



# The Official Gazette

*Published by Authority*

Vol. XLVIII

BRADES, MONTSERRAT, WEDNESDAY 30TH JULY 2014

No. 7

## CONTENTS

Notices.....	152
Appointments.....	166
Trademarks.....	167
Financial Statements.....	171

## NOTICES

NOTICE NO. 298

### STATUTORY INSTRUMENTS

2014 No. 1234

### OVERSEAS TERRITORIES

#### **The Central African Republic (Sanctions) (Overseas Territories) Order 2014**

*Made*..... 27th May 2014

*Laid before Parliament* ..... 3rd June 2014

*Coming into force*.....24th June 2014

At the Court at Buckingham Palace, the 27th day of May 2014

Present,

The Queen's Most Excellent Majesty in Council

Under Article 41 of the Charter of the United Nations the Security Council of the United Nations has, by resolutions adopted on 5th December 2013 and 28th January 2014, called upon Her Majesty's Government in the United Kingdom to apply certain measures to give effect to decisions of that Council in relation to the Central African Republic:

Her Majesty, in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946 (a), section 112 of the Saint Helena Act 1833 (b), the British Settlements Acts 1887 and 1945(c), and all of the other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

#### **Citation, commencement and extent**

- 1.—(1) This Order may be cited as the Central African Republic (Sanctions) (Overseas Territories) Order 2014.
- (2) It comes into force on 24th June 2014.
- (3) It extends to the territories listed in Schedule 1.

## Application of the Order

- 2.—(1) This Order applies to—
- (a) any person in the Territory,
  - (b) any person elsewhere who is—
    - (i) a British citizen, a British overseas territories citizen, a British Overseas citizen, a British subject, a British National (Overseas) or a British protected person and is ordinarily resident in the Territory, or
    - (ii) a body incorporated or constituted under the law of any part of the Territory, and
  - (c) any person onboard a ship or aircraft that is registered in the Territory.
- (2) Article 7(2) and Schedule 3 also apply to any relevant person mentioned in those provisions (and for this purpose “relevant person” has the meaning given in article 7(4) and (5).
- (3) Article 16 applies to—
- (a) the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus and St Helena, Ascension and Tristan da Cunha as set out in paragraph 1 of Schedule 2, and
  - (b) the Falkland Islands and South Georgia and the South Sandwich Islands subject to paragraph 2(2) of Schedule 2.
- (4) Article 17 applies to the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus as set out in paragraph 3 of Schedule 2.
- (5) In the application of this Order to any territory listed in Schedule 1, the expression “the Territory” in this Order means that territory.

## Interpretation

- 3.—(1) In this Order, unless otherwise provided—
- “aircraft” means a fixed wing, swivel wing, rotary wing, tilt rotor or tilt wing airborne vehicle or helicopter;
- “assistance” means any form of assistance, including advice, training, technical assistance, financing and financial assistance, investment services, brokering services or other services, including the provision of armed mercenary personnel, and the transfer of financial resources and services;
- “brokering services” means—
- (a) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology or of financial and technical services, including from a third country to any other third country, or
  - (b) the selling or buying of goods and technology or of financial and technical services, including where they are located in third countries for their transfer to another third country;
- “commander”, in relation to an aircraft, means the member of the flight crew designated as commander of the aircraft by the operator of the aircraft, or, if there is no operator, the person who is for the time being the pilot in command of the aircraft;
- “the Council Regulation” means Council Regulation (EU) No. 224/2014 adopted by the Council of the European Union on 10th

March 2014(a) concerning restrictive measures in respect of the Central African Republic;

“designated person” means any person, entity or body listed in Annex I to the Council Regulation;

“document” includes information recorded in any form, and in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy of the information in legible form;

“economic resources” means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but may be used to obtain funds, goods or services;

“export” includes shipment as stores;

“financing and financial assistance” includes grants, loans and export credit insurance, insurance and reinsurance;

“frozen account” means an account with a relevant institution which is held or controlled (directly or indirectly) by a designated person;

“funds” means financial assets and benefits of every kind, including (but not limited to)—

- (c) cash, cheques, claims on money, drafts, money orders and other payment instruments,
  - (d) deposits with relevant institutions or other entities, balances on accounts, debts and debt obligations,
  - (e) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts,
  - (f) interest, dividends or other income on or value accruing from or generated by assets,
  - (g) credit, rights of set-off, guarantees, performance bonds or other financial commitments,
  - (h) letters of credit, bills of lading and bills of sale,
  - (i) documents providing evidence of an interest in funds or financial resources, or
  - (j) any other instrument of export financing;
- “goods” includes items, materials and equipment;
- “Governor” means the Governor or other officer administering the Government of the Territory;
- “insurance” means an undertaking or commitment where a natural or legal person is obliged, in return for a payment, to provide another person, in the event of materialisation of a risk, with an indemnity or a benefit as determined by the undertaking or commitment;
- “master”, in relation to a ship, includes any persons for the time being in charge of the ship;
- “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate or any person who has purported to act in any such capacity;
- “operator”, in relation to an aircraft or vehicle, means the person for the time being having the management of the aircraft or vehicle;
- “owner”, in relation to a ship, where the owner is not the operator, means the operator and any person to whom it is chartered;

“person” means any natural or legal person, entity or body;

“reinsurance” means the activity consisting in accepting risks ceded by an insurance undertaking or by another reinsurance undertaking or, in the case of the association of underwriters known as Lloyd’s, the activity consisting in accepting risks, ceded by any member of Lloyd’s, by an insurance or reinsurance undertaking other than the association of underwriters known as Lloyd’s;

“relevant institution” means—

(k) any person who may lawfully accept deposits in or from within the Territory by way of business, or

(l) Any society established lawfully in the Territory whose principal purpose is the making of loans secured on residential property where such loans are funded substantially by its members;

“restricted goods” means—

(m) the goods, software and technology specified in Schedule 2 to The Export Control Order 2008 (a), and

(n) so far as not covered by paragraph (a), the goods, software and technology specified in the Common Military List of the European Union(a) as amended from time to time;

“ship” includes every description of vessel used in navigation;

“shipment” includes loading into an aircraft;

“stores” means goods for use in a ship or aircraft and includes fuel and spare parts and other articles of equipment, whether or not for immediate fitting, but excludes any goods for use in a ship or aircraft as merchandise for sale by retail to persons carried in them;

“technical assistance” means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance;

“the Territory” has the meaning given in article 2(5);

“transfer” in relation to funds means—

(o) any transaction carried out on behalf of a payer through a payment service provider by electronic means, with a view to making funds available to a payee at a payment service provider, regardless of whether the payer and the payee are the same person, or

(p) any transaction by non-electronic means such as in cash, cheques or accountancy orders, with a view to making funds available to a payee regardless of whether the payer and payee are the same person;

“vehicle” means land transport vehicle.

(2) For the purpose of the definition of “relevant institution” in paragraph (1)—

(a) the activity of accepting deposits has the meaning given by section 22 of the Financial Services and Markets Act 2000 (b), taken with Schedule 2 to that Act and any order under section 22 of that Act, and

(b) a person is not regarded as accepting deposits by way of business if—

(i) the person does not hold himself or herself out as accepting deposits on a day to day basis, and

(ii) any deposits which the person accepts are accepted only on particular occasions, whether or not involving the issue of any securities.

(3) In determining for the purposes of paragraph (2)(b) whether deposits are accepted only on particular occasions, regard is to be had to the frequency of those occasions and to any characteristics distinguishing them from each other.

(4) An expression used both in this Order and in the Council Regulation has the meaning given in the Council Regulation.

(5) A reference in this Order to any enactment (including legislation of the European Union) or statutory instrument is to be construed as a reference to that enactment or instrument as amended from time to time.

## PART 1

### Freezing funds etc.

#### Dealing with funds and economic resources

4.—(1) It is an offence for a person (“P”), including the designated person, to deal with funds or economic resources belonging to, or owned, held or controlled by, a designated person if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.

