PRENTICE & CO

Doing Business in St Kitts and Nevis

THE 2026 GUIDE

The political and legal system · the Nevis and St Kitts international sectors · shipping and intellectual property · local business and banking · financial services regulation · real estate and tourism · citizenship by investment

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About Us

Prentice & Co is a commercial law firm based in Charlestown, Nevis, founded in 2019 by Vieoence Prentice. The firm acts for local and international clients and specialises in corporate and commercial law, dispute resolution, financial services regulation, private client matters and real estate. Its practice pairs an international outlook with deep local knowledge. Much of its work is cross-border, and the firm regularly acts alongside counsel in London, the United States and the wider Caribbean.

Vieoence Prentice, Principal

Vieoence Prentice founded Prentice & Co after extensive experience in England and the wider Caribbean in corporate, commercial, regulatory, banking, intellectual property and public law. He began his career with the financial services regulator in Nevis, where as Registrar of Insurance he helped develop the island's international insurance regulatory regime. He read law at the London School of Economics and Political Science and holds a finance degree from Pennsylvania State University, where he was a Schreyer Scholar. Most recently he completed the Harvard Law School Executive Education programme in mergers and acquisitions.

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Foreword

Few jurisdictions of any size offer the range that the Federation of St Kitts and Nevis fits into 261 square kilometres (101 square miles). It is a stable Westminster-model democracy inside a currency union whose dollar has held its US peg for fifty years, with a common-law court system culminating in the Judicial Committee of the Privy Council. It operates the world's oldest citizenship-by-investment programme and an open international ship registry. Nevis is home to an international finance centre whose statutes are studied, and copied, well beyond the Caribbean. And its tourism and real-estate economy continues to attract marquee resort brands.

It is also a jurisdiction that rewards accurate, current information. The Federation is, for many commercial purposes, two legal environments wearing one flag. The National Assembly legislates federally while the Nevis Island Assembly maintains its own ordinances. The years since 2023 have brought genuine change: a consolidated and repriced citizenship programme under new regulations, a first dedicated Nevis limited partnership law, a new online gaming regime, a modernised copyright statute, expanded regulatory powers for the Financial Services Regulatory Commission, and intensifying international attention to investment migration. Much of what circulates online about St Kitts and Nevis is out of date. Some of it was never right.

This guide is our answer. Across thirty-nine chapters it sets out the law and practice of doing business in the Federation as they stand in August 2026. It does so candidly, including where the jurisdiction's arrangements are untested or under pressure, because that candour is what makes the rest of the guide worth relying on. Each chapter closes with a practical note drawn from experience: the trap people fall into, the sequencing that saves time, the question to resolve before spending money.

We hope you find it useful. We would also be glad to help with what a guide cannot do, which is applying the law to your particular facts.

Prentice & Co
Charlestown, Nevis
August 2026

How this guide is organised

The guide moves from foundation to application. **Part I** describes the political and legal architecture everything else sits on. **Parts II and III** cover the international ("offshore") sectors of Nevis and St Kitts respectively. The statutes are separate, and so are the chapters. **Part IV** covers the international ship registry and intellectual property. **Part V** turns to operating domestically: local companies, the tax framework, banking, non-profits and insurance. **Part VI** profiles the regulators. **Part VII** covers real estate, tourism and development. **Part VIII** closes with the Citizenship by Investment Programme, covering its origins, its current requirements and the international landscape around it.

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PART I

The Political and Legal System

The Federation's twin-island constitution, its courts, and its regional and international alignments. This is the architecture on which everything else in this guide rests.

CHAPTER 1

History of St Kitts and Nevis

1.1 St Kitts and Nevis wears its history more visibly than most jurisdictions. The federation's unusual two-island constitution, Nevis's separate statute book, the stock of state-owned former plantation land that feeds today's resort pipeline, and the world's oldest citizenship-by-investment programme are all products of a four-hundred-year arc from sugar colony to sovereign services economy. For an investor the history is not ornamental: it explains why the country has two governments, two company registries and two land registries, and why a question that looks identical on each island can attract a different answer.

1.2 This chapter tells that story briefly, and closes with what it means, in practical terms, for anyone doing business in the federation today.

First peoples and the Mother Colony

1.3 The islands' last pre-Columbian inhabitants were the Kalinago (Caribs), who called St Kitts *Liamuiga*, "fertile land", and Nevis *Oualie*, "land of beautiful waters". Both names survive in the volcanic peak that dominates St Kitts and in modern local branding. Columbus sighted the islands in 1493, naming St Christopher and "Las Nieves" after the cloud-wrapped summit of Nevis that reminded his crew of snow.

1.4 Permanent European settlement came 130 years later. In 1623 Sir Thomas Warner established England's first successful Caribbean colony at Old Road on the west coast of St Kitts, earning the island the title it still uses, "Mother Colony of the West Indies", because English settlement of the Leeward Islands radiated outward from it. French settlers under d'Esnambuc arrived in 1625, and the island was partitioned: the English held the centre, the French the two ends, Capisterre and Basseterre, the latter name now attached to the federal capital. In 1626 the two European powers, briefly acting together, massacred most of the island's Kalinago at the site still known as Bloody Point. Nevis was settled from St Kitts in 1628, and the intertwined administration of the two islands dates, in substance, from that decade.

Sugar, empire and emancipation

1.5 Anglo-French rivalry made St Kitts a battlefield for the better part of a century, until the Treaty of Utrecht 1713 ceded the whole island to Britain. War returned once more at the close of the American revolutionary period: in 1782 a French force captured Brimstone Hill, the massive fortress known as the "Gibraltar of the West Indies", after a month-long siege, before the Treaty of Paris of 1783 restored the islands to Britain permanently. Brimstone Hill Fortress National Park, today a UNESCO World Heritage Site, remains the most imposing physical relic of that era.

1.6 What the wars were fought over was sugar. From the 1640s a plantation economy worked by enslaved Africans dominated both islands, generating extraordinary wealth for proprietors and an enduring demographic and land-tenure legacy. Eighteenth-century island society left two famous footnotes: Alexander Hamilton was born in Charlestown, Nevis, in the 1750s, and Horatio Nelson married the Nevisian widow Frances Nisbet on the island in 1787, when Nevis was a fashionable spa. Emancipation took effect on 1 August 1834, subject to a transitional “apprenticeship” system that ran until 1838. Sugar nevertheless remained the economic backbone of St Kitts, latterly under state ownership, into the twenty-first century.

From colony to associated state, and the Anguilla rupture

1.7 The islands’ constitutional plumbing was reworked repeatedly. From 1871 they formed part of the federal colony of the Leeward Islands, and in 1882 St Kitts, Nevis and Anguilla were united as a single presidency, an administrative convenience settled in London that neither Nevis nor Anguilla ever fully accepted. The three-island unit passed through the short-lived West Indies Federation (1958–62), and on 27 February 1967 became an Associated State under Premier Robert Bradshaw, with full internal self-government and Britain retaining only defence and foreign affairs.

1.8 Association promptly triggered the state’s first rupture. Anguilla, resentful of rule from Basseterre, expelled the St Kitts police in May 1967 and voted to secede. After a second referendum and a British intervention in March 1969, Anguilla returned to direct British administration, formalised by the *Anguilla Act 1971*, and was formally separated from the associated state on 19 December 1980 under the *Anguilla Act 1980*, remaining a British territory to this day. The lesson, that a small island yoked unwillingly to a larger partner will eventually force the issue, was not lost on Nevisians, and it shaped the constitution under which the remaining two islands went forward together.

Independence and the Nevis question

1.9 The Federation of Saint Christopher and Nevis became independent on 19 September 1983 under the *Saint Christopher and Nevis Constitution Order 1983*, as the Western Hemisphere’s smallest sovereign state. The price of union was constitutional. Nevis entered independence with its own island government and legislature, entrenched fiscal arrangements and, uniquely in the region, an express right of secession under section 113 of the Constitution, exercisable only with the support of two-thirds of the votes cast in a Nevis referendum (see Chapter 2).

1.10 That right has been tested once. On 10 August 1998, 2,427 Nevisians (61.83%) voted for secession and 1,498 (38.17%) against, on a turnout of about 58%. That was a clear majority, but short of the two-thirds threshold, so Nevis remained in the federation. (An earlier, unofficial 1977 plebiscite had shown overwhelming Nevisian sentiment for separation.) The question has lain dormant since, but the constitutional machinery remains, and with it the deep autonomy that makes Nevis a distinct legal and commercial environment today.

The end of sugar and the modern economy

1.11 Sugar’s long decline ended definitively in 2005, when the state-run St Kitts Sugar Manufacturing Corporation closed after its final harvest, drawing the curtain on roughly 350 years of monoculture. The closure reoriented both the economy and the land: former estate lands were vested in the state, creating the land bank that underpins much of today’s tourism and real-estate development pipeline.

1.12 What replaced sugar is a diversified services economy. It rests on tourism, on the Citizenship by Investment Programme, established in 1984 and the world’s oldest of its kind, on financial services, notably Nevis’s international finance sector, on international education, anchored by medical and veterinary schools, on light manufacturing, particularly electronics assembly for export, and on renewable-energy ambitions headlined by Nevis’s geothermal resource and the government’s “Sustainable Island State” agenda.

1.13 The macroeconomic picture as at August 2026 is one of stability with fiscal watch-points. Real GDP grew 4.3% in 2023, then slowed to 1.5% in both 2024 and 2025, with the IMF projecting a pick-up to 2.2% in 2026. Public debt stood at 52.2% of GDP in 2024, the fruit of a decade of consolidation after debt well above 100% of GDP in the early 2010s forced an IMF programme and a 2012 restructuring, but it is rising again, and the IMF's 2026 Article IV consultation (concluded 21 April 2026) urged prompt renewed consolidation. The proximate cause is the Citizenship by Investment Programme itself: CBI receipts fell from 21.7% of GDP in 2023 to 8.1% in 2024 amid programme reform and international scrutiny, a structural shift with consequences for tax policy and public spending that recur throughout this guide.

St Kitts and Nevis at a glance

ITEM	DETAIL
Population	51,320 (2021–22 national census, results released June 2024: St Kitts 38,138, Nevis 13,182). International estimate series cite c. 47,000
Area	c. 261 km² / 101 sq mi (St Kitts c. 168 km² / 65 sq mi, Nevis c. 93 km² / 36 sq mi)
Capitals	Basseterre (federal capital) and Charlestown (seat of the Nevis Island Administration)
GDP	≈ US$1.05–1.14 billion nominal (2024–26 estimates). GDP per capita ≈ US$22,000, among the highest in the Caribbean
Currency	Eastern Caribbean dollar (EC$/XCD), issued by the Eastern Caribbean Central Bank in Basseterre and pegged at EC$2.70 = US$1 since July 1976
Language	English (official)
Time zone	Atlantic Standard Time (UTC−4), no daylight saving
Key sectors	Tourism, citizenship by investment, financial services, international education, light manufacturing, agriculture and fisheries, ship registry, renewables

What this history means for investors

1.14 Three legacies matter most. First, structure. The 1998 referendum settled that the federation holds together, but on Nevis's terms: entrenched autonomy, an island assembly legislating by Ordinance, and separate registries. The practical consequence is that "St Kitts and Nevis" is, for many commercial purposes, two jurisdictions wearing one flag (see Chapters 2 and 3). Secondly, institutions. Monetary and judicial functions were regionalised early, giving a microstate an institutional depth it could not sustain alone. The EC dollar has been pegged to the US dollar since 1976 and is issued by a regional central bank headquartered in Basseterre, while the courts are shared with eight neighbouring states and territories (see Chapters 3 and 4). Thirdly, adaptability. A country that lost its three-century staple industry in 2005 and rebuilt around services has demonstrated a pragmatic, investor-facing policy culture, the same culture that invented citizenship by investment in 1984 and is now recalibrating it under international scrutiny.

> **In practice.** The first question in almost any St Kitts and Nevis transaction is “which island?” The answer determines the applicable statute book, the registry and, often, the government you will be dealing with. Advice obtained for a St Kitts structure does not automatically hold for Nevis, or vice versa. And because so much developable land on St Kitts passed to the state after the 2005 sugar closure, early title work should establish whether a counterparty’s root of title runs through former estate lands and what conditions attached when the state parted with them.

CHAPTER 2

The Political System

2.1 For investors, the political system of St Kitts and Nevis matters for two reasons. It is unusually stable, a Westminster-style parliamentary democracy with an unbroken record of peaceful, election-driven changes of government since independence. And it is genuinely federal, the only federation in the Anglophone Caribbean, which means that identifying the level of government that controls your subject-matter is the first step in any project. A hotel licence, a parcel of land and a work permit connected with the same Nevis development may sit with different governments.

2.2 This chapter maps the constitutional architecture and the political landscape as at August 2026.

The 1983 Constitution

2.3 The *Saint Christopher and Nevis Constitution Order 1983* (UK SI 1983/881, the Constitution stands as Cap 1.01 of the revised laws) came into force at independence on 19 September 1983 and is the supreme law: legislation inconsistent with it is void to the extent of the inconsistency. It establishes a parliamentary democracy under the Crown on the Westminster model, with a justiciable chapter of fundamental rights, and, its most distinctive feature, a federal settlement between the two islands, Nevis's autonomy being secured principally in Parts X and XI.

One federation, two unequal parts

2.4 The federation is asymmetric. Nevis has constitutionally entrenched self-government, the Nevis Island Administration and the Nevis Island Assembly, together with an express right of secession under section 113. St Kitts has no equivalent island administration: the federal government administers St Kitts directly. The asymmetry is the deliberate product of the union's history (see Chapter 1), and its practical consequence is jurisdictional. Matters on St Kitts are handled by federal ministries in Basseterre. A wide range of Nevis matters runs through the Nevis Island Administration in Charlestown. Company formation, land administration and various licences differ by island accordingly.

Head of state and the Governor-General

2.5 His Majesty King Charles III is head of state, represented locally by the Governor-General, Her Excellency Dame Marcella Liburd, the federation's first female Governor-General, sworn in on 1 February 2023 in succession to Sir Tapley Seaton (2015–2023). The office operates in the usual Westminster manner: assent to legislation, appointment of the Prime Minister and, on advice, of ministers and senators, with functions almost always exercised on ministerial advice. Reflecting the federal structure, a Deputy Governor-General resident in Nevis is appointed to discharge the office's functions on that island.

The National Assembly

2.6 The federal legislature is a unicameral National Assembly of three elements. The first is eleven elected Representatives, eight returned by St Kitts constituencies and three by Nevis constituencies. The second is three appointed Senators, two on the advice of the Prime Minister and one on the advice of the Leader of the Opposition, with power for the law to increase the number of senators up to two-thirds of the number of Representatives. The third is the Attorney-General, who sits ex officio if not otherwise a member. The Speaker may be elected from outside the Assembly. The current Speaker is Lanien Blanchette, in office since October 2022. The Assembly's maximum life is five years.

The Drew government

2.7 The government has been led since the 2022 election by Prime Minister Dr Terrance Drew of the St Kitts–Nevis Labour Party (SKNLP), sworn in on 15 August 2022. The Prime Minister holds the Finance, National Security and Health portfolios himself, a concentration worth noting, since fiscal and CBI policy therefore sit directly with him. Deputy Prime Minister Dr Geoffrey Hanley holds Education, Youth and Social Development. Garth Wilkin is Attorney-General and Minister of Justice and Legal Affairs. Dr Denzil Douglas, himself Prime Minister from 1995 to 2015, serves as Minister of Foreign Affairs. Other portfolios include Marsha Henderson (Tourism), Konris Maynard (Public Infrastructure, Utilities and ICT), Samal Duggins (Agriculture and the Creative Economy) and Joyelle Clarke (Sustainable Development and Climate). The Leader of the Opposition is Mark Brantley of the Concerned Citizens' Movement, who serves simultaneously as Premier of Nevis, a duality possible only in this federation, and a useful reminder that Nevis's governing party sits in opposition federally without any practical breakdown in inter-island cooperation.

The Nevis Island Administration and Assembly

2.8 Nevis's executive is the Nevis Island Administration (NIA), headed by Premier Mark Brantley (Concerned Citizens' Movement), Premier since December 2017 and returned for a second consecutive term in 2022. The legislature is the Nevis Island Assembly: five elected and three nominated members, with a five-year term.

2.9 The NIA legislates by Ordinance on the "specified matters" listed in Schedule 5 to the Constitution, among them education and health services in Nevis, lands, housing, licensing, economic planning and tourism promotion. Foreign affairs, defence, citizenship and currency remain exclusively federal. Constitutionally guaranteed fiscal arrangements give Nevis its share of federal revenue, and the NIA presents its own budget, EC$284.4 million for 2026 (EC$2.70 = US$1). The Nevis Ordinances made under this devolution, including the corporate and trust legislation on which the island's international finance sector is built, form a statute book distinct from federal Acts, a point of daily significance in practice (see Chapters 3 and 6).

Section 113: the secession mechanism

2.10 Nevis may lawfully leave the federation, but the bar is high and deliberately procedural. Section 113 requires, in essence, three stages. The first is a secession bill passed by not less than two-thirds of the elected members of the Nevis Island Assembly. The second is publication of full details of the proposal, including the constitution of a future independent Nevis, at least six months before the referendum. The third is approval of the bill in a Nevis referendum by not less than two-thirds of all votes validly cast.

2.11 The single attempt, on 10 August 1998, achieved 61.83% support, a majority but not the super-majority, and failed (see Chapter 1). No secession initiative is live as at August 2026, and federal–Nevis relations are notably cooperative. But the provision remains part of the constitutional furniture, and sophisticated clients periodically ask how secession would affect existing Nevis structures. The plain answer is that no attempt has ever advanced far enough for transition arrangements even to be drafted. The risk is remote, but it is the reason careful drafters treat "St Kitts and Nevis" and "Nevis" as distinct concepts in long-lived documents.

Parties and the electoral cycle

2.12 The last federal election was a snap poll on 5 August 2022, called after the Team Unity coalition collapsed and then-Prime Minister Timothy Harris faced a no-confidence motion. Parliament was dissolved on 11 May 2022. Of the eleven elected seats, the SKNLP took six, the Concerned Citizens' Movement (CCM) all three Nevis seats, and the People's Labour Party (PLP) and People's Action Movement (PAM) one each, on a turnout of about 58%. The next general election is constitutionally due in 2027, five years from the Assembly's first sitting in September 2022, with dissolution required by autumn 2027 and polls within ninety days thereafter (early 2028 at the theoretical latest). No early election had been called or signalled as at August 2026.

2.13 On Nevis, the last Island Assembly election was held on 12 December 2022: the CCM won three seats with 52.4% of the vote against the Nevis Reformation Party's (NRP) two seats on 47.2%, giving Premier Brantley a second consecutive term. The next Nevis election is due in December 2027 (again, early 2028 at the latest). Both electoral tracks therefore mature in 2027.

