



## ST. CHRISTOPHER AND NEVIS

### **CHAPTER 1.03**

### **LAW COMMISSION ACT**

**Revised Edition**  
showing the law as at 31 December 2017

This is a revised edition of the law, prepared by the Law Commission under the authority of the Law Commission Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

#### **LAW COMMISSION ACT**

**Act 27 of 2012** ... in force 4th October 2012

Page

3

Published in  
2019  
Consolidated, Revised and Prepared under the Authority of the Law Commission Act,  
on behalf of the Government of Saint Christopher and Nevis  
by  
The Regional Law Revision Centre Inc.,  
P.O. Box 1626, 5 Mar Building,  
The Valley, AI-2640, Anguilla,  
West Indies.

Available for purchase from—

Attorney General's Chambers,  
Government Headquarters, P.O. Box 164,  
Church Street, Basseterre, St. Kitts,  
West Indies

Tel: (869) 465-2521

Ext. 1013

Tel: (869) 465-2127

Fax: (869) 465-5040

Email: [attorneygeneral@gov.kn](mailto:attorneygeneral@gov.kn)

© Government of Saint Christopher and Nevis  
All rights reserved. No part of this publication may be reproduced in any form or by any means  
without the written permission of the Government of Saint Christopher and Nevis except as  
permitted by the Copyright Act or under the terms of a licence from  
the Government of Saint Christopher and Nevis.

**CHAPTER 1.03**  
**LAW COMMISSION ACT**

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY MATTERS

1. Short title
2. Interpretation

PART II

ESTABLISHMENT, MEMBERSHIP, FUNCTIONS AND POWERS OF THE COMMISSION

3. Establishment of Commission
4. Membership of the Commission
5. Seal of the Commission
6. Resignation of Law Commissioner
7. Revocation of appointment of Law Commissioner
8. Functions of Commission
9. Powers and duties of the Commission in relation to law reform
10. Powers of the Commission in relation to law revision
11. No power to make alterations of substance
12. Power of Commission to omit certain laws
13. Meetings of the Commission
14. Appointment of Committees
15. Delegation of powers by the Commission
16. Remuneration of members of the Commission
17. Directions by the Minister
18. Immunity of members of the Commission

PART III

LAW REVISION COMMISSIONER AND LAW REFORM COMMISSIONER

19. Appointment of Law Revision Commissioner
20. Appointment of Law Reform Commissioner

PART IV

SECRETARIAT OF THE COMMISSION

21. Secretary to the Commission
22. Appointment of staff of the Commission
23. Engagement of consultants and experts
24. Secondment of public officers to the Commission

PART V

FUNDS OF THE COMMISSION ETC.

25. Funds of the Commission

26. Reserve Fund
27. Estimates of the Commission
28. Accounts of the Commission
29. Audit of accounts of the Commission

## PART VI

### MISCELLANEOUS PROVISIONS

30. Inclusion or removal of pages to be authorized by Order
31. Certain officers to maintain sets of laws
32. Bound sets of laws to be kept for record
33. Contents of laws of Saint Christopher and Nevis
34. Validity of laws not affected by omission from the laws
35. Laws of Saint Christopher and Nevis constitute sole and proper statute book
36. Revised laws not to operate as new laws
37. Altered provisions authentic as if so enacted
38. Construction of references to laws embodied in the laws
39. Rectification of error or omission in the Revised Edition (2002)
40. Alternative mode of updating the laws
41. Reports and recommendations
42. Annual reports
43. Reports to be laid before the National Assembly
44. Regulations

**CHAPTER 1.03**  
**LAW COMMISSION ACT**

AN ACT TO ESTABLISH A LAW COMMISSION TO BE RESPONSIBLE FOR KEEPING THE REVISED EDITION (2002) OF THE LAWS OF SAINT CHRISTOPHER AND NEVIS UP TO DATE AND FOR INITIATING AND CARRYING OUT LAW REFORM PROJECTS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**PART I**  
**PRELIMINARY MATTERS**

**Short title.**

1. This Act may be cited as the Law Commission Act.

**Interpretation.**

2. In this Act, unless the context otherwise requires—  
“Chairperson” means a person who is appointed pursuant to the provisions of section 4 of this Act;  
“Commission” means the Law Commission established under section 3 of this Act;  
“Minister” means the Minister responsible for Legal Affairs;  
“Secretary” means a person appointed pursuant to the provisions of section 21 of this Act.

