

LS

I assent.

CLEMENT A. ARRINDELL

Governor-General.

28th February, 1984.

SAINT CHRISTOPHER AND NEVIS

No. 1 of 1984

AN ACT to provide for the acquisition, deprivation,  
and renunciation of citizenship of Saint  
Christopher and Nevis and for purposes incidental  
to or connected with the matters aforesaid.

(28th February, 1984.)

BE IT ENACTED by the Queen'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. This Act may be cited as the Saint Christopher  
and Nevis Citizenship Act, 1984.

PART 1

Preliminary

2. (1) In this Act —

“alien” means a person who is not a Common-  
wealth citizen or a British protected person;

“British protected person” means a person who  
is a British citizen or a British Dependent  
Territories citizen for the purposes of the  
British Nationality Act 1981 of the United  
Kingdom or any Act of the United Kingdom  
Parliament amending or replacing that Act; ..

“the Commonwealth” means Saint Christopher  
and Nevis, any country mentioned in the  
First Schedule and any dependency of any  
such country;



Commencement.

Short title.

Interpretation.

First schedule.

*The Saint Christopher and Nevis Citizenship Act, 1984 - 1.*

S. I. 1983,  
No. 881.

"the Constitution" means the Constitution of Saint Christopher and Nevis set out in Schedule 1 to the Saint Christopher and Nevis Constitution Order, 1983.

"Consulate of Saint Christopher and Nevis" means the office of a consular officer of the Government or, where there is no such office, such office as may be prescribed;

"father", in relation to a child born out of wedlock and not legitimated, includes a person who acknowledges and can show that he is the father of the child or has been found by a court of competent jurisdiction to be the father of the child;

"foreign country" means a country that is not part of the Commonwealth;

"minister" means Minister responsible for Home Affairs;

"minor" means a person who has not attained the age of eighteen years;

"parent" includes the mother of a child born out of wedlock;

"service of the Government" includes service as an employee of any statutory board which is in receipt of moneys provided from the Consolidated Fund or voted by Parliament.

(2) For the purposes of this Act, a person born aboard a registered ship or aircraft or aboard an unregistered ship or aircraft of the Government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

(3) A person shall for the purposes of this Act be of full age if he has attained the age of eighteen years and of full capacity if he is not of unsound mind.

(4) For the purposes of this Act, a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

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(5) A person born out of wedlock and legitimated by the subsequent marriage of his parents shall as from the date of the marriage or of the commencement of this Act, whichever is later, be treated for the purposes of this Act as if he had been born legitimate.

(6) A person shall be deemed for the purposes of this Act to have been legitimated by the subsequent marriage of his parents if, by the law of the place where his father was domiciled at the time of the marriage, the marriage operated immediately or subsequently to legitimate him, and not otherwise.

(7) Subject to subsection (8) of this section, in calculating for the purposes of this Act any period of residence in Saint Christopher and Nevis -

- (a) a period of absence from Saint Christopher and Nevis of less than six months;
- (b) a period of absence from Saint Christopher and Nevis for the purpose of education of such kind, in such country and for such time, as may be either generally or specially approved by the Minister; and
- (c) a period of absence from Saint Christopher and Nevis for reasons of health or any other cause prescribed generally or specially by the Minister.

shall be treated as residence in Saint Christopher and Nevis, and a person shall be deemed to be resident in Saint Christopher and Nevis on a particular day if he had been resident in Saint Christopher and Nevis before that day and that day is included in any period of absence referred to in this subsection.

(8) In calculating for the purposes of this Act any period of residence in Saint Christopher and Nevis, account shall not be taken -

- (a) of any period during which a person was not lawfully resident in Saint Christopher and Nevis; or
- (b) of any period spent as an inmate of any prison or as a person detained in lawful custody in any place other than a mental hospital under the provisions of any

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enactment in force in Saint Christopher and Nevis; or

- (c) except with the consent of the Minister, of any period during which a person is allowed to remain temporarily in Saint Christopher and Nevis under the authority of any enactment in force in Saint Christopher and Nevis relating to immigration.

(9) In this Act, any reference to Saint Christopher and Nevis being at or engaged in any war shall be construed as a reference to a time when Saint Christopher and Nevis is engaged in hostilities with another country.

## PART II

### Acquisition of Citizenship

Additional grounds of citizenship, and registration of certain persons as citizens.

