

# St Vincent & the Grenadines

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RISK & COMPLIANCE REPORT

DATE: January 2017

**Executive Summary - St Vincent & the Grenadines**

<b>Sanctions:</b>	None
<b>FAFT list of AML Deficient Countries</b>	No
<b>Higher Risk Areas:</b>	Not on EU White list equivalent jurisdictions Offshore Finance Centre
<b>Medium Risk Areas:</b>	Compliance with FATF 40 + 9 Recommendations US Dept of State Money Laundering assessment Weakness in Government Legislation to combat Money Laundering Corruption Index (Transparency International & W.G.I.) Failed States Index (Political Issues)(Average Score)

**Major Investment Areas:**

**Agriculture - products:**

bananas, coconuts, sweet potatoes, spices; small numbers of cattle, sheep, pigs, goats; fish

**Industries:**

tourism; food processing, cement, furniture, clothing, starch

**Exports - commodities:**

bananas, eddoes and dasheen (taro), arrowroot starch; tennis racquets

**Exports - partners:**

Trinidad and Tobago 15.2%, St. Lucia 13.5%, Turkey 12.1%, Barbados 11.2%, Dominica 8.9%, Grenada 8.5%, Antigua and Barbuda 7.6% (2012)

**Imports - commodities:**

foodstuffs, machinery and equipment, chemicals and fertilizers, minerals and fuels

**Imports - partners:**

Singapore 27%, Trinidad and Tobago 24.1%, US 18.3%, China 5.4%, Barbados 5.3% (2012)

**Investment Restrictions:**

The Government of St. Vincent and the Grenadines, through Invest SVG, strongly encourages foreign direct investment in St. Vincent and the Grenadines, particularly in industries that create jobs and earn foreign currency. St. Vincent and the Grenadines is an emerging and developing investment arena. The government is pursuing investment in niche markets, particularly Tourism, International Financial Services, Agro-Processing, Light Manufacturing and Information and Communication Technology (ICT).

There is a constitutional right for nationals and non-nationals to establish and own private enterprises and private property in St. Vincent and the Grenadines. These rights also pertain to the acquisition and disposition of interests in private enterprises.

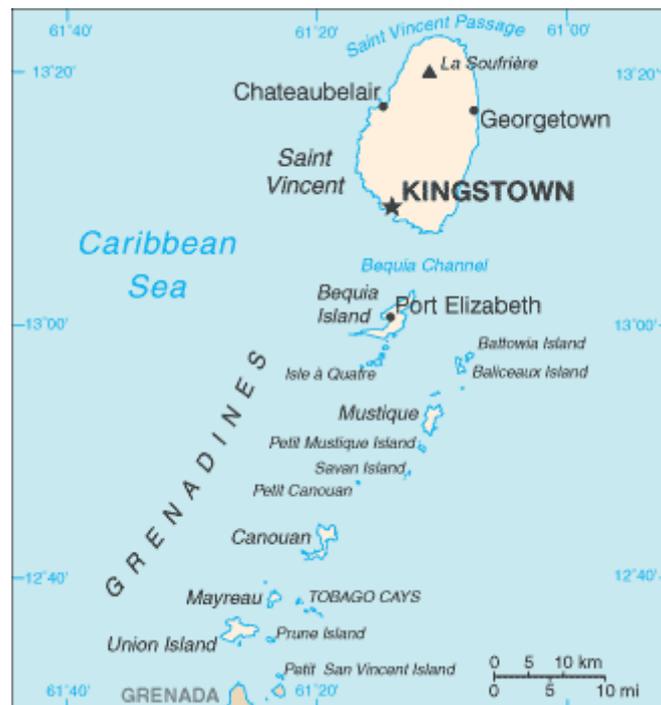
Foreigners must obtain a license to purchase land or to acquire more than 50% of a company.

## Contents

<b>Section 1 - Background</b> .....	<b>4</b>
<b>Section 2 - Anti – Money Laundering / Terrorist Financing</b> .....	<b>5</b>
FATF status.....	5
Compliance with FATF Recommendations.....	5
Key Findings from latest Mutual Evaluation Report (2012): .....	5
US Department of State Money Laundering assessment (INCSR) .....	6
Report .....	10
International Sanctions.....	13
Bribery & Corruption.....	14
Corruption and Government Transparency - Report by US State Department .....	14
<b>Section 3 - Economy</b> .....	<b>15</b>
Banking .....	15
Stock Exchange.....	16
<b>Section 4 - Investment Climate</b> .....	<b>17</b>
<b>Section 5 - Government</b> .....	<b>31</b>
<b>Section 6 - Tax</b> .....	<b>32</b>
<b>Methodology and Sources</b> .....	<b>34</b>

## Section 1 - Background

Resistance by native Caribs prevented colonization on Saint Vincent until 1719. Disputed between France and the United Kingdom for most of the 18th century, the island was ceded to the latter in 1783. Between 1960 and 1962, Saint Vincent and the Grenadines was a separate administrative unit of the Federation of the West Indies. Autonomy was granted in 1969 and independence in 1979.



## Section 2 - Anti – Money Laundering / Terrorist Financing

### FATF status

St Vincent & the Grenadines is not on the FATF List of Countries that have been identified as having strategic AML deficiencies

### Compliance with FATF Recommendations

The last Mutual Evaluation Report relating to the implementation of anti-money laundering and counter-terrorist financing standards in St Vincent & the Grenadines was undertaken by the Financial Action Task Force (FATF) in 2012. According to that Evaluation, St Vincent & the Grenadines was deemed Compliant for 8 and Largely Compliant for 13 of the FATF 40 + 9 Recommendations. It was Partially Compliant or Non-Compliant for 4 of the 6 Core Recommendations.

### Key Findings from latest Mutual Evaluation Report (2012):

Saint Vincent and the Grenadines (SVG), as is the case with other countries in the Caribbean, is exposed to money laundering (ML) and financing of terrorism (FT) risk related to drug trafficking and international criminal groups. It is also exposed to international ML/FT risk associated with its relatively small international (offshore) financial sectors. SVG is aware of these risks and has expressed strong commitment to identifying and prosecuting drug trafficking offences and money laundering. It is not aware of any FT activities being conducted in SVG. There have been four convictions for ML (with two pending cases) and five prosecutions in the last five years (2004– 2008). The number and level of prosecutions as well as property confiscations and forfeitures appear to be relatively low.

To help address these risks, SVG has enacted legislation that includes, inter alia, the Drug Trafficking Offences Act (DTOA), the Proceeds of Crime and Money Laundering (Prevention) Act (POCA) and its Regulations, the Financial Intelligence Unit Act (FIU Act), and the United Nations (Anti-Terrorism Measures) Act (UNATMA). However, SVG could benefit from a formal and broad-based national policy and strategy to combat ML and FT across all sectors, including international financial services. A country review of the main ML/FT threats and vulnerabilities would support the formulation of such strategy, action plan, and the effective use of resources.

Local legislation conforms to most but not all of the provisions of the Vienna and Palermo Conventions. In addition, the ML laws do not cover some of the categories of predicate offences called for by the international standard, and the provisions with respect to the definition of “property” and selflaundering should be strengthened. The definition of ‘terrorist act’ in the UNATMA does not cover acts required by two of the applicable UN Conventions.

Finally, there is significant scope for enhancing implementation of the AML/CFT legislation in order to increase the number of ML prosecutions, convictions and confiscations.

Interagency cooperation and coordination arrangements are informal but generally effective. There is a National Anti-Money Laundering Committee (NAMLC) which provides a forum for the exchange of information and coordination. Its members are key stakeholders in national AML/CFT efforts including the financial sector regulators, the financial intelligence unit (FIU) and the various law enforcement agencies. Interagency cooperation could be better supported by more formal arrangements e.g. between the Director of Public Prosecutions (DPP) and the FIU with respect to investigations and prosecutions.