**PART II**  
**ESTABLISHMENT, MEMBERSHIP, FUNCTIONS AND POWERS OF THE COMMISSION**

**Establishment of Commission.**

3. (1) There is established a Commission to be known as the Law Commission.  
(2) The Commission shall be a body corporate with—
  - (a) perpetual succession and power to sue and be sued in its corporate name; and
  - (b) power to acquire, hold and dispose of any property.

**Membership of the Commission.**

4. (1) The membership of the Commission shall be as follows—
  - (a) the Law Revision Commissioner/Law Reform Commissioner who shall be the Chairperson of the Commission;
  - (b) one person nominated by the St. Kitts and Nevis Bar Association; and

- (c) three other persons who, in the opinion of the Minister, are by reason of their special qualifications, training or experience, suitable for appointment to the Commission.

(2) The Law Commissioners shall be appointed by the Minister for a term not exceeding five years.

(3) At the expiration of their term of office, the Law Commissioners shall be eligible for re-appointment.

(4) The Chairperson of the Commission shall be in charge of the affairs of the Commission.

#### **Seal of the Commission.**

5. (1) The Seal of the Commission shall be kept in the custody of the Chairperson or the Secretary to the Commission.

(2) The seal may be affixed to instruments pursuant to a resolution of the Commission in the presence of the Chairperson or one other authorised member, and the Secretary to the Commission.

(3) The Seal of the Commission shall be authenticated by the signature of the Chairperson or a member authorised, in writing, by resolution of the Commission and the Secretary to the Commission, and such seal shall be officially and judicially noticed.

#### **Resignation of Law Commissioner.**

6. (1) A Law Commissioner may, by writing under his or her hand, addressed to the Minister, resign his or her office.

(2) Where a Law Commissioner resigns from his or her office, the Minister shall appoint another person to replace that member.

#### **Revocation of appointment of Law Commissioner.**

7. (1) The Minister may revoke the appointment of a Law Commissioner on the following grounds—

- (a) serious misconduct;
- (b) physical or mental incapacity;
- (c) bankruptcy or insolvency or compounding with his or her creditors.

(2) Where a member of the Commission has his or her appointment revoked, the Minister shall appoint another person to replace that member.

#### **Functions of the Commission.**

8. (1) The Commission shall be responsible for carrying out two distinct functions, that is to say—

- (a) to keep the Revised Edition (2002) of the written laws of Saint Christopher and Nevis up to date; and
- (b) to initiate and carry out law reform projects.

(2) Without prejudice to the generality of the provisions of subsection (1) the Commission shall be responsible, in particular, for the carrying out of the following functions provided for in paragraph (a)—

- (a) to keep and maintain the electronic data base of the Revised Edition (2002) of the laws of Saint Christopher and Nevis;
- (b) to update the database to the current date by inserting new laws in a logical manner;
- (c) to publish an annual Supplementary Update of the Revised Edition (2002) of the laws of Saint Christopher and Nevis;
- (d) to establish and update a website containing the latest update edition of the Revised Edition (2002) of the laws of Saint Christopher and Nevis;
- (e) to make recommendations and prepare Law Revision (Miscellaneous Amendment) Bills so as to correct, perfect, and improve “house-keeping aspects” of the law that may crop up during the law revision process;
- (f) to co-operate closely with the Departments of Chief Parliamentary Counsel and the Government Printer so that unnecessary duplication of tasks is avoided.

(3) Without prejudice to the generality of the provisions of subsection (1), the Commission shall, in carrying out the functions specified in paragraph (b) of that subsection, be responsible for studying and keeping under constant review the statutes and other laws comprising the laws of Saint Christopher and Nevis with a view to making recommendations for their improvement, modernisation and reform, including, in particular—

- (a) the elimination of anomalies in the law, the repeal of obsolete enactments and the simplification of the law;
- (b) the reflection in the laws of customs and values of the Saint Christopher and Nevis society as well as concepts consistent with the United Nations Charter of Human Rights and regional instruments to which Saint Christopher and Nevis is a party;
- (c) the development of new areas in the law with the aim of making them more responsive to the changing needs of Saint Christopher and Nevis society;
- (d) the adoption of new or more effective methods for the administration of the law and the dispensation of justice; and
- (e) the codification of the unwritten laws of Saint Christopher and Nevis.