3.(1) For the purposes of section 91(a) of the Constitution, where after the 19th September, 1983, a newborn infant is found abandoned in Saint Christopher and Nevis, that infant shall, unless the contrary is shown, be deemed to have been born in Saint Christopher and Nevis and thereby to have become a citizen of Saint Christopher and Nevis at the date of his birth.

(2) Subject to subsections (4), (8) and (9) of this section, a person who would, but for the fact that he was not on the 19th September, 1983, a citizen of the United Kingdom and Colonies, British citizen or a British Dependent Territories citizen have become a citizen of Saint Christopher and Nevis in accordance with paragraph (a) of section 90 of the Constitution may, upon making application to the Minister in the prescribed manner be registered at the discretion of the Minister as a citizen of Saint Christopher and Nevis.

First Schedule.

(3) Subject to subsections (4), (8) and (9) of this section, a citizen of any country mentioned in the First Schedule to this Act, being a person of full age and capacity may, on making application therefor to the Minister in the prescribed manner, be registered at the discretion of the Minister as a citizen of Saint Christopher and Nevis if he satisfies the Minister that he -

- (a) has been ordinarily resident in Saint Christopher and Nevis; or

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(b) has been in the service of the Government;  
or

(c) has had partly such residence and partly  
such service,

for a period of not less than fourteen years immediately  
preceding the date of his application.

(4) Subsections (2) and (3) of this section do not  
apply to any person who under section 90(d) of the  
Constitution becomes or under section 92(1)(a), 92(1)(e)  
or 92(1)(f) of the Constitution is entitled to be registered  
as a citizen of Saint Christopher and Nevis.

(5) Subject to subsections (8) and (9) of this<sup>2</sup>  
section, a person is entitled, upon making application under  
this subsection to the Minister in the prescribed manner and  
upon payment of any fee that may be prescribed, to be  
registered as a citizen of Saint Christopher and Nevis  
without any rights of voting save under and in accordance  
with the provisions of any law governing the qualification  
of voters, if the Cabinet is satisfied that such person has  
invested substantially in Saint Christopher and Nevis.

(6) Subject to subsections (8) and (9) of this  
section, a person is entitled, upon making application under  
this subsection to the Minister in the prescribed manner,  
to be registered as a citizen of Saint Christopher and Nevis  
if he satisfies the Minister that -

(a) he is and has always been stateless; and

(b) that he was born in Saint Christopher and  
Nevis.

(7) An application for registration under sub-  
sections (2) and (6) of this section of a minor shall be made  
on his behalf by his parent or guardian or, if the minor is or  
has been married by the minor himself.

(8) The Minister may, if he is satisfied that there  
are reasonable grounds in the interests of defence, public  
safety or public order for so doing, refuse to register as a  
citizen of Saint Christopher and Nevis any person who -

(a) under section 92(1) of the Constitution or  
subsection (6) of this section, is entitled to  
be registered as a citizen of Saint Christo-  
pher and Nevis and applies to be so  
registered; or

(b) pursuant to subsection (2) or (3) of this section applies to be registered as a citizen of Saint Christopher and Nevis.

(9) Without prejudice to the generality of subsection (8) of this section, the Minister may refuse to register as a citizen of Saint Christopher and Nevis any person referred to in that subsection if he is satisfied that the applicant -

- (a) is not of good character; or
- (b) has been convicted by a competent court in any country of a criminal offence for which he was sentenced to death or has been detained under a sentence of imprisonment of twelve months or more imposed on him on his conviction of a criminal offence by such a court, and in either case has not received a free pardon in respect of the offence; or
- (c) has engaged in activities, whether within or outside of Saint Christopher and Nevis, which, in the opinion of the Minister, are prejudicial to the safety of Saint Christopher and Nevis or to the maintenance of law and public order in Saint Christopher and Nevis; or
- (d) has been adjudged or otherwise declared bankrupt under any law in force in any country and has not been discharged; or
- (e) not being the dependant of a citizen of Saint Christopher and Nevis, has not sufficient means to maintain himself and is likely to become a public charge.

(10) Where a person who has acquired citizenship of Saint Christopher and Nevis by registration either under the Constitution or this Act desires to be issued with a certificate of such registration, that person, may, on making application in writing therefor to the Minister and upon payment of any fee that may be prescribed be issued by the Minister with a certificate of such registration in the prescribed form.

4. Where under any enactment in force in Saint Christopher and Nevis relating to the adoption of children

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an adoption order is made in respect of a minor not a citizen of Saint Christopher and Nevis, then if the adopter is a citizen of Saint Christopher and Nevis, the minor shall become a citizen of Saint Christopher and Nevis as from the date of the order.