2.14 Five parties dominate. On St Kitts: the governing SKNLP under Dr Drew, PAM and the PLP. PAM has been led since 2024 by Natasha Grey-Brookes, the first woman to lead a St Kitts-based party, succeeding Shawn Richards. The PLP is led by Dr Timothy Harris, Prime Minister from 2015 to 2022. On Nevis: the governing CCM under Mark Brantley and the opposition NRP. Competition is vigorous but institutional: power has changed hands peacefully throughout the independence era.

Stability as an investment factor

2.15 Political risk in St Kitts and Nevis is low by regional and global small-state standards. The democratic machinery functions: elections are held on schedule or early (never late), results are accepted, and the courts, part of a nine-member regional judiciary with final appeal to the Privy Council (see Chapter 3), are insulated from local politics. Recent years reinforce the picture. The Drew government has governed with a working majority since 2022. Joint sittings of the Federal Cabinet and the NIA Cabinet have been held, a notable development given historical friction over revenue-sharing. And the federation chaired CARICOM from January to June 2026, hosting the landmark 50th Heads of Government Conference in Basseterre on 24–27 February 2026, which drew senior international engagement including US Secretary of State Marco Rubio (see Chapters 4 and 5).

2.16 Nor does the electoral cycle threaten the fundamentals investors care about. The currency peg, the openness of the investment regime and the Citizenship by Investment Programme have survived every change of government since their creation. The genuine policy variable is fiscal: with CBI receipts down sharply since 2023, both the 2025 and 2026 IMF Article IV consultations pressed for consolidation, and revenue measures are more likely to move than the constitutional or political ground rules. Watch budgets, not ballots.

In practice. Map competence before you engage: a Nevis resort will involve the NIA for planning, land and local licensing, but the federal government for work permits, citizenship-linked investment approvals and tax. And a St Kitts project will not involve the NIA at all. Where a venture spans both islands, brief both governments early rather than assuming one clears the other. Finally, with both elections due in 2027, allow for slower discretionary approvals as the polls approach and get key consents in hand during 2026 where sequencing permits.

CHAPTER 3

The Legal System

3.1 Investors from common law jurisdictions find the legal system of St Kitts and Nevis immediately familiar: English-derived common law and equity, a supreme written constitution, a fused and compact legal profession, and final appeals to the Judicial Committee of the Privy Council in London. Two features, however, regularly surprise even experienced international counsel. The first is structural: the federation runs two statute books, federal and Nevisian. The second is a genuine trap: St Kitts and Nevis is not a party to the New York Convention on arbitral awards, contrary to what many secondary sources assert.

3.2 This chapter describes the system as at August 2026, with particular attention to the points that shape dispute-resolution and enforcement planning.

A common law system, with two statute books

3.3 English common law and equity apply as received law, alongside local legislation. The written law comes in layers. The Constitution is supreme (see Chapter 2). Federal Acts of the National Assembly are consolidated in the Revised Edition of the Laws of Saint Christopher and Nevis, maintained by the St Kitts and Nevis Law Commission, the official source for the statute book. The current revised edition runs to 31 December 2017, with annual volumes published thereafter. And on Nevis, Ordinances of the Nevis Island Assembly, made under the island's constitutional devolution, form a parallel body of primary legislation.

3.4 The Nevis Ordinances are not subordinate regulations: within the "specified matters" devolved by the Constitution they are primary law, and they include the corporate and trust legislation, the *Nevis Business Corporation Ordinance* and its companions, on which the island's international finance sector rests (see Chapter 6). The practical rule for investors is to confirm, before relying on any statute, which book it sits in and which island it reaches. Federal legislation (tax, anti-money-laundering, citizenship, banking) applies across the federation. Nevis Ordinances apply to Nevis alone. And regulatory oversight itself divides, with the Nevis branch of the Financial Services Regulatory Commission supervising the Nevis international sector. Land follows the same twin-track logic: both islands operate a certificate-of-title system under the *Title by Registration Act*, but through separate registries in Basseterre and Charlestown, and non-nationals generally require an alien landholding licence unless exempt (detail in the real-estate chapter of this guide).

The courts

3.5 The court structure has four tiers. At first instance for small matters are the Magistrates' Courts: Districts A and B on St Kitts, sitting at the Sir Lee Llewellyn Moore Judicial and Legal Services Complex in Basseterre and at Dieppe Bay, and District C at Charlestown on Nevis. They handle summary criminal work and small civil claims, with a civil jurisdiction up to EC$25,000 (EC$2.70 = US$1).

3.6 Above them sits the Eastern Caribbean Supreme Court (ECSC), the shared superior court of nine member states and territories, established in 1967 and headquartered in Castries, St Lucia. Its High Court of Justice sits locally in two circuits, the St Christopher Circuit in Basseterre and the Nevis Circuit in Charlestown, with resident High

Court judges, so that substantial disputes involving Nevis entities are heard on Nevis itself. The ECSC Court of Appeal is itinerant, sitting in each member state on circuit and, increasingly, by video-conference. It too is headquartered in St Lucia.

3.7 Final appeals lie to the Judicial Committee of the Privy Council in London. St Kitts and Nevis has not acceded to the appellate jurisdiction of the Caribbean Court of Justice as at mid-2026, and no accession initiative is under way. The CCJ binds the federation only in its original jurisdiction, the interpretation and application of the *Revised Treaty of Chaguaramas* (see Chapter 4). Investors generally read the Privy Council link as a stabiliser: high-value disputes are ultimately determined by the same bench that serves several leading offshore jurisdictions.

Civil procedure and commercial litigation

3.8 Civil procedure was modernised recently. The ECSC Civil Procedure Rules (Revised Edition) 2023 came into force on 31 July 2023 across all nine ECSC jurisdictions, replacing the CPR 2000. The most consequential change for cross-border work is the new Part 7, which abolished the requirement for the court's permission to serve proceedings out of the jurisdiction, a significant liberalisation for claims against foreign defendants that is already shaping strategy in offshore disputes involving Nevis LLCs and business corporations. The 2023 rules also modernised case management and costs, and filing is made through the ECSC's E-Litigation Portal.

3.9 There is no separate commercial division in St Kitts and Nevis. Commercial cases proceed in the High Court's ordinary lists (the ECSC's specialist Commercial Court sits in the British Virgin Islands). Injunctive relief, freezing orders and cross-border insolvency applications are nonetheless regular features of the local docket, much of it generated by the Nevis international finance sector. Court and registry fees are payable in EC dollars, with US dollars generally accepted at the peg in practice.

Arbitration, and the New York Convention point

3.10 Arbitration is governed by the *Arbitration Act* (Cap 3.01), a dated statute of English 1950-Act lineage. No UNCITRAL Model Law reform had been enacted as at mid-2026. But the point that matters most is this: **St Kitts and Nevis is not a party to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.** The contrary is frequently stated in secondary sources and treaty summaries. It is wrong, and the error can be expensive.

3.11 The consequences run in both directions. Inbound, a foreign award cannot be enforced here through the Convention's summary machinery. The route is a common law action on the award. That route works: the courts have in practice recognised and enforced foreign awards, including against the state. But it is slower and more contestable than Convention enforcement. Outbound, an award seated in St Kitts and Nevis arrives in other countries without the Convention gateway, so its enforcement abroad depends entirely on the receiving state's domestic law.

3.12 Drafting responds in three ways. First, many practitioners simply prefer exclusive jurisdiction clauses in favour of the ECSC courts, whose judgments travel well within the Commonwealth under the registration statutes described below. Secondly, where arbitration is essential, the seat should be placed in a New York Convention jurisdiction and enforcement planned against assets located in Convention states, treating any St Kitts and Nevis enforcement step as a common law action from the outset. Thirdly, for qualifying investor-state disputes, ICSID arbitration is available: the federation is a party to the ICSID Convention, whose awards carry their own treaty-based enforcement regime. In our experience the dispute-resolution clause in a St Kitts and Nevis transaction should be settled only after mapping where each party's assets actually sit.

Enforcement of foreign judgments

3.13 Foreign judgments reach St Kitts and Nevis by one of three routes, depending on where they were given:

ROUTE	JUDGMENTS COVERED	REGISTRATION WINDOW	KEY CONDITIONS
Reciprocal Enforcement of Judgments Act (Cap 5.14, Act 6 of 1922)	Money judgments of superior courts of the UK (English High Court, Court of Session, Northern Ireland) and scheduled Commonwealth jurisdictions, including the Bahamas, Barbados, Belize, Bermuda, Grenada, Guyana, Jamaica, St Lucia, St Vincent, Trinidad and Tobago, New South Wales and Nigeria	12 months from judgment (extendable)	Registration refused for want of jurisdiction, lack of due service, fraud, a pending appeal, or public policy
Foreign Judgments (Reciprocal Enforcement) Act (Cap 3.13, Act 8 of 1969, in force 1 October 1969)	Judgments of countries extended by Order, currently Victoria and South Australia	6 years	Judgment must be final, for a sum of money (not taxes or penalties) and enforceable where given
Common law action	All other jurisdictions, including the United States, which has no registration arrangement	No registration. A fresh action is brought on the judgment debt	Final and conclusive in personam money judgment of a court of competent jurisdiction. The usual common law defences apply

3.14 The headline for many clients is the American one: US judgment creditors must sue afresh at common law. That is a planning point rather than a bar: the action is on the debt, not a retrial of the merits. But it adds time and cost that UK and scheduled-Commonwealth creditors avoid through quick statutory registration.

The legal profession

3.15 The profession is fused and compact. Under the *Legal Profession Act* (Cap 3.28, Act 33 of 2008, in force 12 January 2010), practitioners are admitted by the High Court as attorneys-at-law, references to barristers and solicitors being construed accordingly. Admission requires good character, a minimum age of 21 and the prescribed qualifications, ordinarily the Legal Education Certificate from a Council of Legal Education law school, with equivalency routes for UK-qualified applicants under the Act's transitional and Schedule provisions, together with citizenship of the federation or a scheduled country. The Registrar keeps the Roll. Annual practising certificates are required, and the official list of practitioners holding current certificates is published each year. Discipline lies with an eight-member Disciplinary Committee appointed by the Chief Justice, and the St Kitts and Nevis Bar Association has a statutory role. The Eastern Caribbean bar is effectively regional: attorneys commonly hold admissions in several ECSC jurisdictions.

3.16 Cross-border formalities are straightforward. Notaries public are appointed under local legislation, and documents for use abroad are apostilled. St Kitts and Nevis has been party to the Hague Apostille Convention since 14 December 1994, with competent authorities including the Registrar of the Supreme Court and the Attorney-General's Chambers/Ministry of Foreign Affairs. Inbound, section 160 of the *Evidence Act 2011* allows documents authenticated by, for example, a UK notary to be received without further legalisation.

> **In practice.** Settle the dispute-resolution clause at term-sheet stage, not at signing. And never paste a standard arbitration clause into a St Kitts and Nevis contract without confronting the New York Convention gap. Decide early between the ECSC courts, a foreign seat matched to where the assets are, and (for treaty-qualifying investors) ICSID. Check the judgment-registration schedules before assuming your home-court judgments will register here: UK and much of the Commonwealth do, within tight windows. US judgments never do. And budget realistic timelines: an itinerant Court of Appeal and final appeals in London can stretch a fully fought dispute over several years.

CHAPTER 4

The OECS and CARICOM

4.1 St Kitts and Nevis belongs to two concentric systems of regional integration. The first is the Organisation of Eastern Caribbean States (OECS), a deep economic union of small neighbouring states with a shared currency, central bank and judiciary. The second is the wider Caribbean Community (CARICOM), whose Single Market and Economy frames trade and movement across fifteen member states. Investors encounter both constantly, usually without realising which is which. Yet the distinction determines who can be hired without a work permit, how goods clear customs, and which regulator licenses a bank, an airline or a telecoms operator.

4.2 This chapter separates what each regime actually delivers in St Kitts and Nevis, and explains where the federation stands on CARICOM's newest experiment, the full free movement of people launched by four member states in October 2025.

The OECS: a deep union of small states

4.3 The OECS was created by the *Treaty of Basseterre*, signed, fittingly, in the federation's own capital, on 18 June 1981. The *Revised Treaty of Basseterre Establishing the OECS Economic Union* was signed on 18 June 2010 and entered into force on 21 January 2011, converting the organisation into an economic union with common legislative competence in defined areas.

4.4 Membership in 2026 comprises seven Protocol (full) members and five associate members. The Protocol members are Antigua and Barbuda, Dominica, Grenada, Montserrat, St Kitts and Nevis, St Lucia, and St Vincent and the Grenadines. The associate members are Anguilla, the British Virgin Islands, Martinique (2015), Guadeloupe (2019) and Saint-Martin, which acceded on 19 March 2025 as the third French territory to join. The steady accession of French Caribbean neighbours is quietly significant for business: it draws the EU's nearest markets into the OECS's cooperation framework.

Free movement and the shared institutions

4.5 Free movement of OECS nationals is the deepest mobility regime in which St Kitts and Nevis participates, considerably deeper than its CARICOM commitments. Since August 2011, citizens of the economic-union states (the six independent Protocol members, Montserrat applying special arrangements) may enter one another's territories with alternative identification, a driver's licence, national identity card, voter card or social security card, and may live and work without permits of any kind, receiving an "OECS free movement — indefinite stay" stamp on entry. For an employer in St Kitts and Nevis, a national of St Lucia or Grenada is, in immigration terms, as straightforward to hire as a Kittitian.

4.6 The union also supplies the institutional backbone of daily commercial life. The Eastern Caribbean Central Bank (ECCB) is the single central bank of the currency union, headquartered in Basseterre, so that the federation hosts the region's monetary authority. It supervises banking under the *Banking Act 2015* single-licence regime. The Eastern Caribbean Supreme Court provides the judiciary (see Chapter 3). The Eastern Caribbean Civil Aviation Authority (ECCAA) regulates aviation, and the Eastern Caribbean Telecommunications Authority (ECTEL), five member states including St Kitts and Nevis, frames telecoms regulation alongside the national commission. The OECS Pharmaceutical Procurement Service, which pools drug purchasing, is studied worldwide as a model of small-state cooperation.

4.7 Monetary arrangements deserve their own word. The Eastern Caribbean Currency Union (ECCU) has eight members: the six independent OECS states plus Anguilla and Montserrat. The EC dollar has been pegged at EC$2.70 = US$1 since July 1976 under a quasi-currency-board arrangement. The ECCB Agreement was signed on 5 July 1983 and the bank opened on 1 October 1983. Members observe a regional public-debt benchmark of 60% of GDP with a 2035 target date. For investors the point is simple: exchange-rate stability is institutional and regional, not a matter of national discretion. The peg has held for five decades.

CARICOM and the CSME

4.8 St Kitts and Nevis (then St Kitts–Nevis–Anguilla) has been a CARICOM member since 26 July 1974. The *Revised Treaty of Chaguaramas* (2001) established the CARICOM Single Market and Economy (CSME), and the federation participates in the single market: free movement of goods, services and capital, the right of establishment, under which CARICOM nationals and companies may set up businesses in the federation, and the skilled-nationals regime for labour mobility.

4.9 Goods trade is the most complete limb. CARICOM-origin goods enter duty-free. Goods from third countries bear CARICOM's Common External Tariff (CET), which St Kitts and Nevis applies with national derogations. A February 2026 protocol amends Article 84 of the Revised Treaty so that the rules of origin in Schedule 1 can be updated by decision of the Council for Trade and Economic Development rather than by formal treaty amendment, a technical change that should allow origin rules to keep pace with modern supply chains. Services and establishment are operational but administrative: the rights are real, but expect paperwork and processing rather than automatic recognition.

Skilled nationals and hiring in practice

4.10 As applied in St Kitts and Nevis, CARICOM free movement of people is category-based. The approved categories, around a dozen, include university graduates, artistes, musicians, sportspersons, media workers, nurses, teachers, artisans and household domestics with Caribbean Vocational Qualifications, associate-degree holders, agricultural workers and security guards. They were most recently extended to aviation personnel in February 2026. A CARICOM national within an approved category applies to the responsible ministry for a CARICOM Skills Certificate (formally, the Certificate of Recognition of Caribbean Community Skills Qualification). The holder is entitled to indefinite entry and may work without a work permit. A certificate issued in another member state is honoured subject to a six-month verification period.

4.11 Outside the approved categories, CARICOM nationals receive an automatic six-month entry stay, but taking up employment requires a work permit in the ordinary way. OECS nationals, by contrast, need neither certificate nor permit. That is why, for recruitment purposes, the practical hierarchy runs OECS first, CARICOM-skilled second, everyone else third.

Full free movement: the October 2025 launch, and where St Kitts and Nevis stands

4.12 On 1 October 2025, four CARICOM states, Barbados, Belize, Dominica, and St Vincent and the Grenadines, launched full free movement among themselves under the Enhanced Cooperation mechanism of the Revised Treaty, implementing a decision of the 49th Regular Conference of Heads of Government (2025) after earlier target dates had slipped. Nationals of the four may enter, reside indefinitely and work without permits in one another's territories, with access to emergency and primary healthcare and to public primary and secondary education.

4.13 St Kitts and Nevis has not joined, and had announced no accession as at August 2026. Prime Minister Drew said in October 2025 that the federation was "studying it" and wanted safeguards "for the smaller countries". The position was unchanged at the 50th Regular Meeting of the Conference, hosted, as it happened, in Basseterre on 24–27 February 2026 during the federation's own January–June 2026 CARICOM chairmanship. (That milestone summit also adopted the CARICOM Industrial Policy, advanced work on regional institutions, drew engagement from US Secretary of State Marco Rubio, and set the 51st meeting for St Lucia in July 2026.) Employers should therefore plan on the standard CSME rules described above, while monitoring for accession, which, if it comes, would materially widen the permit-free hiring pool.

What each regime concretely gives an investor

	OECS ECONOMIC UNION	CARICOM / CSME
Hiring	OECS nationals live and work in the federation with no permit, receiving an indefinite-stay stamp on entry	Skills-certificate holders in approved categories work without permits. Other CARICOM nationals get a six-month entry stay but need work permits to take up employment
Goods	Further-simplified circulation among union states, on top of CARICOM free trade	CARICOM-origin goods duty-free. Common External Tariff on third-country imports
Services and establishment	Economic-union framework with harmonised regulation in defined areas	Right of establishment and cross-border services: operational, administratively processed
Institutions	EC$ peg and ECCB banking supervision, shared court, ECCAA and ECTEL licensing	Treaty disputes subject to the CCJ's original jurisdiction (see Chapter 3)
Full free movement of persons	Already in place among the six independent members	Only among Barbados, Belize, Dominica and St Vincent. St Kitts and Nevis is not a participant

4.14 One final, easily missed consequence: where a sector's regulator is regional, as with banking (ECCB), telecoms (ECTEL with the national commission) and aviation (ECCAA), licensing timetables are set beyond Basseterre, and applications move at the regional body's pace. Factor that into project planning from the outset.