(2) In paragraph (1), “deal with” means—

(a) in relation to funds—

(i) use, alter, move, allow access to or transfer,

(ii) deal with the funds in any other way that would result in a change in volume, amount, location, ownership, possession, character or destination, or

(iii) make any other change that would enable use, including portfolio management, and

(b) in relation to economic resources, use to obtain funds, goods or services in any way, including by selling, hiring or mortgaging the resources.

(3) It is an offence for a person (“P”) to make funds or economic resources available (directly or indirectly) to a designated person if P knows, or has reasonable cause to suspect, that—

(a) P is making the funds or economic resources so available, and

(b) in the case of economic resources, the designated person would be likely to exchange them, or use them in exchange, for funds, goods or services.

(4) It is an offence for a person (“P”) to make funds or economic resources available (directly or indirectly) to any person for the benefit of a designated person if P knows, or has reasonable cause to suspect, that P is making the funds or economic resources so available.

(5) For the purposes of paragraph (4)

- (a) funds or economic resources are made available for the benefit of a designated person only if that person obtains, or is able to obtain, a significant financial benefit from the funds or economic resources, and
- (b) “financial benefit” includes the discharge of a financial obligation for which the designated person is wholly or partly responsible.
- (6) No liability arises for any person concerned in the freezing of funds or economic resources in accordance with this article unless it is proved that the funds or economic resources were frozen or withheld as a result of negligence.
- (7) This article is subject to articles 5, 9 and 10.

#### Credits to a frozen account

5.—(1) Nothing in article 4 prevents a person from crediting a frozen account with—

- (a) interest or other earnings due on the account, or
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the account became a frozen account, or
- (c) payments due under a judicial, administrative or arbitral lien or judgment.
- (2) Nothing in article 4 prevents a relevant institution from crediting a frozen account where it receives funds transferred to the account.

#### Information relating to funds etc.

6.—(1) The Governor must take such steps as the Governor considers appropriate to cooperate with any international investigation relating to the funds, economic resources or financial transactions of—

- (a) a designated person,
- (b) a person owned or controlled by a designated person, or
- (c) a person acting on behalf of, or at the direction of, a designated person.
- (2) A relevant institution must inform the Governor as soon as practicable if it knows or suspects that a customer—
  - (a) is a designated person, or
  - (b) has committed an offence under article 4 or 9(10).
- (3) When informing the Governor under paragraph (2), the relevant institution must state—
  - (a) the information or other matter on which the knowledge or suspicion is based,
  - (b) any information it holds about the customer by which the customer can be identified, and
  - (c) if the customer is a designated person, the nature and amount or quantity of any funds or economic resources held by the relevant institution for the customer since the customer first became a designated person.

- (4) A relevant institution must inform the Governor as soon as practicable if it credits a frozen account in accordance with article 5(1)(b) or (2).
- (5) It is an offence for a relevant institution to fail to comply with a requirement of paragraph (2), (3) or (4).
- (6) Anything done by a relevant institution in accordance with this article is not to be treated as a breach of any restriction imposed by statute or otherwise.
- (7) For the purposes of this article, “customer”, in relation to a relevant institution, includes—
  - (a) a person who is or has been a customer of the institution at any time since the coming into force of this Order, or
  - (b) a person with whom the institution has had dealings in the course of its business since the coming into force of this Order.

#### PART 2

#### Restricted goods etc.

#### Providing or carrying restricted goods

7.—(1) It is an offence for a person to knowingly sell, supply, transfer or export (directly or indirectly) restricted goods—

- (a) to a designated person,
- (b) to any person in the Central African Republic, or
- (c) for use in the central African Republic.
- (2) It is an offence for a relevant person to knowingly use a ship, aircraft or vehicle falling within paragraph (3) for the carriage of restricted goods if the carriage is, or forms part of, carriage from any place outside the Central African Republic to any destination in the Central African Republic.
- (3) The following fall within this paragraph—
  - (a) a ship, aircraft or vehicle within the Territory,
  - (b) a ship or aircraft registered in the Territory, or
  - (c) any other ship or aircraft that is for the time being chartered to a person mentioned in article 2 (1) (a) or (b).
- (4) A “relevant person”, in relation to a ship, aircraft or vehicle falling within paragraph (3)(a) or (b), means—
  - (a) the owner or master of the ship,
  - (b) the charterer, operator or commander of the aircraft, or
  - (c) the driver or operator of the vehicle.
- (5) A “relevant person”, in relation to a ship or aircraft falling within paragraph (3)(c) means—
  - (a) the charterer of the ship or aircraft, or
  - (b) the master of the ship, or operator of the aircraft, if the master or operator is a person mentioned in article 2(1)(a) or (b).
- (6) Paragraph (2) is without prejudice to any other provision of law prohibiting or restricting the use of ships, aircraft or vehicles.
- (7) This article is subject to articles 5, 9 and 10.

### Providing assistance related to restricted goods

8.—(1) It is an offence for a person to knowingly provide (directly or indirectly) assistance relating to the sale, supply, transfer or export of restricted goods —

- (a) to a designated person,
  - (b) to any person in the Central African Republic, or
  - (c) for use in the Central African Republic.
- (2) It is an offence for a person to knowingly provide (directly or indirectly) assistance relating to the maintenance, manufacture or use of restricted goods—
- (a) by a designated person,
  - (b) by any person in the Central African Republic, or
  - (c) for use in the Central African Republic.
- (3) This article is subject to articles 5, 9 and 10.

### PART 3

#### General

### Licences granted by the Governor

9.—(1) The Governor may, with the consent of the Secretary of State, grant a licence authorising an activity that would otherwise be prohibited under article 4, 7 or 8.

- (2) A person is not guilty of an offence under article 4, 7 or 8 in respect of anything done by the person under the authority of a licence granted by the Governor.
- (3) A licence may, in particular, relate to—
  - (a) payment of basic expenses of designated persons and their dependent family members, including payments for food stuffs, rent or mortgage, medicines, medical treatment, taxes, insurance premiums and public utility charges;
  - (b) payment of reasonable professional fees and expenses associated with the provision of legal services;
  - (c) payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources;
  - (d) payment of necessary extraordinary expenses;
  - (e) satisfaction of a judicial, administrative or arbitral lien or judgment established before the designated person was so designated and not for the benefit of a designated person;
  - (f) payment by a designated person to another person (not being a designated person) under an obligation that arose before the designated person was so designated;
  - (g) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related assistance;
  - (h) the provision of assistance for the sale, supply, transfer or export of goods and technology listed in the Common Military List of the European Union;
  - (i) the provision of supplies and related assistance solely for the support of or use by the Mission for the Consolidation of

Peace in Central African Republic (MICOPAX), the African-led International Support Mission to the Central African Republic (MISCA), the United Nations Integrated Peace building Office in the Central African Republic (BINUCA) and its guard unit, the African Union-Regional Task Force (AU-RTF), the French forces deployed in the Central African Republic and the European Union operation in the Central African Republic (EUFOR RCA);

- (j) supplies of small arms and related materiel intended solely for use in international patrols providing security in the Sangha River Tri-National Protected Area to defend against poaching, smuggling of ivory and arms, and other activities contrary to the national laws of the Central African Republic or the international legal obligations of the Central African Republic;
  - (k) supplies of arms and other related lethal equipment to the Central African Republic security forces, intended solely for support of or use in Central African Republic Security Sector Reform.
- (4) A licence must specify the acts authorised by it and may be—
- (a) general or granted to a category of persons or to a particular person,
  - (b) subject to conditions, and
  - (c) Of indefinite duration or subject to an expiry date.
- (5) The Governor may, with the consent of the Secretary of State, vary or revoke a licence at any time.
- (6) On the grant, variation or revocation of a licence, the Governor must—
- (a) in the case of a licence granted to a particular person, give written notice of the grant, variation or revocation to that person, and
  - (b) in the case of a general licence or a licence granted to a category of persons, take such steps as the Governor considers appropriate to publicise the grant, variation or revocation of the licence.
- (7) Any notice to be given to a person by the Governor under paragraph (6) may be given—
- (a) by posting it to the person's last known address, or
  - (b) where the person is a body corporate, partnership or unincorporated body other than a partnership, by posting it to the registered or principal office in the Territory of the body or partnership.
- (8) Where the Governor does not have an address in the Territory for the person, the Governor must make arrangements for the notice to be given to the person at the first available opportunity.
- (9) Failing to comply with any condition in the licence is acting in a way that is not authorised by the licence unless—
- (a) the licence was modified after the completion of the act authorised by the licence, and
  - (b) the alleged failure to comply with a condition in the licence would not have been a failure if the licence had not been so modified.

