

OBJECTS AND REASONS

This Bill would amend the *Consular Services Fees Act*, Cap. 13B to

- (a) clarify the law in relation to the payment of fees;
- (b) provide for officers in the Ministry of Foreign Affairs to provide notarial services for the prescribed fee;
- (c) increase the fees payable under the Act.

Arrangement of Sections

Section

1. Short title.
2. Amendment of long title of Cap. 13B.
3. Amendment of short title of Cap. 13B.
4. Insertion of new section 3A into Cap. 13B.
5. Amendment of section 4 of Cap. 13B.
6. Deletion and substitution of *First Schedule* to Cap. 13B.
7. Deletion and substitution of *Second Schedule* to Cap. 13B.
8. Insertion of *Third* and *Fourth Schedules* into Cap. 13B.

BARBADOS

A Bill entitled

An Act to amend the *Consular Services Fees Act*.

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Consular Services Fees* Short title.
(Amendment) Act, 2006.

Amendment
of long title
of Cap. 13B.

2. The long title of the *Consular Services Fees Act*, in this Act referred to as the principal Act, is deleted and the following is substituted:

"An Act to make provision for the payment of fees for consular services provided by consular officers on behalf of the Government of Barbados; and to make provision for the payment of fees for notarial services provided in Barbados."

Amendment
of short title
of Cap. 13B.

3. Section 1 of the principal Act is deleted and the following is substituted:

"Short title

1. This Act may be cited as the *Consular and Notarial Services Fees Act*."

Insertion of
new section
3A into
Cap. 13B.

4. The principal Act is amended by inserting the following new section after section 3:

"Services to
be provided
by certain
officers.

3A. Any officer in the Ministry responsible for Foreign Affairs who holds an office specified in the *Third Schedule* may provide the service set out in the *Fourth Schedule* on payment of the fee set out therein."

Amendment
of section 4
of Cap. 13B.

5. The principal Act is amended by deleting subsection (2) of section 4 and substituting the following:

Second
Schedule.

"(2) The equivalent amount of the fee set out in the *Second Schedule* may be paid

(a) in the currency of the country in which the consular services are provided; or

(b) in the currency of the United States of America."

6. The principal Act is amended by deleting the *First Schedule* and substituting the *First Schedule* contained in Schedule I to this Act.

Deletion and substitution of First Schedule to Cap. 13B.

7. The principal Act is amended by deleting the *Second Schedule* and substituting the *Second Schedule* contained in Schedule II to this Act.

Deletion and substitution of Second Schedule to Cap. 13B.

8. The principal Act is amended by adding after the *Second Schedule*, the *Third* and *Fourth Schedules* contained in Schedules III and IV to this Act.

Insertion of Third and Fourth Schedule into Cap. 13B.

SCHEDULE I

(Section 6)

"FIRST SCHEDULE

(Section 2)

List of Offices

Any person appointed, whether permanently or temporarily, to any of the following offices in a country or place outside Barbados is a consular officer:

- (a)* Ambassador Extraordinary and Plenipotentiary;
- (b)* Consul;
- (c)* Consul-General;
- (d)* Counsellor;
- (e)* Deputy Consul-General;
- (f)* Deputy High Commissioner;
- (g)* First Secretary, Second Secretary or Attache at an Embassy, High Commission or other mission;
- (h)* High Commissioner;
- (i)* Honorary Consul;
- (j)* Honorary Consul-General;
- (k)* Honorary Vice-Consul;
- (l)* Minister Counsellor;
- (m)* Vice-Consul".

SCHEDULE II

(Section 7)

"SECOND SCHEDULE

(Sections 2, 3 and 4)

CONSULAR SERVICES AND FEES

SERVICE	FEE
	\$ Bds
<i>Notarial and Related Matters</i>	
1. Administering an oath or attestation in respect of an affidavit, declaration, affirmation or any other document	
(a) in respect of each document requiring more than 2 signatures	37.50
(b) in respect of each document requiring more than two signatures, for each additional signature	7.50
2. Attesting the execution of a document, other than a certificate of origin or other document, in support of a consignment of goods	37.50
3. Signing an exhibit referred to in an affidavit or declaration or other document	37.50
4. Initialling not more than two alterations or interlineations in any document prepared by a person other than a consular officer, where the alteration is effected not only by the striking out of any inapplicable words	37.50
5. Authenticating the signature and seal of an authority of the Government of Barbados	75.00 per document
6. Authenticating a signature to a receipt of any sum	
(a) not exceeding \$100.00	15.00

SERVICE	FEE
	\$ Bds
<i>Notarial and Related Matters (Cont'd)</i>	
(b) exceeding \$100.00	37.50
7. Authenticating or attesting a signature or seal for services other than those specified at paragraphs 2, 5, 6 and 22	37.50
8. Making and certifying a copy of a document that is prepared	
(a) in the English language	37.50 per page
(b) in any other language	75.00 per page
9. Certifying a copy of a document	
(a) in the English language	37.50 per page
(b) in any other language	75.00 per page
that is not prepared in the office of a consular officer	
10. Translation of an official document into English	150.00 per page
11. Signing and, if required, sealing a declaration of life made in English	37.50
12. Signing and, if required, sealing a declaration of life made in a foreign language	75.00
13. Preparing a declaration of life	45.00
14. Preparing a declaration of life in a foreign language	150.00
15. Issuing a certificate of identity	75.00