In practice. Build the staffing plan around the mobility tiers: OECS nationals can start work immediately. CARICOM skilled nationals need a skills certificate, with up to six months' verification if it was issued in another member state. Everyone else needs a work permit. Do not assume the four-state full-movement regime launched in October 2025 applies here. It does not, and no accession had been announced as at August 2026. And where your regulator is regional rather than national, open the licensing conversation before committing to a project timetable.

CHAPTER 5

International Organisations and Diplomatic Relations

5.1 For a state of some fifty thousand people, St Kitts and Nevis maintains a remarkable diplomatic footprint, and its choices matter commercially. The strength of the passport underpins the Citizenship by Investment Programme. The federation's recognition of Taiwan shapes development cooperation and its geopolitical alignment. And the combination of a deliberately thin tax-treaty network with a dense transparency network defines what international structuring through the federation can, and cannot, achieve.

5.2 This chapter maps the memberships, the key bilateral relationships and the treaty landscape as at August 2026.

Multilateral memberships

5.3 St Kitts and Nevis was admitted to the United Nations on 23 September 1983, days after independence, and was for decades the organisation's smallest member state by combined population and area. It joined the Organisation of American States in 1984, and its Washington embassy doubles as its Permanent Mission to the OAS. It has been a member of the Commonwealth since independence as a realm, with the King as head of state (see Chapter 2). It was a founding member of the Association of Caribbean States in 1994, belongs to CELAC, and is an active participant in the Alliance of Small Island States and wider small-island climate diplomacy. It has been a member of the World Trade Organization since 21 February 1996, joined the IMF and the World Bank shortly after independence, and is a member of the Caribbean Development Bank. ILO, WHO/PAHO, UNESCO, ICAO, OPCW and Interpol memberships round out the multilateral picture.

5.4 On international courts: the federation is party to the Statute of the International Court of Justice as a UN member but has made no declaration accepting the Court's compulsory jurisdiction under the optional clause, and it acceded to the *Rome Statute* of the International Criminal Court on 22 August 2006. Its own final court of appeal remains the Privy Council (see Chapter 3), with the Caribbean Court of Justice binding it in treaty matters only (see Chapter 4).

The Taiwan relationship

5.5 The federation's most distinctive alignment is its recognition of the Republic of China (Taiwan) rather than the People's Republic, continuously since 9 October 1983, weeks after independence. That makes St Kitts and Nevis one of roughly a dozen states worldwide maintaining full diplomatic relations with Taipei. In the Caribbean, Belize, Haiti, St Lucia, and St Vincent and the Grenadines do likewise. The relationship is anchored by resident missions in both directions: Taiwan has kept an embassy in Basseterre since 1984, and St Kitts and Nevis opened its embassy in Taipei in January 2008.

5.6 The partnership is practical as well as diplomatic. Taiwan's Technical Mission has run agricultural programmes in the federation since 1984. Cooperation extends to public health and medical services under a 2017 agreement, scholarships and technical and vocational training, ICT projects (from 2013), renewable-energy advisory work (also 2013) and even diplomatic-staff training (September 2023). In return, the National Assembly has passed measures supporting Taiwan's participation in international organisations, and the federation advocates for Taipei at the UN and the World Health Organization.

5.7 The relationship was repeatedly reaffirmed in 2026, at UN-level engagements in January and at a Basseterre diplomatic meeting in July, and it now carries American endorsement: US Secretary of State Marco Rubio publicly commended the St Kitts and Nevis–Taiwan partnership in February 2026 during the CARICOM summit in Basseterre, which reduces any pressure on the federation to switch recognition even as Beijing continues to court Taipei's remaining partners. For investors the practical notes are two: ventures with mainland-Chinese state links should factor in the absence of diplomatic relations with Beijing, and Taiwanese cooperation is a fixture of the agriculture, health, ICT and energy landscape.

The United States, United Kingdom and Canada

5.8 Relations with the United States have been friendly since independence, although there is no resident US embassy: coverage is from the US Embassy in Bridgetown, Barbados, whose ambassador is accredited to the federation. St Kitts and Nevis maintains its embassy in Washington and consulates-general including Los Angeles. Cooperation is closest in security and law enforcement, through the Caribbean Basin Security Initiative, maritime counter-narcotics arrangements concluded in the mid-1990s, and an extradition treaty from the same period, alongside a continuing dialogue on citizenship-by-investment and visa integrity. A senior US delegation visited Basseterre in October 2024, and Secretary Rubio met Prime Minister Drew in February 2026. Americans are the top tourism source market. In the other direction, nationals of St Kitts and Nevis require visas for the United States, which operates no visa waiver for the federation.

5.9 The United Kingdom relationship rests on Commonwealth realm ties, Privy Council appeals (see Chapter 3) and a substantial diaspora. UK diplomatic coverage of the federation is provided through its regional network, from the British High Commission in Bridgetown, Barbados, there being no resident British mission in Basseterre. On mobility, nationals of St Kitts and Nevis remain visa-free for the UK but, since early 2025, must obtain the UK's Electronic Travel Authorisation before travelling (the requirement was announced in September 2024, with government guidance issued in March 2025).

5.10 Canada hosts a St Kitts and Nevis High Commission in Ottawa and a Consulate-General in Toronto, but the mobility story is cautionary: Canada withdrew visa-free access for the federation's nationals on 22 November 2014 over due-diligence concerns about the citizenship programme, and the visa requirement remained in place as at August 2026. Since June 2023, though, nationals who have held a Canadian visa in the past ten years, or who hold a valid US non-immigrant visa, may fly to Canada on an electronic travel authorisation instead. It is the clearest illustration that passport strength gained through investment migration can also be lost through it.

The European Union

5.11 Within CARIFORUM, St Kitts and Nevis is party to the CARIFORUM–EU Economic Partnership Agreement (2008), the trade framework with its largest developed-market neighbour after the United States. The headline benefit, however, is mobility: a Schengen short-stay visa waiver signed on 28 May 2009, giving its nationals 90 days' visa-free presence in any 180-day period. The federation was the first ACP and Caribbean state to obtain one. The EU's ETIAS pre-travel authorisation will add a step once operational, expected from the last quarter of 2026 (with a transitional period in which it will not at first be mandatory).

5.12 Candour is required on the risk side. The EU monitors citizenship-by-investment states under its visa-suspension mechanism, and EU Regulation 2025/2441 now makes the operation of an investor-citizenship programme an express ground for suspending a visa waiver. Schengen access for St Kitts and Nevis was unchanged as at August 2026. But it is under active review, its retention is a standing policy priority for Basseterre, and anyone whose plans assume indefinite visa-free EU travel on a St Kitts and Nevis passport should follow this file closely (it is treated fully in this guide's citizenship-by-investment coverage).

The wider map and overseas missions

5.13 The federation keeps diplomatic relations with Cuba, the visible fruit being medical scholarships and eye-care programmes. It joined ALBA in December 2014 at the Havana summit and signed on to the PetroCaribe energy framework, but PetroCaribe has been largely dormant since Venezuela's crisis and the ALBA membership is low-profile. Neither disturbs the federation's Western alignments in practice.

5.14 The overseas network comprises embassies and high commissions in Washington, Taipei, London, Ottawa and Abu Dhabi, together with the Permanent Mission to the UN in New York and consulates-general including Toronto and Los Angeles. It extends to participation in shared Eastern Caribbean missions in Brussels (to the EU) and Morocco, and to an extensive honorary-consul network. For day-to-day consular and commercial diplomacy, Washington, London and Taipei are the poles.

The passport in practice

5.15 The St Kitts and Nevis passport commands visa-free or visa-on-arrival access to roughly 165 destinations, including the Schengen area, the United Kingdom (with an ETA), Hong Kong, Singapore and Russia, the core of the Citizenship by Investment Programme's appeal. The significant absentees are the United States and Canada, for which visas are required. Two trends deserve attention: "visa-free" increasingly means "authorisation-first" (the UK's ETA now, ETIAS for Europe next), and the EU's new suspension framework means headline access should be monitored rather than assumed (see above).

Tax treaties and transparency

5.16 The double-taxation network is deliberately thin. The federation levies no personal income tax, so treaty relief matters mainly for corporate and withholding flows, including the 15% withholding tax on payments to non-residents (see Chapter 24). The instruments in play:

INSTRUMENT	POSITION
CARICOM Multilateral Double Taxation Agreement	Concluded 1994, in force. Governs intra-CARICOM withholding and allocation
Monaco DTA	In force since 2012
San Marino DTA	Signed 20 April 2010, implemented locally by the Income Tax (Double Taxation Relief) (San Marino) Order 2011
UAE DTA	

INSTRUMENT	POSITION
	Signed 24 November 2016, entry into force unconfirmed. The agreement does not appear in the UAE's published in-force treaty network, so verify status before relying on it
Switzerland	Cited in treaty databases as a continuation of a pre-independence UK arrangement. Confirm its current application before relying on it

5.17 The structuring consequence is straightforward: St Kitts and Nevis rarely functions as a treaty-shopping platform, because there is little treaty to shop. Structures established here stand on the jurisdiction's domestic features rather than on treaty access: no personal income tax, and the taxation of Nevis international entities managed and controlled abroad only on local-source income (see Chapter 24). Counterparties should assume full foreign withholding on flows into the federation except where the short list above applies.

5.18 Transparency is the other half of the picture, and here the network is dense. More than twenty tax information exchange agreements have been signed since 2009 with OECD states, the Nordic countries, the Netherlands, Australia, Canada and the UK among them. A Model 1 FATCA intergovernmental agreement with the United States was signed on 31 August 2015 and is in force, with the Inland Revenue Department as the reporting channel. The federation participates in the Common Reporting Standard, with first exchanges in 2018, and the IRD issued updated CRS guidelines and error-mitigation bulletins in 2026, a signal of active enforcement rather than paper compliance. St Kitts and Nevis is a member of the Global Forum on Transparency and Exchange of Information (its 2024 AEOI peer-review update has been published) and of the OECD/G20 Inclusive Framework on BEPS, with peer reviews on treaty-shopping, dispute resolution and harmful tax practices published in 2023–24, and it has stayed off the EU's list of non-cooperative tax jurisdictions. It appeared on neither Annex I nor Annex II of the list as revised on 17 February 2026. The direction of travel is unmistakable: confidentiality from reporting is not the product this jurisdiction sells. Lawful structuring with full international reporting is.

> **In practice.** Assume everything will be reported: financial institutions here apply FATCA and the CRS, and the IRD's 2026 guidance shows growing enforcement sophistication. Build the compliance position into a structure at the design stage rather than retrofitting it. Do not model treaty relief that does not exist. Check the short list above before assuming reduced withholding in either direction. And keep mobility assumptions current: the UK's ETA and the EU's forthcoming ETIAS mean even visa-free trips now need pre-authorisation, and Schengen access, while intact, is under active EU review.

PART II

The Nevis Offshore Sector

Nevis's international finance statutes: business corporations, LLCs, trusts, foundations, the new limited partnership regime, and the island's licensed sectors from international insurance and banking to online gaming, funds and virtual assets.

CHAPTER 6

International Business Corporations

6.1 For four decades the Nevis business corporation has been the flagship vehicle of the island's international financial sector. It is marketed worldwide as the "Nevis IBC", though the statute itself simply calls it a corporation, and is abbreviated in practice to "NBC". It offers Delaware-style corporate flexibility, incorporation within one to two business days through a licensed local agent, flat government fees, and a registry that places almost nothing about ownership or management on the public record.

6.2 What it no longer offers is statutory tax exemption. The ring-fenced exempt regime that made the "IBC" label famous was dismantled between 2018 and 2021 after the EU Code of Conduct Group listed it as harmful, and the modern proposition is different: speed, flexibility, privacy from public inspection and a stable, EU-compliant platform. Investors weighing the corporate form against the Nevis LLC (see Chapter 7) should read this chapter alongside the tax framework in Chapter 24, because the case for the NBC now rests on governance and familiarity rather than on any fiscal privilege unique to it.

A Delaware-lineage statute, re-enacted in 2017

6.3 The original *Nevis Business Corporation Ordinance* was enacted in 1984, drafted with United States counsel on the model of Delaware corporate law with elements of the American Bar Association's Model Business Corporation Act and some British-influenced features. The current law is a full re-enactment: the Nevis Island Assembly passed the Ordinance afresh on 20 July 2017 (Ordinance No. 1 of 2017), in force from 1 January 2018 and consolidated as Cap 7.01 in the Revised Ordinances of Nevis 2020. The milestones in between matter: the 1 July 2015 amendments allowed a single director (the original rule required three) and made officers and share certificates optional. Ordinance No. 6 of 2018 removed the exempt tax regime. The NBC (Amendment) Ordinance 2023 dealt with bearer shares, registers and electronic execution. The NBC (Amendment) Ordinance No. 5 of 2025 followed, though its gazetted text had not been published in machine-readable form at the time of writing.

6.4 That history carries a practical warning. A great deal of online commentary still describes the 1984 text and the pre-2019 tax position: obsolete section numbers, superseded fees and, worst of all, an abolished exemption. Anything material should be checked against the current Ordinance and the FSRC's published schedules.

Formation through a licensed registered agent

6.5 An NBC cannot be incorporated directly by its promoters. Formation is effected only through a registered agent licensed under the *Nevis Trust and Corporate Service Providers Ordinance* 2021, and the corporation's registered office is the agent's office in Nevis (s.14). Before filing anything, the agent must complete customer due diligence on the principals and beneficial owners. In practice this is the pacing item, so certified identity and source-of-funds documentation should be assembled early.

6.6 The registry mechanics are quick. A name is reserved through the FSRC's Online Registration Module (US$50, holding it for 120 days). The agent files Articles of Incorporation, which need state little more than the name, the registered agent and office, and the authorised capital. Directors need not be named in them. The Certificate of

Incorporation ordinarily issues within 24 to 48 hours, with same-day treatment available for a US$100 rush fee. Since 1 April 2024 registry documents issue electronically, and electronic signatures have been accepted on corporate filings since the 2023 amendments.

Corporate features

6.7 The Ordinance imposes remarkably little mandatory structure. One director and one shareholder suffice and may be the same person. Corporate directors are permitted. Directors, shareholders and officers may be of any nationality and resident anywhere. Officer appointments are discretionary. There is no minimum capital, shares may be par or no-par and denominated in any currency, and government fees do not vary with authorised capital. Only registered shares may now be issued (see below). Meetings may be held anywhere in the world and by proxy. Nothing requires the company ever to meet in Nevis.

6.8 Corporate records may be kept anywhere, provided copies of the core registers remain accessible through the registered agent. Accounting records must be retained for at least five years, and the registers for six years after dissolution. Penalties for record-keeping breaches are substantial.

Privacy: what is filed and what is not

6.9 Nevis draws a clean line between what the Registrar holds and what the agent holds. Documents actually filed with the Registrar, chiefly the Articles of Incorporation and any amendments, may be inspected and copied by anyone on payment of a fee (s.28(1)). Everything else stays off the public record: there is no public register of shareholders, directors, officers or beneficial owners. Under the 2023 amendments those registers must be maintained, and kept current, at the registered agent's office, where they are available to the FSRC and other competent authorities but not to the public.

6.10 Clients should be clear-eyed about what this privacy is and is not. It is protection from casual public inspection. Competitors, journalists and speculative claimants cannot browse ownership. It is not opacity towards authorities: St Kitts and Nevis has exchanged financial-account information under the CRS since 2018 and operates a Model 1 FATCA intergovernmental agreement with the United States, so accounts held by a Nevis company are reported to the beneficial owner's home tax authority in the ordinary course.

The end of bearer shares

6.11 Bearer shares, long a red flag for banks and counterparties, are gone. The 2017 Ordinance had already confined them to immobilised form with an approved custodian. The NBC (Amendment) Ordinance 2023 abolished them outright, allowing custodians three months to surrender certificates and companies six months to convert them to registered form, with automatic deemed conversion thereafter (the window closed on 11 March 2024). Every NBC share is now a registered share, a change that has materially eased bank onboarding for the vehicle.

Government fees

6.12 The current FSRC schedule, set under the Fees (Amendment) Regulations 2024 (SRO 9 of 2024, in effect since 1 April 2025), is flat and modest. Figures of US$225 or US$220 still quoted on many websites are outdated.

ITEM	FEE (US$)
Filing Articles of Incorporation	300
Annual renewal	300
Name reservation (120 days)	50
Certificate of good standing	50
Apostille	50
Certified copies (first three pages)	30
Reinstatement after dissolution	300
Same-day/rush service	100

6.13 Failure to maintain a registered agent attracts a penalty of EC$1,350 (US$500, EC$2.70 = US$1) (s.15(6)), and non-payment of the annual fee leads to dissolution (s.119), with reinstatement at US$300. The agent's own professional fees are additional and market-set.

Mergers, consolidations and conversions

6.14 Part XI of the Ordinance (ss.110–115) provides modern reorganisation machinery: mergers and consolidations between Nevis corporations, short-form parent–subsidiary mergers, and mergers with foreign corporations, with appraisal rights for dissenting shareholders. A corporation may also convert into a Nevis LLC, and an LLC into a corporation, under the companion LLC Ordinance, which is useful where a structure outgrows its original form (see Chapter 7).

Redomiciliation, continuation and emergency transfer

6.15 The Ordinance has always been notably portable. A foreign corporation may transfer its domicile into Nevis and continue under the Ordinance, retaining its original name and, importantly for contractual continuity, its original incorporation date. A Nevis corporation may depart under a Certificate of Departure (Parts XIII–XIV, ss.122–135). Distinctive since 1984 are the emergency transfer-of-domicile provisions, permitting rapid migration in circumstances such as war or expropriation, a feature that continues to appeal to clients in politically exposed regions. Under the current gazetted schedule the government fees are US$200 for a transfer of domicile into Nevis, US$400 for a certificate of departure and US$345 for an emergency transfer of domicile. Practitioner-quoted figures of roughly US$575 inbound and US$455 outbound are out of date.

Taxation: the settled position

6.16 The position since the 2018–2021 reforms is stable and worth stating plainly, because outdated descriptions persist. No NBC is tax-exempt as such. Ordinance No. 6 of 2018 closed the exempt regime to new entrants after 31 December 2018, grandfathering for existing companies ended on 30 June 2021, and every NBC now falls under the federal *Income Tax Act*, Cap 20.22. Residence turns on central management and control: a company managed and controlled within the Federation pays corporate income tax at 33% on worldwide income, while a non-resident company, managed and controlled abroad with no local permanent establishment, is taxed only on St Kitts and Nevis-source income. The classic externally managed NBC with no local income therefore bears no SKN tax in practice: a territorial result, not an exemption. Withholding tax at 15% applies to dividends, interest and royalties paid by residents to non-residents, and VAT and business licences are relevant only to local trading (see Chapter 24).