5. A person registered under section 3 of this Act or pursuant to section 92 of the Constitution shall be a citizen of Saint Christopher and Nevis by registration as from the date on which he is registered.

6. The Minister may at his discretion, if application therefor is made to him in the prescribed manner by any alien or British protected person of full age and capacity who satisfies him that he is qualified under the Second Schedule for naturalisation, grant to him a certificate of naturalisation, and the person to whom that certificate is granted shall, on taking the oath or affirmation of allegiance in the form specified in the Third Schedule, be a citizen of Saint Christopher and Nevis by naturalisation as from the date on which that certificate is granted.

Effect of registration as a citizen.

Naturalisation of aliens and British protected persons. Second Schedule.

Third Schedule.

### PART III

#### Loss of Citizenship

7. (1) Any citizen of Saint Christopher and Nevis who has attained the age of eighteen years and who -

- (a) is also a citizen or national of any other country; or
- (b) intends to become a citizen or national of any other country,

shall be entitled to renounce his citizenship of Saint Christopher and Nevis by a declaration made in such manner as may be prescribed:

Provided that -

in the case of a person who is not a citizen or national of any other country at the date of registration of his declaration of renunciation, if he does not become such a citizen or national within six months from the date of registration he shall be, and shall be deemed to have remained, a citizen of Saint Christopher and Nevis notwithstanding the making and registration of his declaration of renunciation.

Renunciation of Citizenship.

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(2) Subject to subsection (3) of this section, where a declaration is made under subsection (1) of this section the Minister shall cause the declaration to be registered in such manner as may be prescribed and, upon such registration, the person who made the declaration shall cease to be a citizen of Saint Christopher and Nevis.

(3) The Minister may, in his discretion, withhold registration of any declaration made under subsection (1) of this section if the declaration is made at any time when Saint Christopher and Nevis is at war where the declaration is made by a person who is or who intends to become a national or citizen -

(a) of any country with which Saint Christopher and Nevis is at war, or

(b) of any country as respects which, because Saint Christopher and Nevis is at war, it would, in the interests of national security or public policy, be undesirable or inexpedient for that person to be or become a citizen or national thereof.

(4) Where a person who has renounced his citizenship of Saint Christopher and Nevis under this section desires to be issued with a certificate of such renunciation, that person may, on making application in writing therefor to the Minister, and upon the payment of any fee that may be prescribed be issued by the Minister with a certificate of such renunciation in the prescribed form.

Deprivation of  
Citizenship  
where citizen-  
ship was by  
registration.

8. Subject to section 10 of this Act, the Minister may, in his discretion, by Order deprive of his citizenship any person who is a citizen of Saint Christopher and Nevis by virtue of registration if the Minister is satisfied that such registration as a citizen was obtained by false representation or fraud or wilful concealment of material facts or if that citizen is convicted in Saint Christopher and Nevis of an act of treason or sedition.

Deprivation of  
Citizenship  
in cases of  
naturalisation.

9. (1) Subject to section 10 of this Act, the Minister may, in his discretion, by Order deprive of his citizenship any citizen of Saint Christopher and Nevis who is such by naturalisation if the Minister is satisfied that the certificate of naturalisation of that citizen was obtained by false representation or fraud or wilful concealment of material facts or if that citizen has -

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(a) at any time after naturalisation -

- (i) been convicted of treason or sedition by a competent court in any part of the Commonwealth; or
- (ii) been convicted by a competent court in any country of a criminal offence on conviction of which the death penalty or a term of imprisonment of not less than seven years may be imposed,

and in either case has not received a free pardon in respect of the offence; or

- (b) within five years after naturalisation has been convicted by a competent court in any country of a criminal offence and sentenced to imprisonment for a term of not less than twelve months and has not received a free pardon in respect of the offence; or
- (c) shown himself by act or speech to be disloyal or disaffected towards Saint Christopher and Nevis; or
- (d) during any war in which Saint Christopher and Nevis was engaged, unlawfully traded or communicated with the enemy or been engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist an enemy in that war; or
- (e) engaged in activities, whether within or outside of Saint Christopher and Nevis, which, in the opinion of the Minister, are prejudicial to the safety of Saint Christopher and Nevis or to the maintenance of law and public order in Saint Christopher and Nevis.

(2) The Minister shall not deprive any person of citizenship under this section on the ground mentioned in paragraph (b) of subsection (1) of this section if it appears to him that that person would thereupon become stateless.

