Ports Authority (Amendment) Act, 2018.

**2. Interpretation.**

In this Act,

“Act” means the Saint Christopher Air and Sea Ports Authority Act, Cap. 8.07.

**3. Amendment of section 24.**

The Act is amended in section 24 subsection (2) (a) by replacing it with the following new subsection.....

“(2) (a) to borrow and reborrow moneys pursuant to loan agreements whether secured or otherwise, or by the issue and sale of debentures or debenture stock or other security, or promissory notes, or any combination thereof, for the purpose of raising the funds of the Authority for the effectual exercise by it of the powers conferred by this Act.”.

**4. Amendment of section 75.**

The Act is amended in section 75 by

(a) renumbering section 75 as section 75 subsection (1);

- (b) in subsection (1), replacing the expression “Where, after the commencement of this Act” with the expression “Subject to sub-section (2), where after the commencement of this Act”;
- (c) inserting new subsections (2) and (3) as follows
  - “(2) Subsection (1) (b) shall not apply to any action or legal proceeding commenced against the Authority arising out of, related to, or connected with any borrowing by the Authority pursuant to its powers under section 24 or section 25.
  - (3) Section 2(1) (a) of the Public Authorities Protection Act, Cap 5.13 shall not apply to any action or legal proceeding commenced against the Authority arising out of, related to, or connected with any borrowing by the Authority pursuant to its powers under section 24 or section 25, and the provisions of the Limitation Act, Cap. 5.08 shall apply.”.

**5. Amendment of section 76.**

The Act is amended in section 76 by

- (a) renumbering section 76 as section 76 subsection (1);
- (b) in subsection (1), replacing the expression “Notwithstanding anything to the contrary in this Act” with the expression “Subject to sub-section (2) and notwithstanding anything to the contrary in this Act”;
- (c) inserting a new subsection (2) as follows
  - “(2) Subsection (1) shall not apply to:
    - (a) any judgment or order obtained against the Authority arising out of, related to, or connected with any borrowing by the Authority pursuant to its powers under section 24 or section 25, including the enforcement or realisation of any security provided by the Authority;
    - (b) any seizure or taking of any property of the Authority by any person, including a receiver appointed out of court, having by law power to attach or distrain property, where such seizure or distress arises out of, is related to, or is connected with any borrowing by the Authority pursuant to its powers under section 24 or section 25; or
    - (c) the enforcement or realisation of any security provided by the Authority where the grant of such security arises out of, is related to, or is connected with any borrowing by the Authority pursuant to its powers under section 24 or section 25.”.

**6. Amendment of section 78.**

*Saint Christopher Air and Sea Ports Authority (Amendment) Act, 2018 - 3.*

The Act is amended in section 78 by adding a new subsection (5) as follows

- “(5) All lands and other property within the limits of the ports including the beds and shores vested in the Saint Christopher Air and Sea Ports Authority pursuant to section 78(1) (a) may be dealt with, including but not limited to being conveyed, disposed of or mortgaged, under and in accordance with the provisions of the Conveyancing and Law of Property Act, Cap. 10.04.”.

ANTHONY MICHAEL PERKINS

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*Speaker*

Passed by the National Assembly this 13<sup>th</sup> day of February, 2018.

SONIA BODDIE-THOMPSON  
*Deputy Clerk of the National Assembly*