6.17 Two compliance points are routinely missed. First, under Inland Revenue guidance effective 26 August 2020, every NBC must file annually whatever its residence: the Simplified Tax Return, Form CIT 101, for non-residents without a permanent establishment (due by 15 April following the calendar year-end), or the full CIT 100 for residents. Marketing that promises “no filings whatsoever” has been wrong since 2020. Secondly, St Kitts and Nevis has enacted no economic substance legislation. Unlike the BVI or Cayman, there is no local substance test or activity filing, because the Federation abolished the preferential regime and taxes on residence principles instead. As at the EU’s 17 February 2026 update, the Federation appears on neither Annex I nor Annex II of the EU list.

Why clients choose the NBC, and the pitfalls

6.18 The appeal is easy to state: formation in days at flat fees, Delaware-style flexibility with a one-person board if desired, no public ownership data, portability including the emergency provisions, and an EU-compliant platform free of economic-substance filings. Registration volumes remain healthy. The FSRC’s monthly statistical bulletin recorded 321 NBC registrations, including transfers in, in December 2025 alone.

6.19 The pitfalls are mostly imported from home. A corporation managed from the United Kingdom, the United States or the EU will usually be tax-resident, or have its profits attributed under CFC rules, where its controllers sit. Nevis non-residence does not displace home-country management-and-control tests, and US owners face Form 5471, FBAR and Form 8938 obligations in any event. Banking is the hardest practical step: expect enhanced due diligence and two to four weeks or more to open an account. In our experience the account, not the incorporation, sets the critical path. Finally, the CIT 101 is easily missed by owners once told “there are no filings”, and reliance on legacy “tax-exempt IBC” marketing invites both compliance failure and reputational questions.

> **In practice.** Settle where central management and control will genuinely sit, and confirm a bank’s appetite for the structure, before incorporating. An NBC without an account is a filing obligation, not a business. Assemble certified due-diligence documents before instructing the agent, since CDD rather than the registry sets the timetable. And calendar the annual renewal and the CIT 101 from day one: the registry fee keeps the company alive, and the tax return keeps it compliant.

CHAPTER 7

Limited Liability Companies

7.1 The Nevis limited liability company is the jurisdiction's signature export. Enacted in 1995 as the Caribbean's first LLC statute and modelled on the US form, the *Nevis Limited Liability Company Ordinance* has become renowned for what is often described as the strongest statutory charging-order protection available offshore. Where the NBC (see Chapter 6) is chosen for corporate familiarity, the LLC is chosen for what happens if a member is ever sued.

7.2 The vehicle combines separate legal personality and near-total contractual freedom with an asset-protection architecture that makes enforcement against a member's interest slow, expensive and time-limited. This chapter sets out that architecture precisely, including its real limits, because a Nevis LLC is a formidable shield when established early and structured properly, and close to worthless when bolted on after a claim has arisen.

The governing Ordinance and its evolution

7.3 The original Ordinance (No. 1 of 1995) was substantially strengthened by the asset-protection amendments in force from 1 July 2015, and the current text is a full re-enactment: the *Nevis Limited Liability Company Ordinance* 2017 (Ordinance No. 2 of 2017), passed on 20 July 2017, in force from 1 January 2018 and consolidated as Cap 7.04 in the Revised Ordinances of Nevis 2020. Later amendments include Ordinance No. 7 of 2018 (the EU-driven tax reforms, which also reshaped the creditor bond discussed below), No. 7 of 2019, No. 2 of 2022 (restoration of struck-off companies and a modern merger code in ss.72A–72D, including 90% parent–subsidiary "roll-up" mergers, cross-border mergers, a two-thirds member-consent requirement for the sale of substantially all assets, and dissenters' rights), No. 3 of 2023 (electronic signatures and electronic filing, service of process, new register and record-retention requirements, including six-year post-dissolution retention, and penalties of up to US$10,000, paralleling the NBC changes) and No. 4 of 2025, whose gazetted text had not been published in machine-readable form at the time of writing. The fee change practitioners date to April 2025 in fact derives from the Fees (Amendment) Regulations 2024 (SRO 10 of 2024), in effect since 1 April 2025.

7.4 One consequence of the 2017 re-enactment deserves emphasis: the sections were renumbered. The charging-order provision cited for two decades as s.43 of the 1995 Ordinance is now s.60, and much practitioner commentary online still uses the old numbering and superseded fee figures. Check citations against the current Cap 7.04.

Members, managers and structure

7.5 A Nevis LLC has separate legal personality and may be formed with a single member, and, critically, single-member companies enjoy the full charging-order protection described below. Members and managers may be individuals or entities of any nationality or residence. The company may be member-managed or manager-managed. No officers are required. There is no minimum capital, and contributions may be made in cash, property or services. Classes and series of member interests are permitted (s.56), giving the flexibility to replicate preferred returns, carried interests or voting splits. A caution, however: s.56 is a classes-and-series-of-interests provision, not a Delaware-style "series LLC". Nothing in the Ordinance creates statutory liability segregation between series, and structures should not assume internal cell-like shields.

The operating agreement

7.6 The operating agreement is the constitution of the company and is not filed with the Registrar. Unless the Articles of Organization require otherwise it need not even be in writing (s.27(3)), though it always should be. The Articles of Organization filed publicly need not name members or managers, so the governing economics remain wholly private: distributions, voting, transfer restrictions, exit mechanics, manager powers. There is no public register of members or managers, and the *Confidential Relationships Act*, Cap 21.02, penalises unauthorised disclosure of confidential business information. The privacy analysis in Chapter 6 applies equally here: agent-held registers (including beneficial owners) accessible to competent authorities, and CRS and FATCA reporting at account level regardless of registry privacy.

The asset-protection architecture

7.7 Five interlocking rules, using the 2017 numbering, make up the regime.

7.8 **The charging order is the exclusive remedy (s.60).** The sole and exclusive remedy of a judgment creditor of a member is a charging order against that member's interest. That is expressly so whether the company has one member or several, a direct legislative answer to US authority such as *Albright* and *Olmstead*, in which single-member LLCs lost charging-order protection. The order holder receives only distributions actually made to the member. It acquires no voting or management rights and cannot compel a distribution or a dissolution. If the company declines to distribute, the creditor waits.

7.9 **No foreclosure, and no court supervision.** Section 60(6) excludes foreclosure on, or seizure, levy or attachment of, the member interest, as well as court orders for directions or accounting. The interest itself can never be taken. Only its distribution stream can be intercepted.

7.10 **The order expires after three years (s.60(15)).** A charging order lapses three years after entry and cannot be renewed. No US state imposes such a sunset. Combined with the rule that distributions cannot be compelled, patience alone defeats most orders.

7.11 **Foreign judgments are not recognised (s.60(7)).** No foreign judgment is enforceable against a member's interest. A creditor holding, say, a US or English judgment must re-litigate the underlying claim on the merits before the High Court, instructing Nevis counsel. There is no treaty enforcement route, and contingency-fee representation is commonly said to be unavailable locally.

7.12 **The creditor must post a bond (s.62), and fraud claims face a criminal standard (s.61).** Before bringing or maintaining a claim against a member's interest, the creditor must deposit a bond from a Federation financial institution with the Permanent Secretary in the Ministry of Finance, in an amount determined by the High Court, as security for costs. The flat US$100,000 figure that dominates the marketing literature derives from the 2015 amendments. Since the 2018 amendment the amount is court-set, with US$100,000 the historical benchmark. And a claim that assets were transferred to the company to defeat creditors must be proved beyond a reasonable doubt, the criminal standard, and is barred two years after the transfer in question (s.61).

7.13 The combined economics explain the vehicle's reputation. To reach mere distributions, never the underlying assets, a creditor must retain local counsel, post a court-set bond, re-prove its case in Charlestown, and then hold an order that pays only if the company chooses to distribute and that dies within three years. Few commercial creditors attempt it. Deterrence at the settlement table, rather than victory in a Nevis courtroom, is the design.

7.14 **What the architecture does not do.** Nevis law binds Nevis courts, not the courts where the member lives. A US judge who finds that a debtor moved assets into a Nevis LLC he still controls can hold the debtor in contempt or order repatriation. The person, unlike the company, is within the home court's reach. Nor does charging-order protection answer criminal confiscation, insolvency clawback or matrimonial jurisdiction operating in personam in the home forum. The structural answers are to fund early, before any claim exists, and to cede genuine control, an independent manager or membership held through a Nevis international exempt trust, because a sole member-manager who can be ordered to distribute to himself is the weak point of every failed structure. Protection and control trade off directly, and clients who insist on keeping both should hear that stated plainly.

Taxation and classification

7.15 The federal position mirrors that of the NBC since the 2018–2021 reforms: the LLC is a taxable company for St Kitts and Nevis purposes. One managed and controlled abroad with no local permanent establishment is taxed only on SKN-source income, typically nil, while a resident company pays 33%. Every LLC must file the annual CIT 101 simplified return (or CIT 100 if resident), and no SKN withholding applies to distributions to non-resident members. There is no domestic election for transparent, partnership-style taxation. There is no economic substance legislation (see Chapters 6 and 24).

7.16 The US classification point is the critical trap. A Nevis LLC is a foreign eligible entity, and because every member has limited liability its default US classification is a corporation. US members therefore generally file a Form 8832 "check-the-box" election to be treated as a disregarded entity (single member) or partnership. Without it they face controlled-foreign-corporation status and Form 5471 reporting, and FBAR and Form 8938 obligations apply in any event. Guides describing pass-through as the "default" are describing post-election practice, not the default rule. The election should be resolved with US counsel at formation. Retrospective relief is limited.

Formation and fees

7.17 Formation follows the same agent-filed process as the NBC (see Chapter 6): a licensed registered agent completes due diligence and files Articles of Organization, with the certificate normally issuing within one to three business days and same-day service available. No capital contribution or issuance of interests is required at formation. The FSRC schedule, set under the Fees (Amendment) Regulations 2024 and in effect since 1 April 2025, is flat:

ITEM	FEE (US$)
Filing Articles of Organization	300
Annual renewal	300
Name reservation (120 days)	50
Certificate of good standing	50
Apostille	50
Certified copies (first three pages)	30
Reinstatement	300

ITEM	FEE (US$)
Same-day/rush service	100

7.18 Registered agents' annual fees typically run US$1,000–2,500 depending on services. Conversions between corporation and LLC are recognised (Part XII, since 2015), the 2022 merger code covers domestic, cross-border and 90% roll-up mergers, and transfer of domicile in and out, including emergency transfer, mirrors the NBC Ordinance, so a foreign LLC may continue into Nevis retaining its identity.

Uses, and common pitfalls

7.19 The classic deployments are a stand-alone asset-protection holding company for bank and brokerage accounts, intellectual property or vessels, and the underlying company of a Nevis international exempt trust, with the trust holding the membership interest (the settlor may act as manager, though only with caution and advice). The LLC also serves as a joint-venture or group holding vehicle exploiting the operating agreement's flexibility, as a holder of US real estate or brokerage assets, with appropriate US tax structuring, and as an operating company banking outside St Kitts and Nevis.

7.20 The pitfalls deserve equal billing. Funding the company after a claim has arisen invites fraudulent-transfer remedies at home, whatever the Nevis two-year bar says, and is the fact pattern behind every contempt order in the reported US cases. Retained control, the client as sole member-manager, undermines the protection practically even where it survives legally. The US default-corporation classification catches the unadvised. CRS and FATCA reporting mean the structure is visible to home tax authorities, and must be reported by US and many European owners regardless. And banking friction is real: allow several weeks and full documentation for account opening.

> **In practice.** The Nevis LLC rewards clients who act before they need it: fund the structure while the sky is clear, appoint a genuinely independent manager, and document contributions contemporaneously. The commonest mistake we see is the reverse: assets moved after a dispute surfaces, with the client as sole member-manager, which buys litigation rather than protection. Resolve the US Form 8832 election in the same week the company is formed, not at the first filing deadline, and treat the operating agreement as the place where the real drafting effort belongs.

CHAPTER 8

International Exempt Trusts

8.1 No single statute has done more to put Nevis on the international wealth-planning map than the *Nevis International Exempt Trust Ordinance* (Cap 7.03 (N)), in force 1 May 1994 and amended several times since, most substantially in 2015). "NIETO", as practitioners call it, created a registrable international trust with statutory asset-protection features that remain among the most formidable in the offshore world: exclusive Nevis jurisdiction, non-recognition of foreign judgments, a criminal standard of proof for fraudulent-transfer claims, one- and two-year limitation windows, and a substantial bond before a creditor may even begin. Draft replacement Bills circulated for consultation in 2016 and February 2020 were never enacted. The 1994 Ordinance as amended remains the operative law as at August 2026.

8.2 The candid preface every adviser should give: the Ordinance controls what a Nevis court will do, not what a settlor's home court does to the settlor personally. It rewards trusts that are funded early, administered at genuine arm's length and reported properly at home, and does much less for late transfers and settlors who cannot let go.

Qualifying as an international trust

8.3 Three conditions define an international trust. First, at least one trustee must be a qualifying Nevis person: a corporation formed under the *Nevis Business Corporation Ordinance* (Cap 7.01 (N)) (see Chapter 6), an LLC formed under the *Nevis Limited Liability Company Ordinance* (Cap 7.04 (N)) (see Chapter 7), a trust company licensed in Nevis, an attorney-at-law or firm licensed to carry on registered agent business, or a Nevis multiform foundation (see Chapter 9). Secondly, the settlor and the beneficiaries must at all times be non-resident. Thirdly, the trust fund must include no real property situated in St Christopher and Nevis.

8.4 The breadth of the trustee definition matters: a family's own NBC or LLC, a private trustee company, can serve without a trust licence, though anyone providing trustee services by way of business requires a Class II (unrestricted) licence under the *Nevis Trust and Corporate Service Providers Ordinance 2021* (see Chapter 13).

Registration, renewal and privacy

8.5 Registration is deliberately minimal. What reaches the Registrar at the Nevis FSRC is the prescribed fee, notice of the trust's name and registered office, and a certificate from a trustee or a Nevis attorney certifying the date of creation, the Nevis governing law, compliance with the Ordinance's conditions, and the absence of any unlawful purpose or pending litigation (s 43). The trust instrument itself is not filed, and no settlor or beneficiary name appears in any register. The register is not open to public inspection and may be consulted only with the trustee's written authorisation (s 46). All non-criminal judicial proceedings relating to an international trust are heard in camera, with publication only by leave of the court (s 63(2)).

8.6 The certificate of registration is conclusive evidence of compliance (s 43(8)) but is valid for one year only. Renewal is annual, with a 90-day grace period after expiry (s 44(3)). If renewal lapses, "the provisions of this Ordinance shall cease to apply" (s 44(6)): the trust survives as a trust but loses every statutory protection described in this chapter. In our experience this renewal trap catches more structures than creditor attack ever does. Fees are modest: registration and each annual renewal cost US$300 (EC$810, the EC dollar being pegged at EC$2.70 = US$1), late renewal US$400 (EC$1,080), a certificate of registration US$20 and a certificate of good standing US$50.

Trust types, duration and flexibility

8.7 The rule against perpetuities is disapplied (s 5(2)): an international trust may endure indefinitely unless its terms provide otherwise, which suits dynastic planning. The Ordinance expressly accommodates protective or spendthrift trusts (s 6(1)), under which a beneficiary's interest terminates or diminishes on insolvency or attempted seizure. It also accommodates charitable trusts on broad heads including poverty, education, religion, the environment and human rights (s 7(1)), and non-charitable purpose trusts (s 8(1)), valid where the purpose is "specific, reasonable and capable of fulfillment", is not immoral, unlawful or contrary to public policy, and the terms appoint a protector able to enforce it. Purpose trusts are the workhorse of orphan structures. Holding the shares of a private trustee company is the classic use.

8.8 The proper law (or a severable aspect of it) may be changed to or from Nevis law: a foreign trust redomiciles inward by adopting Nevis proper law and registering, and outward migration does not invalidate the trust (s 4).

The settlor's position: retained powers and the protector

8.9 Nevis answered the "retained control" attack on asset-protection trusts with a statutory safe harbour. Under s 53(1) a trust is not invalidated because the settlor keeps a power to revoke or amend, a veto over distributions, a beneficial interest in income or principal (including annuity- or unitrust-type retained interests), the use of trust property, trustee payment of the settlor's taxes, debts or estate expenses, powers to remove, appoint and direct trustees and protectors, a testamentary power of appointment, or the role of investment adviser. The settlor may also be a beneficiary, and the settlor or a beneficiary may serve as protector (s 10(7)).

8.10 The protector is the structure's swing institution, with powers to remove and appoint trustees, direct or veto distributions and direct investments. The office attracts a default fiduciary duty to the beneficiaries or purpose (s 10(8)), subject to contrary terms, and a trustee acting on a protector's direction or consent is protected absent wilful misconduct or gross negligence (s 10(4)–(5)).

8.11 Two cautions. Section 53 protects validity in Nevis. It does not stop a court at home treating a settlor-protector-beneficiary with de facto control as still owning the assets, on sham or alter-ego reasoning or, in contempt proceedings, because any claimed impossibility of repatriation is self-created. And the more powers the settlor keeps, the weaker the structure looks precisely when it matters. Use an independent licensed trustee. Think hard before making the settlor protector.

The asset-protection architecture

8.12 The creditor provisions form a self-contained code, best understood as a series of gates a claimant must pass in sequence.

8.13 *Forum.* Jurisdiction over international trusts lies with the Nevis court (s 23), and no proceedings for the enforcement or recognition of a foreign judgment lie against an international trust, its settlor, trustees, protectors or trust property where the judgment rests on a law inconsistent with the Ordinance (s 30). A creditor holding a New York or London judgment therefore starts again: fresh substantive proceedings in Nevis, through Nevis counsel, who, practitioners note, may not act on contingency, a restriction of the general law governing the local profession rather than of the Ordinance itself.

8.14 *The bond.* Before bringing any action or proceeding against trust property governed by the Ordinance, every creditor must first deposit with the Permanent Secretary in the Ministry of Finance a bond of EC$270,000, roughly US$100,000, procured from a financial institution in Nevis (s 61, as amended in 2015: the Ordinance's s 2 designates its dollar figures as EC dollars). Older commentary still quotes a US$25,000 bond. That pre-2015 figure is out of date.

8.15 *The standard of proof.* A disposition to an international trust is fraudulent only if the creditor proves beyond reasonable doubt, the criminal standard, both that the transfer was made with the principal intent of defrauding that particular creditor and that it left the settlor insolvent, solvency being tested against the fair market value of the settlor's remaining property (s 26(1)–(2)). A transfer by a demonstrably solvent settlor is safe however sharp the timing looks.

8.16 *Time.* The windows are short and absolute. A disposition made more than one year after the creditor's cause of action accrued cannot be attacked at all (s 26(3)). A disposition made before the cause of action accrued is likewise immune, which excludes future creditors entirely (s 26(4)). And no action of any kind, whether statutory, common law or equitable, to set aside a settlement or disposition, or against a trustee for breach of trust, may be brought unless commenced in the Nevis court within two years of the settlement, disposition or breach (s 50(1)). The net effect: an existing creditor must discover the transfer, retain Nevis counsel, post the bond and sue in Nevis within two years, and cannot complain at all of a disposition made more than a year after his claim arose.