**Powers and duties of the Commission in relation to law reform.**

9. (1) In the performance of its functions, the Commission may—

- (a) review and consider any relevant proposals for the reform of the law which may be referred to it by any person or authority;
- (b) prepare and submit to the Minister, from time to time, a programme for the study and examination of any branch of the law with a view to making recommendations for its improvement, modernisation and reform;
- (c) initiate and carry out, or, with the approval of the Minister, direct the initiation and carrying out of, studies and research necessary for improvement and modernisation of the law;

- (d) undertake, pursuant to any recommendation approved by the Minister, the formulation and preparation of drafts in the form of Bills or other instruments for consideration by the Government and the National Assembly;
- (e) prepare, from time to time, at the request of the Minister, a comprehensive programme for consolidation and revision of statute law, and undertake the preparation of draft Bills to give effect to any such consolidation and statute law revision approved by the Minister;
- (f) provide, at the instance of Government Departments and other authorities concerned, advice, information and proposals for reform or amendment of any branch of the law;
- (g) appoint or empanel committees in accordance with the provisions of section 14, whether from among members of the Commission or from among persons outside the Commission or both, to study and make recommendations to the Commission on any aspect of the law referred to it by the Commission.

(2) Where the Commission prepares a programme in accordance with the provisions of subsection (1) for any study, it shall provide an estimate of the financial and other resources that will be required to carry out the study and the time that will be required for its completion.

#### **Powers of the Commission in relation to law revision.**

**10.** In the preparation of the laws for any revision under this Act, the Commission shall have the following powers—

- (a) to omit—
  - (i) all written laws or parts of written laws which have been repealed expressly or by necessary implication or which have expired or have become spent or have had their effect;
  - (ii) all repealing provisions contained in written laws and also all tables or lists of repealed written laws whether contained in schedules or otherwise;
  - (iii) all words of enactment in any written law or provision of a written law;
  - (iv) all provisions prescribing the date when, or manner in which, any written law or part of any written law is to come into operation, where such omission can, in the opinion of the Commission, conveniently be made;
  - (v) all amending written laws or part of written laws where the amendments effected by such written laws have been embodied by the Commission in the written laws to which they relate;
- (b) to consolidate into one written law any two or more written laws in *pari materia*, making the alterations thereby rendered necessary in the consolidated written laws, and affixing such date thereto as may seem most convenient;
- (c) to alter the order of the provisions in any written law and in all cases where it is necessary to do so, to renumber the provisions of any written law;

- (d) to alter the form or arrangement of any provision of any written law, either by combining it in whole or part with another provision or other provisions, or by dividing it into two or more provisions or by transposing words;
- (e) to divide any written law, whether consolidated or not, into parts or other divisions and to give such parts or divisions suitable headings;
- (f) to transfer any provisions contained in any written law from that written law to any other written law to which it more properly belongs or to a separate written law;
- (g) to arrange the written laws, whether consolidated or not, in any group or sequence that may be convenient irrespective of the date of enactment;
- (h) to add a long title, a short title or a citation to any written law which may require it, and, where desirable, to alter the long title, short title or citation of any written law;
- (i) to shorten, simplify, clarify and otherwise alter the phraseology of any written law;
- (j) to correct grammatical and typographical errors, or any clerical or printing errors in any written law, and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any written law;
- (k) to add, delete, alter and substitute definitions of terms and expression in any written law;
- (l) to supply or alter head notes or headings;
- (m) to correct cross-references;
- (n) to make such formal alterations as to names, localities, offices, titles and otherwise as may be necessary to bring any written law into conformity with the circumstances of Saint Christopher and Nevis;
- (o) to make such modifications and adaptations and to attach such qualifications and exceptions to any written law as may appear to be necessary or desirable by reason of changes in the Constitution of Saint Christopher and Nevis or of any Commonwealth territory or generally in the circumstances of Saint Christopher and Nevis or in the Government or the Public Service thereof;
- (p) to do all things relating to form and method which may be necessary for the perfecting of the laws.

**No power to make alterations of substance.**

**11.** (1) Nothing in this Act shall be construed to confer power on the Commission to alter the substance of any written law.

(2) In any case where it appears necessary to the Commission to alter the substance of any written law, the Commission may draft a Bill with a report stating the reasons for the purpose.