- (10) It is an offence for a person to knowingly or recklessly make any statement or give any document or information which is false in a material particular for the purpose of obtaining a licence.
- (11) A licence granted in connection with the application for which the false statement was made or the false document or information given is void from the time it was granted.

#### Licences granted outside the Territory

10. A person is not guilty of an offence under article 4, 7 or 8 in respect of anything done by the person—
- outside the Territory, and
  - under the authority of a licence granted in accordance with any provisions of the law in force in the place where it is done corresponding with the provisions of this Order.

#### Claims for indemnity or under contract

11.—(1) No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Order, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, in particular a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- designated person, or
  - a person acting through or on behalf of a designated person.
- (2) In any proceedings for the enforcement of such a claim, the burden of proof that the claim is not prohibited is on the person seeking the enforcement of that claim.

#### Requirement to publish list of designated persons and restricted goods

- 12.—(1) The Governor must—
- publish a list of designated persons and restricted goods, and
  - keep the list up to date.
- (2) The Governor may publish a list under paragraph (1) in any form the Governor considers appropriate, including by means of a website.

#### Evidence and information

13. Schedule 3 contains further provision about obtaining evidence and information.

#### Functions of the Governor

14.—(1) The Governor may, to such extent and subject to such restrictions and conditions as the Governor thinks proper, delegate or authorise the delegation of any of the Governor's functions under this Order to any person, or class or description of persons.

- (2) References in this Order to the Governor are to be construed accordingly.
- (3) The Governor may by regulations specify in the currency of the Territory the amount which is to be taken as equivalent to sums expressed in sterling in this Order.

#### Circumvention and contravention of prohibitions

15. It is an offence for a person to intentionally participate in an activity, knowing that the object or effect of the activity is (directly or indirectly)—
- to circumvent any of the prohibitions in article 4, 7 or 8, or
  - to enable or facilitate the contravention of any such prohibition.

#### Penalties

- 16.—(1) A person guilty of an offence under article 4, 7, 8 or 15 is liable—
- on conviction on indictment, to imprisonment for a term not exceeding seven years or to a fine or to both; or
  - on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (2) A person guilty of an offence under article 6 or 9(10), or paragraph 4(b), (c) or (d) of Schedule 3 is liable—
- on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both; or
  - on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (3) A person guilty of an offence under paragraph 4(a) or 6 of Schedule 3 is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £5,000 or its equivalent or to both.
- (4) If an offence under this Order committed by a body corporate is shown—
- to have been committed with the consent or connivance of an officer of the body corporate, or
  - to be attributable to any neglect on the part of an officer of the body corporate,
- the officer as well as the body corporate is guilty of an offence and is liable to be proceeded against and punished accordingly

#### Proceedings

- 17.—(1) Proceedings against a person for an offence may be taken before the appropriate court in the Territory having jurisdiction in the place where that person is for the time being.
- (2) Summary proceedings for an offence alleged to have been committed outside the Territory may be instituted within the period of 12 months beginning with the date on which the person charged first enters the Territory after committing the offence.

- (3) Proceedings for an offence must not be instituted in the Territory except with the consent of the principal public officer of the Territory responsible for criminal prosecutions.
- (4) Nothing in paragraph (3) prevents—
- the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of an offence, or
  - the remand in custody or on bail of any person charged with an offence.
- (5) A reference in this article to an offence is to an offence under this Order.

*Ceri King*  
Deputy Clerk of the Privy Council

SCHEDULE 1 Article 1

Territories to which this Order extends

Anguilla

British Antarctic Territory

British Indian Ocean Territory

Cayman Islands

Falkland Islands

Montserrat

Pitcairn, Henderson, Ducie and Oeno Islands

St Helena, Ascension and Tristan da Cunha

South Georgia and the South Sandwich Islands

The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus

Turks and Caicos Islands

Virgin Island

SCHEDULE 2 Article 2

Application of Articles 16 and 17 to particular Territories

**Application of article 16**

- 1.—(1) Article 16 applies as follows to—
- the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus, and
  - St Helena, Ascension and Tristan da Cunha.
- (2) A person guilty of an offence under article 4, 7, 8 or 15 is liable on conviction to imprisonment for a term not exceeding seven years or to a fine or to both.
- (3) A person guilty of an offence under article 6 or 9(10), or paragraph 4(b), (c) or (d) of Schedule 3 is liable on conviction to

imprisonment for a term not exceeding two years or to a fine or to both.

- (4) A person guilty of an offence under paragraph 4(a) or 6 of Schedule 3 is liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £5,000 or its equivalent or to both.
- (5) If an offence under this Order committed by a body corporate is shown—
- to have been committed with the consent or connivance of an officer of the body corporate, or
  - to be attributable to any neglect on the part of an officer of the body corporate,

the officer as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.

2. (1) Article 16 applies to the Falkland Islands and South Georgia and the South Sandwich Islands subject to the following modification.

- (2) When the Magistrates' Court is sentencing a person following a summary conviction for an offence under this Order, any penalties which would be available to the Magistrates' Court under article 16 on indictment for the offence are available to the Court as if they were penalties so available on summary conviction.

**Application of article 17**

3.—(1) Article 17 applies as follows to the Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

- (2) Proceedings for an offence under this Order must not be instituted in the Territory except with the consent of the Attorney General and Legal Adviser.
- (3) Nothing in sub-paragraph (2) prevents—
- the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of an offence, or
  - the remand in custody or on bail of any person charged with an offence

SCHEDULE 3 Article 13

Evidence and information

**Power to require information, documents or goods**

1. —(1) An authorised officer may request a person in or resident in the Territory, or a relevant person, to provide any information or produce any document or goods in the person's possession or control which the officer may require for the purpose of—

- securing compliance with, or detecting evasion of, this Order,
- obtaining evidence of the commission of an offence under this Order,
- establishing the nature and amount or quantity of any funds or economic resources owned, held or controlled by a designated person,
- establishing the nature of any financial transactions entered into by a designated person, or

- (e) cooperating with any international investigation in accordance with article 6(1).
- (2) When exercising the power in sub-paragraph (1), an authorised officer may—
  - (a) take copies of or extracts from any document so produced,
  - (b) request a person producing a document to give an explanation of it, and
  - (c) where that person is a body corporate, request a person who is a present or past officer or employee of the body corporate to give such an explanation.
- (3) A person to whom a request is made must comply with it with- in such time and in such manner as may be specified in the request.
- (4) Any power under this Schedule to require information, or pro- duce for inspection a document or goods, includes a power to specify the form in which the information or document should be given, and the period within which the information, docu- ment or goods should be provided or produced for inspection.
- (5) Nothing in this paragraph is to be taken to require a person who has acted as counsel or solicitor for a person to disclose any privileged information or document in the person's possession in that capacity.