8.17 "Creditor" is defined widely (s 2), covering judgment creditors, assignees and anyone who merely alleges a cause of action against a settlor, so the code cannot be sidestepped by relabelling the claimant. Forced-heirship claims fare no better: no disposition is void or voidable because it defeats rights arising from a personal relationship to the settlor or heirship (s 54, reinforced by s 31), and the Statute of Elizabeth is displaced by the s 26 code. Spouses keep any community-property character in transferred property as between themselves (s 62), a carve-out for US community-property settlors, not a creditor remedy.

8.18 No publicly reported Nevis decision has tested the s 26 standard or the s 61 bond. Practitioners present that as proof the deterrent works: creditors settle rather than litigate in Charlestown. That is broadly our reading too, though untested machinery is also unpredictable machinery.

Trustees, administration and taxation

8.19 Trustees must keep proper books of account explaining all transactions and showing the trust's financial position, retained for at least five years (s 42). A trustee is not liable for a co-trustee's breach unless aware of it, or culpably unaware, and failing to act (s 17(3)).

8.20 A registered trust is exempt from Nevis income tax, from estate, inheritance, succession and gift taxes on trust property, from stamp duty on trust instruments, and from exchange controls (s 49), for so long as the qualification conditions hold. The exemption is territorial: it says nothing about the settlor's home-country position. For US settlors the trust is typically a grantor trust, fully taxable to them. Since the Federation levies no personal income tax in any event (see Chapter 24), the practical value of s 49 lies in the stamp-duty and death-tax exemptions and in certainty.

Uses and pitfalls

8.21 The classic candidates are professionals and entrepreneurs in litigious home markets, families planning succession free of perpetuity limits and forced-heirship claims, and holding structures needing an orphan owner. The standard architecture is the "double lock": a NIETO trust holding a Nevis LLC that holds the investment accounts, so that a creditor confronts the LLC Ordinance's charging-order regime before ever reaching the trust's own defences. The charging order is the exclusive remedy, expires after three years and is non-renewable (see Chapter 7). Keep the LLC multi-member or trust-owned: a 2015 Florida federal decision, widely identified as *Wells Fargo Bank NA v Barber*, allowed foreclosure of a debtor's interest in a single-member Nevis LLC under Florida law, bypassing the Nevis protections entirely.

8.22 Where structures fail, they fail onshore. *FTC v Affordable Media LLC*, 179 F.3d 1228 (9th Cir 1999), the leading US authority, jailed settlors for contempt when they failed to repatriate offshore trust assets under powers they had reserved. Section 548(e) of the US Bankruptcy Code gives a ten-year look-back for transfers to self-settled trusts, and transfers made with claims already in view invite fraudulent-transfer and contempt exposure at home whatever s 26 says in Nevis. The discipline is simple: fund early, before any claim is on the horizon. Keep control demonstrably with an independent trustee. Comply scrupulously with home-country reporting: for US persons, Forms 3520 and 3520-A, the FBAR and Form 8938, with penalties from US$10,000 per form. Budget realistically (US advisers quote roughly US$15,000–21,000 all-in for the first year and about US$5,000 a year in trustee fees), and remember that banking, not law, is the practical bottleneck in an era of de-risking: open the account before funding the trust (see Chapter 12).

> **In practice.** The settlors who get full value from a Nevis trust fund it years before trouble, accept an independent licensed trustee and a protector who is not themselves, and file every home-country form on time. Those who move assets with a claim already pending buy litigation, not protection. Sequence matters: complete bank onboarding before transferring assets, and diarise the annual renewal. A lapsed registration quietly strips the trust of every protection this chapter describes.

CHAPTER 9

Multiform Foundations

9.1 For much of the world's private wealth, in continental Europe, Latin America, the Middle East and large parts of Asia, the trust is an unfamiliar and sometimes distrusted instrument. Clients from civil-law jurisdictions are often uneasy vesting family assets in a trustee they do not control, and some home legal systems do not recognise the trust's split of legal and beneficial ownership at all. The foundation answers that unease: an incorporated body with its own legal personality, no shareholders and no outside owner, holding its endowment for the purposes or beneficiaries set out in its constitution. It is functionally a self-owning company with dispositive wishes attached, familiar from the Liechtenstein Stiftung and the Panama foundation.

9.2 Nevis entered this market with the *Multiform Foundations Ordinance 2004* (Cap 7.08 (N), amended 2011) and characteristically over-delivered. The Ordinance created the world's only "multiform" foundation, an entity that declares in its constitution which of four legal characters it assumes and may change character mid-life without ceasing to exist, and paired it with an unusually liberal regime for importing existing foreign entities of any kind. The result is a chassis of near-unlimited adaptability for succession, governance and holding structures.

The multiform concept

9.3 Every Nevis foundation states its "multiform" in its constitution and certificate of establishment: it is established as a trust foundation, a company foundation, a partnership foundation or an ordinary foundation (s 10). The stated multiform supplies the internal rulebook. A trust foundation's by-laws operate as its trust deed and trust-law principles apply. A company foundation is governed by rules analogous to the Nevis corporate and LLC ordinances. A partnership foundation borrows partnership rules. The ordinary foundation is the classic civil-law model, holding assets for the purposes declared in its constitution. In every case the entity remains a foundation with full legal personality: the multiform is a governing-law overlay, not a different vehicle.

9.4 The signature feature is convertibility. A foundation may change its stated multiform by constitutional amendment with the Registrar's approval, effective on issue of an amended certificate, with continuity of legal existence expressly preserved (s 10(2)–(5)). A structure can therefore begin life as a company foundation while the founder runs an active business through it, and become a trust foundation when the generations change and dispositive terms should take over, with no transfer of assets, no novation of contracts and no break in identity. Practitioners also analyse creditor exposure through the stated multiform: a company foundation invites charging-order-style analysis by analogy with the LLC regime (see Chapter 7), a trust foundation trust-law analysis.

Establishing a Nevis foundation

9.5 The mechanics are straightforward. A subscriber, any person "without regard to residence, domicile or jurisdiction" (s 2), acting during lifetime or by will, files a memorandum of establishment stating the foundation's name, its Nevis registered office, the subscriber's details, the purpose or object, the initial subscription of assets (for which there is no statutory minimum), the stated multiform, the duration (definite or indefinite), whether the foundation is revocable or irrevocable, and the proper law of the by-laws, which may be a foreign law, a useful accommodation where family documents must read naturally against home-country doctrine (s 7(1)). An undertaking to complete a promised subscription is enforceable, with remedies arising if it remains unfulfilled after twelve months.

9.6 Governance is by organs rather than shareholders. A management board of one or more persons is mandatory (s 17) and conducts the foundation's affairs. A supervisory board is expressly optional (s 21(1)). Where one is constituted it supervises the management board's compliance with the constitution (s 22) and functions in practice as a protector committee, the natural seat for a family council. A secretary is mandatory and cannot be the sole member of the management board (s 18(1)), and a registered agent in Nevis must be maintained at all times (s 19(1), see Chapter 13). Losing the agent exposes the foundation to dissolution. The memorandum is filed. The by-laws, which carry the dispositive detail of beneficiaries, entitlements and succession, are confidential and closed to public inspection unless the foundation files a notice electing inspection, which it may later withdraw (s 6(2)).

Bringing existing structures into Nevis

9.7 The Ordinance is unusually hospitable to migration. An overseas foundation may be continued into Nevis, receiving a certificate of continuance with its legal identity preserved. More remarkably, any entity outside Nevis, whether a company, a trust or a partnership, may be transformed into a Nevis multiform foundation, and domestic Nevis entities may convert. Mergers and consolidations of several entities into a single foundation are also available (Part XI). Few jurisdictions offer anything comparable: a Liechtenstein Stiftung, a BVI company and an ageing family trust can each arrive, by continuance or transformation, as a Nevis foundation of whichever multiform suits.

9.8 Two sober caveats attach. Continuance and transformation preserve identity, which means they preserve liabilities: obligations and pending actions from the prior jurisdiction continue to bind, and migration launders nothing. And a mid-life change of legal character, however seamless as a matter of Nevis law, may be a taxable event or a reportable reorganisation at home. The onshore analysis should be completed before the Nevis paperwork begins.

Asset protection: parallels to the trust regime

9.9 The Ordinance carries recognisable echoes of the trust legislation (see Chapter 8). Foreign courts are declared to have no power or authority to question the validity of any act of the foundation unless it would be criminal under Nevis law (s 5(6)). Foreign judgments are not recognised or enforced except in accordance with Nevis law (s 110), so a claimant must sue afresh before the local court. The Statute of Elizabeth is disapplied (s 115). Non-criminal proceedings are heard in private. A subscription of assets is not voidable merely because it was made with intent to defraud, but becomes voidable where a court of competent jurisdiction determines that it was made with intent to defraud a creditor of the subscriber (s 108), "intent to defraud" meaning acting "intentionally dishonestly with a view to defeating an obligation" (s 2). One point cuts the other way: forced-heirship exclusion is opt-in, available by provision in the constitution (s 46), rather than automatic as under the trust ordinance.

9.10 Honesty compels a further qualification. Practitioner texts describe trust-style mechanics for foundations: a creditor bond, stated at US$50,000 by some sources and around US$100,000 by others, and challenge windows of six months to a year. But these provisions are less explicit on the face of the consolidated Ordinance than their trust-law counterparts, and none has been judicially tested. For a client whose dominant objective is creditor protection, the international trust (typically holding an LLC) remains the stronger and more explicit statutory package. The foundation earns its place on succession, governance and civil-law-recognition grounds.

Taxation and the tax-resident election

9.11 By default, a Nevis foundation doing no business with residents of the Federation is an exempt vehicle: no Nevis income, withholding or capital gains tax, with an annual government fee to keep it in good standing. As with the trust regime, the exemption is territorial and does nothing for the founder's home-country tax position (see Chapter 24).

9.12 The distinctive option runs the other way. A foundation may elect to be tax-resident in Nevis, in which case it pays tax and files returns "as if it were a company", capped at 1% of assessable income under the *Multiform Foundations Regulations 2005* (reg 14), with foreign-source income exempt under the Ordinance as consolidated, and it receives a governmental certificate of tax residency issued for each income year (reg 15). Descriptions of a "1% flat tax on worldwide income" oversimplify: the primary materials frame the election as company-style taxation subject to a 1% ceiling. The election can be terminated at any time by prescribed form.

9.13 Clients choose the election not to pay tax for its own sake but to be resident somewhere, certifiably. A foundation that can produce an annual tax residency certificate is better placed in treaty claims, Common Reporting Standard classifications and controlled-foreign-company analyses than a zero-tax vehicle that is resident nowhere, a growing consideration as home tax authorities press "where is it actually taxed?" questions. Before electing, model what Nevis residence does under the home rules. The certificate persuades no one by itself.

Fees

9.14 The current Nevis FSRC schedule is dual-listed in US and EC dollars (EC$2.70 = US$1):

ITEM	US$	EC$
Certificate of establishment	300	810
Annual return	300	810
Certificate of continuance	200	540
Certificate of conversion	450	1,215
Merger, consolidation or transformation (each)	450	1,215
Name reservation	50	135
Certificate of tax residency (annual)	1,157	3,215

9.15 Older materials still quote the original 2005 schedule: establishment US$250, annual return US$220, tax residency certificate US$1,000. Those figures were superseded by amendment regulations in 2023 and 2024. Use the table above.

Uses and pitfalls

9.16 The foundation's natural clients are civil-law families who want trust-like succession without a trust: the ordinary or company foundation reads familiarly to a Latin American or European adviser, while the trust foundation offers common-law planning wrapped in foundation optics. The organ structure maps neatly onto family governance: operating decisions with the management board, oversight with a supervisory board seating the family council or trusted advisers. The confidentiality of the by-laws keeps dispositive terms off the public record. The continuance and transformation provisions make Nevis a realistic destination for consolidating a scattered legacy of entities into one governed vehicle, an exercise we see increasingly from families tidying structures built piecemeal over decades.

9.17 The pitfalls are the mirror image. The asset-protection provisions are less battle-tested and less explicit than the trust ordinance's, so protection-first clients should start at Chapter 8. Migration preserves existing liabilities, and multiform changes can trigger home-country tax. For US persons the classification of a multiform foundation, whether trust or corporation for US tax purposes, is unsettled and turns on the terms. Entity-classification analysis and the associated reporting (Form 8832 considerations, and Form 3520- or 5471-type filings depending on the outcome) need specialist US advice before establishment, not after. And as with every structure in this Part, the foundation lives through its registered agent: a lapsed agent or unpaid annual return quietly erodes good standing.

> **In practice.** Choose the multiform against the home-country tax and recognition analysis before establishment. Converting later is easy in Nevis but may be a taxable event at home. Put the dispositive detail in the by-laws, not the memorandum, and resist the temptation to give the founder dominant powers on the management board if third-party challenge is a concern. If pure asset protection is the brief, use the international trust. The foundation wins on governance and civil-law familiarity, not on creditor mechanics.

CHAPTER 10

Limited Partnerships

10.1 The newest instrument in the Nevis toolkit is also the one this edition is first to cover: the *Nevis Limited Partnership Ordinance* 2025 (No. 3 of 2025), in force since 1 February 2026, gives Nevis its own dedicated limited partnership law for the first time in the island's history. Until this year, partnerships were purely a matter of federal statute registered in Basseterre, and Nevis practitioners wanting limited-partnership economics generally built them inside an LLC. The new Ordinance completes the entity suite of corporation, LLC, trust, foundation and now LP, and does so in characteristic Nevis style, importing the charging-order and creditor-bond machinery for which the island is known.

10.2 Candour is required in equal measure to enthusiasm. As at August 2026 the regime is barely six months old: there is no case law, the tax classification is unsettled, and banks are still meeting the vehicle for the first time. This chapter states what the Ordinance provides, where it will be useful, and what should be confirmed before clients commit. Section references follow the Bill as published by the FSRC in July 2025.

From federal law to a Nevis ordinance

10.3 Before 1 February 2026, Nevis had no limited partnership legislation of its own. General partnership law sat in the federal *Partnership Act*, Cap 21.14, and limited partnerships could be formed under the federal *Limited Partnerships Act*, Cap 21.12, the Limited Partnerships Act 1996 (No. 24 of 1996, in force 2 April 1997), enacted alongside the Companies Act 1996, with registration at the Registrar of Companies in Basseterre rather than the Nevis registry. That federal Act remains in force and remains the route for St Kitts-side structures (see Chapter 18). In practice, however, Nevis-based clients seeking the general partner/limited partner division more often used a Nevis LLC drafted to replicate it: managers as quasi-general partners, classes of interests as limited interests (see Chapter 7).

10.4 The new Ordinance changes the landscape. The Bill was introduced on 3 July 2025 and passed by the Nevis Island Assembly on 25 September 2025, moved by Premier and Minister of Finance Mark Brantley, with commencement on 1 February 2026. The regime is administered by the Registrar of Limited Partnerships at the Nevis FSRC, with fees and penalties set by the Minister of Finance by regulation.

Structure and legal personality

10.5 A Nevis limited partnership is formed by a licensed registered agent filing Articles of Formation, upon which the Registrar issues a Certificate of Formation (s.21). From that moment the partnership is, in the Ordinance's words, "a separate, distinct and independent legal entity". Separate legal personality is mandatory (ss.21(3), 60(1)), with no opt-out. This is a deliberate departure from the English tradition in which a limited partnership is a relationship rather than a person: a Nevis LP holds property, contracts and sues in its own name, which simplifies asset holding and continuity but, as discussed below, complicates the tax analysis.

10.6 The partnership must have at least two partners who are different persons (s.48): at least one general partner, who bears unlimited, joint and several liability for the partnership's obligations (s.50(2)), and at least one limited partner, whose liability is shielded (s.51). "Person" includes companies, trusts and partnerships, so corporate general partners are permitted. The standard structure will be exactly that: a Nevis LLC as general partner (see Chapter 7), containing the unlimited exposure within a limited-liability wrapper while the family or the investors hold the limited interests.

The limited partner's shield, and the absence of a safe-harbour list

10.7 A limited partner is not an agent of the partnership and may transact with it as a third party would (s.51). The shield is lost only on proof, by clear and convincing evidence (an elevated standard), that the limited partner took an active management role. Notably, the Ordinance does not enumerate a statutory safe-harbour list of permitted activities of the kind found in Delaware or Cayman legislation (voting on specified matters, service on advisory committees, and so on). That makes the partnership agreement the first line of defence: advisory-committee powers, consent rights and consultation mechanics should be expressly defined and delimited in the agreement rather than assumed to be safe. The elevated standard of proof is creditor-unfriendly by design, but careful drafting remains cheaper than being the test case.

Asset protection: the LLC toolkit, imported

10.8 The Ordinance imports the signature Nevis protections against a partner's personal creditors. A charging order is the sole remedy of a judgment creditor against a partner's interest (s.57(4)). Foreclosure, seizure, levy and attachment of the interest, and orders for accounts, are excluded (s.57(5)). Foreign judgments are not enforceable against partner interests (s.57(6), s.57(12)), so a creditor must re-litigate the merits before the Nevis High Court. Before bringing or maintaining such a claim the creditor must lodge a bond with the Ministry of Finance in an amount determined by the High Court (s.59(1)). The LLC's three-year sunset is replicated too: a charging order is non-renewable and expires three years after the date it is entered (s.57(15)). The full mechanics of this architecture, and its practical limits against home-country courts acting in personam, are analysed in Chapter 7 and apply here with equal force.

Registers, privacy and administration

10.9 The Registrar maintains a public register of partnerships limited to name, registration number and date (s.18). The identities of the partners are not on the public file. The partnership itself keeps registers of its general and limited partners at the registered agent's office (s.65), the familiar Nevis pattern of privacy from the public, accessibility to competent authorities, and (through CRS and FATCA at account level) transparency to home tax administrations.

10.10 The Ordinance otherwise tracks the modern Nevis template. A partnership may have unlimited or fixed duration (s. 9(2)) and pursue any lawful business (s.9(1)). Annual renewal fees apply, with penalties for late payment (s.7). Dissolution may be voluntary, by strike-off or judicial (ss.75–82). Part XII (ss.83–92) provides for transfer of domicile into and out of Nevis, including the emergency transfer provisions that distinguish the corporation and LLC ordinances. Electronic filing and digital signatures are provided for from the outset.