The preventive measures regime covers most of the financial and designated non-financial businesses and professions (DNFBP) sectors as required under the FATF Recommendations. However, the POCA and its Regulations have not kept pace with revisions in the FATF standard and should be updated. There are no other enforceable means (OEM) for ensuring compliance with these requirements and the authorities should consider making the non-mandatory Guidance Notes or parts thereof enforceable. A key challenge will be to more fully implement the legislation across all sectors, particularly in the domestic non-banking sectors (e.g. the building societies, credit unions, insurance companies and intermediaries, and money remittance), and in the international financial services sectors. This may entail strengthening the staffing and resource capacity of the International Financial Services Authority (IFSA) and the Supervisory and Regulatory Division (SRD) of the Ministry of Finance. Compliance with the AML/CFT legal

#### **US Department of State Money Laundering assessment (INCSR)**

St Vincent & the Grenadines was deemed a Jurisdiction of Concern by the US Department of State 2016 International Narcotics Control Strategy Report (INCSR).

Key Findings from the report are as follows: -

##### **Perceived Risks:**

Saint Vincent and the Grenadines (SVG) remains vulnerable to money laundering and other financial crimes as a result of drug trafficking and its offshore financial sector. The set of islands remains a small but active offshore financial center with a relatively large number of international business companies (IBCs). United States currency is often smuggled into the country via couriers, go-fast vessels, and yachts.

Money laundering is principally affiliated with the production and trafficking of marijuana in SVG, as well as the trafficking of other narcotics from within the Caribbean region. Money laundering occurs in various financial institutions, such as domestic and offshore banks and through money remitters.

The offshore sector includes five offshore banks, 6,331 IBCs, 440 continued IBCs, three offshore insurance companies, 98 mutual funds (fund managers and administrators), 16 registered agents, and 100 international trusts. There are no offshore casinos and no internet gaming licenses. No physical presence is required for offshore sector entities and businesses, with the

exception of offshore banks. The regulatory body with the mandate to supervise the offshore financial sector is the Financial Services Authority. Resident nominee directors are not mandatory except when an IBC is formed to carry on banking business.

Bearer shares are permitted for IBCs, but not for banks. The Government of St. Vincent and the Grenadines requires registration and custody of bearer share certificates by a registered agent who must also keep a record of each bearer certificate issued or deposited in its custody. There are no free trade zones in SVG.

DO FINANCIAL INSTITUTIONS ENGAGE IN CURRENCY TRANSACTIONS RELATED TO INTERNATIONAL NARCOTICS TRAFFICKING THAT INCLUDE SIGNIFICANT AMOUNTS OF US CURRENCY; CURRENCY DERIVED FROM ILLEGAL SALES IN THE U.S.; OR ILLEGAL DRUG SALES THAT OTHERWISE SIGNIFICANTLY AFFECT THE U.S.: NO

CRIMINALIZATION OF MONEY LAUNDERING:

"All serious crimes" approach or "list" approach to predicate crimes: All serious crimes

Are legal persons covered: criminally: YES civilly: YES

KNOW-YOUR-CUSTOMER (KYC) RULES:

Enhanced due diligence procedures for PEPs: Foreign: YES Domestic: YES

KYC covered entities: Banks, lenders, and factoring firms; check cashing and money transmission services; financial leasing firms; venture risk capital; issuers and administrators of credit cards, traveler's checks, and bankers' drafts; guarantors and underwriters; money market instrument, foreign exchange, and bullion dealers; money brokers; financial intermediaries; securities brokers and underwriters; investment and merchant banks; asset management services; custody, trust, and other fiduciary services; company formation and management services; collective investment schemes and mutual funds; car dealerships; jewelers; real estate agents; casinos, internet gaming, pool betting, and lottery agents; lawyers and accountants; and charities

REPORTING REQUIREMENTS:

Number of STRs received and time frame: 407: January 1 – November 1, 2015

Number of CTRs received and time frame: Not available

STR covered entities: Banks, lenders, and factoring firms; check cashing and money transmission services; financial leasing firms; venture risk capital; issuers and administrators of credit cards, traveler's checks, and bankers' drafts; guarantors and underwriters; money market instrument, foreign exchange, and bullion dealers; money brokers; financial intermediaries; securities brokers and underwriters; investment and merchant banks; asset management services; custody, trust, and other fiduciary services; company formation and management services; collective investment schemes and mutual funds; car dealerships; jewelers; real estate agents; casinos, internet gaming, pool betting, and lottery agents; lawyers and accountants; and charities

MONEY LAUNDERING CRIMINAL PROSECUTIONS/CONVICTIONS:

Prosecutions: 1 in 2015

Convictions: 0 in 2015

RECORDS EXCHANGE MECHANISM:

With U.S.: MLAT: YES Other mechanism: YES

With other governments/jurisdictions: YES

SVG is a member of the Caribbean Financial Action Task Force (CFATF), a FATF-style regional body.

#### **ENFORCEMENT AND IMPLEMENTATION ISSUES AND COMMENTS:**

The Anti-Terrorist Financing and Proliferation Act, No. 14 of 2015 was passed in Parliament on August 18, 2015, repealing and replacing the United Nations (Anti-Terrorism Measures) Act, Cap 183 of the Revised Laws of Saint Vincent and the Grenadines 2009. The new law updates the law relating to the combating of terrorist financing by providing for the search, seizure, detention, and forfeiture of cash related to terrorist financing; implements targeted financial sanctions to comply with the UNSCRs relating to terrorism and terrorist financing and to the proliferation of weapons of mass destruction and its financing; and remedies previously noted deficiencies in AML/CFT regulations, for example, gaps in the Proceeds of Crime Act, which did not cover terrorist financing specifically. The Act also fully implements the International Convention for the Suppression of the Financing of Terrorism.

The Anti-Money Laundering and Terrorist Financing Code 2014 and the Non-Profit Organization Regulations are currently before the Attorney General for review.

SVG will distribute approximately \$550,000 from the Confiscated Asset Fund to all legislated agencies, including the Directorate of Public Prosecutions, the Attorney General, the police, the Financial Intelligence Unit, Regional Security System, and drug rehab and education programs.

The government should become a party to the UN Convention against Corruption. It also should adopt a provision to provide financial institutions and their employees who file suspicious transaction reports (STRs) in good faith with protection against civil or criminal liability.

#### **Current Weaknesses in Government Legislation (2013 INCRS Comparative Tables):**

According to the US State Department, St Vincent & the Grenadines does not conform with regard to the following government legislation: -

**Disclosure Protection - "Safe Harbour"** - By law, the jurisdiction provides a "safe harbour" defence to banks or other financial institutions and their employees who provide otherwise confidential banking data to authorities in pursuit of authorized investigations.

**States Party to United Nations Convention Against Corruption** - States party to the United Nations Convention against Corruption (UNCAC), or a territorial entity to which the application of the Convention has been extended by a party to the Convention.

#### **EU White list of Equivalent Jurisdictions**

St Vincent & the Grenadines is not currently on the EU White list of Equivalent Jurisdictions

### **World Governance indicators**

[To view historic Governance Indicators Ctrl + Click here and then select country](#)

### **Failed States Index**

[To view Failed States Index Ctrl + Click here](#)

### **Offshore Financial Centre**

St Vincent & the Grenadines is considered to be an Offshore Financial Centre

**US State Dept Narcotics Report 2016 (introduction):****Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines**

Barbados and the six independent member countries of the Organization of Eastern Caribbean States (OECS), Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines, are collectively referred to in this report as the Eastern Caribbean (EC).

