

ANTIGUA AND BARBUDA



SPECIAL ECONOMIC ZONE (AMENDMENT) BILL

No. of 2024

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ANTIGUA AND BARBUDA
SPECIAL ECONOMIC ZONE ACT (AMENDMENT) BILL

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AN ACT to amend the provisions of the Special Economic Zone to amend the constitution of the Special Economic Zones Advisory Board and for other connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows—

1. Short title

This Act may be cited as the Special Economic Zone (Amendment) Act 2024.

2. Interpretation

In this Act –

“principal Act” means the Special Economic Zone Act, 2015 No. 17 of 2015.

3. Amendment of Section 8 - Establishment of Special Economic Zones Advisory Board

Section 8 of the principal Act is amended—

(a) by replacing subsection (2) in its entirety with the following—

“The Minister shall appoint not more than 9 persons as members of the Advisory Board, consisting of—

- (a) the Commissioner of Police or his nominee;
- (b) the Commissioner of Inland Revenue or his nominee
- (c) the Chief Immigration Officer or his nominee
- (d) the Labour Commissioner or his nominee;
- (e) the Comptroller of Customs or his nominee;

- (f) an attorney-at-law;
- (g) two persons representing the holder of a Special Economic Zone licence; and
- (h) one person appointed by the Cabinet”

(b) by amending paragraph (a) of subsection (3), by repealing it in its entirety and renumbering the remaining subparagraphs accordingly.

(c) by amending subsection (5), by replacing in its entirety and substituting it as follows—

“The Minister shall appoint one of the persons referred to in subsection (2) to be Chairperson of the Authority and the other person to be Deputy Chairperson.”

Passed the House of Representatives on
The day of , 2024.

Passed the Senate on the day of
,2024.

Speaker

President

Clerk to the House of Representatives

Clerk to the Senate

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the amendment of the Special Economic Zone Act 2015 to include persons selected by the Minister to represent the Royal Police Force, the Immigration Department and a person appointed by the Cabinet of Antigua and Barbuda to be appointed to the Special Economic Zone Advisory Board. Additionally, this amendment addresses the broader need for national security, law enforcement, and immigration management perspectives to be included in the Board's decision-making process.

Clause 1 (Short title) is the name by which this pending Act will be referred.

Clause 2 (Interpretation) identifies the principal Act being amended.

Clause 3 – Amendment of section 8 (Establishment of Special Economic Zones Advisory Board). This clause deals with establishing the composition of the Special Economic Zones Advisory Board.

Paragraph (a) - retains the position that the Minister shall appoint a person representing the Inland Revenue Department, a person from the Customs Department and two persons representing the holder of the Special Economic Zone Licence. It removes the persons representing organized business and labour, it removes the provision for an independent person to be appointed by the Minister and provides for one person to be appointed by the Cabinet. Additionally, clause 3 adds an attorney-at-law, the Commissioner of Police or his nominee, the Commissioner of Inland Revenue or his nominee, the Chief Immigration Officer or his nominee, the Labour Commissioner or his nominee and the Comptroller of Customs or his nominee.

Paragraph (b) – repeals paragraph (a) of subsection (3) in its entirety because the head of the department/organization or his or her nominee would be appointed to the Board. Therefore, there is no need for the existing provision which requires the Minister to contemplate nominations from the appropriate Ministry or Organization.

Paragraph (c) – removes the independent person being appointed as Chairperson and provides that the Minister can appoint any person in subsection (2) as Chairperson. Additionally, this amendment provides that the Minister shall now appoint the Deputy Chairperson from subsection (2).

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Hon. Gaston Browne,
Prime Minister and Minister responsible
For Finance and Corporate Governance