

No. 15 of 2023.

*Rastafari Rights Recognition
Act, 2023.*

Saint Christopher
and Nevis.



I assent,

MARCELLA LIBURD

Governor-General

21st June, 2023.

SAINT CHRISTOPHER AND NEVIS

No. 15 of 2023

AN ACT to provide for the process of registration of Rastafari groups, recognition of various rights related to the use of cannabis by registered Rastafari groups and for other related matters.

[Published 21st June 2023, Extra Ordinary Gazette No. 35 of 2023.]

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis, and by the authority of the same as follows:

1. Short title.

This Act may be cited as the Rastafari Rights Recognition Act, 2023.

2. Interpretation.

In this Act—

“adult” means a person at least 18 years of age;

“cannabis” means any plant of the genus *Cannabis* or any part of such plant by whatever name designated except that it does not include cannabis resin or any of the following products after separation from the rest of the plant, namely—

- (a) the mature stalk of any such plant;
- (b) the fibre produced from mature stalk of any such plant; and
- (c) the seed of any such plant;

“cannabis material” means—

- (a) cannabis;
- (b) cannabis resin; and
- (c) any other raw material derived from cannabis;

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“cannabis resin” means the separate resin, whether crude or purified, obtained from any plant of the genus *cannabis*;

“Rastafari group” means a tribe, community, order or other group of citizens or lawful residents of Saint Christopher and Nevis who believe in the Rastafari movement and adhere to Rastafari principles and practices;

“Minister” means the Minister responsible for faith-based affairs;

“Ministry” means the Ministry responsible for faith-based affairs;

“place of assembly” means a place of gathering of a Rastafari group for the purpose of practicing the tenets of Rastafari.

3. Registration of Rastafari groups.

- (1) A Rastafari group may apply to be registered with the Ministry.
- (2) An application for registration pursuant to subsection (1) shall be made in the form set out in Part I of the Schedule.

4. Registration of Rastafari place of assembly.

- (1) A Rastafari group, may apply to register its place of assembly during or after the application referred to in section 3.
- (2) An application for registration pursuant to subsection (1) shall be made in the form set out in Part II of the Schedule.

5. Concessions for registered Rastafari group.

- (1) A registered Rastafari group may apply through the Ministry to the Cabinet of Ministers for the following waivers and concessions—
 - (a) waivers of licence fees granted pursuant to the Cannabis Act, 2020;
 - (b) waivers on business licence fees granted pursuant to the Licences on Business and Occupations Act, Cap. 18.20;
 - (c) concessions on the payment of unincorporated business income tax pursuant to the Unincorporated Business Income Tax Act, Cap. 18.46;
 - (d) concessions on the payment of corporate income tax pursuant to the Income Tax Act, Cap. 20.22;
 - (e) concessions on the payment of customs import duties on goods imported into Saint Christopher and Nevis pursuant to the Customs Act, Cap. 20.04;
 - (f) waivers on property tax granted pursuant to the Property Tax Act, Cap. 20.32;
 - (g) purchase of parcels of Crown land at concessionary rates; and
 - (h) lease of parcels of Crown land at concessionary rates.
- (2) An application for registration pursuant to subsection (1) shall be made in the form set out in Part III of the Schedule.

6. Registration free of charge.

The registration of a Rastafari group or Rastafari place of assembly, with the Ministry, shall be free of charge.

7. Renewal of registration every two years.

To remain on the Register of Rastafari groups, a Rastafari group shall be required to re-register every two years.

8. Regulation of use of cannabis at place of assembly.

(1) At a registered place of assembly, cannabis material may be grown, harvested, dried, trimmed, cured or possessed by the adult members of a registered Rastafari group as a sacrament for upliftment or edification.

(2) Notwithstanding subsection (1), a registered Rastafari group may also be licenced in accordance with the provisions of the Cannabis Act, 2020.

9. Fraudulent Misrepresentation or other offences.

(1) A person who fraudulently misrepresents a group as a Rastafari group for the purposes of an application pursuant to this Act—

- (a) if he or she has not benefited from the fraud, shall be liable on summary conviction to a fine not exceeding \$100,000 and to imprisonment for 2 years; or
- (b) if he or she has benefited from the fraud and has received Cabinet concessions to acquire property, shall be liable on indictment to a fine not exceeding \$250,000 and to imprisonment for 5 years and the Court may—
 - (i) declare any property acquired through the fraud to be forfeited to the State; or
 - (ii) order that an amount equivalent to the value of the concessions granted be paid to the State.

(2) A person who contravenes the provisions of this Act or Regulations made under this Act, for which a penalty is not specified, shall be liable on summary conviction to a fine not exceeding \$30,000.

10. Amendment of Schedule.

The Minister may, by Order published in the Gazette, amend the Schedule.

11. Regulations.

The Minister may make Regulations for giving effect to this Act.

SCHEDULE

Part I

Form I

Application for Rastafari Group Registration Form

Name of Rastafari Group:

Name of appointed Leader(s)/Elder(s):

Number of Members:

Usual place(s) of assembly:

Contact information (including physical address, Telephone No., e-mail address):

Part II

Form II

Application for Registration of Place of Assembly Form

Name of Rastafari Group:

Name of appointed Leader(s)/Elder(s):

Number of Members:

Usual place(s) of assembly:

Contact information (including physical address, Telephone No., e-mail address):

Location of place of assembly:

Survey plan for place of assembly prepared by licenced land surveyor:

Part III

Form III

Application for Concessions for Faith Based Purposes

Name of Rastafari Group:

Name of appointed Leader(s)/Elder(s):

Number of Members:

Usual place(s) of assembly:

Contact information (including physical address, Telephone No., e-mail address):

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Certified Copy of Certificate of Registration Attached: Yes No ...

Concessions Applied for:

LANEINK BLANCHETTE

Speaker

Passed by the National Assembly this 20th day of June, 2023.

TREVLYN STAPLETON

Clerk of the National Assembly