The region hosts abundant transshipment points for illicit narcotics primarily from Venezuela destined for North American, European and domestic Caribbean markets. Local and international law enforcement believe traffickers are increasingly using yachts for drug transit, though “go-fast” boats, fishing trawlers, and cargo ships continue to play major transit roles. Homicide rates throughout the region declined in 2015 from the previous year, continuing a two-year trend, but the overall crime rate (including drug related violent crimes) has increased. Many homicides resulted from turf wars between organized groups fighting to control local drug distribution. Cannabis consumption and cultivation remains common in many EC states, though very little is produced in Barbados.

Seven consecutive years of declining macroeconomic growth leave EC law enforcement capacity increasingly beleaguered. EC governments have made some improvements to still antiquated criminal codes. Political leaders, however, have largely failed to address public concerns about official corruption.

**Drug Control Accomplishments, Policies, and Trends****Institutional Development**

EC countries are parties to the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. All have an Extradition Treaty and a Mutual Legal Assistance Treaty in force with the United States. Several have become signatories to Inter-American Conventions such as the Convention Against Corruption, the Convention on Extradition, the Convention on Mutual Assistance in Criminal Matters, and the Convention Against Terrorism.

The United States and Canada jointly fund an \$11.25 million project to refurbish two aging Maritime Patrol Aircraft, which are owned and operated by the Regional Security System (RSS), a treaty based, collective defense organization of which the EC countries are members. These aircraft are used for counternarcotics purposes. The first of the two refurbished C-26A Maritime Patrol Aircraft was returned to the RSS in June 2015. Since then, the aircraft has conducted hundreds of flight hours (routine flights and flights based on intelligence) leading to the interruption of numerous drug trafficking operations and the arrest of dozens of suspected drug traffickers. Delivery of the second refurbished C-26A Maritime Patrol Aircraft to the RSS is scheduled for 2016.

In 2014 and 2015, EC countries demonstrated their commitment to drug control through multiple measures. Grenada, Saint Vincent and the Grenadines, Antigua and Barbuda, and Dominica passed several new laws that will facilitate the prosecution of narcotics cases, including comprehensive civil asset forfeiture laws with a dedicated forfeiture fund to attack transnational organized crime by seizing illicit assets. The laws require that forfeited funds be channeled to support police, prosecutors, RSS contributions, victim restitution, and drug abuse prevention and treatment. In 2015, Barbados passed "Interviewing the Suspects" legislation which requires the police to comply with human rights standards when interrogating suspects. The Government of Dominica has committed its limited resources and personnel to establishing the first vetted counternarcotics unit in the EC, "Strike Force." The United States agreed to partner with Dominica and has provided training and some equipment for the initiative. The selected unit is semi-operational but will be fully operational in 2016 pending further training and the receipt of specialized equipment.

### **Supply Reduction**

Venezuela-based drug traffickers use the region's many uninhabited islands to move cocaine shipments up the island chain for onward transit to North America and Europe. Cannabis cultivation is the highest in the mountainous regions of St. Vincent, St. Kitts, and St. Lucia. Barbados authorities reported increased marijuana and cocaine shipments transiting from Trinidad and Tobago in 2015, though they also reported reduced drug landings due to successful maritime interdictions. Antigua and Barbuda observed an increased flow of cocaine and cannabis from Jamaica via St. Martin. St. Vincent continues to be a primary source for cannabis cultivation in the EC, with most plants being grown for export. The St. Vincent Drug Squad reported a surge in the transshipment of cocaine in 2015. St. Vincent also reported a trend in "men and women being sent to Venezuela for payment...as guarantors for the dealers." Over the first nine months of 2015, drug seizures in the EC increased over 2014 and totaled approximately 6.65 metric tons (MT) of cocaine and 1.11 MT of marijuana, according to statistics shared with U.S. authorities.

### **Public Information, Prevention, and Treatment**

Marijuana is the most widely used illegal drug in the region, though abuse of over-the-counter drugs is also on the rise. Barbados has drug prevention programs, but has not passed a National Drug Strategy. The Government of Barbados established its Drug Treatment Court in February 2014; it currently monitors 14 active clients. St. Kitts and Nevis has several programs credited by its own officials as successful. Grenada operates several programs through its Drug Control Secretariat. Dominica's National Drug Master Plan for 2014-2017 remained pending government ratification at the close of 2015. Barbados, Grenada, and St. Lucia have drug rehabilitation clinics. Barbados has one that specifically serves youth.

### **Corruption**

As a matter of policy, the region's governments do not encourage or facilitate the illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. No senior government officials in the EC were prosecuted for engaging in or facilitating the illicit production or distribution of controlled drugs or laundering of proceeds from illegal drug transactions. Nevertheless, many observers believe that drug-related corruption remains a problem in the region, and has allowed some trafficking organizations to elude law enforcement. The United States funded the establishment of an RSS Polygraph Corps, which certified 27 polygraphists from the EC in

December 2014. Regional governments use the new corps of polygraphists to monitor sensitive police and other institutions. Eastern Caribbean governments have established bilateral agreements that allow the polygraph examiners from one EC country to conduct polygraph examinations in another EC country.

#### **US State Dept Trafficking in Persons Report 2014 (introduction):**

St. Vincent and the Grenadines is classified a Tier 2 country - a country whose government does not fully comply with the Trafficking Victims Protection Act's minimum standards, but is making significant efforts to bring themselves into compliance with those standards.

St. Vincent and the Grenadines is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. NGOs and local government officials report that some adults pressure children under the age of 18 to provide sex acts to men in exchange for money or gifts; third-party prostitution of children under 18 is a form of human trafficking. Local officials and NGOs have also raised concerns regarding foreign women engaged in prostitution or foreign workers subjected to forced labor in or transiting through the country; foreign workers employed by small, foreign-owned companies have been identified as particularly vulnerable to trafficking. Men, women, and children remain vulnerable to forced labor in the country, primarily in the agriculture sector.

The Government of St. Vincent and the Grenadines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government conducted three trafficking investigations during the year and increased its anti-trafficking awareness efforts in schools. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, St. Vincent and the Grenadines is placed on Tier 2 Watch List. It did not prosecute or convict any trafficking offenders. The government neither demonstrated proactive victim identification efforts nor identified or referred any trafficking victims for care. This is a decline from the previous year when it identified five potential trafficking victims.

## International Sanctions

None Applicable

## Bribery & Corruption

Index	Rating (100-Good / 0-Bad)
Transparency International Corruption Index	60
World Governance Indicator – Control of Corruption	72

## Corruption and Government Transparency - Report by US State Department

Corruption is not a major problem in St. Vincent and the Grenadines; however, while the law provides criminal penalties for official corruption, enforcement is not always effective.

## Section 3 - Economy

Success of the economy hinges upon seasonal variations in agriculture, tourism, and construction activity as well as remittance inflows. Much of the workforce is employed in banana production and tourism, but persistent high unemployment has prompted many to leave the islands. This lower-middle-income country is vulnerable to natural disasters - tropical storms wiped out substantial portions of crops in 1994, 1995, and 2002. Floods and mudslides caused by unseasonable 2013 rainfall caused substantial damage to infrastructure, homes, and crops, which the World Bank estimated at US\$112 million. In 2013, the islands had more than 200,000 tourist arrivals, mostly to the Grenadines. The arrival numbers represent a marginal increase from 2012 but remain 26% below St. Vincent's 2009 peak. Saint Vincent is home to a small offshore banking sector and has moved to adopt international regulatory standards. The government's ability to invest in social programs and respond to external shocks is constrained by its high public debt burden, which was 67% of GDP at the end of 2013. Weak recovery in the tourism and construction sectors will limit growth prospects in 2014.