### Search warrants

2.—(1) A justice of the peace may grant a search warrant if satis- fied by information on oath that—

- (a) there are reasonable grounds for suspecting that—
  - (i) an offence under this Order has been, is being, or is about to be committed, or
  - (ii) any information, document or goods requested by an au- thorised officer under paragraph 1 has or have not been provided or produced; and
- (b) evidence in relation to the offence, or the information, document or goods so requested, is or are to be found on a ship, aircraft, vehicle or premises specified in the infor- mation.
- (2) A search warrant issued under this paragraph is a warrant em- powering an authorised officer to enter and search the ship, aircraft, vehicle or premises specified in the information, at any time within one month from the date of the warrant.
- (3) An authorised officer who enters and searches a ship, aircraft, vehicle or premises under a warrant issued under this paragraph may—
  - (a) take such other persons and such equipment on to the ship, aircraft, vehicle or premises as appear to the officer to be necessary;
  - (b) take such steps as appear to the officer to be necessary, in- cluding in particular any steps mentioned in sub-paragraph (4);
  - (c) inspect and seize anything found in the course of a search if the officer reasonably suspects that—
    - (i) it is evidence in relation to an offence under this Order,

- (ii) it is information, a document or goods requested (but not provided or produced) under paragraph 1, or
- (iii) it is necessary to seize it in order to prevent it being concealed, lost, damaged, altered or destroyed;
- (d) take copies of any document.
- (4) The steps mentioned in sub-paragraph (3)(b) include—
  - (a) entering any land,
  - (b) using reasonable force, and
  - (c) stopping a ship, aircraft or vehicle for the purposes of entering and searching it.
- (5) An authorised officer who enters a ship, aircraft, vehicle or premises under a warrant issued under this paragraph may—
  - (a) search any person found on the ship, aircraft, vehicle or premises whom the officer has reasonable cause to believe to be in possession of anything which may be required as evi- dence for the purposes of proceedings in respect of an of- fence under this Order, and
  - (b) seize anything found in such a search.
- (6) Anything seized under sub-paragraph (3)(c) or (5)(b) may be—
  - (a) retained for so long as is necessary in all the circumstances, and
  - (b) forfeited, disposed of or transferred as appropriate.
- (7) A search of a person under sub-paragraph (5) must be carried out by a person of the same sex.

### Suspected ships, aircraft or vehicles

3.—(1) Where an authorised officer reasonably suspects that a ship, aircraft or vehicle has been, is being, or is about to be used in the commission of an offence under article 7, the officer may—

- (a) in relation to an aircraft or vehicle, require the relevant per- son to keep the aircraft or vehicle and any goods it is carry- ing in the Territory until notified by an authorised officer that it may depart, or
- (b) in relation to a ship, require the relevant person to take any of the steps mentioned in sub-paragraph (2).
- (2) Those steps are—
  - (a) to stop the ship from proceeding with the voyage on which it is engaged or about to engage, until notified by an authorised officer that it may proceed;
  - (b) to not land any part of the ship's cargo at any port specified by the officer, except with the officer's consent;
  - (c) if the ship is in port in the Territory, to cause it to remain there until notified by an authorised officer that it may de- part;
  - (d) if the ship is in any other place, to take it to a port specified by the officer and keep it there until notified by an author- ised officer that it may depart.
- (3) The authorised officer may take such steps as appear necessary to secure compliance with a requirement under this paragraph, including in particular—
  - (a) entering any land,



- (b) using reasonable force, and
- (c) detaining the ship, aircraft or vehicle and any goods it is carrying.

#### Offences

##### 4. It is an offence for a person to—

- (a) without reasonable excuse, refuse or fail within the time and in the manner specified (or, if no time has been specified, within a reasonable time) to comply with any request made under this Schedule,
- (b) knowingly or recklessly give any information, or produce any document, which is false in a material particular in response to such a request,
- (c) destroy, mutilate, deface, conceal or remove any document with intent to evade the provisions of this Schedule, or
- (d) otherwise intentionally obstruct a person in the exercise of that person's powers under this Schedule

5. Where a person is convicted of an offence under paragraph 4(a) the court may make an order requiring the person, within such period as may be specified in the order, to give the requested information or produce the requested document.

6.—(1) It is an offence for a person to disclose information or a document obtained in accordance with this Order (including a copy or extract made of such a document) except—

- (a) to a person who would have been authorised to request the information or document under this Order;
- (b) to a person holding or acting in any office under or in the service of—
  - (i) the Crown in right of the Government of the United Kingdom,
  - (ii) the Government of the Isle of Man,
  - (iii) the States of Guernsey or Alderney or the Chief Pleas of Sark,
  - (iv) the States of Jersey, or
  - (v) the Government of any British overseas territory;
- (c) for the purpose of giving assistance or cooperation, with the authority of the Governor, to—
  - (i) any organ of the United Nations, or
  - (ii) any person in the service of the United Nations, the Council of the European Union, the European Commission or the government of any State or territory;
- (d) with a view to instituting, or otherwise for the purposes of, any proceedings—
  - (i) in the Territory, for an offence under this Order, or
  - (ii) in the United Kingdom, any of the Channel Islands, the Isle of Man or any British overseas territory (other than the Territory), for an offence under a similar provision in any such jurisdiction;
- (e) to the Financial Conduct Authority of the United Kingdom or to the relevant authority with responsibility in any other

State or territory for regulating and supervising financial services business; or

- (f) to any third party, with the consent of a person who, in the person's own right, is entitled to the information or to possession of the document, copy or extract.
- (2) In sub-paragraph (1)(f) "in the person's own right" means not merely in the person's capacity as a servant or agent of another person.

#### Exercise of powers: general

7. —(1) Any power exercisable by an authorised officer under this Schedule may be exercised by a person acting under the officer's authority.

- (2) An authorised officer, or a person acting under the officer's authority, must, if requested to do so, produce evidence of his or her authority before exercising any power conferred by this Schedule.
- (3) An authorised officer may exercise any power under paragraph 2 or 3 in relation to—
  - (a) a ship within the seaward limits of the territorial sea of the Territory,
  - (b) a ship registered in the Territory while it is on the high seas, or
  - (c) an aircraft or vehicle in the Territory.
- (4) But such a power may not be exercised in relation to a ship falling within sub-paragraph (5) unless—
  - (a) in the case of a ship falling only within sub-paragraph (5)(a), the Territory is entitled under international law to exercise the power without the consent of the flag state, or
  - (b) in any other case, the Governor, with the consent of the Secretary of State, has authorised the exercise of the power.
- (5) A ship falls within this sub-paragraph if it is—
  - (a) a ship flying the flag of, or registered in, a State or territory other than the Territory,
  - (b) a warship that belongs to a government of a State or territory other than the Territory, or
  - (c) any other ship that is being used by such a government only for non-commercial purposes.
- (6) The Governor may authorise the exercise of a power under sub-paragraph (4)(b) only if the flag state has consented to the Territory exercising the power (whether generally or in relation to the ship in question).
- (7) In giving such authority, the Governor must impose such conditions or limitations on the exercise of the power as are necessary to give effect to any conditions or limitations imposed by the flag state.
- (8) Anything done in accordance with this Schedule is not to be treated as a breach of any restriction imposed by statute or otherwise.
- (9) This Schedule is without prejudice to any other provision of law conferring powers, imposing restrictions or enabling restrictions to be imposed in respect of ships, aircraft or vehicles.

**Interpretation****8.** In this Schedule—

“authorised officer” means—

- (a) a commissioned officer of the armed forces of the Territory,
- (b) a police or customs officer of the Territory, or
- (c) a person authorised by the Governor for the purposes of this Schedule, whether generally or in a particular case;

“high seas” means seas that are not within the seaward limits of—

- (d) the territorial sea of the Territory, or
- (e) the territorial sea adjacent to a State or territory outside the Territory;

“relevant person” has the meaning given in article 7(6) and (7).

“justice of the peace” includes other competent judicial authorities within the Territory responsible for granting search warrants.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order gives effect in specified Overseas Territories to sanctions imposed on the Central African Republic by United Nations Security Council resolutions 2127 (2013) of 5th December 2013 and 2134 (2014) of 28th January 2014. The Order also reflects the implementation of these sanctions by the European Union in Council Decisions 2013/798/CFSP and 2014/125/CFSP.