Government fees

ITEM	FEE (US$)
Application/Articles of Formation	300
Certificate of Formation	20
Annual renewal	300
Name reservation (120 days)	50
Certificate of good standing	50
Apostille	50
Certified copies (first three pages)	30

10.11 The flat-fee philosophy of the companies regime carries over. Registered agents' professional fees are additional.

Taxation: an open question

10.12 The Ordinance contains no tax code, and the treatment of the new vehicle under the federal *Income Tax Act*, Cap 20.22, is untested. Because separate legal personality is mandatory, a Nevis LP may well be assessed like a company under the central management and control rules described in Chapters 6 and 24, in which case a partnership managed abroad with no St Kitts and Nevis-source income would bear no SKN tax but should expect an annual filing obligation, rather than as a transparent partnership. No Inland Revenue guidance had been located at the time of writing. Foreign classification follows home-country rules in the usual way: US persons should take advice on partnership classification and Form 8865 reporting, and other jurisdictions will run their own opacity-versus-transparency analysis, which the entity's mandatory legal personality may complicate. Resolve the classification before formation. Retrofitting is expensive.

Uses: funds, family partnerships and estate planning

10.13 The anticipated uses are those the GP/LP form serves everywhere: investment funds and carried-interest vehicles, private equity and venture structures, and joint ventures where investors expect the familiar grammar of capital accounts, GP economics and limited-partner passivity. For private clients, the Ordinance finally allows the family limited partnership to be built natively in Nevis: the senior generation controls (or owns the LLC that acts as) the general partner, growth assets sit in the partnership, and limited interests are gifted or settled on trust over time, with valuation and succession consequences governed by home-country law and advice.

10.14 The LP complements rather than displaces the LLC. Choose the partnership where the GP/LP division itself carries meaning: fund investors, carried interest, a patriarch who must retain management while transferring economics. Choose the LLC where the goal is pure asset protection: its regime is two decades older and litigation-tested in the sense that creditors have repeatedly declined to test it. The combined structure, Nevis LP with a Nevis LLC as general partner, delivers limited liability at every level and keeps the whole arrangement within one registry and one agent, and it gives private (non-institutional) structures a credible alternative to Cayman or Delaware partnerships with asset-protection features neither offers.

Cautions, and existing federal partnerships

10.15 The cautions are those of any new statute. There are no decided cases. The SKN and foreign tax positions are unsettled. Counterparties' compliance teams will be reading the Ordinance for the first time, so allow extra time for bank onboarding. Existing limited partnerships formed under the federal Cap 21.12 are unaffected and continue under federal law. The Ordinance contains no transitional or continuation mechanism for them, so moving an existing structure into the Nevis regime means a fresh Nevis formation rather than any automatic migration. For the St Kitts-side regime generally, see Chapter 18.

> **In practice.** Treat the first years of a new statute as a drafting exercise: write into the partnership agreement what the Ordinance leaves open (limited-partner safe harbours, general-partner removal and succession, and the LLC-GP's own governance), and confirm the Inland Revenue filing position at formation rather than at the first deadline. Where the client's need is purely defensive, the LLC remains the proven default. The LP earns its place where the GP/LP form itself matters to investors or to a family's succession plan.

CHAPTER 11

International Insurance

11.1 Nevis has operated a dedicated international insurance regime since 2004, and it remains one of the offshore sector's quieter strengths: licensing decisions in about four weeks, entry capital among the lowest of any captive domicile, and a menu of licence classes, including two "allied" categories found in few other jurisdictions, administered by the Nevis Branch of the Financial Services Regulatory Commission (FSRC) through a statutory Registrar of International Insurance. The regime is wholly separate from domestic insurance regulation: a licensee insures foreign risks from Nevis and does not write local business.

11.2 The typical users are United States mid-market operating businesses forming captives (including multi-owner group structures), programme and producer-affiliated reinsurers, and life and annuity vehicles built around the Ordinance's statutory funds.

The legislative framework

11.3 The governing statute is the *Nevis International Insurance Ordinance* (Cap 7.07(N)), Ordinance No. 1 of 2004, in force since 1 November 2004, amended by Ordinance No. 10 of 2006 (which added the allied annuity and allied reinsurance classes), Ordinance No. 2 of 2009 and the *Nevis International Insurance (Amendment) Ordinance 2021* (No. 5 of 2021, gazetted 14 October 2021), which moved functions from the Minister to the Registrar and the Commission, admitted electronic filing and corporate directors, recast the winding-up provisions and opened co-insurance pools to captives. Beneath the Ordinance sit the Nevis International Insurance Regulations 2004 (amended in 2006 and 2014), whose fee schedule was replaced by the *Nevis International Insurance Regulations 2021* (S.R.O. No. 2 of 2021), in force since 1 July 2021.

11.4 The Registrar sits within the FSRC's Nevis Branch, one of the Commission's two branches under the *Financial Services Regulatory Commission Act* (Cap 21.10, 2009) (see Chapter 30). In Nevis the Licensing Committee recommends suspension or revocation to the Minister, and the Commission hears appeals under the Ordinance (s 13).

Licence classes and minimum capital

11.5 The Ordinance defines six categories of registrable business (s 2), each with a minimum fully paid-up capital (s 9(1)(b)) that must be maintained in approved securities. Captive capital is tiered by ownership:

LICENCE CLASS	SCOPE (S 2)	MINIMUM CAPITAL (US$)
Long-term business	life insurance and annuities on human life	185,000
General business	insurance that is not long-term, reinsurance or captive (including marine, aviation, engineering)	185,000
Reinsurance business	risk accepted from other insurers	75,000

LICENCE CLASS	SCOPE (S 2)	MINIMUM CAPITAL (US$)
Captive (single owner)	insuring a parent or affiliated companies	10,000
Captive (fewer than five owners)		20,000
Captive (five or more owners)		50,000
Allied reinsurance company	reinsures up to five primary insurers, each on a different line, with no primary business or dealing with the consuming public	10,000
Allied annuity insurance business	producer-affiliated annuity reinsurance	10,000

11.6 A licensee registered in more than one category must hold the aggregate of the individual amounts. Nevis has no separately named “association” or “group” captive class. The multi-owner captive tiers perform that function. The allied classes, a Nevis niche since 2006, serve producer-owned reinsurance and annuity programmes.

Solvency

11.7 Assets must exceed the liabilities of each fund by the prescribed margin of solvency (s 24(1)). For non-long-term business the margin is the greater of the class minimum capital or 20 per cent of net retained premium where that premium does not exceed US$5,000,000, and US$1,000,000 plus 10 per cent of the excess above that figure thereafter. For long-term business the margin equals the minimum paid-up capital, and combined categories aggregate. The percentage test overtakes the fixed minima quickly as premium grows, a point business plans routinely underestimate. Reinsurers and captives enjoy an important flexibility: under s 25 they may instead maintain such surplus of tangible or other assets as the Registrar approves, a flexible standard best confirmed in writing at licensing. FSRC guidance recognises allowable assets ranging from cash, debt securities and irrevocable letters of credit to equities, mutual funds, commercial loans and premium and reinsurance receivables.

Insurance managers, registered agents and local presence

11.8 Business may be transacted only from the registered office in Nevis or a place outside Nevis approved by the Registrar (s 15(1)). An applicant must show either management in Nevis with adequate insurance expertise and at least one Nevis-resident director, or the appointment of a registered insurance manager or registered agent in Nevis (s 9(1)(e)). A registered agent is mandatory where the principal place of business is abroad and no manager is resident (s 31(1)). In practice the FSRC expects every insurer to retain a licensed insurance manager or trust and corporate service provider. A non-resident manager needs Registrar approval alongside a resident registered agent.

11.9 Managers and agents must themselves be registered (s 29(1)), and a statutory conflict rule prevents a manager or agent from being a shareholder, officer or employee of an insurer it serves, a restriction that surprises groups hoping to internalise the function. Every insurer needs at least two natural-person directors. A corporate director may sit in addition since the 2021 amendment, and there is no resident-actuary requirement. Eight insurance managers held licences in August 2026, and in our experience the choice among them is the most consequential appointment a new licensee makes.

Application, fees and timeline

11.10 An application comprises the class-specific form, a Personal Questionnaire (Form 2) for every director, shareholder, beneficial owner, manager and officer, and a due-diligence pack for each (notarised identity document, recent utility bill, two references, police record or criminal-history affidavit and CV, plus two years' accounts for corporate shareholders above 10 per cent). Also required are a business plan with three-to-five-year projections, constitutional documents, and the manager or agent agreement. The vehicle is typically a Nevis business corporation or Nevis LLC (see the corporate chapters earlier in this Part). The FSRC's stated decision time is approximately four weeks, with the registration fee payable before the licence issues. The 2021 fee schedule (US$):

CLASS	APPLICATION	REGISTRATION	ANNUAL RENEWAL
General and long-term insurers	2,500	3,000	3,000
Reinsurer	450	2,200	1,700
Captive	450	2,000	1,500
Allied reinsurance	450	1,000	1,000
Allied annuity	450	1,500	1,500
Insurance manager	500	3,000	3,000
Registered agent	500	3,000	1,500
Broker / adjuster	500	2,000	2,000

11.11 Annual renewal fees are due by 31 January: a 50 per cent surcharge applies after that date and 100 per cent after 30 June. Ancillary approvals are modest (US$300 for changes of shareholder, director or control person and for dividend requests, and US$200 for a name change). External due diligence on foreign control persons is charged to the applicant. The FSRC's current insurance pages quote US$5,000 per person, though an older FSRC FAQ still cites US$1,200. Confirm the applicable rate when applying.

Ongoing obligations

11.12 General, long-term and reinsurance licensees must file audited annual accounts to IFRS within 21 days of board approval and no later than six months after the financial year-end (s 18). Late filing attracts US$1,500 plus US$150 per day for general and long-term insurers, and US$200 plus US$50 per day for others. Captives and allied insurers benefit from a significant concession: under s 20 they may instead file financial statements and tax returns as filed and accepted in their country of origin, the Registrar retaining a discretion to require an audit, a material cost saver for smaller captives. Long-term insurers also file a triennial actuarial valuation by an approved actuary within six months of year-end (s 21).

Statutory funds in place of cell legislation

11.13 Nevis has no protected cell, incorporated cell or segregated accounts statute, and none exists at federal level. What the Ordinance offers instead is the s 22 statutory fund: an insurer may establish ring-fenced funds (a long-term business fund is mandatory for life business) whose assets are kept distinct from its other assets and are unavailable to meet its other liabilities, with statutory protection against proceedings (s 22(11), (14) and (15)). Practitioners combine statutory funds with contractual ring-fencing to run rent-a-captive and separate-account programmes.

11.14 The distinction matters: a statutory fund is a ring-fenced pool within a single legal entity, and cross-programme insulation rests on ss 22(11)–(15) and the contracts rather than on dedicated cell legislation. For many programmes that is sufficient and cost-effective. Where true cell segregation is mission-critical (unrelated third-party participants demanding statutory separation, for instance), clients should compare dedicated cell domiciles before choosing Nevis.

Tax treatment

11.15 The Ordinance exempts registered insurers from income tax and any other direct or indirect tax or impost on their transactions, profits, gains and premiums (s 45(a)), from tax on dividends and earnings attributable to their shares (s 45(b)), from stamp duty on offshore insurance contracts (s 46) and from exchange control (s 47). There is no premium tax on international insurers. Two caveats. First, following the dismantling of ring-fenced tax regimes between 2019 and 2021 (see Chapter 24), companies tax-resident in the Federation are in principle within the 33 per cent corporate income tax net. The Cap 7.07(N) exemptions remain on the statute book, but their interaction with the federal *Income Tax Act* should be confirmed with the Inland Revenue Department before committing. Secondly, for the largest user group the question is often academic: US-owned captives typically elect under IRC s 953(d) to be taxed as US domestic insurers.

The captive use-case and the 831(b) caution

11.16 The captive proposition is straightforward: capital from US$10,000, a four-week licensing decision, the s 20 filing concession, discretionary solvency treatment and modest annual fees make Nevis well suited to mid-market operating companies insuring their own retained and hard-to-place risks, and to multi-owner group captives. Many such captives operate at the scale of the US “micro-captive” election under IRC s 831(b), whose premium cap is US$2,900,000 for taxable years beginning in 2026.

11.17 Here a measured caution is required. IRS final regulations published on 14 January 2025 designate certain micro-captive arrangements “listed transactions” (broadly, a loss ratio of 30 per cent or less combined with a financing factor) and others “transactions of interest” (loss ratio below 60 per cent), carrying disclosure obligations for participants and material advisers. Rev. Proc. 2025-13 provides a streamlined route for revoking 831(b) and 953(d) elections. None of this makes captives improper. It makes badly built captives expensive. A captive must be genuine insurance: real risk transfer and distribution, actuarially defensible premiums, and claims that are actually adjusted and paid. Promoter-driven structures marketed chiefly for the deduction are where enforcement has concentrated, and a Nevis licence is no substitute for careful US tax advice.

Market and recent developments

11.18 The FSRC's register showed some ninety international insurance registrations in August 2026 (over 50 captives, 14 reinsurers, six long-term insurers, five general insurers and five combined general-and-reinsurance licensees, two allied reinsurance companies and three brokers), alongside the eight insurance managers. The sector peaked at 222 entities at the end of 2011, when Nevis ranked among the world's top-20 captive domiciles. The Nevis Island Administration is targeting 50 per cent sector growth, and the wider Nevis registry grew 20 per cent year-on-year to 18,780 active entities at 31 October 2025. Corporate housekeeping has tightened: the NBCO (Amendment) Ordinance 2023 abolished bearer shares and introduced electronic filing, further NBCO and LLC amendments on record-keeping and transparency passed on 6 November 2025, and CFATF published a second enhanced follow-up report with improved re-ratings in 2025. St Kitts has its own *Captive Insurance Companies Act* (Cap 21.20, 2006, amended 2011), applying to the island of St Christopher only. In practice virtually all federation captive business is written under the Nevis Ordinance.

Pitfalls

11.19 The recurring problems are predictable: treating the 831(b) election as the product rather than the insurance, relying on the Registrar's discretionary captive solvency standard without obtaining it in writing, renewals slipping past 31 January, discovering the manager conflict rule too late, papering a "cell" transaction as though Nevis had cell legislation, and forgetting that premium flows depend on correspondent banking (see Chapter 12). Tax positions should be confirmed with the Inland Revenue Department, not assumed from the Ordinance.

> **In practice.** Engage the insurance manager first: a good manager assembles the application, and the FSRC's four-week clock only runs on a complete file. Obtain the Registrar's position on captive solvency and any s 20 filing relief in writing at licensing, not at the first renewal. For US owners, commission an independent feasibility study and actuarial pricing before committing. The micro-captive rules punish structures that cannot demonstrate genuine risk transfer at defensible premiums.

CHAPTER 12

International Banking

12.1 International banking in the Federation means Nevis. The island operates the only offshore banking regime in St Kitts and Nevis, and it is a deliberately small one: a handful of operating licensees, real capital and substance requirements, and a supervisor who knows every institution personally. For the right applicant, an established banking group or a seasoned and well-capitalised team seeking a US-dollar private and international banking platform, the regime offers a credible, recently modernised home. For everyone else, the entry costs and the realities of Caribbean correspondent banking counsel careful reflection before any money is spent.

The legislative framework

12.2 The governing statute is the *Nevis International Banking Ordinance* (Cap 7.05(N)), Ordinance No. 1 of 2014, in force since 1 August 2014, repealing and replacing the *Nevis Offshore Banking Ordinance* 1996. It was substantially amended by the *Nevis International Banking (Amendment) Ordinance* 2024 (No. 1 of 2024), passed by the Nevis Island Assembly on 18 June 2024 and gazetted on 11 July 2024, which introduced risk-based capital concepts, a deposit-based reserve fund and stricter approvals-and-fees discipline. Beneath the Ordinance sit the Nevis International Banking Regulations 2015, with the fee schedule replaced by the *Nevis International Banking Regulations 2021* (S.R.O. No. 1 of 2021), and the FSRC's Nevis International Banking Guidelines, which align supervision with the Basel Core Principles (2019) and Basel guidance on governance and money-laundering risk.

12.3 Licences are granted by the Minister of Finance in the Nevis Island Administration on the recommendation of the Regulator of International Banking, a statutory office discharged within the Financial Services Regulatory Commission (FSRC), Nevis Branch. A permanent appointment to the office was expected in early 2026 (December 2025 budget address).

Who may apply

12.4 A licence issues only to a body corporate, never to an individual (ss 4–5), through one of three eligibility routes:

1. a locally incorporated company that is a wholly-owned subsidiary of a bank indigenous to St Christopher and Nevis, itself licensed under the *Banking Act 2015* and supervised by the Eastern Caribbean Central Bank (ECCB),
2. a locally incorporated subsidiary of a "qualified foreign bank", a bank licensed for domestic banking in its home jurisdiction with the prescribed capitalisation, or a wholly-owned financial-institution subsidiary of such a bank, approved by the Minister, or
3. a body corporate whose chief executive has at least ten years' experience in banking or finance, the route that has enabled the recent standalone entrants.

Capital, deposit and reserves

12.5 Minimum fully paid-up capital is US$2,000,000, "or such greater sum as the Minister may reasonably determine" (s 11), plus a further US$200,000 deposited or invested in treasury bills, bonds, bank deposits or approved institutions, whose disposal is restricted. The 2024 Amendment moved the prudential framework toward risk sensitivity: “large exposures” (10 per cent or more of the net capital base) now require prior Regulator approval, the concept of risk-weighted assets enters the Ordinance, and the reserve fund is set at 2 per cent of total deposits, a deposit-based test in place of the Guidelines’ older formula of 25 per cent of annual net profits until reserves equal paid-up capital.

Fees and sanctions

12.6 The headline figures (US$, per S.R.O. No. 1 of 2021 and the 2024 Amendment):

ITEM	AMOUNT
Application fee	7,500
Initial licence fee	100,000
Annual licence fee (payable by 31 October)	100,000
Administrative fee	2,500
Due diligence, per individual vetted	2,500–7,500
Onsite examination of subsidiaries / overseas operations	20,000

12.7 Late payment of the annual fee attracts US$500 per day for up to 90 days, then suspension or revocation. Late quarterly returns cost US$5,000 plus US$500 per day, late audited financials US$1,500 plus US$150 per day, and a missed annual-assessment deadline US$25,000. All-in first-year regulatory cost therefore exceeds US$110,000 before premises or a single member of staff. The deterrents are equally serious: unlicensed international banking carries penalties of up to US$500,000 plus US$50,000 per day, and unauthorised use of the word “bank” in a name US$25,000 plus US$1,000 per day (the 2024 Amendment removed the former requirement that a licensee’s name include “bank”).

The application process

12.8 The application comprises Form 1, a Personal Questionnaire and a Bankers’ Questionnaire, together with a business plan covering investment policy, know-your-customer arrangements, capital sourcing, staffing, IT and e-commerce risk and contingency planning. It also comprises incorporation documents and details of the auditor and compliance officer. Every director, senior manager, beneficial owner and shareholder of 5 per cent or more is vetted for fitness and propriety, with due-diligence costs borne by the applicant. The Minister must grant or refuse a licence within three months of a complete application, a requirement stated in the Guidelines and left untouched by the 2024 amendments. Licences run to 31 December, renewable by 31 January under the Guidelines, with the annual fee now due by 31 October.