SERVICE	FEE
	\$ Bds
<i>Notarial and Related Matters (Cont'd)</i>	
16. Obtaining certification upon any document from a foreign authority	37.50 excluding the charges by the foreign authority for such certification
17. Obtaining a copy of a document contained in any register of a local authority	37.50
18. Preparing or assisting in preparing any petition, application or other document for execution by any person other than a consular officer	
(a) in English	45.00
(b) in any other language	150.00
19. Executing a document or an exhibit where no other fee is provided in this Schedule	75.00
20. Uniting documents and sealing the fastening	75.00
21. Supplying a certified copy of a certificate of birth or death	7.50

SERVICE	FEE
	\$ Bds
<i>Administration of Estates, Property and Related Matters</i>	
22. Attesting a signature or a seal, or both,	
(a) on a deed granting a power of attorney, whatever the number of persons executing it, for the purpose of a single transaction relating to property not exceeding \$1 000.00 in value	22.50
(b) on a deed granting a power of attorney, whatever the number of persons executing it, for the purpose of a single transaction relating to property exceeding \$1 000.00 in value	75.00
(c) for the purpose of more than one transaction relating to property	37.50
23. Attesting a signature or seal, or both, on a deed conveying or otherwise transferring property	
(a) not exceeding \$1 000.00 in value	22.50
(b) exceeding \$1 000.00 in value	75.00
24. Administering or distributing, in full or in part, the personal effects and other estate of a deceased person (other than the personal effects of a seaman), valued at over \$1 000.00 where the gross market value of the estate or part thereof administered	
(a) does not exceed \$5 000.00	150.00 or 2% of the gross current market value calculated to the nearest dollar whichever is greater

SERVICE	FEE
	\$ Bds
<i>Administration of Estates, Property and Related Matters (Cont'd)</i>	
(b) exceeds \$5 000.00	300.00 plus 1% of the excess over \$5 000.00 of the gross current market value
25. Intervening to protect any interests claimed by absent citizens of Barbados in an estate being administered by a local executor or administrator, where the gross market value of the estate or part thereof	
(a) does not exceed \$5 000.00	225.00 or 2% of the gross current market value calculated to the nearest dollar whichever is greater
(b) exceeds \$5 000.00	300.00 plus 1% of the excess over \$5 000.00 of the gross current market value
26. Attesting the execution of a Will (other than the Will of a seaman)	37.50

SERVICE	FEE
	\$ Bds
<i>Application for Citizenship, Passports and Related Matters</i>	
27. Receiving an application for citizenship	15.00 for the set of documents related to each application
28. Making and certifying copies of documents supporting applications for citizenship	3.00 per application
29. Making and certifying copies of documents supporting passport applications	2.25 per application
30. Certifying documents supporting an application for citizenship or an application for a passport not prepared in the office of the consular officer	30.00 per application
31. Issuing a letter addressed to a foreign authority for the grant of a visa, permission to reside, a work permit or an exit permit, except where the letter is required by a Barbadian citizen and, in the opinion of the consular officer, does not involve excessive enquiries	37.50

SERVICE	FEE
	\$ Bds
<i>Matters relating to Legal Procedures</i>	
32. Making a request or recommendation to any authority of a Caricom state, Commonwealth country or foreign state for the issue of a passport or other travel document, a document of identity, the grant of a visa or an entry permit.....	37.50
33. Attending for the purpose of representing a person's interest, obtaining information or making a report at the hearing of a Commission or Court	
(a) for a first or single sitting of a two-hour duration or any lesser period	750.00
(b) for a second or subsequent sitting of a two-hour duration or any lesser period	300.00
(c) for each hour or less, in excess of two hours, during which any sitting extends	150.00
34. (a) Service of a document or causing a document to be served	112.50
(b) Attempting to serve a document	75.00
35. Forwarding a request to a local authority for the taking of evidence or the service of a document.....	75.00
36. Recovering any amount on a person's behalf at his request	5% thereof rounded up to the nearest dollar
37. Supplying, at the request of interested parties, one or more witnesses whose attestation, in addition to that of the consular officer, is required in any case	37.50 per witness

SERVICE	FEE
	\$ Bds
<i>General</i>	
38. In addition to the fees for services charged under this Schedule, for the provision of those services	
(a) during customary business hours at a place other than the office or residence of the consular officer, for each hour or lesser period	75.00
(b) outside of customary business hours	
(i) at the residence of the consular officer, for each half hour or lesser period.....	112.50
(ii) at a place other than the office or residence of the consular officer, for each half hour or lesser period	150.00
39. Administrative and handling fee relating to the forwarding of documents, (exclusive of postage)	
(a) to representatives of foreign governments and private sector companies	45.00
(b) to other persons.....	60.00".

SCHEDULE III

(Section 8)

"THIRD SCHEDULE

(Section 3A)

Officers who may Provide Notarial Services

- (a) Executive Officer
- (b) Foreign Service Officer II
- (c) Foreign Service Officer I
- (d) Senior Foreign Service Officer".

SCHEDULE IV

(Section 8)

"FOURTH SCHEDULE

(Section 3A)

Notarial Services which may be provided by Officers

SERVICE	FEE
Authenticating the signature and seal of an authority of the Government of Barbados.	75.00".