



The Official Gazette

PUBLISHED
BY
AUTHORITY

VOL. CLV No. 135

Part A

BRIDGETOWN, BARBADOS, 24TH DECEMBER, 2020

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Resolution No. 34/2020

Ref. No.: MP: 0305/15T20

PARLIAMENT

RESOLVED that Parliament, in accordance with section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225, approve the vesting in the Barbados Tourism Investment Inc., a company incorporated under the *Companies Act*, Cap. 308 of the parcel of land, the property of the Crown situate at Bay Street in the parish of Saint Michael in this Island, more particularly described in the *Schedule* to this Resolution for the public purpose of tourism development.

APPROVED by the House of Assembly this 8th day of December, Two thousand and twenty.

A. HOLDER
Speaker.

APPROVED by the Senate this 18th day of December, Two thousand and twenty.

R. R. FARLEY
President.

I Assent
S. MASON
Governor-General
2020-12-23.

SCHEDULE

ALL THAT land the property of the Crown situate at Bay Street in the parish of Saint Michael in this Island containing by admeasurement 24.5 square metres or thereabouts in beach Abutting and Bounding on lands now or formerly of the Barbados Government on lands now or formerly of Barbados Tourism Investment Inc. on the sea and on lands now or formerly of Vision Development Inc. or however else the same may abut and as shown and delineated on a Plan certified on the 4th day of December, 2019 by Camille Belgrave, Land Surveyor and recorded in the Lands and Surveys Department on the 6th day of December, 2019 as Plan No. 1512/2019.



COMPANIES (AMENDMENT) ACT, 2020-31

Arrangement of Sections

1. Short title
2. Amendment of section 175 of Cap. 308
3. Insertion of section 448A into Cap. 308

BARBADOS

I assent
S. MASON
Governor-General
23rd December, 2020.

2020-31

An Act to amend the *Companies Act*, Cap. 308.

[Commencement: 24th December, 2020]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Companies (Amendment) Act, 2020*.

Amendment of section 175 of Cap. 308

2. *Section 175 of the Companies Act, Cap. 308, in this Act referred to as the principal Act, is amended by inserting immediately after subsection (4), the following new subsections:*

- “(5) The Registrar may require a company to produce
- (a) any books, records or other documents required to be kept by the company under any provision of this Act; and
 - (b) such other information as the Registrar may require for the proper administration and enforcement of this Act.
- (6) Notwithstanding subsection (4), the Registrar may examine, or by instrument in writing, appoint, at the expense of a company, a person to examine, any books, records and other documents required to be kept by the company under any provision of this Act
- (a) in order to ascertain whether the company is in compliance with this Act;
 - (b) where the Registrar has reasonable grounds to suspect that the company may be in contravention of this Act; or
 - (c) where the examination is otherwise necessary for the proper administration and enforcement of this Act.
- (7) For the purposes of subsection (6), the Registrar or the person appointed by the Registrar may, in connection with an examination, require an auditor, director, officer or affiliate of a company or a person who, whether alone or in association with others, owns or controls the company to
- (a) furnish such information as the Registrar or the person appointed by him may consider necessary for the purpose of the examination; and

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- (b) produce for examination any books, records or other documents relating to the business of the company that are in his possession and contain, or are likely to contain, such information.
- (8) The Registrar may require a company to pay the expenses of any examination carried out by or on behalf of the Registrar under this section.
- (9) A person who is required to make a disclosure to the Registrar or to a person appointed by the Registrar under subsection (6) shall not, by reason of making the disclosure, be regarded as being in breach of a duty to the company.
- (10) The Registrar may give directions to a company for the purpose of compliance with this section.
- (11) Where a company fails to pay the expenses referred to in subsection (8), the expenses may be recovered as a debt due to the Crown before a magistrate for District 'A'.
- (12) A person who, without reasonable cause, is in default in complying with a requirement under subsection (5), (6) or (7) or a direction given under subsection (10)
- (a) is liable to a penalty of \$5,000 payable to the Registrar; and
 - (b) if the penalty is not paid on the due date, is liable to an additional penalty of \$500 for everyday during which the default continues not exceeding \$15 000.
- (13) A person who, without reasonable cause, continues to be in default in complying with a requirement or a direction referred to in subsection (12) after the maximum additional penalty referred to in that subsection becomes payable, is guilty of an offence and liable, on summary conviction, to a fine of \$100,000 or to imprisonment for a term of 5 years or to both.