Physical presence and governance

12.9 A licensee must maintain an approved place of business in Nevis as its registered office, which may not be closed or relocated without the Regulator’s written approval (s 7). Governance is concrete: at least three natural-person directors, one a St Kitts and Nevis citizen resident in Nevis (ss 9(1)(c), 22(3)), together with a registered agent and an approved compliance officer. Since 2024, every director and senior-management appointment requires the Regulator's prior written approval, with a US$500-per-day penalty for breach, and no branches, subsidiaries or internet offerings may be established without ministerial approval. Real substance is expected. The six operational banks employ more than 75 staff between them, and applicants proposing a brass-plate operation will not get far.

Permitted and prohibited business

12.10 "International banking" is defined by the receipt of foreign funds, that is, foreign money deposits and the proceeds of foreign bonds and securities, deployed as loans, advances and investments in Nevis or elsewhere (s 3). The US dollar is in practice the base operating currency. The Ordinance defines "foreign currency" as monies other than US dollars, and the regime is not designed for domestic EC$ deposit-taking.

12.11 The central prohibition is on the domestic market: a licensee may not accept deposits from, or solicit, residents of Nevis (s 3(3), licence condition, s 15(6)(c)). The exclusions are as important as the rule. "Resident" excludes entities licensed under the international financial-services laws, so a licensee may bank Nevis business corporations, Nevis LLCs, Nevis-registered trusts and multiform foundations. In addition, a person holding St Kitts and Nevis citizenship by investment is deemed *not* to be a resident (s 63(d)), preserving the economic-citizen client base. Although the prohibition is drafted by reference to residents of Nevis, advisers commonly treat residents of the entire Federation as outside the permitted deposit base. The 2024 Amendment added balance-sheet discipline: no dividends before audited statements are submitted, no single loan or investment exceeding 10 per cent of assets, no sub-investment-grade bonds, and no loans to directors or senior management.

Supervision: FSRC Nevis, not the ECCB

12.12 Ongoing supervision sits with the Regulator within the FSRC, Nevis Branch, under a risk-based framework with onsite examinations. The reporting cadence is demanding for a small institution: monthly asset and liability statements within 14 days, quarterly returns within 14 days, and audited IFRS financial statements within three months of the financial year-end (ss 31, 34, reg 12), with auditor-independence rules allowing the Regulator to appoint an auditor at the licensee's expense.

12.13 The division of labour matters. The ECCB, headquartered in Basseterre, supervises domestic banks federation-wide under the *Banking Act 2015* (see Chapter 26). It has no supervisory role over Nevis international banks, the only statutory link being the eligibility route for subsidiaries of indigenous ECCB-licensed banks. The FSRC's two-branch architecture is described in Chapter 30. Federal AML/CFT law, namely the *Proceeds of Crime Act* (Cap 4.28) and the AML/CFT Regulations, applies in full. The Federation's CFATF fourth-round mutual evaluation (2022) is in enhanced follow-up, with a second follow-up report and improved re-ratings in 2025.

Tax

12.14 Sections 64–68 exempt profits and gains of international banking conducted from within Nevis from income tax, capital gains tax and other direct taxes in Nevis, exempt transfers of securities and assets between licensees, and impose no withholding on dividends or interest paid (payments to Nevis residents must be reported to the Inland Revenue Department). The caveat in Chapter 11 on the interaction of ordinance-level exemptions with the federal tax net applies equally here. The federal anchors are in Chapter 24.

A small market, plainly described

12.15 The market has grown quickly from a very low base: licensees went from three to six in the six months to mid-2024, and the December 2025 budget address reported six banks licensed and operational, employing over 75 people, with three applications under review. The FSRC's register listed eight licensees by August 2026, though the tally needs a footnote: one register entry is a trust company rather than an operating bank, and the newest licensees may not yet have commenced operations. The two most recent operational entrants commenced business in 2024, and Nevis financial-services revenue reached EC$16.8 million (EC$2.70 = US$1) in January–October 2025. This is a boutique market by design: the Regulator knows each licensee, and there is no volume-licensing culture of the kind that damaged the region's offshore banking a generation ago.

Correspondent banking: the de-risking reality

12.16 No responsible adviser presents a Caribbean international banking licence without this section. The region has suffered among the world's heaviest losses of correspondent banking relationships, documented at length by the IMF and others, and offshore banks are the category hardest hit. A new Nevis licensee should expect protracted onboarding for US-dollar clearing, meaning months of enhanced due diligence and, commonly, several refusals. It should also expect reliance on payment intermediaries and fintech rails alongside traditional correspondents, intensive ongoing KYC from whichever correspondent is secured, and the standing risk that a correspondent exits the region altogether. We counsel clients to secure their correspondent arrangements in principle before committing capital to the licence: a bank that cannot clear dollars cannot serve the clients this regime is designed for.

Who should, and should not, consider this licence

12.17 The regime suits three profiles. The first is an established foreign bank wanting a US-dollar private and international banking subsidiary. The second is a group with a chief executive holding the statutory ten years' experience, capital well beyond the minimum and a realistic correspondent strategy. The third is an indigenous St Kitts and Nevis bank segregating its international business, the model on which the sector was originally built. It does not suit thinly capitalised start-ups, ventures seeking a banking badge for an essentially non-banking business, or anyone unprepared for US$100,000 a year in licence fees before premises, three directors, a compliance officer and staff. The reputational overhang from historic offshore-bank failures elsewhere in the region means every counterparty will scrutinise a new licensee closely. That scrutiny is a feature of the asset class, not a defect of Nevis.

No St Kitts equivalent

12.18 One point saves clients time: the island of St Kitts has no international or offshore banking statute. The FSRC, St Kitts Branch, regulates insurance, corporate and trust service providers, money services, credit unions and non-governmental organisations, and lists no banking legislation. Offshore banking in the Federation has only ever been available under the Nevis ordinances, the 1996 regime and now the 2014 Ordinance. Domestic commercial banks on both islands are licensed under the federal *Banking Act 2015* and supervised by the ECCB (see Chapter 26). An investor comparing "St Kitts versus Nevis" for an international banking licence is comparing Nevis with nothing.

In practice. Solve correspondent banking first: a licence without a dollar-clearing path is a bank that cannot operate, and the licence itself is the easier half of the project. Budget realistically for more than US$110,000 in first-year regulatory costs alone, before premises, the Nevis-resident director, the compliance officer and the staffing the Regulator now expects. And sequence appointments carefully: since 2024 every director and senior-management hire needs prior written approval, so agree the full slate with the Regulator during the application, not after it.

CHAPTER 13

Trust and Corporate Service Providers

13.1 Every structure described in this Part reaches Nevis through one gate. Corporations and LLCs must maintain a licensed registered agent and registered office in Nevis at all times. A foundation must maintain a registered agent. An international trust needs a qualifying Nevis trustee and registered office. Filings pass through the corporate registry's CRISS portal (the Corporate Registry Integrated Secure System), which only licensed providers can access. An international client never deals with the registry directly. The provider is thus the chokepoint of the offshore sector: formation agent, record-keeper, holder of beneficial-ownership information and, for the authorities, the first port of call.

13.2 Since 1 May 2021 that gatekeeping role has itself been licensed. The *Nevis Trust and Corporate Service Providers Ordinance 2021* (No. 2 of 2021, brought into force by SRO 4 of 2021 (N)) requires every person carrying on trust or corporate services business in or from within Nevis to hold a licence from the Nevis branch of the Financial Services Regulatory Commission, acting through a Licensing Committee (see Chapter 29). The reform was a direct product of the Caribbean Financial Action Task Force evaluation cycle, and it has professionalised, and consolidated, the market. Understanding how providers are regulated, and how to choose one, is therefore not back-office detail. It determines the resilience of everything a client builds here.

Licence classes

13.3 The Ordinance licenses by activity (s 11). A Class I licence covers formation-agent work and the provision of registered agent, registered office, director, officer and secretary services for corporations, companies, LLCs and foundations. Class II comes in two grades: restricted, covering registered office and address services for trusts only, and unrestricted, adding trust business proper, acting as professional trustee or protector and administering trusts. Class III licenses registered agents for international insurance (see Chapter 11), and Class IV covers acting as a director or nominee shareholder. Providers administering large portfolios pay additional "authorised persons" fees in tiers (51–500, 501–1,000 and over 1,000 managed entities).

13.4 The classification bites in one place above all: only a Class II (unrestricted) licensee may act as trustee by way of business, so a client engaging a "trust company" should confirm that precise licence is held. A family's own private trustee company, an NBC or LLC acting as trustee of the family trust and not offering services to the market, sits outside the licensing net, though not by express carve-out: the Ordinance defines trust business as acting as a *professional* trustee (s 6), and its only express exclusion covers individuals serving entities in which they hold a significant interest or by which they are employed (s 5(4)), so the boundary is fact-sensitive and should be confirmed before it is relied on.

Eligibility, fit-and-proper and capital

13.5 Licences are reserved to attorneys-at-law and local companies (s 9). A non-attorney applicant must maintain paid-up capital of at least EC$50,000 (about US$18,500) or the equivalent in another currency, the Ordinance's s 2 designating its dollar figures as EC dollars, and a corporate applicant needs at least two individual directors. Foreign beneficial owners or directors of a licensee require Alien Land Holding licence clearance, and expatriate staff need work permits. Every principal must satisfy the Regulator's fit-and-proper criteria (s 10) of honesty, integrity and reputation, of probity, competence and soundness of judgment, of knowledge and competence in the sector, and of financial soundness. A history of fraud or dishonesty offences is disqualifying. The application pack runs to a licence application, personal questionnaires for principals and a banker's questionnaire, and the FSRC charges due diligence per principal at rates that climb steeply for foreign nationals.

Fees

13.6 Under the *Nevis Trust and Corporate Service Providers (Forms and Fees) Regulations 2021*, as amended with effect from 2025, the principal fees (the FSRC dual-lists them in EC dollars at the EC$2.70 = US$1 peg) are:

ITEM	US$
Application	700
Class I licence	1,000
Class II (restricted) licence	1,000
Class II (unrestricted) licence	2,000
Class III licence	1,500
Class IV licence	1,000
Authorised persons (by portfolio tier)	350 / 500 / 1,500
Due diligence, local national	1,500
Due diligence, CARICOM national	2,500
Due diligence, foreign national	5,000
Approval of director or senior manager	200
Approval of shareholder or beneficial owner	500

13.7 Annual renewal fees mirror the licence fees. Late submissions attract US$100 plus US$50 per day.

Ongoing obligations

13.8 Licences run to 31 December and must be renewed by 15 January each year (s 26). Licensees must file audited financial statements within three months of their financial year end, and their accredited auditors must report serious breaches to the Regulator within three days, obligations flowing from the umbrella *Financial Services Regulatory Commission Act* (Cap 21.10). Records must be maintained in Nevis, with separate accounts for each administered entity, and retained for five years after a relationship ends (s 28). Providers must operate strictly within their licence class, give 30 days' notice of changes, and obtain prior approval for board and senior-management appointments and for overseas subsidiaries and branches. Client confidentiality is statutorily protected, with penalties for breach.

13.9 The heaviest layer in practice is AML/CFT. TCSPs are regulated businesses under the federal framework, namely the Anti-Money Laundering Regulations 2011, the Anti-Terrorism (Prevention of Terrorist Financing) Regulations 2011 and the associated industry-standards instruments (see Chapter 31). They must conduct customer due diligence, identify beneficial owners (the natural persons who ultimately own or control a client entity), report suspicious activity, and appoint both a Compliance Officer and a Reporting Officer. Two features deserve emphasis for clients. First, it is the registered agent, not any public register, that obtains and holds beneficial-ownership information for every administered entity, and the agent is the conduit through which competent-authority requests are answered. Secondly, the FSRC examines licensees on-site and off-site on a risk basis, so a client's file must be inspection-ready at all times. That is why providers now decline business whose source-of-funds story cannot be documented.

Supervision and enforcement

13.10 The Nevis FSRC branch supervises licensees with the FSRC Act's enforcement ladder of warnings, remedial agreements, cease-and-desist orders, licence restriction and revocation, and fines, sitting above the Ordinance's own sanctions. Unlicensed business can attract search-and-seizure warrants, and licences may be suspended or revoked, including for failure to commence business within 90 days, false information or six months' dormancy. For clients the point is that provider failure cascades: an entity whose agent lapses faces striking off, and a trust whose registration is not renewed loses its statutory protections altogether (see Chapter 8).

13.11 Published enforcement is sparse. As at August 2026 the FSRC's public warnings consist mainly of sanctions-list republications and industry guidance rather than disciplinary decisions against licensees, though the FSRC's long-posted notice concerning a Nevis service provider convicted in the United States (the Boncamper matter) has stood for years as a reminder that the market is not immune to bad actors. The international cycle continues to drive standards: the 2022 CFATF mutual evaluation prompted the licensing regime itself, follow-up reports in August 2024 and October 2025 re-rated the Federation's technical compliance, and the regulator has signalled preparation for the fifth-round evaluation.

The position on St Kitts

13.12 The licensing statute is a Nevis ordinance, and there is no equivalent federal or St Kitts-island Trust and Corporate Service Providers Act. On the St Kitts side, corporate and trust service providers, in practice attorneys, accountants and a small number of trust companies, are supervised by the St Kitts branch of the FSRC under the *Financial Services Regulatory Commission Act* (Cap 21.10) and the federal AML/CFT framework, rather than under a dedicated licensing law (see Chapter 19). The practical meaning for clients is simple: the Class I–IV architecture described in this chapter is a Nevis phenomenon, and where Nevis structures are in play it is a provider's Nevis licence that matters.

Selecting and working with a provider

13.13 Some fifty licensed TCSPs appear on the Nevis FSRC's regulated-entities list as at August 2026: international trust groups such as Trident, Southpac, Hamilton and First Nevis, independent boutiques, and a substantial contingent of attorney firms. Engagement is invariably through the provider, often introduced by an onshore adviser. The provider runs customer due diligence, covering passport, proof of address, source of funds and wealth, and a banker's reference in line with FSRC guidance. It then reserves the name on CRISS (effectively instantaneous), and files. Same-day to 48-hour incorporation is typical for corporations and LLCs. Trust registration and foundation establishment complete within days once due diligence is finished, which makes the client's own document-gathering, not Nevis, the usual critical path.

13.14 Selection deserves more thought than it usually gets. Match the licence to the role: a Class I formation agent cannot be your professional trustee. Weigh institutional depth against boutique attention, for a structure meant to outlive its founder needs a provider with succession of its own. And ask how the firm handled its last regulatory examination, what its compliance turnaround times are, and how it prices annual compliance, which has risen across the market since 2021. In our experience the difference between providers shows not at incorporation, which everyone does quickly, but years later: in whether renewals, registered-office continuity and beneficial-ownership records are kept immaculate when the client has stopped paying attention. A provider chosen on price alone is the most common single point of failure in Nevis structures.

> **In practice.** Verify the provider's name and licence class on the FSRC's regulated-entities list before sending money or documents, and confirm a Class II (unrestricted) licence wherever a professional trustee is needed. Assemble the due-diligence pack, meaning certified passport, proof of address, documented source of funds and a banker's reference, before instructing anyone, because that, not the registry, sets the timetable. Then diarise the provider's own renewal cycle alongside your entity's: a lapsed agent quietly imperils every structure it serves.

CHAPTER 14

Gaming

14.1 Gaming earns its place in a financial-services guide because, on 1 May 2025, Nevis launched a purpose-built online gaming licensing regime aimed squarely at the international market. For four decades before that, gaming in the Federation meant a resort casino, a lottery franchise and a scattering of slot parlours, regulated federally as an adjunct to tourism. The *Nevis Online Gaming Ordinance 2025* has changed the picture: Nevis now offers one of the newest and most competitively priced offshore online gaming licences available anywhere, with no tax on gross gaming revenue and a FATF-whitelisted jurisdiction behind it.

14.2 This chapter covers both faces of the sector: the land-based and legacy regime under the federal *Betting and Gaming (Control) Act* (Cap. 17.01, Act No. 20 of 1999), which any casino or betting investor must still navigate, and the new Nevis Online Gaming Authority (NOGA) regime, where nearly all current investor interest sits. Because the Nevis framework is barely a year old, we flag candidly where it remains untested.

The land-based landscape

14.3 Land-based gaming is small and St Kitts-centred. The flagship, and the Federation's only full casino, is the Royal Beach Casino at the St Kitts Marriott Resort in Frigate Bay. Around it sit the St. Kitts Nevis Lottery Company Limited, which operates the local franchise of the IGT-run Caribbean Lottery (Super Lotto since 2009, together with Lucky Pick and allied games), more than thirty lottery agents, roughly fourteen small slot operators, one legacy internet gaming operator (Racing and Gaming Services at the Sugars Complex, Frigate Bay) and the gaming supplier Everi Games Inc. of Austin, Texas. All appear on the list of gaming entities maintained by the Financial Services Regulatory Commission (FSRC), St Kitts Branch, which supervises the sector for anti-money-laundering purposes (see Chapter 29). There is no dedicated modern lotteries statute. The lottery operates through the government-granted franchise and concession arrangements under which the Caribbean Lottery runs regionally.

14.4 For investors, the practical point is that casino development is inseparable from resort development. A new casino requires a licence from the Gaming Board, AML registration with the FSRC and, in practice, Cabinet-level support secured as part of a wider hotel or resort negotiation. Nobody builds a standalone casino in St Kitts. They build a resort with a gaming floor.

The federal regime: the Betting and Gaming (Control) Act

14.5 The federal statute is administered by the St. Christopher and Nevis Gaming Board, a five-member body drawn from the Ministries of Finance, Trade and Legal Affairs together with gaming-industry and IT appointees. The Act licenses four streams: physical gaming, internet gaming, horse and greyhound betting, and telephone sports-book betting. Its financial terms, namely concession fee, minimum annual gaming tax and cash deposit, are set by ministerial order rather than in the Act itself. The player service fee is capped at 5% of each transaction or US$20, whichever is greater, and breaches of licence conditions attract penalties of up to EC$25,000 (EC$2.70 = US$1) and/or three years' imprisonment. Nationals of St Kitts and Nevis may not bet with licensed internet operators, an early marker of the export-only philosophy that Nevis has since taken much further.

14.6 The federal offshore internet-gaming stream, a relic of the first Caribbean online gaming wave, is essentially dormant: the FSRC list shows a single legacy operator, and no current ministerial fee order could be located. Practitioner sources cite an initial registration fee of about US$80,000 and an annual fee of about US$40,000 for this stream. New online entrants should not plan around it. The live route is the Nevis regime described next.