### **Agriculture - products:**

bananas, coconuts, sweet potatoes, spices; small numbers of cattle, sheep, pigs, goats; fish

### **Industries:**

tourism; food processing, cement, furniture, clothing, starch

### **Exports - commodities:**

bananas, eddoes and dasheen (taro), arrowroot starch; tennis racquets

### **Exports - partners:**

Trinidad and Tobago 15.2%, St. Lucia 13.5%, Turkey 12.1%, Barbados 11.2%, Dominica 8.9%, Grenada 8.5%, Antigua and Barbuda 7.6% (2012)

### **Imports - commodities:**

foodstuffs, machinery and equipment, chemicals and fertilizers, minerals and fuels

### **Imports - partners:**

Singapore 27%, Trinidad and Tobago 24.1%, US 18.3%, China 5.4%, Barbados 5.3% (2012)

## Banking

All domestic banks are licensed pursuant to the Banking Act and are supervised by the Eastern Caribbean Central Bank (ECCB). The offshore banks are licensed pursuant to the International Banking Act and are supervised by the Financial Sector Supervision Unit (FSSU),

Ministry of Finance. In 2002, Saint Lucia decided to adopt an integrated approach to supervision by establishing a Single Regulatory Unit. This proposed structure would extend the supervision responsibilities of the FSSU to include credit unions. The domestic banks would still be supervised by the ECCB but a functional relationship with the FSSU would be established. Once fully implemented the FSSU would be responsible for supervising the entire financial sector

## Stock Exchange

The Eastern Caribbean Securities Exchange (ECSE) is the first regional securities market in the Western Hemisphere, established by the Eastern Caribbean Central Bank to serve the eight (8) member states of Anguilla, Antigua and Barbuda, Dominica, Grenada, Montserrat; St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines. It is headquartered on the island of St. Kitts. It has been in operation since 1971, and the ECSE currently lists securities for about 14 companies.

## Executive Summary

St. Vincent and the Grenadines' economy is projected to grow by 1.2% in 2014. Recent setbacks by an estimated US \$127 million of damage caused by torrential rain in December 2013 and its recovery are expected to place some burden on the economy. The government has placed high hopes on the long-awaited opening of the international airport to boost tourism arrivals in St. Vincent, but business owners have expressed skepticism about its ability to provide immediate dividends.

The government is pursuing investment in niche markets, particularly tourism, international financial services, agro-processing, light manufacturing, creative industries and information and communication technology (ICT).

The government treats foreign investors and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investment in its territory. While slow, the police and court systems are efficient and unbiased in commercial matters. The government operates in a generally transparent manner, but business dealings can be influenced at times by personal relationships.

Companies registered in St. Vincent and the Grenadines have the right to repatriate all capital, royalties, dividends and profits free of all taxes or any other charges on foreign exchange transactions.

St. Vincent and the Grenadines bases its legal system on the British common law system. The Constitution guarantees constitutional independence of the judiciary. The United States and St. Vincent and the Grenadines are both parties to the World Trade Organization (WTO). The WTO Dispute Settlement Panel and Appellate Body resolve disputes over WTO agreements, while courts of appropriate jurisdiction in both countries resolve private disputes.

There is a constitutional right for nationals and non-nationals to establish and own private enterprises and private property in St. Vincent and the Grenadines. These rights also pertain to the acquisition and disposition of interests in private enterprises

St. Vincent and the Grenadines uses transparent policies and effective laws to foster competition and establish clear rules for foreign and domestic investors in the areas of tax, labor, environment, health, and safety.

### **1. Openness To, and Restrictions Upon, Foreign Investment**

The Government of St. Vincent and the Grenadines, through Invest SVG, strongly encourages foreign direct investment in St. Vincent and the Grenadines, particularly in industries that create jobs and earn foreign currency. St. Vincent and the Grenadines is an emerging and developing investment player. The government is pursuing investment in niche markets, particularly tourism, international financial services, agro-processing, light manufacturing, creative industries, and information and communication technology (ICT).

The government offers special incentive packages for foreign investments in the hotel industry and light manufacturing. There are also provisions for incentive packages on an ad hoc basis.

Tourism is the primary focus of the government with a new international airport and several resorts under construction. St. Vincent and the Grenadines benefits from a low inflation rate and growing opportunities in the trade and export sectors.

The government treats foreign investors and local investors equally with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investment in its territory. The police and court systems are efficient and unbiased in commercial matters, and the government operates in a generally transparent manner. St. Vincent and the Grenadines is a member of the Organization of Eastern Caribbean States (OECS) and the Eastern Caribbean Currency Union. The currency of exchange is the Eastern Caribbean dollar (XCD).

Deregulation in the telecommunications industry has facilitated access to the market to new competitors wherein historically the industry was monopolized. There are currently three service providers: Cable and Wireless (Lime), Digicel, and Columbus Communications (KaribCable).

All potential investors who desire an incentive package must submit their proposals for review by Invest SVG to ensure that the project is consistent with the national interests and provides economic benefits to the country. There are no limits on foreign ownership or control. Invest SVG's foreign direct investment policy is to attract FDI into priority sectors, and advise the Government on the formation and implementation of policies and programs to attract investment within St. Vincent and the Grenadines. The main laws concerning foreign investment include the Companies Act, International Business Companies Act 2007 and the Limited Liabilities Act. The country has a strong judicial system which upholds the sanctity of contracts and prevents unwarranted discrimination towards foreign investors.

**TABLE 1:** The following chart summarizes several well-regarded indices and rankings.

Measure	Year	Rank or value	Website Address
TI Corruption Perceptions index	2013	(33 of 177)	<a href="http://cpi.transparency.org/cpi2013/results/">http://cpi.transparency.org/cpi2013/results/</a>
Heritage Foundation's Economic Freedom index	2013	(52 of 177)	<a href="http://www.heritage.org/index/ranking">http://www.heritage.org/index/ranking</a>

World Bank's Doing Business Report "Ease of Doing Business"	2013	(82 of 189)	<a href="http://doingbusiness.org/rankings">http://doingbusiness.org/rankings</a>
Global Innovation Index	2013	N/A	<a href="http://www.globalinnovationindex.org/content.aspx?page=gii-full-report-2013#pdfopener">http://www.globalinnovationindex.org/content.aspx?page=gii-full-report-2013#pdfopener</a>
World Bank GNI per capita	2012	USD \$6,400	<a href="http://data.worldbank.org/indicator/NY.GNP.PCAP.CD">http://data.worldbank.org/indicator/NY.GNP.PCAP.CD</a>

## 2. Conversion and Transfer Policies

Companies registered in St. Vincent and the Grenadines have the right to repatriate all capital, royalties, dividends and profits free of all taxes or any other charges on foreign exchange transactions. International Business Companies are exempted from taxation in the jurisdiction. Under present regulations there are no personal income taxes, estate taxes, corporate income taxes or withholding taxes for SVG International Business Companies. International Business Companies are also exempt from competitive tax for 25 years. As a member of the Organization of East Caribbean States, the St. Vincent and the Grenadines foreign exchange system is fully liberalized. Therefore, as a member of the OECS, St. Vincent and the Grenadines does not have any exchange controls so as to facilitate the provision of service, movement and establishment. Only banks can do currency conversion.

## 3. Expropriation and Compensation

Under the Land Acquisition Act, the government may by a declaration initiate the acquisition of land required for a public purpose. A notice of acquisition must be served on the person from whom the land is acquired. All issues relating to payment of compensation can be submitted to a Board of Assessment whose award must be filed in the High Court. The value of the land is based on the amount for which the land would have been sold on the open market by a willing seller. Under the "Alien's (Land-Holding Regulation) Act," the government can hold properties forfeit without compensation if the terms of the investment are not met. The Embassy is not aware of any outstanding expropriation claims or nationalization of foreign enterprises in St. Vincent and the Grenadines.

