



SAINT VINCENT AND THE GRENADINES

ACT NO. 9 OF 2010

I ASSENT

[L.S.]

DR. FREDERICK BALLANTYNE
Governor-General
23rd June, 2010

AN ACT to amend the Limited Liability Companies Act 2008.

[29th June, 2010]

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

1. (1) This Act may be cited as the Limited Liability Companies (Amendment) Act, 2010.

Short title and commencement

(2) This Act comes into force on the day the Limited Liability Companies Act 2008 comes into force.

2. Section 2 of the Limited Liability Companies Act, 2008, referred to in this Act as the principal Act, is amended:

Amendment of section 2 of Limited Liability Companies Act 2008 No. 36 of 2008

- (a) in the definition of "Register" by deleting the words "section 12" and inserting the words "section 98B"; and
- (b) in the definition of "Registrar" by inserting after the word "Companies" and before the semi-colon the words "appointed by the Authority under section 98A".

3. The principal Act is amended by repealing the heading to Part 14 and inserting the following heading:

Repeal and replacement of heading to Part 14

"ADMINISTRATION AND MISCELLANEOUS"

Insertion of
sections 98A and
98B

4. The principal Act is amended by inserting after section 98 and in Part 14 the following sections:

“Registrar of
Limited Liability
Companies

98A. (1) The Authority:

- (a) shall appoint a suitably experienced and qualified person to be Registrar of Limited Liability Companies; and
- (b) may appoint one or more Deputy Registrars of Limited Liability Companies or Assistant Registrars of Limited Liability Companies.

(2) The Registrar and any Deputy and Assistant Registrars are employees of the Authority.

(3) Subject to the control of the Authority, the Registrar is responsible for the administration of this Act.

(4) Subject to the control of the Registrar, a Deputy Registrar and an Assistant Registrar have and may exercise the powers, duties and functions of the Registrar and the fact that a Deputy or Assistant Registrar exercises those powers, duties and functions is conclusive evidence of his authority to do so.

Register

98B. (1) The Registrar shall maintain a Register of Limited Liability Companies in respect of companies formed, incorporated or continued under this Act.

(2) The Register and the information contained in any document filed may be kept in such manner as the Registrar considers fit including, either wholly or partly, by means of a device or facility:

- (a) that records or stores information magnetically, electronically or by other means; and

- (b) that permits the information recorded or stored to be inspected and reproduced in legible and usable form.
- (3) The Regulations may provide for the keeping of the Register in electronic form and the filing of documents in both paper and electronic form.
- (4) The Registrar:
 - (a) shall retain every qualifying document filed; and
 - (b) shall not retain any document filed that is not a qualifying document.
- (5) For the purposes of subsection (4), a document is a qualifying document if:
 - (a) this Act or the Regulations, or another enactment, require or expressly permit the document to be filed; and
 - (b) the document complies with the requirements of, and is filed in accordance with, this Act, the Regulations or the other enactment that requires or permits the document to be filed.”.

Passed in the House of Assembly this 6th day of May, 2010.

NICOLE HERBERT
Clerk of the House of Assembly.