10. (1) The Minister shall not deprive a person of citizenship under section 8 or 9 of this Act unless he is satisfied that it is not conducive to the public good that such person should continue to be a citizen of Saint Christopher and Nevis.

Procedure upon orders for deprivation of citizenship.

(2) Before making an order under section 8 or 9 of this Act, the Minister shall give the person against whom the order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and, if the order is proposed to be made on any of the grounds specified in section 8 of this Act, of his right to an enquiry under this section and, at any such enquiry, to have legal representation of his own choice.

(3) Where the order is proposed to be made on any of the grounds specified in section 8 of this Act and the person against whom the order is proposed to be made applies in the prescribed manner for an enquiry, the Minister shall, and in any other case the Minister may, at his discretion, refer the case to a committee of enquiry consisting of a chairman, being a person who is or has held office as a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from any such court, and of not less than two other members appointed by the Minister.

(4)(a) The powers, rights and privileges of a committee of enquiry appointed under this section shall be the same as those conferred on a commission appointed under the Commissions of Inquiry Act and the provisions of that Act shall, mutatis mutandis, apply in relation to any enquiry under this section and to any person summoned to give evidence at the enquiry.

(b) Without prejudice to the generality of the foregoing provisions of this subsection, any power exercisable by the Governor-General under the Commissions of Inquiry Act shall, in the application of that Act to an enquiry under this section, be exercisable by the Minister.

(5) A person who is deprived of his citizenship of Saint Christopher and Nevis by an order under section 8, 9 or 11 of this Act, shall, upon the making of the order, cease to be a citizen of Saint Christopher and Nevis.

11. (1) Where any citizen of Saint Christopher and Nevis, who is such by naturalisation, was also a citizen of any country mentioned in the First Schedule but has been

Cap. 284.

Deprivation of  
citizenship of  
Saint Christopher  
and Nevis  
where person

deprived of his citizenship of that country on grounds which in the opinion of the Minister are substantially similar to any of the grounds specified under subsection (1) of section 9 of this Act, the Minister may at his discretion by order deprive him of his citizenship of Saint Christopher and Nevis if the Minister is satisfied that it is not conducive to the public good that such person should continue to be a citizen of Saint Christopher and Nevis.

deprived of  
citizenship  
elsewhere,  
First Schedule.

(2) Before making an order under this section, the Minister shall give the person against whom the order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and may refer the case to a committee of enquiry constituted in the manner, and having the powers, rights and privileges, provided for in subsections (3) and (4) of section 10 of this Act.

#### PART IV

##### Miscellaneous

12. (1) The Minister may, in such cases as he thinks fit, on application made by or on behalf of any person with respect to whose citizenship of Saint Christopher and Nevis a doubt exists, whether on a question of fact or law, certify that such person is a citizen of Saint Christopher and Nevis.

Certificate of  
citizenship in  
cases of doubt.

(2) A certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or wilful concealment of any material fact, be conclusive evidence that such person was such a citizen on the date thereof, but without prejudice to any evidence that he was such a citizen at any earlier date.

13. The Minister shall not be required to assign any reason for the grant or refusal of any application under this Act, the decision on which is at his discretion; and the decision of the Minister on any such application shall not be subject to any appeal or review in any court.

Minister's  
discretion not  
to be questioned  
and decisions  
to be final.

14. (1) Every document purporting to be a notice, certificate, order or declaration or an entry in a register or a subscription of an oath or affirmation of allegiance, given, granted or made under this Act or under Chapter VIII of the Constitution shall be received in evidence and shall, unless

Evidence.

*The Saint Christopher and Nevis Citizenship Act, 1984 - 1.*

the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) Prima facie evidence of any such document as aforesaid may be given by production of a document purporting to be certified as a true copy thereof by such person and in such manner as may be prescribed.

(3) Any entry in a register made under this Act or under Chapter VIII of the Constitution shall be received as evidence of the matters stated in the entry.