The sanctions imposed include an arms embargo and a prohibition on the supply of related assistance to the Central African Republic, including the supply of armed mercenary personnel, and an asset freeze against persons designated by the United Nations Security Council as:

- (a) engaging in or providing support for acts that undermine the peace, stability or security of the Central African Republic, or that fuel violence;
- (b) acting in violation of the arms embargo established in paragraph 54 of resolution 2127 (2013);
- (c) being involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, including acts involving sexual violence;
- (d) recruiting or using children in armed conflict in the Central African Republic, in violation of applicable international law;
- (e) providing support for armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds and wildlife and wildlife products, in the Central African Republic;
- (f) obstructing the delivery of humanitarian assistance to the Central African Republic;
- (g) being involved in planning, directing, sponsoring, or conducting attacks against UN missions or other international security presences;

- (h) being leaders of, having provided support to, or having acted for or on behalf of or at the direction of, an entity designated by the Security Council Sanctions Committee;
- (i) acting on behalf of or at the direction of persons, entities or bodies listed in points (a) to (h), or entities owned or controlled by them.

The Order makes provision for the Governor to license certain activities in line with exemptions under the sanctions regime.

**NOTICE NO. 299****Summary Report of Proceedings of the Legislative Assembly held on 25<sup>th</sup> June 2014.**

1. The following paper was laid on the table:

**Financial Secretary**

S R & O No. 28 of 2014 Customs Duties and Consumption Tax  
(David Duberry) (Exemption) Order 2014.

2. The Introduction, First, Second and Third Readings of the following Bill took place:

Tourist Board (Repeal) Bill 2014

**First Reading 25<sup>th</sup> June 2014**  
**Second Reading 25<sup>th</sup> June 2014**  
**Third Reading 25<sup>th</sup> June 2014**

The Bill sought to repeal the Tourist Board Act (Cap.18.06) and was passed with no amendment.

3. The Introduction and First Reading of the following Bills took place:

i. Landholding Control (Amendment) Bill 2014

**First Reading 25<sup>th</sup> June 2014**

The Bill seeks to amend the Landholding Control Act (CAP.8.02) in the following ways: (1) Clause 3, replaces corporation with company, clause 4 replaces person belonging to Montserrat with Montserratians, clause 5 replaces person not belonging to Montserrat with non-Montserratian, clause 16 deletes and replaces section 16 of the Act.

(2) Clause 6 amends section 2 of the Act by substituting a definition of Montserratian and non-Montserratian in place of “person belonging to Montserrat” and “person not belonging to Montserrat,” clause 7 amends section 3 of the Act by refining the provisions relating to the acquisition of land or mortgage by a non-Montserratian, clause 10 amends section 4 of the Act, which deals with the granting of a landholding licence and the revocation of a prior licence, Clause 11 amends section 5 and makes it a requirement for a fee to be paid on the grant of an annual general licence in respect of mortgages, clause 12 amends section 10 of the Act by providing a person a right of direct access to the High Court if land or a mortgage on land in which he has an interest is subject to forfeiture, clause 13 amends the reference to Form B in the Schedule in section 12, Clause 14 amends section 13 of the Act, Clause 18 amends section 21(2), Clause 20 amends section 23

of the Act, Clause 22 amends the Schedule by renaming it and inserting new forms.

(3) Clause 8 inserts a new section-3A, Clause 9 inserts a new section-3B, clause 15 inserts a new section-15(A), Clause 21 inserts a new section into the Act as section 24, Clause 23 inserts Schedule 2.

ii. Merchant Shipping Registration (Amendment) Bill 2014

**First Reading 25<sup>th</sup> June 2014**

The Bill seeks to amend the Merchant Shipping (Registration) Act 2013 (No.23 of 2013) (The Act). Clause 4 amends the Act by inserting section 2A whereby the Governor acting on the advice of Cabinet has the power to appoint a Registrar of Montserrat Ships. Clause 11 amends the Act by inserting section 76A, which gives the Maritime Administration the power to appoint a surveyor, an inspector of marks or a measurer. Clause 12 amends Schedule 1.

3. The Second and Third Readings of the following Bill took place:

i. Penal Code (Amendment) Bill 2014

**First Reading 21<sup>st</sup> May 2014**  
**Second Reading 25<sup>th</sup> June 2014**  
**Third Reading 25<sup>th</sup> June 2014**

The Bill was passed with several amendments, a list of which can be obtained from the Legislature Department.

ii. Public Administration Bill 2014

**First Reading 21<sup>st</sup> May 2014**  
**Second Reading 25<sup>th</sup> June 2014**  
**Third Reading 25<sup>th</sup> June 2014**

The Bill was passed with several amendments, a list of which can be obtained from the Legislature Department.

iii. Legal Profession Bill 2014

**First Reading 21<sup>st</sup> May 2014**  
**Second Reading 25<sup>th</sup> June 2014**  
**Third Reading 25<sup>th</sup> June 2014**

The Bill was passed with several amendments, a list of which can be obtained from the Legislature Department

iv. Magistrate's Court (Validation) Bill 2014

**First Reading 21<sup>st</sup> May 2014**  
**Second Reading 25<sup>th</sup> June 2014**  
**Third Reading 25<sup>th</sup> June 2014**

The Bill was passed with no amendment.

4. Conservation and Environmental Management Bill 2014

**First Reading 17<sup>th</sup> December 2013**

**Second Reading 21<sup>st</sup> May 2014**

A preliminary report was provided to the Legislative Assembly. Further work will be carried out on the Bill by the Select Committee.

5. Social Security (Amendment) Bill 2014'

**First Reading 21<sup>st</sup> May 2014**

The Bill was deferred to the next sitting of the Legislative Assembly.

Bills that had their first readings can be read in their entirety at any of the following places:

Legislature Department #1 Farara Plaza Brades Montserrat	Legal Department Valley View Brades Montserrat	Public Library BBC Complex Brades Montserrat	Government of Montserrat Website
---	---	---	----------------------------------

Sgd. Judith Baker (Mrs.)

CLERK OF THE LEGISLATIVE ASSEMBLY

**NOTICE NO. 300**

**NOTICE**

Pursuant to the provisions of Sections 511 (1) (a) of the Companies Act Cap 11.12 notice is hereby given that the following company has been struck from the Companies Register with effect from 21 July 2014

<b>Company No</b>	<b>Name of Company</b>
9/1979	T.P. DIBDIN (NASSAU) LIMITED

Dulcie James (Mrs)  
Registrar of Companies

Dated this 28<sup>th</sup> day of July 2014

**NOTICE NO. 301**

**MONTSERRAT**

**A.D. 2014**

**NOTICE**

**REGISTRAR OF SUPREME COURT**

**NOTICE** is hereby given for the information of the public that under Section 85 (2) of the Montserrat Constitution Order 2010 (2010 No. 2474), **Mr. Robert A Shuster** is appointed as Acting Registrar of the Supreme Court in Montserrat from 1st August 2014 to 15th August, 2014 or until the substantive Registrar returns to office.

Dated this 28<sup>th</sup> day of July, 2014.

Sgd. Angela Greenaway  
**Cabinet Secretary**

**NOTICE NO. 302****NOTICE**

Pursuant to the provisions of Section 15 (4) of the Business Names Act Cap 11:11 notice is hereby given that the following Business Names have been struck from the Business Names Register.

