

*International Business Companies (Amendment) Regulations***SAINT LUCIA**

STATUTORY INSTRUMENT, 2017, No. 8

[13th February, 2017]

In exercise of the power conferred under section 124 of the International Business Companies Act, Cap. 12.14, the Minister responsible for international financial services, makes these Regulations:

Citation

1. These Regulations may be cited as the International Business Companies (Amendment) Regulations, 2017.

Interpretation

2. In these Regulations, “principal Regulations” means the International Business Companies Regulations, Cap. 12.14.

Insertion of new regulations 7A to 7C

3. The principal Regulations are amended by inserting immediately after regulation 7 the following new regulations 7A to 7C —

“Annual shareholder return

7A. An annual shareholder return under section 28(6) of the Act shall be in the form set out in Form 7A of Schedule 1.

Shareholder default declaration

7B. A shareholder default declaration under section 28(8) of the Act shall be in the form set out in Form 7B of Schedule 1.

List of defaulting companies

7C. A list of defaulting companies under section 28(10) of the Act shall in the form set out in Form 7C of Schedule 1.”.

*International Business Companies (Amendment) Regulations***Insertion of new regulations 8A to 8C**

4. The principal Regulations are amended by inserting immediately after regulation 8 the following new regulations 8A to 8C —

“Annual director return

- 8A. An annual director return under section 42(3) of the Act shall be in the form set out in Form 7A of Schedule 1.

Declaration of receipt of annual director return

- 8B. A declaration of receipt of an annual director return under section 42(5) of the Act shall be in the form set out in Form 7B of Schedule 1.

List of failure to submit annual director return

- 8C. A list of failure to submit an annual director return under section 42(7) of the Act shall be in the form set out in Form 7C of Schedule 1.”.

Insertion of new regulations 12A to 12C

5. The principal Regulations are amended by inserting immediately after regulation 12 the following new regulations 12A to 12C —

“Notice of failure to submit records

- 12A. A notice of failure to submit records under section 111(7) of the Act shall be in the form set out in Form 8A of Schedule 1.

Declaration of unaudited financial statement and record

- 12B. A declaration of an unaudited financial statement and declaration under section 111(11) of the Act shall be in the form set out in Form 7C of Schedule 1.

Receipt declaration

- 12C. A receipt declaration under section 111(12) of the Act shall be in the form set out in Form 7B of Schedule 1.”.

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Amendment of Schedule 1

6. Schedule 1 of the principal Regulations is amended by —

- (a) inserting immediately after Form 7 the following Forms 7A, 7B and 7C —

“FORM 7A

(Regulations 7A, 8A and 12B)

ANNUAL COMPANY RETURN

(International Business Companies Act, Cap. 12.14: Sections 28(6), 42(3) and 111(9))

Return for the year ending December 31, _____ .

Name of company	Registration number
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1. Annual Shareholder Return

Please list the details of shareholders at the return date and also details of any changes in shareholders since the last return date or date of incorporation as applicable. If the shareholder is a company, please provide jurisdiction and registration particulars.

Name of shareholder	Address of shareholder	Nationality or Jurisdiction	Number of shares held	Class of shares held	Date of Allotment or Entry of Transfer	Date of Disposal

*International Business Companies (Amendment) Regulations***2. Annual Director Return**

Please list the details of directors at the return date and also detail any changes in directors since the last return date or date of incorporation as applicable. If the director is a company, please provide jurisdiction and registration particulars.

Name of director	Address of director	Nationality or jurisdiction	Appointment date	Resignation or removal date

I (Director/Secretary) of (Name of international business company) do certify that the director and shareholder details presented above are accurate and true.

..... Name and signature of representative Date
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Attached are unaudited financial statements for the year _____

The above *returns/unaudited financial statements for the year _____ was received by the registered agent at the date shown below.

..... Name and signature Registered Agent Date
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*delete where not applicable

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Records

I (Director/Secretary) of (Name of international business company) do solemnly and sincerely declare that the records of the company including underlying documentation required to be kept under the International Business Companies Act, Cap. 12.14, will be retained for a period of six years.

SWORN TO at)
on the day of 20[])
))
))
BEFORE ME:)
))
))
.....)
NOTARY ROYAL/JUSTICE)
OF THE PEACE)
))
.....)
Registered Agent) Date Received)

FORM 7B

(Regulations 7B, 8B and 12D)

RECEIPT OF SHAREHOLDER AND DIRECTOR RETURNS WITH PENALTY

(International Business Companies Act, Cap. 12.14: Section 28(8) and 42(5))

International Business Information		Documents	
Name of International Business Company	International Business Company Number	Annual Shareholder Return	Annual Director Return

(Attach additional pages where necessary)

International Business Companies (Amendment) Regulations

I (.....) do solemnly and sincerely declare that the international business companies listed above, which failed to submit the identified return for the year ending December 31 _____ have now submitted the return as required by sections 28(6) and 42(5) of the International Business Companies Act, Cap. 12.14 and attach herewith the penalty.

SWORN TO at
on the _____ day of _____)
20[])
BEFORE ME:-)
.....)
NOTARY ROYAL/JUSTICE) Declarant
OF THE PEACE)

_____ Registrar International Business Companies	This document was filed on _____.
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FORM 7C

(Regulations 7C, 8C and 12C)

LIST

(International Business Companies Act, Cap. 12.14: Sections 28(10) and 42(7))

International Business Information		Documents	
Name of International Business Company	International Business Company Number	Annual Shareholder Return	Annual Director Return

(Attach additional pages where necessary)

International Business Companies (Amendment) Regulations

I _____, the registered agent certify that the _____ international business companies listed above, failed to submit the identified returns for the year ending December 31st _____.

..... Name and signature Registered Agent Date
..... Registrar International Business Companies	This document was filed on _____.

LIST

Failure to submit Unaudited Financial Statements

(International Business Companies Act, Cap. 12.14: Section 111(11))

International Business Information	
Name of International Business Company	Company Number
1.	
2.	
3.	
4.	
5.	

(Attach additional pages where necessary)

I _____ registered agent do solemnly and sincerely declare that the international business companies listed above, failed to submit the unaudited statements and declaration for the year ending _____.

SWORN TO at
on the _____ day of _____)
20[])

BEFORE ME:-)
)
)
)
.....)
NOTARY ROYAL/JUSTICE)
OF THE PEACE)

.....
Declarant

International Business Companies (Amendment) Regulations

_____ Registrar International Business Companies	This document was filed on _____.
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(b) inserting immediately after Form 8 the following Form 8A —

“FORM 8A

(Regulation 12A)

NOTICE

(Failure to submit requested records and underlying documents)
(International Business Companies Act, Cap. 12.14: Section 111(7))

Name of International Business Company	Company Number	Date of Request
1.		
2.		
3.		
4.		
5.		

The international business companies listed above have failed to submit records and underlying documents as requested during the year, under section 111 (7) of the International Business Companies Act, Cap. 12.14.

Name and signature of person making the request/Delegate

Date

_____ Registrar International Business Companies	This document was filed on _____.
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International Business Companies (Amendment) Regulations

Revocation

7. The International Business Companies (Amendment) Regulations, No. 73 of 2015 are revoked.

Made this 7th day of February, 2017.

ALLEN M. CHASTANET,
*Minister responsible for
international financial services.*