(3) Every Bill drafted pursuant to the provisions of subsection (2) shall be submitted to the Minister who shall, upon the authority of the Cabinet, cause such Bill to be submitted to the National Assembly to be dealt with in accordance with the normal procedure.

**Power of Commission to omit certain laws.**

**12.** (1) The Minister may, by Order, authorise the Commission to omit from the Revised Edition (2002) any Act or Ordinance specified in the Order.

(2) In addition to any Act or Ordinance omitted under subsection (1), the Commission may further omit from the Revised Edition (2002)—

- (a) any Appropriation Act or Supplementary Appropriation Act;
- (b) any applied law of the United Kingdom Parliament;
- (c) any Act authorising the raising or guaranteeing of a specific loan;
- (d) Acts or Ordinances which have fallen into desuetude;
- (e) any Act or Ordinance of a temporary or personal nature which can, in the opinion of the Commissioner, be conveniently omitted.

(3) Any Act or Ordinance omitted pursuant to the provisions of subsection (1) or (2) shall be repealed by a separate Act of the National Assembly.

**Meetings of the Commission.**

**13.** (1) The Commission shall meet at least once in every three months at such time and place as the Chairperson may determine.

(2) At every meeting of the Commission, the Chairperson shall preside.

(3) In the absence of the Chairperson, members present and forming a quorum shall elect from among their number a person to preside at that meeting.

(4) The quorum for meetings of the Commission shall be three.

**Appointment of Committees.**

**14.** (1) The Commission may appoint a Committee of the Commission to examine and report to it on any matter arising out of, or connected with any of, its functions under this Act.

(2) A Committee appointed pursuant to the provisions of subsection (1) shall consist of at least one member together with such other persons, whether members or not, whose assistance or service the Commission may require.

(3) Where persons, other than members—

- (a) are members of a Committee appointed pursuant to the provisions of this section; or
- (b) attend a meeting of the Commission under the provisions of this Act,

the Commission may, with the approval of the Minister, pay some remuneration and allowances to such persons, and such sums shall be payable out of the funds of the Commission.

(4) The Commission may reject the report of a Committee or adopt it wholly or with such modifications, additions or adaptations as the Commission may deem fit.

**Delegation of powers by the Commission.**

**15.** (1) The Commission may, subject to the provisions of this Act, delegate to any member or Committee of the Commission the power and authority to carry out on its behalf such duties as the Commission may determine.

(2) The delegation of power referred to in subsection (1) shall not preclude the Commission from carrying out such duties by itself.

#### **Remuneration of members of the Commission.**

16. The members of the Commission and such persons as may be appointed to serve on Committees of the Commission shall be paid such salaries and allowances as the Minister, after consultation with the Minister responsible for Finance, may determine.

#### **Directions by the Minister.**

17. The Minister may, after consultation with the Chairperson, give to the Commission directions of a policy nature as to the policy to be followed by the Commission in the performance of its functions in relation to matters appearing to the Minister to concern the public interest, and the Commission shall give effect to any direction so given.

#### **Immunity of members of the Commission.**

18. No personal liability shall attach to any member in respect of anything done in good faith under the provisions of this Act, and any sums of money, damages or costs which may be recovered against the member in respect of any act or thing done *bona fide* for the purpose of carrying the provisions of this Act into effect, shall be paid out of the funds of the Commission.

### PART III

#### LAW REVISION COMMISSIONER AND LAW REFORM COMMISSIONER

#### **Appointment of Law Revision Commissioner.**

19. (1) For the purposes of this Act, the Minister shall appoint a Law Revision Commissioner to discharge the duties required of him or her under this Act.

(2) In case the Commissioner is unable for any cause to fully discharge his or her duties under this Act, the Minister may appoint some other fit and proper person to be Commissioner in his or her stead.

(3) For the purposes of this Act, the Law Revision Commissioner appointed under the Law Revision Act prior to the commencement of this Act, shall be deemed to have been appointed under the provisions of this Act.

#### **Appointment of Law Reform Commissioner.**

20. (1) For the purposes of this Act, the Minister shall appoint a Law Reform Commissioner to discharge the duties required of him or her under this Act, provided that the Minister may, if he or she deems it fit, appoint the Law Revision Commissioner to carry out the duties of Law Reform Commissioner.

(2) In case the Law Reform Commissioner is unable for any cause to fully discharge his or her duties under this Act, the Minister may appoint some other fit and proper person to be Law Revision Commissioner in his or her stead.