<b>Business No.</b>	<b>Name of Business</b>	<b>Effective Date</b>
13/2006	John's Jewellery	29 April 2014
04/1986	Montserrat Building Construction	5 June 2014
01/1985	Worldwide Agencies	11 June 2014
07/2000	Sea Island Cotton Shop	19 June 2014
18/1995	White & Roach Video	24 June 2014
11/1998	White Construction Services	25 June 2014
04/1999	Allen Greaves & Company	30 June 2014
26/1991	Allens Drycleaning and Laundromat	30 June 2014
09/1993	Dail- A - Service	30 June 2014
17/ 1992	Woolcock Commercial Photography Studio	3 July 2014
17/1999	LAB Blocks	8 July 2014
07/1997	Ivan Hixon Pool Services	14 July 2014
03/1993	Donoghue's Wood Lighting Fittings	21 July 2014
25/2005	Smart Cars	21 July 2014

Sgd. Dulcie James (Mrs)  
Registrar of Business Names

Dated 31<sup>st</sup> day of July 2014

**NOTICE NO. 303****JOB DESCRIPTION**

**JOB TITLE** : CROWN COUNSEL III, II, I  
**DEPARTMENT** : CROWN PROSECUTION SERVICES  
**MINISTRY** : MINISTRY OF LEGAL AFFAIRS  
**REPORTS TO** : DIRECTOR OF PUBLIC PROSECUTIONS  
**SUPERVISES** : N/A  
**CLASSIFICATION:** Grade 17, 16, 15

**A. RELATIONSHIPS AND RESPONSIBILITIES**

1. Works under the direction of and reports to the Director of Public Prosecutions.

2. Provides effective prosecution and disposal of matters in the Magistrates' Court and the High Court.
3. Appearances in the Court of Appeal to defend appeals.
4. Examination of depositions and files for Sufficiency Hearings and the subsequent preparation of Indictment for the Criminal Assizes.
5. Examination of investigation files from the police, customs and other agencies and rendering of advice on the pursuit of prosecution of matters.
6. Appearing on bail applications in the Magistrates' Court and High Court.

**B. DUTIES AND TASKS**

1. Review Police investigation files for indictable cases including sexual offences, grievous harm, dangerous harm, manslaughter, murder, robbery, stealing, fraud and related offences, and some summary matters.
2. Upon request by the Director of Public Prosecutions provide legal advice to the police in relation to matters being investigated and prosecuted by the police.
3. Examine depositions of witnesses in all preliminary inquiries.
4. Prepare and draft indictments in respect of indictable cases filed in the High Court for approval by the Director of Public Prosecutions.
5. Interview witnesses in cases being prosecuted at the Magistrates' Court and High Court.
6. Represent the Crown in the Magistrates' Courts, High Court and the Court of Appeal.
7. Monitor the progress of cases and prepare reports on cases under his or her conduct.
8. Participate in case conferences.
9. Attend and participate in workshops, seminars, conferences organized by the office of the Director of Public Prosecutions, Court of Appeal, Government Ministries, and other local, regional and international agencies.
10. Day to day advice to and guidance of police investigators in the investigation of matters of a criminal nature.
11. Engage in research to criminal cases to be adjudicated in the Magistrates' Court, High Court and Court of Appeal.
12. Performs any other related duties as delegated by the Director of Public Prosecutions from time to time.

**C. CONDITIONS**

1. Office accommodation provided in a general administrative office.
2. Institutional support will be provided through appropriate Civil

Service Regulations, Statutory Instruments, Collective Agreements and Departmental Guidelines.

3. Contractual appointment.
4. Required to maintain a motor vehicle for the effective performance of duties.
5. Required to function in a scheduled travelling post and will receive basic travel allowance in accordance with approved rates.
6. Opportunities exist for personal development and career advancement through general, specialized in-service and external training.
7. Vacation Leave will be provided in accordance with Public Service Rules and Regulations.
8. Salary commensurate with qualification and experience in accordance with the terms and conditions stipulated by Government in the Annual Estimates/Classification of Post.
9. A Legal Officer's Allowance and Telephone Allowance will be provided in accordance with contractual agreement/approved rates.
10. The post is non-pensionable.

**D. SKILLS, KNOWLEDGE AND ABILITIES**

1. Working knowledge of and ability to interpret the Laws of Saint Lucia.
2. Decisiveness, soundness of judgment and clarity of presentation.
3. Timely completion of tasks.
4. Ability to draft indictments and prepare legal submissions.
5. Good advocacy skills.
6. Effective communication and interpersonal skills.
7. Computer literacy.

**E. QUALIFICATIONS AND EXPERIENCE**

1. Advance Certificate in Law or related field of studies plus three (3) years work related experience.
2. Bachelor of Law Degree and Legal Certificate plus Post Graduate Diploma and three (3) years work related experience.
3. Admission to the Bar of the Eastern Caribbean Supreme Court (Saint Lucia).

**F. EVALUATION METHOD**

Work performance will be evaluated on the basis of the following

1. Timely implementation and completion of duties, responsibilities and assignments.
2. Ability to meet task deadlines.
3. Quality of presentation of cases and/or reports.
4. Competence and quality of advice provided.

5. Application and proven knowledge of existing laws and regulations.
6. Compliance with Departmental, Legal and Constitutional Guidelines and Standard Operating Procedures.
7. Quantity of work achieved within a given time period.
8. Ability to complete work in a timely manner and within given deadlines.

Applications along with references and certified copies of documents pertaining to qualifications should be addressed to:

The Secretary  
Judicial and Legal Services Commission  
Eastern Caribbean Supreme Court  
P. O. Box 1093  
The Waterfront  
CASTRIES

to reach her **no later than 29<sup>th</sup> August 2014**. Only suitably qualified applicants will be acknowledged.

**NOTICE NO. 304**

**JOB DESCRIPTION**

**JOB TITLE** : Magistrate I  
**REPORTS TO** : Senior Magistrate  
**SUPERVISES** : N/A  
**CLASSIFICATION** : Grade 17

**A. RELATIONSHIPS AND RESPONSIBILITIES**

1. Works under the direction of and reports to the Senior Magistrate.
2. Required to respond whenever necessary to the Minister and Permanent Secretary, Ministry of Legal Affairs on matters related to work in progress.

**B. DUTIES AND TASKS**

1. Presides over and determine criminal, quasi-criminal and civil matters and preliminary matters in the First and Second District Courts in St. Lucia.
2. Acts as Coroner and presides at inquests.
3. Receives and inquire into all charges of indictable offences, and to make such orders in respect thereof as may be required by the provisions of the criminal code or any other statute.
4. Hears, tries and determine all charges, matters and things punishable on summary conviction or which may be dealt with by summary orders, and all complaints or information for the recovery of fines, penalties or forfeitures which are not specially assigned by statute to the Supreme Court.
5. Performs any other related duties as delegated by the Senior Magistrate from time to time.

**C. CONDITIONS**

1. Accommodation is provided in a general administrative office.
2. Institutional support is provided through appropriate Civil Service Regulations, Statutory Instruments and Departmental Guidelines.
3. Opportunities exist for personal development and career advancement through general in-service and external training.
4. Required to maintain confidentiality and integrity.
5. Functions in a scheduled travelling post and will receive basic travelling and mileage allowance in accordance with approved rates.
6. Required to maintain a motor vehicle for the proper performance of duties.
7. Performance will be evaluated twice yearly in keeping with Public Service Regulations.
8. Salary is in accordance with the terms stipulated by the government of Saint Lucia in the Estimates of Expenditure.
9. A legal officer's allowance and a telephone allowance will be provided in accordance with contractual agreement/approved rates.
10. Vacation leave will be provided in accordance with Public Service rules and regulations.
11. Contractual appointment
12. This post is non-pensionable.

**D. EVALUATION METHOD**

Work performance will be evaluated on the basis of the following:

1. Timely implementation and completion of duties and responsibilities as defined in the Job Description.
2. Ability to meet and complete tasks in a timely manner and within given deadlines.
3. Quantity of work achieved within a given time period.
4. Quality of presentation of cases and/or reports.
5. Application and proven knowledge of existing laws and regulations.
6. Compliance with Civil Service Rules and Regulations, Staff Orders Constitutional Guidelines, Department Standard Operating Procedures.
7. Compliance with Judicial and Legal Services rules and regulations.

**E. KNOWLEDGE, SKILLS AND ABILITIES**

1. Thorough knowledge of and ability to interpret the Laws of the State.
2. Working knowledge of Civil Service Rules and Regulations, Standard Operating Procedures, Staff Orders, the Finance (Administration) Act, Financial Regulations, Procurement and Stores Regulations and Collective Agreements.
3. Decisiveness, soundness of judgment and clarity in issuing directives.
4. Good advocacy skills.
5. Effective communication and interpersonal skills.
6. Computer literacy.

