

ARRANGEMENT OF CLAUSES

1. Short title
2. Interpretation
3. Insertion of new Part in principal Act
4. Amendment of section 8 of principal Act



GRENADA

ACT NO. 6 OF 2016

I assent,



CÉCILE E. F. LA GRENADE
Governor-General.

6th April, 2016.

AN ACT to amend the Grenada Postal Corporation Act Cap.
130G.

[15th April, 2016].

BE IT ENACTED by the Queen's Most Excellent Majesty,
by and with the advice and consent of the Senate and the
House of Representatives of Grenada, and by the authority of
the same as follows—

1. —(1) This Act may be cited as the Short title.

GRENADA POSTAL CORPORATION (AMENDMENT)
ACT, 2016.

2. In this Act, unless the context otherwise requires— Interpretation.

“Agreement” means a contractual arrangement between the Corporation and a private entity or private entities, or a joint venture entity as the case may be to provide postal and other goods and services throughout Grenada; and

“principal Act” means Grenada Postal Corporation Act Cap. 130G.

Insertion of new Part in principal Act.

3. The principal Act is amended by inserting after Part II the following new Part—

“PART IIA

Agreements with entities and undertaking joint ventures

Power to enter into Agreements

11A—(1) Subject to this Part, the Corporation may, with the approval of the Minister enter into an Agreement with an entity or entities, or participate in a joint venture formed between the Corporation and an entity or entities, as the case may be, for the transfer to an entity or entities, or to the joint venture as the case may be, for the tangible and intangible assets of the Corporation including the responsibility and authority to provide postal services and any related services throughout Grenada.

(2) An Agreement entered into pursuant to sub-section (1) may, with the approval of the Minister, include terms that provide for—

- (a) the transfer of the Corporations’ property, rights to an entity, or entities, or joint venture as the case may be;

- (b) the creation, in favour of an entity, or entities or joint venture as the case may be of an interest or right in or in relation to property rights transferred in accordance with the Agreement;
- (c) the creation of new rights and liabilities (including rights of indemnity and duties to indemnify);
- (d) the creation of a new legal entity separate and distinct from the Corporation;
- (e) the composition and manner of functioning of the management structure of the new arrangement including its directorate;
- (f) the definition of the rights and obligations of the Corporation and an entity, entities or joint venture as the case may be;
- (g) the manner in which amendments to the Agreement may be effected; and
- (h) any other matter that the Minister deems necessary to give effect to the Agreement.

Rights of an entity, entities or joint venture

11B. At the time specified in the Agreement—

- (a) an entity, entities or joint venture as the case may be shall have exclusive right to provide postal services and other related services throughout Grenada;

- (b) any property, and rights agreed upon by the parties shall be transferred to an entity, entities, or joint venture as the case may be; and
- (c) any interests, rights and liabilities to be created in accordance with the Agreement shall be vested in an entity, entities, or joint venture as the case may be.

No transfer of liability or obligation upon signing of Agreement

11C. Upon the commencement of an Agreement signed under section 11A–

- (a) no contract entered into, by or on behalf of the Corporation, shall be deemed to have been entered into, by or on behalf of an entity, entities or joint venture as the case may be; and
- (b) no duty, liability or obligation conferred or imposed on the Corporation by any law or otherwise whatsoever, and existing prior to the commencement of this Act, shall be deemed to be conferred or imposed on an entity, entities or joint venture as the case may be; except the duty, obligation or liability is necessary to protect the interests of the users of the postal service.”.

4. Section 8 of the principal Act is amended in sub-section (2) by deleting the words “seven members” where they appear and substituting therefor “a maximum of seven members and a minimum of two members”.

Amendment of section 8 of principal Act.

Passed by the House of Representatives this 2nd day of February, 2016.

WILLAN A. THOMPSON
Clerk to the House of Representatives.

Passed by the Senate this 12th day of February, 2016.

WILLAN A. THOMPSON
Clerk to the Senate.

GRENADA