## 4. Dispute Settlement

St. Vincent and the Grenadines bases its legal system on the British common law system. The Constitution guarantees constitutional independence of the judiciary. The judicial system consists of lower courts, called Magistrates' Courts, as well as a Family Court. The Eastern Caribbean Supreme Court (St. Vincent and the Grenadines) Act, Cap. 18, establishes the Supreme Court of Judicature which consists of the High Court and the Eastern Caribbean Court of Appeal. The High Court hears criminal and civil matters and makes determinations

on the interpretation of the Constitution. Appeals are made in the first instance to the Eastern Caribbean Supreme Court, an itinerant court that hears appeals from all Eastern Caribbean States. Final appeal is to the Judicial Committee of the Privy Council. All laws must conform to the provisions of the Constitution and are void to the extent of any inconsistency.

The Caribbean Court of Justice (CCJ) is the regional judicial tribunal, established in 2001 by the Agreement Establishing the Caribbean Court of Justice. The CCJ has original jurisdiction to interpret and apply the Revised Treaty of Chaguaramas. In its appellate jurisdiction, the CCJ considers and determines appeals from Member States of CARICOM, which are parties to the Agreement Establishing the CCJ. St. Vincent and the Grenadines is subject to the original jurisdiction of the CCJ.

The United States and St. Vincent and the Grenadines are both parties to the World Trade Organization (WTO). The WTO Dispute Settlement Panel and Appellate Body resolve disputes over WTO agreements, while courts of appropriate jurisdiction in both countries resolve private disputes.

The Trade Disputes (Arbitration and Inquiry) Act provides that trade disputes that exist or are pending may be reported to the Governor General by or on behalf of either party to a trade dispute. The Governor General may, if both parties consent, refer the dispute to an arbitration panel for settlement. The arbitration panel must give an award that is consistent with national employment laws. The award must be notified to the Governor General who shall, as soon as practicable, cause the award to be published.

The Governor General may institute an inquiry on his own accord where a trade dispute exists or is pending. A board of inquiry may be set up to investigate matters concerning economic or industrial conditions in St. Vincent and the Grenadines that are referred to it by the Governor General. The arbitration panel or board of inquiry may permit interested persons to be represented by legal counsel. These bodies may conduct proceedings in public or private.

## **5. Performance Requirements and Investment Incentives**

There are no general performance requirements, however, some investments involving real estate may be granted incentives with minimum investment requirements, making them subject to the aforementioned "Alien's (Land-Holding Regulation) Act." There is no requirement that locals own shares of a foreign investor's enterprise.

There is no requirement that enterprises must purchase a fixed percentage of goods from local sources.

Companies must meet export performance requirements to take advantage of certain tax incentives. For example, "enclave enterprises" must produce goods exclusively for export outside the CARICOM region. Foreign investors may finance their investments using domestic or foreign capital sources. The Fiscal Incentives Act confers income tax credits in the form of an export allowance to qualifying enterprises for the export of approved products. The exports must be to territories outside of Antigua, Barbados, Belize, Dominica, Grenada, Montserrat, St. Kitts and Nevis, and St. Lucia. The Duties and Taxes (Exemption in the Public Interest) Act authorizes Cabinet to grant waivers or relief from import duties on applicable goods, as requested by individuals or organizations, if it is in the public interest to do so.

Enterprises that are approved enterprises under the Fiscal Incentives Act and which import materials for processing can benefit from tax concessions for a period of ten to 15 years determined by the status granted to the enterprise.

Concessions are granted under the Hotels Aid Act in relation to improvements to a registered hotel, hotel expansions of not less than five guest rooms or apartments, hotel construction of not less than five guest rooms or apartments and tourism promotion to import printed tourism literature relating to St. Vincent and the Grenadines.

Tax holidays are also given as an investment incentive. Group I enterprises (50% or more local value added) have a 15 year tax holiday period, Group II enterprises (25-49% local value added) enjoy 12 years, Group III enterprises (10-24% local value added) are granted 10 years. Enclave enterprises (producing wholly for extra-CARICOM Markets) have a 15 year tax holiday.

An initial allowance of 10% is deductible for expenditures incurred on the construction or purchase of any building used solely for carrying on business. An annual allowance of 4% of the written down value of the building is deductible expenditures on the repair of premises, plant and machinery used in a business. An initial allowance of 20% is deductible for expenditure incurred in purchasing plant and machinery. An annual allowance ranging from 15-50 % of the written down value of plant and machinery is deductible. St. Vincent and the Grenadines does not have export duties.

In the tourism sector, the Hotels Aid Act provides incentives for the renovation, refurbishment and expansion of existing hotels and for the construction of new hotels. The Ministry of Tourism has responsibility for the administration of the Act. A person who intends to conduct improvements to a hotel can apply to the Minister for concessions in relation to building materials and articles of hotel equipment. Upon the grant of the concessions, the requested items may be imported free of customs duty. Concessions in respect of expansions of not less than five guest rooms may also be obtained. These concessions relate to income tax exemptions of nine to 15 years on profits attributable to the expansion and customs duty exemptions. A person who intends to construct a hotel of not less than five guestrooms, in the case of nationals of St. Vincent and the Grenadines or of CARICOM, or ten guest rooms, in the case of non-nationals, can apply for income tax exemptions ranging from ten years where the number of guest rooms is between five and twenty, 12 years where the number of guest rooms is between twenty-one and thirty-four, or 15 years where the number of guest rooms is thirty-five or more. Customs duty exemptions are also applicable to hotel constructions.

Regarding taxation, St. Vincent and the Grenadines has entered into double taxation treaties with the nations of CARICOM.

The corporate tax rate is 32.5% of net income; however, there are special rates for export companies at 35% for OECS exports, 30% for non-OECS CARICOM exports and 25% for extra-CARICOM exports. Offshore businesses are also subject to VAT (15%) on taxable imports at the time when goods are imported for home use, or in any other case, when the goods are brought into St. Vincent and the Grenadines.

An IBC may import machinery and equipment into St. Vincent and the Grenadines free from certain taxes and customs duties if they are capital goods.

The corporate tax rate ranges from 15% - 32.5%, except for companies granted tax holidays under the Fiscal Incentives Act for the duration of the tax holiday. Companies manufacturing goods for the local or export markets and which maintain a special account to the satisfaction of the Comptroller have access to reduced tax rates ranging from 15% to 30%.

A valid international trust can be created if it is in writing and follows the formal requirements for a deed or settlement under the International Trust Act. The Act recognizes several types of international trusts – protective or spendthrift trusts, charitable trusts and purpose trusts. A Registrar of Trusts has direct regulatory responsibilities relating to registration, issuing certificates and requesting documentation from the trust. An international trust can only be registered if at least one of its trustees is a registered Trustee with a valid license. Upon registration, the trust and its settler are given certain benefits, including exemptions from various taxes and duties, if the settler was not insolvent at the time the trust was created or became insolvent because of the creation of the trust. The exemptions include income tax, excise tax, customs duties and stamp duty exemptions and are applicable if certain conditions are fulfilled, one of which is that the trust must not be resident in St. Vincent and the Grenadines. The Comptroller of Inland Revenue is empowered to assess a trust's eligibility for tax exemptions and may require from the Registered Trustee the provision of financial information. In the absence of the provision or insufficiency of the information, the trust cannot benefit from the tax exemptions.

If at least one beneficiary of a registered trust becomes resident after the trust is registered, and if the trust is in good standing, then the fact of the residency of the beneficiary does not make the trust liable to be struck off the register. However, the trust and its beneficiaries will not be entitled to tax exemptions for any year during which the trust had one or more resident beneficiaries.

An international trust, except one that is an international company, will not become void or voidable under the Act, notwithstanding the law of the settler's domicile or ordinary residence, as a result of a settler's bankruptcy, insolvency or liquidation.

## **6. Right to Private Ownership and Establishment**

There is a constitutional right for nationals and non-nationals to establish and own private enterprises and private property in St. Vincent and the Grenadines. These rights also pertain to the acquisition and disposition of interests in private enterprises.

Foreigners must obtain a license to purchase land or to acquire more than 50% of a company.