**QUALIFICATIONS AND EXPERIENCE**

1. Master of Law Degree plus a Legal Education Certificate and a minimum of three (3) years legal experience.
2. Bachelor of Law Degree plus a Certificate in Legal Education and a minimum of four (4) years legal experience.

**REMUNERATION**

Salary will be commensurate with experience and qualifications, and there is a competitive range of allowances and other benefits. Applications, along with two references and certified copies of documents pertaining to qualifications, should be addressed to:

The Secretary  
Judicial and Legal Services Commission  
Eastern Caribbean Supreme Court  
P.O. Box 1093  
The Waterfront  
CASTRIES

Only suitable applications will be acknowledged. To reach her no later than **31<sup>st</sup> August, 2014**.

**APPOINTMENTS****NOTICE NO. 305****MONTSERRAT****A.D. 2014****BY HIS EXCELLENCY****ADRIAN DAVIS****GOVERNOR OF MONTSERRAT****TO: Mr. Jermaine Wade**

**BY VIRTUE** of the powers and authority vested in me under section 37 (1) of the Montserrat Constitution Order 2010 (2010 No. 2474) and in accordance with the advice of Premier I, **ADRIAN DAVIS**, Governor, appoint you

**JERMAINE WADE**

To act as Minister of Education, Youth Affairs, Sports, Health and Social Services, with all the powers, duties and privileges pertinent to

that office from 30<sup>th</sup> June, 2014 to 9<sup>th</sup> July, 2014 or until the substantive Minister returns to the island.

GIVEN under my hand and the public seal of Montserrat at Governor's Office, Farara Plaza, Brades, MSR1110, Montserrat, this 03<sup>rd</sup> day of July, 2014.



Sgd. Adrian Davis  
**GOVERNOR**

**NOTICE NO. 306**

**MONTSERRAT**

**A.D. 2014**

**BY HIS EXCELLENCY  
ADRIAN DAVIS  
GOVERNOR OF MONTSERRAT**

**TO: Ms Marcelle E. M Watts**

**BY VIRTUE** of the powers vested in me under section 5 of the Financial Services Commission Act 2008, **I, ADRIAN DAVIS**, Governor, in consultation with the Financial Secretary and the Commissioner of the Financial Services Commission hereby appoint you

**Marcelle E. M. Watts**

as Chairman of the Board of the Financial Services Commission for a period of one (1) year with effect from **1 August, 2014 to 13 July, 2015.**

GIVEN under my hand and the public seal of Montserrat at the Governor's Office, Brades this 15<sup>th</sup> day of July, 2014.



Sgd. Adrian Davis  
**GOVERNOR**

**NOTICE NO. 307**

**MONTSERRAT**

**A.D. 2014**

**BY HIS EXCELLENCY  
ADRIAN DAVIS  
GOVERNOR OF MONTSERRAT**

**TO: Mr John A Allen**

**BY VIRTUE** of the powers vested in me under section 5 of the Financial Services Commission Act 2008, **I, ADRIAN DAVIS**, Governor, in consultation with the Financial Secretary and the Commissioner of the Financial Services Commission hereby appoint you

**JOHN A ALLEN**

as a Director of the Financial Services Commission for a period of twelve (12) months with effect from 1 August, 2014 to 13 July, 2015.

GIVEN under my hand and the public seal of Montserrat at the Governor's Office, Brades this 15<sup>th</sup> day of July, 2014.



Sgd. Adrian Davis  
**GOVERNOR**

**NOTICE NO. 308**

**MONTSERRAT**

**A.D. 2014**

**BY HIS EXCELLENCY  
ADRIAN DAVIS  
GOVERNOR OF MONTSERRAT**

**TO: Mr. Robert A. Shuster**

**BY VIRTUE** of the powers vested in me under section 85 (2) of Montserrat Constitution Order 2010 (S.I, 2010 No. 2474) and section 64 of the Supreme Court Act (Cap. 2.01), I, Alric Taylor after consultation with the Chief Justice, hereby appoint you

**Robert A. Shuster**

as Acting Registrar of the High Court of Montserrat, with all the powers, duties and privileges pertinent to that office from the 1st August, 2014 to 15th August, 2014.

GIVEN under my hand and the public seal of Montserrat at Governor's Office, Farara Plaza, Brades, this 22 day of July, 2014.



Sgd. Alric Taylor  
**GOVERNOR (AG.)**

**TRADEMARKS**

**NOTICE NO. 309**

**Trade Marks Act Cap.15.23**



TAKE NOTICE that the United Kingdom **Trade Mark No. 1407182, Local Reg. No. 1975** shown above and filed on the **07<sup>th</sup> day of December, 1989** and registered in Part A (or B) of the United Kingdom Register in the name of **City Electrical Factors Limited of 141 Farmer Ward Road, Kenilworth, Warwickshire CV8 2SU, United Kingdom, in Class: 09** in respect of :-

“Apparatus and instruments all for the monitoring and control of electric current; all included in Class 9”

was registered in the British Overseas Territory of Montserrat under the provisions of the above Act on the **07<sup>th</sup> July 2014.**

Sgd. Dulcie James (Mrs)  
Registrar of Trade Marks

Dated this **10<sup>th</sup> day of July 2014**

**NOTICE NO. 310**

Trade Marks Act Cap.15.23

**NOTE**

TAKE NOTICE that the United Kingdom **Trade Mark No. 3003238, Local Reg. No.1974**... shown above and filed on the 23<sup>rd</sup> day of **April, 2013** and registered in Part A (or B) of the United Kingdom Register in the name of **Nissan Jidosha Kabushiki Kaisha (also trading as Nissan Motor Co. Ltd) of No 2 Takaracho, Kanagawa-ku, Yokohama-shi, Kanagawa-ken 220-8623, Japan** in **Class: 12** in respect of :-

**Class 12:** “Automobiles, wagons, trucks, vans, sport utility vehicles, buses, recreational vehicles (RV), sports cars, racing cars, lorries, fork lift trucks, and towing tractors (tractors), and structural parts and fittings therefor; tractors; anti-theft alarms for vehicles; adhesive rubber patches for repairing tubes or tires all included in International Class 12” was registered in the British Overseas Territory of Montserrat under the provisions of the above Act on the **01<sup>st</sup> July 2014**.

Sgd. Dulcie James (Mrs)  
Registrar of Trade Marks

Dated this **10<sup>th</sup>** day of **July 2014**

**NOTICE NO. 311**

Trade Marks Act Cap.15.23

**REVLIMID**

**Celgene Corporation of 86 Morris Avenue, Summit, New Jersey 07901, United States of America** the registered proprietor in the British Overseas Territory of Montserrat gave notice that the registration of United Kingdom Trade Mark No. **2366621 Local No. 1748** registered in **Class 05** in respect of: “Pharmaceutical preparations for use in the treatment of diseases and disorders; pharmaceutical preparations that modulate the immune system” has been renewed for a period of ten years to the **24<sup>th</sup> day of June, 2024**.