*Regulations.*

15. The Minister may make regulations generally for giving effect to this Act and in particular may make regulations -

- (a) prescribing anything required by this Act or by Chapter VIII of the Constitution to be prescribed;
- (b) for the registration of anything required or authorised under this Act or under Chapter VIII of the Constitution to be registered;
- (c) for the administration and taking of oaths of allegiance under this Act, for the time within which oaths of allegiance shall be taken and for the registration of oaths of allegiance;
- (d) fixing the fees to be paid in respect of -
  - (i) any application made to the Minister under this Act; or
  - (ii) any registration or the making of any declaration or the grant of any certificate or the taking of any oath of allegiance, required or authorised to be made, granted or taken by or under this Act or by or under Chapter VIII of the Constitution; or
  - (iii) supplying a certified or other copy of any notice, certificate, order, declaration or entry, given, granted or made as aforesaid,

and providing for the application of any such fees; +

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- (e) for the giving of any notice required or authorised to be given to any person by or under this Act;
- (f) for the cancellation of the registration of, and the cancellation and amendment of certificates of naturalisation relating to persons deprived of citizenship under this Act or under Chapter VIII of the Constitution, and for requiring such certificates to be delivered up for such purposes;
- (g) for the registration by consular officers or other officers in the service of the Government of the births and deaths of persons of any class or description born or dying outside Saint Christopher and Nevis;
- (h) for enabling the births and deaths of citizens of Saint Christopher and Nevis born or dying in any country in which the Government has for the time being no diplomatic or consular representatives, to be registered;
  - (i) by persons serving in the diplomatic, consular or other foreign service of any country which, by arrangement with the Government, has undertaken to represent the Government's interest in that country; or
  - (ii) by a person authorised in that behalf by the Minister.

16. (1) Any person who for the purpose of procuring anything to be done or not to be done under this Act or under Chapter VIII of the Constitution makes any statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular shall be guilty of an offence and shall be liable on conviction thereof by a court of summary jurisdiction to a fine of five hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

Offences.

(2) Any person who fails to comply with any requirement imposed on him by regulations with respect to

*The Saint Christopher and Nevis Citizenship Act, 1984 - 1.*

the delivering up of certificates of naturalisation shall be guilty of an offence and shall be liable on conviction thereof by a court of summary jurisdiction to a fine of five hundred dollars or to imprisonment for three months.

Alteration of  
First Schedule.

17. The Minister may from time to time by Order -

- (i) add any country to or delete any country from the countries specified on the First Schedule; or
- (ii) make such other variations to that Schedule as he may consider to be appropriate.

Repeal  
Cap. 104.

18. The British Nationality (Fees, Offences and Penalties) Act is repealed.

FIRST SCHEDULE      SS 2,3,11,17

Antigua and Barbuda, Australia, the Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei, Canada, Cyprus, Dominica, Fiji, The Gambia, Ghana, Grenada, Guyana, India, Jamaica, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, St. Lucia, St. Vincent and the Grenadines, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Swaziland, Tanzania, Tonga, Trinidad and Tobago, Tuvalu, Uganda, United Kingdom and Colonies, Western Samoa, Zambia, Zimbabwe.

SECOND SCHEDULE

S. 6

Qualifications for Naturalisation

1. Subject to paragraph 2, the qualifications for naturalisation of an alien who applies therefor are -

- (a) that he has resided in Saint Christopher and Nevis throughout the period of twelve months immediately preceding the date of the application; and
- (b) that during the fourteen years immediately preceding the said period of twelve months he has resided in Saint Christopher and Nevis; and
- (c) that he is in the opinion of the Minister of good character; and

- (d) that he intends in the event of a certificate being granted to him to reside in Saint Christopher and Nevis.

2. The Minister may, if in the special circumstances of any particular case he thinks fit, allow a continuous period of twelve months ending not more than six months before the date of the application to be reckoned for the purposes of sub-paragraph (a) of paragraph 1, as if it had immediately preceded that date.

3. The qualifications for naturalisation of a British protected person who applies therefor are -

- (a) that he is ordinarily resident in Saint Christopher and Nevis and has been so resident for a period of not less than fourteen years, ending with the date of his application.
- (b) the qualifications specified in sub-paragraph (c) and (d) of paragraph 1.

### THIRD SCHEDULE

S. 6

#### Oath (or Affirmation) of Allegiance

I, \_\_\_\_\_, do swear (or solemnly affirm) that I will faithfully bear true allegiance to Her Majesty Queen Elizabeth the Second; Her Heirs and Successors, according to law.

SO HELP ME GOD

(To be omitted in affirmation)

HERMAN LIBURD  
*Speaker.*

Passed by the National Assembly this 22nd day of February, 1984.

ALPHONSO LEWIS  
*Clerk of the National Assembly.*

No. 14 of 2005.

*Saint Christopher and Nevis Citizenship  
(Amendment) Act, 2005.*

Saint Christopher  
and Nevis.