The Aliens' Land Holding (Regulation) Act regulates the holding of land and mortgages related to land by individuals who are non-nationals and companies controlled by non-nationals. In order to hold land, non-nationals must apply for and be granted a license. The breach of any condition of the license authorizes the forfeiture to the government of the interest held by the non-national. License conditions may require that land be developed within a specific timeframe. The factors determining whether a company is considered to be under the control of a non-national include whether:

- a. at least half of its directors are unlicensed non-nationals;
- b. at least half of its votes are exercisable by unlicensed non-nationals;
- c. at least half of its shares are held by unlicensed non-nationals; or
- d. at least half of the nominal value of its outstanding debentures is held by unlicensed non-nationals.

Companies holding at least five acres of land may restrict or prohibit the issue or transfer of its shares or debentures to non-nationals. A license must be granted in order for non-nationals to be able to hold directorships or shares in companies. An application for a license to hold land must be made to the office of the Prime Minister through a solicitor who is licensed to practice in St. Vincent and the Grenadines. The applicant is required to submit a police certificate, a banker's reference, and a description of title with categorization of either (1) one acre of land or less or (2) more than one acre of land. In relation to category 1, an approved development plan, confirmation of execution of the plan within 18 months from construction date and proof of completion of conveyance within six months must be supplied. In relation to category 2, a development plan for the entire area, physical and architectural aspects, and details on financing and the labor to be employed must be provided. Four copies of the application and a fee of US \$962 must be submitted.

If approved, a license is granted which must be filed at the Registry of the High Court. All applicable registration fees and stamp duties must be paid to the Registry.

No industries are officially closed to private enterprise, although some activities, such as telecommunications, utilities, broadcasting, banking, and insurance, require a license from the government. There is no percentage, or other restrictions, on foreign ownership of a local enterprise or participation in a joint venture.

## **7. Protection of Property Rights**

The St. Vincent and the Grenadines Government is a signatory to the Paris Convention on Intellectual Property Rights (IPR) and is a member of the United Nations World Intellectual Property Organization (WIPO). Article 45 of the Protocol Amending the Treaty that established CARICOM commits all 15 members to implement stronger IP protection and enforcement. St. Vincent and the Grenadines is also party to the Paris Convention for the Protection of Industrial Property, Stockholm Text (1967), acceded in 1995; Berne Convention for the Protection of Literary and Artistic Works, Paris Text (1971), acceded in 1995; and Patent Cooperation Treaty (1970), acceded in 2002.

The Copyright Act provides that copyright protection subsists in the following types of works:

- a. Original literary, dramatic, musical or artistic works,
- b. Sound recordings, films, broad casts or cable programs; and
- c. Typographical arrangements of published editions.

Works do not need to be registered in order to be protected by copyright. Literary, dramatic, musical or artistic works of known authorship are protected for the remainder of the life of the

author after creation of the work plus 75 years from the end of the calendar year in which the author dies. Computer generated works are protected for 50 years from the end of the calendar year in which the work is made. Sound recordings and films are protected for 50 years from the end of the calendar year in which the recording or film was made or 75 years from the year in which it was made available to the public. Typographical arrangements of published editions are protected for 25 years from first publication.

The Trade Marks Act provides that trademarks include letter, word, name, signature, numeral, device, brand, heading, label, ticket, aspect of packaging, shape, color or sound or any combination thereof. The term of protection for a trademark is ten years from the filing date. A trademark can be renewed. Application for renewal must be lodged within 12 months. A renewal of a trademark is effective for ten years.

The Patents Act provides that a patent may be granted only for an invention that is new, involves an inventive step and is capable of industrial application. The following are excluded from patent protection:

- a. a discovery, scientific theory or mathematical method;
- b. a literary, dramatic, musical or artistic work or any other aesthetic creation;
- c. a scheme, rule or method for performing a mental act, playing a game or doing business;
- d. diagnostic, therapeutic and surgical methods for the treatment of humans or animals;
- e. the presentation of information;
- f. an invention, the commercial exploitation of which would be contrary to public order or morality;
- g. an invention which is prejudicial to human, animal or plant life, to health or to the environment; or
- h. any plant or animal variety or any biological process for the generation of plant or animals, not being a microbiological process or the product of such a process.

An application to register a patent must contain a request for the grant of the patent, a description of the invention, one or more claims, one or more drawings where required, an abstract, and a statement justifying the right to be granted the patent. The term of protection for a patent is 20 years without possibility for extension.

IPR infringement in most areas is small-scale, although video stores sell and rent pirated DVDs and videos, and other stores and individuals sell illegal copies of computer software, designer items, and music.

For additional information about treaty obligations and points of contact at local IP offices, please see WIPO's country profiles at <http://www.wipo.int/directory/en/>.

Embassy point of contact: Jonelle Watson [Watsonjm@state.gov](mailto:Watsonjm@state.gov)

Local lawyers list: [http://barbados.usembassy.gov/attorneys\\_list.html](http://barbados.usembassy.gov/attorneys_list.html)

## **8. Transparency of the Regulatory System**

St. Vincent and the Grenadines uses transparent policies and effective laws to foster competition and establish clear rules for foreign and domestic investors in the areas of tax, labor, environment, health, and safety.

The Revised Treaty of Chaguaramas provides the competition policy applicable to CARICOM States. Member States are required to establish and maintain a national competition authority for facilitating the implementation of the rules of competition. At the CARICOM level, a regional Competition Commission is established to apply the rules of competition in respect of anti-competitive cross-border business conduct. The CARICOM competition policy addresses anti-competitive business conduct, such as agreements between enterprises, decisions by associations of enterprises, and concerted practices by enterprises that have as their object or effect the prevention, restriction or distortion of competition within the Community; and actions by which an enterprise abuses its dominant position within the Community. No legislation is yet in operation to regulate competition in St. Vincent and the Grenadines. The Organization of Eastern Caribbean States (OECS) has agreed to establish a regional competition body to handle competition matters within its single market. The draft OECS bill has been submitted to the Ministry of Legal Affairs for review. However, sectoral regulation of competition in the telecommunications field is provided for under the Telecommunications Act (2001).

The Employment of Foreign Nationals and Commonwealth Citizens Act provides that foreign nationals or Commonwealth citizens must obtain a valid work permit in order to be employed in St. Vincent and the Grenadines. Work permit applications must be addressed to the ministry responsible for national security. Work permits may be varied or cancelled after a seven-day notice period if the holder fails to comply with or contravenes the conditions under which the permit is granted.

Persons requiring work permits must submit the following documents along with a completed work permit application form; other supporting documentation may also be required: (1) Letter from prospective employer; (2) Certified copy of passport (information page/s); (3) Proof that the position applied for has been advertised.

A work permit is issued for six months only. An applicant requesting more than a six months work permit is required to apply for a residence permit. The cost for CARICOM Nationals is XCD\$600.00 per annum Others XCD\$1,500.00 per annum

An external company that wishes to carry on business in St. Vincent and the Grenadines must first be registered in St. Vincent and the Grenadines. Registration is done at the Commercial Registry. Companies using or manufacturing chemicals must obtain approval of their environmental and health practices from the St. Vincent and the Grenadines National Standards Institution and the Ministry of Health's Environmental Division.

Foreigners must obtain an alien land holding license to purchase real estate.

## **9. Efficient Capital Markets and Portfolio Investment**

As a member of the Organization of Eastern Caribbean States and the Eastern Caribbean Currency Union, the Eastern Caribbean Central Bank (ECCB) has oversight of St. Vincent and

the Grenadines. The Eastern Caribbean Central Bank controls the currencies of several island states including St. Vincent and the Grenadines.

St. Vincent and the Grenadines' monetary and exchange rate policies are determined by the ECCB. The ECCB regulates domestic banks. Exchange controls restrictions on capital and non-trade current transactions have been suspended under the Exchange Control Act.

