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SCHEDULE

2013

*Grenada Citizenship by Investment Committee
Regulations*

SRO. 16

GRENADA

STATUTORY RULES AND ORDERS NO. 16 OF 2013

THE MINISTER IN EXERCISE OF THE POWERS CONFERRED ON HIM OR HER BY SECTION 3 (5) OF THE GRENADA CITIZENSHIP BY INVESTMENT ACT NO. 15 OF 2013, MAKES THE FOLLOWING REGULATIONS—

(Gazetted 13th September, 2013)

1. Citation. These Regulations may be cited as the

GRENADA CITIZENSHIP BY INVESTMENT COMMITTEE
REGULATIONS, 2013.

2. Definitions. In these Regulations—

“Act” means the Grenada Citizenship by Investment Act No. 15 of 2013;

“Chairperson” means the Chairperson of the Committee appointed pursuant to regulation 9;

“Committee” means the Citizenship by Investment Committee established pursuant to section 3 of the Act;

“Minister” means the Minister with responsibility for Citizenship.

3. Constitution of the Committee. (1) Subject to section 3 of the Act, there shall be a Committee, comprising not more than seven persons, with responsibility for processing any application for any licence under the Act and any application for Citizenship by Investment or Permanent Residence by Investment.

(2) The Committee shall comprise of the following members appointed by the Minister as follows—

- (a) the Chairperson of the Committee;
- (b) a member with training in law;
- (c) a member with training in financial matters;
- (d) a member with training in trade related matters;

- (e) a member with training in Banking; and
- (f) two other persons as deemed fit by the Minister.

(3) The Minister shall publish in the *Gazette* the names of the members of the Committee as first constituted and every change in the membership of the Committee thereafter.

4. Tenure, disqualification and termination. (1) Subject to sub-regulation (2), a member of the Committee shall hold office for a period not exceeding three years and shall be eligible for re-appointment.

(2) A person shall be disqualified from being a member of the Committee and shall not be appointed as a member of the Committee if the person has—

- (a) been declared bankrupt pursuant to the provisions of the Bankruptcy Act, Cap. 27;
- (b) been declared by the Court to be physically or mentally incapacitated by reason of unsoundness of mind;
- (c) been convicted of a criminal offence except where the offence is a minor traffic offence.

(3) A person's tenure as a Committee member shall be terminated where he or she has;

- (a) been found guilty of misconduct which relates to the performance of his or her duties under this Act;
- (b) become incapable, wilful or otherwise of carrying out his or her duties pursuant to the provisions of the Act; or
- (c) resigned his or her office by written notice to the Minister.

5. Vacation of office. A member of the Committee is taken to have vacated his or her office if the member—

- (a) resigns his or her position on the Committee by signed notice of resignation presented to the Minister;
- (b) cannot continue as a member under regulation 4; or

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- (c) is absent without the permission of the Committee from three consecutive meetings of the Committee of which due notice has been given in writing.

6. Effect of vacancy of membership. Subject to the applicable provisions in the Regulations, the validity of any proceedings of the Committee shall not be affected by any vacancy amongst the members of the Committee or by any defect in the appointment of a member to the Committee.

7. Filling of vacancies. (1) Where a member of the Committee vacates his or her office pursuant to regulation 5, the Minister shall subject to sub-regulation (2) appoint another person to be a member of the Committee.

(2) Where a person is appointed to fill a vacancy that has arisen pursuant to sub-regulation (1), that person shall hold office for the remainder of the term of the previous member and shall be eligible for re-appointment.

8. Remuneration of members of the Committee. The members of the Committee shall be paid such remuneration, fees and allowances as the Minister may determine.

9. Chairperson. The Minister shall appoint the Chairperson of the Committee, whose duties pursuant to section 3 of the Act shall be—

- (a) to provide the necessary leadership to the Committee;
- (b) to continuously monitor the Citizenship by Investment programme to ensure its independence and integrity are maintained and that it is managed in accordance with best practices; and
- (c) to keep the Minister fully informed of the business of the Committee and furnish the Minister with such information as the Minister may request with respect to any particular matter relating to the business and activities of the Committee.

10. Delegation of powers. The Chairperson of the Committee may delegate to a member of the Committee any of his or her powers under this Act other than the power of delegation given to him or her under this regulation.

11. Staff members. (1) The Minister shall appoint staff members, which include a Secretary and other officers as he or she deems necessary, on such terms and conditions as he thinks fit for the proper carrying out of the functions of the Committee under the Act.

(2) The Secretary shall provide administrative support to the Committee and more particularly to—

- (a) give notice of meetings of the Committee; and
- (b) take accurate minutes of the meetings of the Committee and distribute copies of same to the members of the Committee within one week of the meeting.

12. Oath of secrecy. A member of the Committee shall—

- (a) have regard and deal with as secret and confidential, all information, books, records or documents relating to the functions of the Committee; and
- (b) before assuming office, make and subscribe to the oath of office and the oath of secrecy before the Governor-General in the form provided in the Schedule to these Regulations.

13. Meetings. (1) Meetings of the Committee shall be held at such time and places as the Chairperson may decide, and additional meetings may be convened where necessary.

(2) The Chairperson shall develop and distribute a preliminary agenda at least one week prior to the meeting and members may propose additional agenda items notifying the Chairperson at least two business days before the meeting.

14. Quorum. The Quorum for a meeting of the Committee shall be four.

15. Presiding at meetings. (1) The Chairperson shall preside at all meetings of the Committee at which he or she is present.

(2) Where the Chairperson is absent from a meeting of the Committee, the Chairperson shall select a person to preside at the meeting in accordance with regulation 10.

(3) Subject to sub-regulation (2), where the Chairperson is unable to select a member to preside at the meeting, the Minister shall select a member to preside at the meeting.

(4) Each member of the Committee shall have one vote but in the case of an equality of votes the Chairperson shall have a casting vote.

16. Conduct of meetings of the Committee. (1) A resolution is validly made by the Committee even if it is not passed at the meeting of the Committee if—

- (a) a majority of the members give written agreement of the resolution; and
- (b) notice of the resolution is given under the procedures approved by the Committee.

(2) The Committee shall keep in the minutes of its meetings, a record of any resolutions made pursuant to sub-regulation (1).

17. Signing of documents and decisions. All documents made by, and the decisions of the Committee shall be signed by the Chairperson or any member of the Committee authorized by the Chairperson to act in that behalf.



SCHEDULE

(Regulation 12)

OATH OF OFFICE AND OATH OF SECRECY

Oath of Office

I,, do swear that I will exercise the functions of Chairperson/Member/Secretary/staff of the Grenada Citizenship by Investment Committee without fear or favour, affection or ill will according to the Constitution and laws of Grenada.

So help me God.

Sworn before me this day of, 20

.....
Governor-General

Oath of Secrecy

I,, Chairperson/Member/Secretary/staff of the Grenada Citizenship by Investment Committee do swear that I will not on any account or at any time disclose any opinion, advice or privileged information of the Grenada Citizenship by Investment Committee and that I will not except with the authority of an order of the Court or the Grenada Citizenship by Investment Committee and to such extent as may be required for the good management of the affairs of that Committee directly reveal the business or the proceedings of the Committee or the nature of any document.

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Signature

Sworn before me thisday of, 20

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Governor-General.

Made this 11th day of September, 2013.

KEITH MITCHELL
Minister responsible for Citizenship.