I assent,

EDMUND W LAWRENCE

*Deputy Governor-General.*

5<sup>th</sup> July 2005.

## SAINT CHRISTOPHER AND NEVIS

### No. 14 of 2005

AN ACT to amend the Saint Christopher and Nevis Citizenship Act, No. 1 of 1984 to change the definition of Minister.

BE IT ENACTED by the Queen'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. This Act may be cited as the Saint Christopher and Nevis Citizenship (Amendment) Act, 2005.

2. The Saint Christopher and Nevis Citizenship Act, No. 1 of 1984 is amended in section 2.(1) by replacing the definition of "minister" with the following new definition:

' "minister" means the Minister responsible for citizenship; '.

MARCELLA A LIBURD  
*Speaker*

Passed by the National Assembly this 9<sup>th</sup> day of June 2005.

JOSÉ LLOYD  
*Clerk of the National Assembly*

GOVERNMENT PRINTERY  
ST KITTS W I

Short title

Amendment of  
section 2.(1).

I assent,



CUTHBERT M SEBASTIAN  
*Governor-General.*

29<sup>th</sup> March 2002.

## SAINT CHRISTOPHER AND NEVIS

### No. 5 of 2002

AN ACT to amend the Saint Christopher and Nevis Citizenship Act 1984, No. 1 to prevent citizenship application under marriage of convenience, abuse of economic citizenship status and related matters.

BE IT ENACTED by the Queen'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. This Act may be cited as the Saint Christopher and Nevis Citizenship (Amendment) Act, 2002.

Short title.

2. Section 3 of the Saint Christopher and Nevis Citizenship Act, 1984, No. 1 (in this Act referred to as "the principal Act") is amended:

Amendment of section 3.

(a) by inserting the following subsections immediately after subsection (8):

"(8a) In making a determination under subsection (8), the Minister may investigate whether or not the conditions specified under subsection (9) exist.

(8b) Where the Minister decides to conduct an investigation under subsection (8a), the determination under subsection (8) must be made within a period not exceeding two years from the date of receipt of the application.";

(b) in subsection (9):

(i) by deleting the full stop at the end of paragraph (e) and substituting a semi colon; and

*Saint Christopher and Nevis Citizenship (Amendment) Act, 2002 - 5.*

(ii) by inserting the following paragraphs immediately after paragraph (e):

- “(f) has entered into a marriage for the primary purpose of obtaining citizenship;
- (g) is a party to the marriage upon which the application for citizenship has been made but that marriage is no longer subsisting;
- (h) is a party to the marriage upon which the application for citizenship has been made but divorce proceedings are pending in court in respect of that marriage;
- (i) is a party to the marriage upon which the application for citizenship has been made but that marriage has been annulled;
- (j) is a party to the marriage upon which the application for citizenship has been made but proceedings for the annulment of that marriage are pending in court;
- (k) is a party to the marriage upon which the application for citizenship has been made but there is a deed of separation in respect of that marriage;
- (l) is a party to the marriage upon which the application for citizenship has been made but the parties to that marriage are no longer living together as man and wife;
- (m) is a child of a person who obtained citizenship under section 3(5) and is applying for citizenship by registration under section 92(1)(g) of the Constitution; or
- (n) is the spouse of a person who obtained citizenship under section 3(5) and is applying for citizenship, by registration under section 92(1)(a) of the Constitution.”.

Substitution of section 8.

3. The principal Act is amended by deleting section 8 and substituting the following section:

“Deprivation of citizenship obtained by registration.

8. Subject to subsection (10), the Minister may in his or her discretion, by Order, deprive a person who is a citizen of Saint Christopher and Nevis by registration, of his or her citizenship if the Minister is satisfied that:

*Saint Christopher and Nevis Citizenship (Amendment) Act, 2002 – 5.*

- (a) the registration as a citizen was obtained by false representation, fraud or wilful concealment of material facts;
- (b) the person has been convicted in Saint Christopher and Nevis of treason or sedition; or
- (c) the citizenship was obtained under section 3(5), but the person has in less than five years from the date of registration as a citizen, divested himself or herself of the investment by virtue of which he or she obtained citizenship, to an amount below the minimum permitted for the type of investment, or where the item of investment was real property, transferred ownership of the property.”.

MARCELLA A LIBURD  
*Deputy Speaker*

Passed by the National Assembly this 14<sup>th</sup> day of March 2002.

JOSÉ LLOYD  
*Clerk of the National Assembly*