The Financial Intelligence Unit Act, No.38 of 2001, established the Financial Intelligence Unit (FIU) as the centralized entity responsible for collecting, analyzing and disseminating information about suspicious financial transactions to competent authorities. Financial institutions and persons engaged in business activities must retain records relating to financial activity conducted through them and must inform the FIU of complex or unusual transactions. These requirements are imposed by the Proceeds of Crime and Money Laundering (Prevention) Act, No. 39 of 2001.

The Financial Service Authority Act was passed in November 2012. This Act established the Financial Services Authority which is responsible for the regulation of the international financial services sector and non-banking financial institutions including credit unions, insurances, and money transfer service providers.

According to the most recent data available from the government, assets of commercial banks totaled US\$750.1 million in November 2012, and remained relatively consistent throughout the year. The reserve requirement for commercial banks was 6% of deposit liabilities.

As a member of the OECS, St. Vincent is a member of the Eastern Caribbean Securities Exchange and the Regional Government Securities Market.

## **10. Competition from State-Owned Enterprises**

Statutory corporations or state owned enterprises in St. Vincent and the Grenadines include National Insurance Scheme and the Central Water and Sewage Authority. These companies do not generally pose a threat to investors, as they are not designed for competition. They support government programs such as the national pension plan and the management of pipe borne water, sewage and solid waste management services.

## **11. Corporate Social Responsibility**

In St. Vincent and the Grenadines, there is an awareness of corporate social responsibility (CSR) among both producers and consumers. The private sector is involved in projects that benefit society, including in support of environmental, social and cultural causes. Individuals benefit from business sponsored initiatives when local and foreign owned enterprises pursue volunteer opportunities and make monetary or in kind donations to local causes.

The NGO community, while comparatively small, is involved in fundraising and volunteerism in gender, health, environmental and community projects. The government at times partners with non-governmental organizations (NGO) in activities. The government encourages philanthropy.

## **12. Political Violence**

St. Vincent and the Grenadines has not experienced political violence in recent history.

### **13. Corruption**

Corruption is not a major problem in St. Vincent and the Grenadines; however, while the law provides criminal penalties for official corruption, enforcement is not always effective.

### **14. Bilateral Investment Agreements**

#### *Caribbean Community (CARICOM)*

The Treaty of Chaguaramas established CARICOM in 1973. Its purpose is to promote economic integration among its 15 Member States. Investors operating in St. Vincent and the Grenadines are given preferential access to the entire CARICOM market. The Revised Treaty of Chaguaramas goes further to establish the CARICOM Single Market and Economy (CSME), by permitting the free movement of goods, capital and labor within CARICOM States. This Treaty allows St. Vincent and the Grenadines to be the recipient of several benefits by being party to bi-lateral trade agreements with Venezuela, Dominican Republic, Colombia, Costa Rica and Cuba.

#### *Organisation of Eastern Caribbean States (OECS)*

The Treaty of Basseterre establishes the Organisation of Eastern Caribbean States (OECS). The OECS consists of nine Member States of Antigua and Barbuda, Dominica, Grenada, Montserrat, St. Kitts and Nevis, St. Lucia and St. Vincent and the Grenadines with associate members being Anguilla and the British Virgin Islands. The purpose of the Treaty is to promote harmonization among Member States in areas concerning foreign policy, defense and security, and economic affairs. The six independent countries of the OECS ratified the Revised Treaty of Basseterre establishing the OECS Economic Union on January 21, 2011. The Economic Union established a single financial and economic space within which all factors of production, including goods, services and people, move without hindrance.

#### *Economic Partnership Agreement (EPA)*

The Economic Partnership Agreement (EPA) was concluded between the CARIFORUM States and the European Community and its Member States. The EPA is designed to replace the now expired transitional trade regime of the Cotonou Agreement. The overarching objectives of the EPA are to alleviate poverty in CARIFORUM, to promote regional integration and economic cooperation and to foster the gradual integration of the CARIFORUM states into the world economy by improving their trade capacity and creating an investment-conducive environment. The Agreement promotes trade related developments in areas such as competition, intellectual property, and public procurement, the environment and protection of personal data.

#### *Caribbean Basin Initiative (CBI)*

The objective of the Caribbean Basin Initiative is to promote economic development through private sector initiative in Central America and the Caribbean islands by expanding foreign and domestic investment in non-traditional sectors, diversifying CBI country economies and expanding their exports. It permits duty free entry of products manufactured or assembled in St. Vincent and the Grenadines into markets of the United States

### ***Caribbean / Canada Trade Agreement (CARIBCAN)***

CARIBCAN is an economic and trade development assistance program for Commonwealth Caribbean countries in which Canada provides duty free access to its national market for the majority of products which originate in Commonwealth Caribbean countries.

### ***St. Vincent and the Grenadines and Germany***

The Republic of Germany and St. Vincent and the Grenadines have signed a treaty for the Encouragement and Reciprocal Protection of Investment. Its purpose is to promote favorable investment conditions in each territory

### **15. OPIC and Other Investment Insurance Programs**

In 1999, the U.S. Government's Overseas Private Investment Corporation (OPIC) signed with Citibank to establish a US\$200 million Investment Facility for the Caribbean and Central America, as one means of encouraging investment and stimulating economic development. The Caribbean Development Bank, which is based in Barbados, administers this program. OPIC provides financing and political risk insurance to viable private sector projects, helps U.S. businesses invest overseas, and fosters economic development in new and emerging markets.

### **16. Labor**

According to the most recent data available from the government, in 2012, St. Vincent and the Grenadines' labor force was approximately 63500 or 58% (est.) of the population.

The Wages Council Act establishes, through the Wages Council, minimum wages, work hours, overtime, vacation, sick leave, and maternity leave for specified categories of workers. Employers who fail to pay minimum wages are subject to fines and orders for payment of the wages.

The statutory minimum wages are set out in Regulations made under the Wages Council Act.

The hours of work for specified categories of workers are usually eight hours per day with overtime generally calculated at a rate of time and a half and double for work done in excess of minimum hours of work and on public holidays, respectively.

The Equal Pay Act makes provision for the removal and prevention of discrimination, based on the sex of the employee, in the rates or remuneration for males and females in paid employment.

Trade unions, and the leaders of the trade union movement, enjoy a strong voice in the labor and economic affairs of the country. There are three main unions, the St. Vincent and the Grenadines Public Service Union (PSU), the National Workers' Movement (NWM) and the St. Vincent and the Grenadines Teachers' Union. Trade unions are granted legal recognition by the Trade Unions Act; therefore, the act of joining a trade union is not subject to criminal or civil sanctions. Trade unions must be registered with the Registrar of Trade Unions. Registration requirements include membership of at least seven persons. A 30% membership is required for a trade union ballot. If 50% plus 1 vote is cast by workers in favor of a trade union, then

that union is usually recognized by the particular establishment for collective bargaining purposes. The law provides that it is lawful to conduct peaceful picketing in contemplation of a trade dispute.

The law provides for a minimum working age of 16, and this provision generally was observed in practice. Compulsory primary and secondary education policies reinforced minimum age requirements. The Labor Department had a small cadre of labor inspectors who conducted spot investigations of enterprises and checked records to verify compliance with the law. These inspectors may take legal action against an employer who is found to have underage workers.

Investors in St. Vincent and the Grenadines are required to recognize the economic and social objects as well as the policies and priorities of the government. They are also equally responsible for maintaining workers' rights and safeguarding the environment. While there are no specific health and safety regulations, the Factories Act provides general health and safety guidance to Labor Ministry inspectors. The Labor Commission settles disputes over safety conditions. Workers have the right to report unsafe work environments without jeopardy to continued employment; inspectors then investigate such claims, and workers may leave such locations without jeopardy to their continued employment.

#### 17. Foreign Trade Zones/Free Ports

There are no foreign trade zones or free trade zones in St. Vincent and the Grenadines.