Sgd. Dulcie James (Mrs)  
Registrar of Trade Marks

Dated this **10<sup>th</sup>** day of **July 2014**

**NOTICE NO. 312**

TRADE MARKS OFFICE  
Montserrat

10 July 2014

**BENSON & HEDGES (OVERSEAS) LIMITED** of **Globe House, 4 Temple Place, London WC2R 2PG, England** have applied for Registration of **one** Trade Mark consisting of the following:-

**PARLIAMENT**

**In Class 34** that is to say: “Cigarettes, tobacco, tobacco products”

Any person may within three months from the date of the first appearance of this advertisement in the “Montserrat Gazette” give notice in duplicate to the Trade Marks Office, Companies and Intellectual Property Offices, Brades, Montserrat, of opposition to the said Trade Mark.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

**NOTICE NO. 313**

TRADE MARKS OFFICE  
Montserrat

11 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **445(1)** registered under **Class 16** “Paper (Except paper hangings), stationery, bookbinding”

**TIME & COVER Design**

registered proprietor **TIME INC. of 1271 Avenue of the Americas, New York, NY 10020, USA** is renewed for the period of ten years from the 07<sup>th</sup> day of September 2000 until the 06<sup>th</sup> day of September 2010.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this **11<sup>th</sup>** day of July 2014

**NOTICE NO. 314**

TRADE MARKS OFFICE  
Montserrat

11 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **445(1)** registered under **Class 16** “Paper (Except paper hangings), stationery, bookbinding”

**TIME & COVER Design**

registered proprietor **TIME INC. of 1271 Avenue of the Americas, New York, NY 10020, USA** is renewed for the period of ten years from the 07<sup>th</sup> day of September 2010 until the 06<sup>th</sup> day of September 2020.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this **11<sup>th</sup>** day of July 2014



**NOTICE NO. 315**

TRADE MARKS OFFICE  
Montserrat

14 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **3128** registered under **Class 18**: “Leather, skins unwrought, and wrought, and articles made of leather, not included in other classes”

**Class 25**: “Articles of clothing”



**Etienne Aigner**

registered proprietor **ETIENNE AIGNER, INC** of **320 Fifth Avenue, Suite 1106, New York, New York 10001, U. S.A.** is renewed for the period of ten years from the 18<sup>th</sup> day of May 2014 until the 17<sup>th</sup> day of May 2024.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this 14<sup>th</sup> day of July 2014

**NOTICE NO. 316**

TRADE MARKS OFFICE  
Montserrat

14 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **3129** registered under **Class 18**: “Leather, skins unwrought, and wrought, and articles made of leather, not included in other classes”

**Class 25**: “Articles of clothing”

**ETIENNE AIGNER**

registered proprietor **ETIENNE AIGNER, INC** of **320 Fifth Avenue, Suite 1106, New York, New York 10001, U. S.A.** is renewed for the period of ten years from the 18<sup>th</sup> day of May 2014 until the 17<sup>th</sup> day of May 2024.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this 14<sup>th</sup> day of July 2014

**NOTICE NO. 317**

TRADE MARKS OFFICE  
Montserrat

14 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **3130** registered under **Class 18**: “Leather, skins unwrought, and wrought, and articles made of leather, not included in other classes”

**Class 25**: “Articles of clothing”



registered proprietor **ETIENNE AIGNER, INC** of **320 Fifth Avenue, Suite 1106, New York, New York 10001, U. S.A.** is renewed for the period of ten years from the 18<sup>th</sup> day of May 2014 until the 17<sup>th</sup> day of May 2024.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this 14<sup>th</sup> day of July 2014

**NOTICE NO. 318**

TRADE MARKS OFFICE  
Montserrat

17 July 2014

**Caribtrans Logistics, LLC** of **5 East 11th Street Riviera Beach, Florida, USA, 33404** have applied for Registration of **one** Trade Mark consisting of the following:-

**Caribtrans**

**In Class 39** that is to say: “Freight forwarding services, cargo handling and unloading services, cargo transportation services, ship loading and unloading services, cargo transportation services rendered by ships and trucks, air cargo services, and warehouse storage services”

Any person may within three months from the date of the first appearance of this advertisement in the “Montserrat Gazette” give notice in duplicate to the Trade Marks Office, Companies and Intellectual Property Offices, Brades, Montserrat, of opposition to the said Trade Mark.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

**NOTICE NO. 319**

TRADE MARKS OFFICE  
Montserrat

17 July 2014

**Bayer Consumer Care AG** of **Peter Merian-Str 84, 4052 Basel, Switzerland** have applied for Registration of **one** Trade Mark consisting of the following:-

# IBERORELIEF

**In Class 05** that is to say: "Pharmaceutical preparations; dietary and nutritional supplements; sanitary preparations for medical purposes; dietetic foods and substances adapted for medical use; fiber dietary supplements; probiotic supplements; food supplements for dietetic use and medical purposes"

Any person may within three months from the date of the first appearance of this advertisement in the "Montserrat Gazette" give notice in duplicate to the Trade Marks Office, Companies and Intellectual Property Offices, Brades, Montserrat, of opposition to the said Trade Mark.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

**NOTICE NO. 320**

TRADE MARKS OFFICE  
Montserrat

17 July 2014

**Bayer Consumer Care AG** of **Peter Merian-Str 84 4052 Basel Switzerland** have applied for Registration of **one** Trade Mark consisting of the following:-

# IBEROBALANCE

**In Class 05** that is to say: "Pharmaceutical preparations; dietary and nutritional supplements; sanitary preparations for medical purposes; dietetic foods and substances adapted for medical use; fiber dietary supplements; probiotic supplements; food supplements for dietetic use and medical purposes"

Any person may within three months from the date of the first appearance of this advertisement in the "Montserrat Gazette" give notice in duplicate to the Trade Marks Office, Companies and Intellectual Property Offices, Brades, Montserrat, of opposition to the said Trade Mark.

Sgd. Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

**NOTICE NO. 321**

## Trade Marks Act Cap.15.23

# JAGERMEISTER

**Mast-Jägermeister SE** of **Jägermeisterstrasse 7-15, 38296 Wolfenbittel, Germany** the registered proprietor in the British Overseas Territory of Montserrat gave notice that the registration of United Kingdom Trade Mark No. **1200182 Local No. 1637** registered in **Class 33** in respect of: "**Alcoholic beverages included in Class 33**" has been renewed for a period of ten years to the **20<sup>th</sup> day of July, 2024**.

Sgd. Dulcie James (Mrs)  
Registrar of Trade Marks

Dated this **18<sup>th</sup>** day of **July 2014**

**NOTICE NO. 322**

TRADE MARKS OFFICE  
Montserrat

22 July 2014

**TAKE NOTICE** that the registration of the Trade Mark No. **705** registered under **Class 16**: "Printed matter"

# BONUS

registered proprietor **Royal Bank of Canada** of **1 Place Ville Marie, Montreal, Quebec H3C 3A9, Canada** is renewed for the period of ten years from the **14<sup>th</sup>** day of September 2014 until the **13<sup>th</sup>** day of September 2024.

Dulcie James (Mrs)  
REGISTRAR OF TRADE MARKS

Dated this **22<sup>nd</sup>** day of July 2014

## FINANCIAL STATEMENT

NOTICE NO. 323

**Eastern Caribbean Central Bank**  
Unaudited Statement of Financial Position  
as at 30 June 2014

(Expressed in Eastern Caribbean dollars)

**LIABILITIES AND EQUITY****LIABILITIES**

Demand liabilities - domestic	3,776,468,802
Demand liabilities - foreign	1,092,027
Financial Liabilities held for trading	663,678
IMF government general resource accounts	<u>1,085,761</u>

**Total liabilities**

3,779,310,268

**EQUITY**

General reserve	126,890,264
Other reserves	<u>108,440,517</u>

235,330,781

**TOTAL**4,014,641,049**ASSETS****FOREIGN ASSETS**

Regional and foreign currencies	18,623,554
Balances with other central banks	8,703,401
Balances with foreign banks	39,009
Money market instruments and money at call	1,085,416,541
Foreign investment securities	<u>2,514,986,116</u>

3,627,768,621

**DOMESTIC ASSETS**

Cash and Balances with local banks	1,275,541
Due from Local Banks	9,566,020
Term deposits	11,359,812
Domestic investment securities	421,686
Participating government securities	105,010,872
Due from participating governments	80,094,010
Accounts receivable and prepaid expenses	19,022,037
Investments in associated undertakings	14,911,754
Investment in subsidiary	20
Intangible Assets	3,744,067
Property, plant and equipment	123,894,609
Pension asset	<u>17,572,000</u>

386,872,428

**TOTAL**4,014,641,049

Proportion of Foreign Reserve Assets held under Article 24 (2) of the ECCB Agreement  
as a Percentage of Demand Liabilities is:

96.03%

  
DEPUTY GOVERNOR