## PART IV

## SECRETARIAT OF THE COMMISSION

**Secretary to the Commission.**

**21.** (1) There shall be a Secretary to the Commission who shall be its administrative head, and who shall be appointed by the Minister.

(2) The Secretary to the Commission shall be appointed and employed on such terms and conditions as the Minister, acting on the advice of the Commission, may deem fit.

(3) The Secretary shall be responsible for the day to day administration of the Commission, and shall be assisted in the discharge of his or her duties by such person as the Minister may, acting on the advice of the Commission, appoint.

(4) Without prejudice to the generality of the provisions of subsection (3), the Secretary to the Commission shall establish and maintain—

- (a) a register containing the names and addresses of all members of the Commission and members of any Committee of the Commission, including all employees, consultants and experts of the Commission;
- (b) a minute book recording the minutes of all meetings of the Commission;
- (c) proper books of account;
- (d) proper records of the work and activities of the Commission; and
- (e) such other records or particulars with respect to the Commission as the Commission may deem fit.

**Appointment of staff of the Commission.**

**22.** (1) The Commission may appoint and employ such officers and servants as it deems necessary for the proper carrying out of its functions under this Act.

(2) The officers and servants referred to in subsection (1) shall be appointed and employed on such terms and conditions as the Commission may deem fit after consultation with the Minister.

(3) An officer or servant appointed pursuant to the provisions of this section shall perform such duties as may be assigned to such officer or servant by the Chairperson.

(4) The Commission may, with the approval of the Minister, engage the services of a public officer without necessarily having such officer seconded to the Commission in accordance with the provisions of section 24 of this Act, and such officer may be paid such remuneration as the Commission may deem fit after consultation with the Minister.

**Engagement of consultants and experts.**

**23.** (1) The Commission may, with the approval of the Minister, engage the services of consultants and experts to assist the Commission in the performance of its functions.

(2) The consultants and experts engaged pursuant to the provisions of subsection (1) may be paid such remuneration as the Commission may, after consultation with the Minister, approve.

(3) Any remuneration paid pursuant to subsection (2) shall be paid out of the funds of the Commission.

#### **Secondment of public officers to the Commission.**

**24.** (1) A public officer may be seconded to the Commission by the Governor-General, acting on the recommendation of the Public Service Commission.

(2) A person who is seconded to the Commission under the provisions of subsection (1) shall be seconded to the Commission on such terms and conditions as the Governor-General, acting on the recommendation of the Commission, may determine.

### PART V

#### FUNDS OF THE COMMISSION ETC.

#### **Funds of the Commission.**

**25.** (1) The Commission shall maintain a Fund which shall consist of—

- (a) monies appropriated by Parliament;
- (b) monies received by the Commission from agencies, other than the Government, for the performance of its functions; and
- (c) donations, endowments and other gifts received by the Commission.

(2) The Commission shall not receive any donation, endowments, and other gifts unless such donations, endowments, and other gifts are, in principle, acceptable to the Commission.

(3) The funds of the Commission shall be paid into and placed to the credit of an account of the Commission at a bank approved by the Minister of Finance.

#### **Reserve Fund.**

**26.** The Commission may establish a reserve fund which shall be dealt with and applied in accordance with any direction which may, from time to time, be given to the Commission by the Minister of Finance.

#### **Estimates of the Commission.**

**27.** (1) The Commission shall prepare estimates of the receipts and expenditure of the Commission for each financial year, and the estimates shall be submitted to the Minister not later than three months after the ensuing financial year.

(2) Supplementary estimates may be adopted at any meeting of the Commission, but such estimates shall be subject to the approval of the Minister.

(3) A copy of all estimates of receipts and expenditure in respect of the financial year, and supplementary estimates in respect of the financial year shall, upon adoption by the Commission, be sent to the Minister.

#### **Accounts of the Commission.**

**28.** (1) The Commission shall keep proper accounts of all its transactions to the satisfaction of the Minister, and a statement of accounts shall be kept and made up in respect of each financial year.

(2) The statement of accounts in respect of each financial year shall present a true and a fair view of the financial position of the Commission and of the results for the financial year to which it relates, of the operation of the Commission.

#### **Audit of accounts of the Commission.**

**29.** (1) The Director of Audit shall, each year, audit the statements of receipt and expenditure of the Commission prepared in accordance with the provisions of section 27(1).

