

No. 22 of 2024.

*Non-Government Organisations  
(Amendment) Act, 2024.*

Saint Christopher  
and Nevis.



I assent,

MARCELLA ALTHEA LIBURD

*Governor-General.*

20<sup>th</sup> September, 2024.

## SAINT CHRISTOPHER AND NEVIS

### No. 22 of 2024

AN ACT to amend the Non-Government Organisations Act, Cap. 20.59.

*[Published 20<sup>th</sup> September 2024, Extra-ordinary Gazette No. 56 of 2024.]*

**BE IT ENACTED** by the King'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 Non-Government Organisations (Amendment) Act, 2024.

#### 2. **Interpretation.**

In this Act, unless the context otherwise requires, "Act" means the Non-Government Organisations Act, Cap. 20.59.

#### 3. **Amendment of section 6.**

The Act is amended in section 6 by replacing subsection (2) as follows:

"(2) Where an application is made pursuant to subsection (1), it shall be submitted along with the prescribed fee and the following documentation:

- (a) a letter of establishment of the NGO;
- (b) the Constitution and Memorandum and Articles of Association of a company limited by guarantee;
- (c) the Constitution and Memorandum and Articles of Association of a non-profit company;
- (d) any existing bylaws of the Organisation;
- (e) Certificate of registration, constitution and other supporting documents to establish the Association;

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- (f) organisational structure of the NGO including its membership;
- (g) names, addresses, occupation and two forms of identification of the beneficial owners, Members of the Board of Directors and senior management of the NGO;
- (h) statement of details of the aims, objectives and purpose of the NGO.
- (i) the identifying particulars and any supporting documents in respect of the Directors, beneficial owners, shareholders, senior management and any other person with a significant controlling interest in the NGO.

**4. Amendment of section 14.**

The Act is amended in section 14 as follows

- (a) in subsection (2) by replacing the subsection as follows:
  - “(2) The accounts of every NGO registered under this Act shall be treated in the following manner:
    - (a) in respect of annual revenue that does not exceed two hundred and seventy thousand dollars, the NGO shall submit an unaudited statement of its financial position and statement of income in the form set out in the Schedule; or
    - (b) in respect of annual revenue that exceeds two hundred and seventy thousand dollars, the NGO shall submit its audited financial statements in each year.”.
- (b) by inserting immediately after subsection (4), the following new subsection (5)
  - “(5) Where an NGO fails to submit its accounts in accordance with the provisions of subsection (2), that NGO shall be liable to a fine of one hundred dollars for each month that the information remains outstanding.”.

**5. Amendment of section 15.**

The Act is amended in section 15 as follows

- (a) in subsection (1) paragraph (a) by replacing that paragraph as follows:
  - “(a) a statement of its accounts audited in accordance with section 14(2)(b) above; and
- (b) by inserting immediately after subsection (3) the following new subsections (4) and (5).
  - “(4) Where an NGO continuously fails to file the required documentation in accordance with this section, section 14, or any other requirements of this Act or any regulations made thereto, that NGO shall be deemed to be non-compliant with the provisions of this Act and the Registrar may take the following actions:

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- (a) issue a written warning to the NGO about the particular failure or omission and request a plan of remedial action within a stipulated timeframe;
  - (b) give the NGO ninety days within which to rectify its failure or omission or for the NGO to give an indication as to why it is not in breach of the particular requirement;
  - (c) deregister the NGO if it remains in non-compliance after the notification referred to in paragraph (b) above.”.
- (5) Where a deregistered NGO is desirous of being reinstated, the NGO shall
- (a) satisfy the Registrar that the outstanding failure or omission has been rectified;
  - (b) submit to the Registrar an application for reinstatement; and
  - (c) pay a reinstatement fee of one hundred and fifty dollars to the Registrar.

**6. Amendment of section 17.**

The Act is amended in section 17 subsection (1) by inserting, immediately after paragraph (e), the following new paragraphs (f) and (g)

- “ (f) the performance of sectoral assessments by the FSRC in order to determine the vulnerabilities to terrorism, terrorist financing and terrorist activities and ensure the effective implementation of risk mitigation measures.
- (g) apply a risk-based approach to the monitoring and supervision to identify NGOs at risk of terrorist financing abuse.”.

**7. Amendment of section 22.**

The Act is amended in section 22 by replacing it as follows:

“22. Regulations.

- (1) The Minister may make Regulations to give effect to the provisions of this Act and for prescribing anything that is required by this Act to be prescribed.
- (2) Notwithstanding the generality of subsection (1), the Minister may make Regulations providing for
  - (a) further particulars for members of the Board of Directors, shareholders, senior management or beneficial owners;
  - (b) procedures for the submission of any information by NGOs pursuant to the provisions of sections 14 and 15;

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- (c) procedures governing cooperation and information sharing by the Registrar with domestic competent authorities and international authorities;
- (d) any relevant forms necessary to facilitate the process of application for registration and for any related matters.

LANEIN BLANCHETTE  
*Speaker*

Passed by the National Assembly this 20<sup>th</sup> day of September 2024.

TREVLYN STAPLETON  
*Clerk of the National Assembly*