(14) When an offence under subsection (13) is committed by a body corporate and a director or officer of that body corporate knowingly authorised, permitted or acquiesced in the commission of the offence, the director or officer is also guilty of the offence and liable on summary conviction, to a fine of \$100,000 or to imprisonment for a term of 5 years or to both.”.

Insertion of section 448A into Cap. 308

3. *The principal Act is amended by inserting immediately after section 448 the following new section:*

“Guidelines on beneficial ownership etc.

448A.(1) The Registrar may, in furtherance of paragraphs (e) and (e.1) of section 448, issue guidelines on the application or interpretation of the term “beneficial ownership” and the identification of beneficial owners whether by reference to thresholds in respect of ownership or control or otherwise.

(2) Any person who fails to comply with a guideline issued under subsection (1) is guilty of an offence and is liable on summary conviction to a fine of \$100,000 or to imprisonment of a term of 5 years or to both.”.



GOLD AWARD OF ACHIEVEMENT (AMENDMENT) ACT, 2020-32

Arrangement of Sections

- 1.** Short title
- 2.** Amendment of section 4 of Cap. 401
- 3.** Repeal and replacement of section 5 of Cap. 401

BARBADOS

I assent
S. MASON
Governor-General
23rd December, 2020.

2020-32

An Act to amend the *Gold Award of Achievement Act* to make better provision for the conferment of the Award and other related matters.

[Commencement: 24th December, 2020]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Gold Award of Achievement (Amendment) Act, 2020*.

Amendment of section 4 of Cap. 401

2. *Section 4 of the Gold Award of Achievement Act, Cap. 401, in this Act referred to as the principal Act, is amended by deleting subsection (2) and substituting the following:*

“(2) The Award may be conferred on an eligible person at a time determined by the Cabinet of Barbados.”.

Repeal and replacement of section 5 of Cap. 401

3. *Section 5 of the principal Act is deleted and the following is substituted:*

“Eligibility for conferment of Award

5. A person who, through diligence, sacrifice, dedication to service and commitment to excellence has made an outstanding contribution to

(a) community life in Barbados; or

(b) the improvement of the economic and social conditions of Barbados,

is eligible for the conferment of the Award.”.



BARBADOS HUMANITARIAN SERVICE AWARD ACT, 2020-33

Arrangement of Sections

- 1.** Short title
- 2.** Interpretation
- 3.** Establishment of Award
- 4.** Conferment of Award
- 5.** Eligibility for conferment of Award
- 6.** Publication
- 7.** Insignia
- 8.** Regulations

BARBADOS

I assent
S. MASON
Governor-General
23rd December, 2020.

2020-33

An Act to provide for the conferment of an award, to be known as the “Barbados Humanitarian Service Award”, on persons who are deserving of recognition for their meritorious humanitarian service to Barbados and for related matters.

[Commencement: 24th December, 2020]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Barbados Humanitarian Service Award Act, 2020*.

Interpretation

2. In this Act, “Award” means the award established by section 3.

Establishment of Award

3. There is established an award entitled the “Barbados Humanitarian Service Award”.

Conferment of Award

4.(1) Subject to subsection (3), the Governor-General may by instrument under the Public Seal confer the Award upon a person referred to in section 5.

(2) The power conferred on the Governor-General by subsection (1), shall be exercised by him on the advice of the Prime Minister.

(3) The conferment of the Award shall take effect from the date of the affixing of the Public Seal or from such other date as may be specified in the instrument.

(4) The Award may be conferred on an eligible person at a time determined by the Cabinet of Barbados.

Eligibility for conferment of Award

5. A person who renders outstanding humanitarian service to Barbados is eligible for the conferment of the Award.

Publication

6. The Prime Minister shall by order published in the *Official Gazette* publish the names of those persons upon whom the “Barbados Humanitarian Service Award” is conferred.

Insignia

7. A person referred to in section 5 upon whom the Award has been conferred is entitled to wear as a decoration the prescribed insignia of the Barbados Humanitarian Service Award.

Regulations

- 8.(1) The Governor-General may make regulations providing for
- (a) the insignia of the Award;
 - (b) investitures in relation to the Award;
 - (c) the wearing of insignia issued in relation to the Award;
 - (d) the prevention of abuses in the wearing of insignia issued in relation to the Award; and
 - (e) generally giving effect to the provisions of this Act.
- (2) All regulations made under this section shall be subject to affirmative resolution.