(2) The Commission and the officers and servants of the Commission shall grant to the Director of Audit all books, deeds, contracts, accounts, vouchers or other documents which the Director of Audit may deem necessary to call for.

(3) The Director of Audit may require any person holding or accountable for any document referred to in subsection (2) to appear before him or her and make a signed statement in relation to such document, and may require from such person such information as the Director of Audit may deem necessary.

(4) The Director of Audit shall prepare and submit a report of his or her audit to the Commission within three months after he or she has carried out the audit, and the Commission shall thereafter submit that report to the Minister as soon as practicable.

## PART VI

### MISCELLANEOUS PROVISIONS

#### **Inclusion or removal of pages to be authorised by Order.**

**30.** For the purposes of this Act—

- (a) the Law Revision Commissioner shall, by Order, authorise the inclusion in the Revised Edition (2002) of every page to be comprised therein, and every page so authorised, and no other, shall form part of the Revised Edition (2002);
- (b) the Law Revision Commissioner may, by Order, direct the removal of any page from the revised Edition and any page so directed to be removed shall cease to form part of the Revised Edition (2002);
- (c) an Order made under paragraph (a) or (b) may provide that the page be included in or removed from the Revised Edition (2002) as from a date specified by a subsequent Order;
- (d) every page comprised in the Revised Edition (2002) shall bear on its face or overleaf a reference to the Law Revision Order by which its inclusion therein is authorised.

#### **Certain officers to maintain sets of laws.**

**31.** For the purposes of this Act—

- (a) the Commission shall cause a copy of every page authorised to appear in the Revised Edition (2002) to be delivered as soon as practicable after publication to the Attorney-General, to the Clerk of the National Assembly, to the Chief Registrar of the Supreme Court and to the Registrar of the High Court;

- (b) it shall be the duty of the Commission and each of the officers referred to in paragraph (1)(a) to maintain one set of the Revised Edition (2002), and punctually to insert pages authorised to be inserted and to remove pages directed to be removed pursuant to the provisions of this Act,

and the Commission shall take such further steps as are necessary to ensure that there shall be at all times available to the Courts and to the public sets of the Revised Edition (2002) maintained in the manner provided by this section.

#### **Bound sets of laws to be kept for record.**

**32.** (1) The Commission shall, on the coming into force of this Act, retain one set of the bound Revised Edition (2002), and shall ensure that the Minister, the Clerk of the National Assembly, the Clerk of the Nevis Island Legislature, the Chief Registrar of the Supreme Court and the Registrar of the High Court, each has one set of the bound Revised Edition (2002), and it shall be the duty of the Commission and of such officers to maintain in safe custody their respective sets together with the Orders and supplementary pages referred to in subsection (3) for the purpose of record.

(2) Every year or at such other intervals as the Commission may think fit, five sets of all supplementary pages issued pursuant to the provisions of this Act, all Orders made under section 30 and all pages issued under that section shall be bound in such number of volumes as may be convenient and shall be dealt with in the same manner as the bound sets of the laws as originally published are required to be dealt with by subsection (1).

#### **Contents of laws of Saint Christopher and Nevis.**

- 33.** (1) Subject to subsection (2) and section 12, the laws shall contain—
- (a) the Constitution of Saint Christopher and Nevis as in operation on the last revision date;
  - (b) every Act and Ordinance in operation in Saint Christopher and Nevis on the last revision date, unless omitted under section 12;
  - (c) such subsidiary legislation in operation in Saint Christopher and Nevis on the last revision date as the Commission thinks fit to include therein;
  - (d) a chronological list of Acts, a table of contents and an index;
  - (e) a list of the Acts omitted under the authority of section 12(1) and (2)(d) and (e).

(2) In special circumstances, the Commission may include in the Revised Edition (2002) a written law which has been made but not yet brought into operation on the last revision date, but in every such case the Commission shall insert in the Revised Edition (2002) an appropriate note drawing attention to this fact and to the date of commencement of the written law; and in relation to any such law the expression “in operation” means made, whether brought into operation or not.

#### **Validity of laws not affected by omission from the laws.**

**34.** No written law omitted from the Revised Edition (2002), under the authority of this Act or otherwise, shall be deemed to be without force and validity by reason only of the fact that it is so omitted.