#### 18. Foreign Direct Investment and Foreign Portfolio Investment Statistics

**TABLE 2: Key Macroeconomic data, U.S. FDI in host country/economy**

	Host Country Statistical source*		USG or international statistical source		USG or international Source of data (Source of Data: BEA; IMF; Eurostat; UNCTAD, Other)
<b>Economic Data</b>	Year	Amount	Year	Amount	
Host Country Gross Domestic Product (GDP) ( <i>Millions U.S. Dollars</i> )	2012	694.4	2012	712.6	<a href="http://www.worldbank.org/en/country">http://www.worldbank.org/en/country</a>
<b>Foreign Direct Investment</b>	Host Country Statistical source*		USG or international statistical source		USG or international Source of data: BEA; IMF; Eurostat; UNCTAD, Other
U.S. FDI in partner country ( <i>Millions</i> )	N/A	N/A	2012	1	<a href="#">(BEA)</a> click selections to reach.

<i>U.S. Dollars, stock positions)</i>					U.S. Bureau of Economic Analysis
Host country's FDI in the United States <i>(Millions U.S. Dollars, stock positions)</i>	2012	N/A	2012	0	<a href="#">(BEA)</a> click selections to reach U.S. Bureau of Economic Analysis
Total inbound stock of FDI as % host GDP <i>(calculate)</i>	N/A	N/A	2012	17.6	

## Section 5 - Government

### Chiefs of State and Cabinet Members:

For the current list of Chief of State and Cabinet Members, please access the following - [Central Intelligence Agency online directory of Chiefs of State and Cabinet Members of Foreign Governments](#)

### Legal system:

English common law

### International organization participation:

ACP, AOSIS, C, Caricom, CDB, CELAC, FAO, G-77, IBRD, ICAO, ICRM, IDA, IFAD, IFRC, ILO, IMF, IMO, Interpol, IOC, IOM, ISO (subscriber), ITU, MIGA, NAM, OAS, OECS, OPANAL, OPCW, Petrocaribe, UN, UNCTAD, UNESCO, UNIDO, UPU, WFTU (NGOs), WHO, WIPO, WTO

## Section 6 - Tax

### Exchange control

There are no exchange controls in St. Vincent and the Grenadines

### Treaty and non-treaty withholding tax rates

Saint Vincent and the Grenadines has signed **31 agreements (10 DTC and 21 TIEA agreements)** providing for the exchange of information.

Jurisdiction	Type of EOI Arrangement	Date Signed	Date entered into Force	Meets standard	Contains paras 4 and 5	
Antigua and Barbuda	DTC	6 Jul 1994	30 Nov 1994	Yes	No	
Aruba	TIEA	1 Sep 2009	21 Mar 2011	Yes	Yes	
Australia	TIEA	5 Mar 2010	11 Jan 2011	Yes	Yes	
Austria	TIEA	14 Sep 2009	1 Jan 2012	Yes	Yes	
Barbados	DTC	6 Jul 1994	30 Nov 1994	No	No	
Belgium	TIEA	7 Dec 2009	not yet in force	Yes	Yes	
Belize	DTC	6 Jul 1994	30 Nov 1994	Yes	No	
Canada	TIEA	22 Jun 2010	4 Oct 2011	Yes	Yes	
Curaçao	TIEA	28 Sep 2009	21 Mar 2011	Yes	Yes	
Denmark	TIEA	1 Sep 2009	1 Apr 2011	Yes	Yes	
Dominica	DTC	6 Jul 1994	30 Nov 1994	No	No	
Faroe Islands	TIEA	24 Mar 2010	not yet in force	Unreviewed	Yes	
Finland	TIEA	24 Mar 2010	28 Apr 2011	Yes	Yes	
France	TIEA	13 Apr 2010	21 Mar 2011	Yes	Yes	
Germany	TIEA	29 Mar 2010	7 Jun 2011	Yes	Yes	
Greenland	TIEA	24 Mar 2010	not yet in force	Unreviewed	Yes	
Grenada	DTC	6 Jul 1994	30 Nov 1994	No	No	
Guyana	DTC	6 Jul 1994	30 Nov 1994	Unreviewed	No	
Iceland	TIEA	24 Mar 2010	not yet in force	Yes	Yes	
Ireland	TIEA	15 Dec 2009	21 Mar 2011	Yes	Yes	
Jamaica	DTC	6 Jul 1994	30 Nov 1994	Yes	No	
Liechtenstein	TIEA	2 Oct 2009	16 May 2011	No	Yes	
Netherlands	TIEA	1 Sep 2009	21 Mar 2011	Yes	Yes	
New Zealand	TIEA	16 Mar 2010	not yet in force	Yes	Yes	
Norway	TIEA	24 Mar 2010	21 Mar 2011	Yes	Yes	
Saint Kitts and Nevis	DTC	6 Jul 1994	30 Nov 1994	Yes	No	
Saint Lucia	DTC	6 Jul 1994	30 Nov 1994	Yes	No	

Jurisdiction	Type of EOI Arrangement	Date Signed	Date entered into Force	Meets standard	Contains paras 4 and 5	
Sint Maarten	TIEA	28 Sep 2009	21 Mar 2011	Yes	Yes	
Sweden	TIEA	24 Mar 2010	21 Mar 2011	Yes	Yes	
Trinidad and Tobago	DTC	6 Jul 1994	30 Nov 1994	No	No	
United Kingdom	TIEA	18 Jan 2010	18 May 2011	Yes	Yes	

## Methodology and Sources

### Section 1 - General Background Report and Map

(Source: [CIA World Factbook](#))

### Section 2 - Anti – Money Laundering / Terrorist Financing

	Lower Risk	Medium Risk	Higher Risk
<a href="#">FATF List of Countries identified with strategic AML deficiencies</a>	Not Listed	AML Deficient but Committed	High Risk
<a href="#">Compliance with FATF 40 + 9 recommendations</a>	>69% Compliant or Fully Compliant	35 – 69% Compliant or Fully Compliant	<35% Compliant or Fully Compliant
<a href="#">US Dept of State Money Laundering assessment (INCSR)</a>	Monitored	Concern	Primary Concern
<a href="#">INCSR - Weakness in Government Legislation</a>	<2	2-4	5-20
<a href="#">US Sec of State supporter of / Safe Haven for International Terrorism</a>	No	Safe Haven for Terrorism	State Supporter of Terrorism
<a href="#">EU White list equivalent jurisdictions</a>	Yes		No
International Sanctions <a href="#">UN Sanctions</a> / <a href="#">US Sanctions</a> / <a href="#">EU Sanctions</a>	None	Arab League / Other	UN , EU or US
<a href="#">Corruption Index (Transparency International)</a> <a href="#">Control of corruption (WGI)</a> <a href="#">Global Advice Network</a>	>69%	35 – 69%	<35%
<a href="#">World government Indicators (Average)</a>	>69%	35 – 69%	<35%
<a href="#">Failed States Index (Average)</a>	>69%	35 – 69%	<35%
<a href="#">Offshore Finance Centre</a>	No		Yes

### **Section 3 - Economy**

General Information on the current economic climate in the country and information on imports, exports, main industries and trading partners.

(Source: [CIA World Factbook](#))

### **Section 4 - Foreign Investment**

Information on the openness of foreign investment into the country and the foreign investment markets.

(Source: [US State Department](#))

### **Section 5 - Government**

Names of Government Ministers and general information on political matters.

(Source: [CIA World Factbook](#) / <https://www.cia.gov/library/publications/world-leaders-1/index.html>)

### **Section 6 - Tax**

Information on Tax Information Exchange Agreements entered into, Double Tax Agreements and Exchange Controls.

(Sources: [OECD Global Forum on Transparency and Exchange of Information for Tax Purposes](#) [PKF International](#))

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