**Laws of Saint Christopher and Nevis constitute sole and proper statute book.**

35. Subject to sections 34 and 36, the pages duly authorised for inclusion in the Revised Edition (2002) shall, in all courts and for all purposes, be the sole and proper Statute Book of Saint Christopher and Nevis in respect of the written laws contained therein as in operation on the last revision date, and all such written laws shall be judicially noticed.

**Revised laws not to operate as new laws.**

36. The laws shall not be held to operate as new laws, but shall be construed and have effect as a consolidation and as declaratory of the written laws that have been revised and published therein and shall not be construed as a legislative endorsement of any judicial interpretation of a pre-existing law.

**Altered provisions authentic as if so enacted.**

37. Where, having regard to any provisions of the Interpretation Act, Cap. 1.02 or any other Act replacing the same the Commission has, in exercise of any power conferred by this Act, recorded a written law by way of simplification, or otherwise omitted any provision thereof, or altered any written law in any other way, without affecting the substance thereof, the altered provisions of the written law published in accordance with this Act shall for all purposes be deemed to be the authentic version of the written law as if they had been enacted in that form.

**Construction of references to laws embodied in the laws.**

38. Where in any written law or other instrument or document reference is made to any written law the provisions of which have been by virtue of this Act embodied in the Revised Edition (2002), such reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding provisions in the Revised Edition (2002).

**Rectification of error or omission in the Revised Edition (2002).**

39. For the purposes of this Act—

- (a) where any error made in the publication of the Revised Edition (2002) comes to the attention of the Commission, the Commission may forthwith rectify the error in the manner provided by this section;
- (b) the Law Revision Commissioner may rectify the error—
  - (i) by an Order (to be called a “Correction Order”) making the required amendments to the Revised Edition, and (either alternatively or in addition);
  - (ii) by a Law Revision Order duly signed by the Law Revision Commissioner removing, inserting or replacing such pages in the Revised Edition (2002) as the circumstances may require;
- (c) a Correction Order or a Law Revision Order made for the purpose of rectifying an error may have retrospective effect as from the date of the inclusion in the Revised Edition (2002) of the page containing the error.

**Alternative mode of updating the laws.**

40. For the purposes of this Act—

- (a) notwithstanding the provisions of section 30(a), where the Commission thinks it expedient, in the interests of economy or convenience, in revising any page of the Revised Edition (2002) to which an amendment has been made since the last revision date or to which the Commission proposes to make an amendment, the Commission may, as an alternative to incorporating the amendment in the Revised Edition by removing the page and inserting in its place a page setting out the law as amended—
  - (i) allow the page to which the amendment relates (in this section called the “amended page”) to continue to form part of the Revised Edition (2002); and
  - (ii) include in the Revised Edition (2002) a page (in this section called an “amendment page”) setting out the particulars of the amendment;
- (b) the exercise of the Commission's powers under this section in respect of an amendment shall in no way prejudice the power of the Commission at any time to incorporate that amendment in the Revised Edition (2002) by removing the amended page and inserting in its place a page setting out the law as amended;
- (c) an amendment page shall for all purposes form part of the Revised Edition (2002) and may be dealt with in accordance with the provisions of this Act in the same manner as any other page of the Revised Edition (2002).

#### **Reports and recommendations.**

41. When the Commission completes a study undertaken or directed by it, it shall prepare and submit to the Minister a report on the results of the study and shall include in the report its recommendations in such form as it deems appropriate.

#### **Annual Reports.**

42. The Commission shall, within six months from the beginning of each year, prepare and submit to the Minister a report containing a summary of its activities for the preceding year in such form and containing such information with respect to any studies or other activities undertaken or directed by it, or referred to it by the Minister or any person or authority, as the Minister may direct.

#### **Reports to be laid before the National Assembly.**

43. The Minister shall, within three months of the receipt of any of the reports submitted pursuant to the provisions of section 29(4), 41, or 42, cause the report to be laid before the National Assembly.

#### **Regulations.**

44. The Minister may, acting on the advice of the Commission, generally make regulations for the proper and efficient carrying out of the functions of the Commission, and without prejudice to the generality of the foregoing the Minister may, in particular, make regulations—

- (a) providing for the recruitment, disciplining and dismissal of officers and servants of the Commission;

- (b) providing for pension schemes for the officers and servants of the Commission;
  - (c) prescribing anything that may be required to be prescribed for the purposes of the Act.
- \_\_\_\_\_