Nevis goes it alone: the Online Gaming Ordinance 2025

14.7 The Ordinance, No. 2 of 2025, was introduced in the Nevis Island Assembly on 6 March 2025, passed on 29 April 2025 and came into force on 1 May 2025. It establishes the Nevis Online Gaming Authority as a dedicated regulator of interactive gaming. Two points of orientation are worth fixing early. First, NOGA is not the Nevis branch of the FSRC: it is a separate authority, although the Regulator of Online Gaming, Phil Jones, sits within the Nevis Island Administration's Financial Services (Regulation and Supervision) Department. Secondly, the regime is purely export-oriented: players in St Kitts and Nevis must be geofenced out, and licensees cannot serve the domestic market at all.

14.8 Structurally, NOGA operates a public-private concession model that Nevis officials liken to the island's 1984 entry into international financial services. Apex Capital Partners, a Nevis-incorporated firm whose chief executive is Nuri Katz, acts as the Authority's management company, with Gibraltar-based NGA Management Limited as its payment processor. Media reporting describes an initial exclusive ten-year arrangement. Premier Mark Brantley presented the Ordinance as economic diversification with consumer protection designed in, legislating, in his phrase, to "bulletproof ourselves from some of the risks". The Ordinance mandates know-your-customer checks, geofencing, responsible-gaming measures and approved alternative dispute resolution, and carries its own penalty regime, with reported maxima of US$50,000 for individuals and US$150,000 for companies.

Licence classes, fees and the zero-GGR proposition

14.9 The Ordinance provides for B2C licences (consumer-facing operators: casino, sportsbook and allied products) and B2B licences (suppliers of platforms, games and services), and the framework permits additional categories to be created. Each licence is separate: a group running an operator brand and a supply business needs two. The licence, domain and sub-domain figures below are NOGA's published schedule. The application-fee, key-employee and first-year all-in items are practitioner-quoted.

ITEM	AMOUNT
Application fee (non-refundable)	US$2,500–3,000
Annual licence fee (per B2C or B2B licence)	EUR 28,000
Key-employee registration	approx. US$500 per person
Additional domain	EUR 750 per licence cycle
Sub-domains	EUR 35 each (EUR 15 beyond 50)
Typical first-year all-in, including Nevis company formation (approx. EUR 2,200) and local reporting officer (approx. EUR 4,200 per year)	approx. EUR 34,400

14.10 What the fee buys is the striking part. There is no tax on gross gaming revenue, no corporate income tax on foreign-source income, no capital gains tax and no withholding tax on dividends (the tax anchors are in Chapter 24): the EUR 28,000 annual fee is, in effect, the entire recurring fiscal burden. There is no minimum share capital, and no local office, directors or staff are required beyond the compliance appointments described below. A licensed operation can therefore be run remotely, on a total regulatory cost base in the low tens of thousands of euros a year.

Applying for and keeping a licence

14.11 The entry sequence is short. The applicant forms a Nevis business corporation or LLC, a five-to-seven-day exercise (see Chapters 6 and 7), and files the NOGA application with a business plan, source-of-funds evidence, beneficial-owner due diligence, police certificates and AML/KYC policies. NOGA quotes four to six weeks' processing for a complete file. Realistic end-to-end timelines run eight to twelve weeks, and some agents quote sixty to ninety days. Licences renew annually.

14.12 The ongoing obligations ask more than the price suggests. Every licensee must appoint an independent compliance officer, who cannot be a director, shareholder or beneficial owner, and is expected to have one to two years' industry experience. A Nevis-resident local reporting officer registered with the FSRC must also be appointed. Platforms and random-number generators must be audited. Customer due diligence must be completed before any withdrawal is paid, with enhanced checks once a player's aggregate deposits reach US$10,000. Geofencing must exclude St Kitts and Nevis and the countries on NOGA's restricted list. An approved dispute-resolution provider and responsible-gambling procedures are mandatory. Gaming businesses are "regulated businesses" under the Federation's AML/CFT framework, comprising the *Proceeds of Crime Act*, the Anti-Money Laundering Regulations and the Financial Services Implementation Standards Regulations 2011, with reporting to the Financial Intelligence Unit (see Chapter 31).

Early uptake and the regional comparison

14.13 NOGA is operational and issuing: its public register showed eleven active licences, nine B2C and two B2B, in August 2026, after at least eight grants in the regime's first year, a creditable tally for a new flag competing against established incumbents. The positioning is openly crypto-friendly: Web3 and crypto casinos and prediction markets are expressly within scope (the separate federal virtual-asset regime is covered in Chapter 16). Market commentary places Nevis between Anjouan (cheaper, but with little credibility) and Curaçao (longer established, costlier since its reforms) on both cost and standing, with the Federation's FATF-whitelist status as the differentiating selling point, a genuine advantage when payment providers and platform partners run their country-risk checks.

14.14 A fair appraisal must also record the framework's youth. As at August 2026 it is barely fifteen months old. Periodic reporting formats are still maturing, the responsible-gaming rules are principled rather than prescriptive, and the enforcement record is untested. None of this is unusual for a first-year regime, but operators who need to show counterparties a seasoned licence should weigh it.

Risks and practical entry steps

14.15 Three risks dominate. First, market access: a NOGA licence authorises operation from Nevis. It confers no right to accept players from markets that require local licensing, such as the United Kingdom, most EU member states and regulated US states. The realistic NOGA licensee is a crypto-first or grey-market-facing start-up. Before committing, investors should map their intended markets and take local advice in each significant one: the licence is a base of operations, not a passport.

14.16 Second, payments and banking. Acquirers and payment service providers price Caribbean gaming licences cautiously, and correspondent-banking pressures make domestic banks unsuitable for gaming flows. Crypto rails ease player transactions but complicate fiat off-ramps (see Chapter 16 for the banking-access realities). The payment stack, not the licence, is usually the critical path.

14.17 Third, the interaction of the two regimes. The federal Act contains its own internet-gaming stream, and the federal government has not publicly contested Nevis's unilateral move into online licensing. Applicants should nonetheless ask NOGA to confirm the position during the application process and keep the answer on file.

> **In practice.** Sequence the payment stack before the licence: NOGA takes eight to twelve weeks, but workable acquiring and banking for a Caribbean-licensed gaming business commonly takes longer, and operators who licence first and bank second lose their launch window. Budget for the compliance officer and the Nevis-resident reporting officer from day one: they are conditions of holding the licence, not formalities. And treat target-market analysis as a legal exercise rather than a marketing one: the EUR 28,000 fee buys a respectable flag, not access to regulated markets.

CHAPTER 15

Investment Funds

15.1 St Kitts and Nevis is not, and does not pretend to be, a major funds domicile, and this guide says so at the outset. The regional securities regulator's public register shows only four licensed collective investment schemes across the entire Eastern Caribbean Currency Union, and no new St Kitts and Nevis scheme has been licensed since 2016. Investors comparing domiciles for an institutional fund will land on Cayman, the BVI, Luxembourg or Ireland, and nothing in this chapter argues otherwise.

15.2 Writing the jurisdiction off entirely, however, would be a mistake for one class of client. For private and family capital, such as a family office pooling relatives' money, a friends-and-family vehicle or a crypto-strategy fund for a small circle of qualifying investors, a fund recognised under the *Nevis International Mutual Funds Ordinance 2004* can be quick, inexpensive and tax-neutral, and can sit inside Nevis entities whose asset-protection features are the real differentiator. This chapter sets out the two applicable regimes, the categories and the numbers, and where the realistic line falls between "use Nevis" and "look elsewhere".

Two regimes, one small market

15.3 Funds touch two regulatory systems. Federally, securities regulation is regional: the Eastern Caribbean Securities Regulatory Commission (ECSRC), created by an agreement of 24 November 2000 among the ECCU member governments, licenses broker-dealers, investment advisers and collective investment schemes throughout the currency union, and a public offer of securities in the Federation requires an ECSRC-registered prospectus. There is a mild irony here: St Kitts hosts the region's market infrastructure, with the Eastern Caribbean Securities Exchange operating from Basseterre, while seeing very little fund formation of its own.

15.4 The second system is Nevisian and international: the *Nevis International Mutual Funds Ordinance 2004* (No. 3 of 2004) and its accompanying Regulations, administered by the Registrar of Mutual Funds under the Minister of Finance, with the Nevis branch of the Financial Services Regulatory Commission (FSRC) in a supervisory and appellate role. This is the offshore regime: funds offered outside the Federation, with no local tax on non-domestic income.

15.5 Which regime governs turns on the audience. A fund offered to the public in St Kitts and Nevis or the wider ECCU engages ECSRC prospectus registration and a collective investment scheme licence, the route taken by the two domestic schemes on the register. An international fund offered privately, or to professional investors abroad, proceeds under the Nevis Ordinance.

A quiet domicile: the numbers

15.6 The scale is best conveyed by the registers themselves. The ECSRC lists four licensed schemes in the eight-member currency union: two St Kitts and Nevis vehicles, the Bank of Nevis Mutual Fund Ltd (licensed 21 December 2005) and the Sagicor International Balanced Fund (licensed 21 December 2016), and two St Lucian funds licensed in 2023. On the Nevis side, the FSRC lists international mutual funds among its regulated sectors but publishes no fund register and no current fee schedule, which is indicative of a very small book. Nevis's promotional energy in recent years has flowed to online gaming (see Chapter 14) and to its corporate products rather than to funds.

15.7 None of this makes the legislation unusable. It makes the domicile bespoke. Local service-provider depth, that is, fund administrators, custodians and auditors with fund practices, is thin, and a Nevis fund will typically engage foreign functionaries, which the Ordinance permits with the regulator's written consent.

Fund categories under the 2004 Ordinance

15.8 The Ordinance follows the classic offshore trichotomy.

CATEGORY	INVESTOR RESTRICTION	REGULATORY ROUTE
Public fund	None: may be offered to the public	Registration with the Registrar. Prospectus required
Private fund	Constitutional documents limit the fund to not more than 100 investors, or offers are made only on a private basis	Recognition (lighter-touch)
Professional fund	Interests available only to professional investors. Minimum initial investment US$100,000 (waived for the manager, administrator, promoter or underwriter)	Recognition (lighter-touch)

15.9 A professional investor is a person whose ordinary business involves acquiring or disposing of investments of the kind the fund holds, or whose net worth exceeds US$1,000,000. A common error in practitioner summaries is a 50-investor ceiling for private funds: the Ordinance's figure is 100. Recognition, the route for private and professional funds, involves an application with constitutional documents and functionary details, ministerial approval and annual renewal. Public funds additionally file a prospectus and ongoing audited accounts.

Functionaries, fees and vehicles

15.10 Every fund needs its cast. The Ordinance requires a licensed manager and a licensed administrator (the same person cannot hold both roles for one fund), a custodian functionally independent of both, an auditor acceptable to the regulator, and at least two directors who are natural persons, commonly read in practice as two independent directors. All are subject to fit-and-proper standards, and foreign-licensed functionaries may act with the regulator's written permission, in practice the norm, given the thin local bench. Practitioner-cited government fees are modest: a US$500 application fee and a US$3,500 licence fee, renewable annually.

15.11 The Ordinance is agnostic as to vehicle, and the choice is a structuring decision. A Nevis business corporation (see Chapter 6) offers conventional share classes. A Nevis LLC (see Chapter 7) suits member-managed private funds and brings the charging-order protection for which Nevis is known. A Nevis international exempt trust (see Chapter 8) can serve as a unit-trust wrapper. And since 1 February 2026 the *Nevis Limited Partnership Ordinance 2025* (see

Chapter 10) supplies the GP/LP wrapper familiar to global fund investors, a genuinely useful addition for sponsors whose backers expect Delaware- or Cayman-style mechanics.

The federal layer: the Securities Act and the ECSRC

15.12 The federal picture is in transition, and advisers must be precise about it. The operative statute remains the uniform *Securities Act 2001*, under which the ECSRC licenses intermediaries and collective investment schemes. Its intended replacement, the *Securities Act 2021* (No. 20 of 2021), assented to on 24 December 2021 as the Federation's version of the harmonised ECCU securities legislation, repeals the 2001 Act only upon commencement by proclamation, and no proclamation has been located. ECSRC and Eastern Caribbean Securities Exchange materials continue to describe the 2001 Act as the current law. At the time of writing, the 2021 Act should be treated as enacted but not yet in force.

15.13 When it commences, the 2021 Act will bear on funds directly. It defines an investment fund as an entity pooling investors' money for collective investment and issuing redeemable securities, whether open- or closed-ended. It brings fund licensing and registration under the ECSRC, and leaves exemptions for prescribed fund types to regulations that were reviewed with IMF technical assistance in 2022. The regional harmonisation package includes a model Investment Funds Act, but no standalone St Kitts and Nevis Investment Funds Act has been enacted. Here, the fund provisions sit inside the Securities Act itself. Penalties under the new Act reach EC$100,000 (EC$2.70 = US$1) and two years' imprisonment for individuals, and EC$200,000 plus daily fines for companies.

15.14 Two consequences follow for structuring. A manager or adviser dealing in securities in or from within the Federation should assess ECSRC licensing exposure even for a purely offshore fund. The analysis depends on which Act is in force at the relevant time. And any offer of fund interests to the SKN or ECCU public converts the project into an ECSRC prospectus and licensing matter, whatever its Nevis categorisation.

When a Nevis fund makes sense, and when it does not

15.15 In our experience, the Nevis fund is the right answer in a narrow but real set of cases: a family office pooling the capital of relatives and connected trusts, a friends-and-family vehicle below institutional scale, a crypto-strategy fund for professional investors content with a US$100,000 entry point (see Chapter 16), and a club vehicle for a handful of co-investors in a single asset. The attractions are real. Recognition is quick, the professional-fund threshold is low by offshore standards, and government fees are nominal. There is no local taxation of non-domestic income and no economic substance legislation (Chapter 24 carries the tax anchors), and the underlying Nevis vehicles add the asset-protection features that are the island's calling card.

15.16 Clients should look elsewhere when any of the following is true. The investor base is institutional, since allocators expect Cayman or BVI documentation, case law and administrator ecosystems, and unfamiliarity carries a diligence cost. The fund needs distribution into regulated markets, because Nevis recognition confers no passport and little name recognition. The strategy demands a deep bench of administrators, custodians and fund auditors. Or the offering will reach ECCU retail investors, which triggers the ECSRC machinery. Within the OECS itself, St Lucia has the more recent licensing activity.

15.17 The practical structuring notes follow from the above. Before committing, confirm with the Nevis FSRC that the fund book is actively administered and obtain the current fee schedule in writing. Take advice on the securities-law position, including the 2021 Act's status, before finalising the offering memorandum, and draft that memorandum to exclude offers to the SKN and ECCU public. Plan banking and administration early: accounts for Nevis fund vehicles are commonly held with international rather than domestic banks (see Chapter 12).

> **In practice.** The trap is assuming a funds ecosystem exists because a funds law does: Nevis recognition is quick, but the administrator, auditor and bank must usually be assembled from abroad, and that assembly, not the regulator, sets the launch timeline. Put two questions in writing before spending money: to the Nevis FSRC, whether the register is active and what the current fees are, and to counsel, which Securities Act will be in force on the launch date. If the investors are institutions rather than family and friends, start in Cayman or the BVI and use Nevis as the asset-protection layer beneath the fund, not as its domicile.

CHAPTER 16

Virtual Assets and Digital Business

16.1 St Kitts and Nevis regulates cryptoassets earlier, and more firmly, than its size would suggest. The federal *Virtual Asset Act 2020* (No. 1 of 2020, now Cap. 21.29) made the Federation one of the first Caribbean states to enact FATF-style regulation of virtual asset service providers, and a 2026 package, the *Virtual Asset (Amendment) Act 2026* and new business regulations, has tightened the regime considerably. The direction of travel is compliance rather than laissez-faire: this is a jurisdiction that welcomes crypto wealth and crypto-adjacent business, on documented terms.

16.2 For the digital-asset founder or investor, the picture is therefore double-edged. Holding, trading and structuring around one's own crypto is straightforward and essentially untaxed. Operating a client-facing exchange or custody business requires an expensive FSRC registration that is rarely granted in practice. And banking remains the chokepoint throughout. This chapter maps the regime as at August 2026 and what can realistically be built here.

Scope of the Virtual Asset Act

16.3 Cap. 21.29 defines a virtual asset as a digital representation of value that can be digitally traded or transferred and used for payment or investment purposes, expressly excluding fiat currency and securities. The exclusion matters: a token that is in substance a security falls under securities law (see Chapter 15), not the Virtual Asset Act. "Virtual asset business" tracks the five FATF-defined activities: exchange between virtual assets and fiat currency, exchange between virtual assets, transfers of virtual assets, safekeeping or administration, and participation in or provision of financial services related to an issuer's offer or sale of a virtual asset. Anyone carrying on such business in or from within the Federation must register with the Financial Services Regulatory Commission (FSRC), whose St Kitts branch acts as the operational registrar (see Chapter 29). Unregistered virtual asset business is a criminal offence.

16.4 The statute has been amended repeatedly: by the *Virtual Assets (Amendment) Act 2021* (No. 8 of 2021), by a fee order, SRO 47 of 2021, by prescribed-forms regulations, SRO 25 of 2022, by an amendment passed in May 2024 to align the Act with current FATF standards, and, most significantly, by the *Virtual Asset (Amendment) Act 2026* (No. 8 of 2026, assented 18 June 2026) together with the Virtual Asset Business Regulations, SRO 13 of 2026 (gazetted 22 June 2026). The 2026 pair codifies the travel rule, adds capital, custody and reporting standards, and extends vetting to beneficial owners. Nevis has no separate digital-asset ordinance: the federal Act applies throughout the Federation, and Nevis's crypto positioning is indirect: through online gaming (see Chapter 14), holding structures and funds.

Registration: fit and proper, and deliberately expensive

16.5 An applicant files the prescribed form with a description of the intended business and particulars of directors, shareholders and, expressly since the 2026 Act, beneficial owners. The filing also includes an AML/CFT manual, a designated compliance officer, data-protection and cybersecurity policies, and risk assessments. The FSRC applies a fit-and-proper test of solvency, competence and probity to the entity and its principals, and under SRO 13 of 2026 must decide within 90 days of receiving a complete application.

16.6 The fees, set by SRO 47 of 2021 and left untouched by the 2026 regulations, are pitched at a level that tells its own story.

ITEM	EC$	APPROX. US$ (EC$2.70 = US$1)
Application fee	EC$54,000	US$20,000
Registration fee	EC$135,000	US$50,000
Annual renewal	EC$135,000	US$50,000
Late renewal penalty	EC$100 per day (capped at three months)	n/a

16.7 This is a deliberately high barrier, designed to admit substantial, well-capitalised applicants and deter the rest. The FSRC publishes no public register of registered virtual asset service providers, and its regulated-entities pages show none. Registrations appear to be rare. An applicant should assume a sceptical regulator and a substantial evidential burden, not a rubber stamp.

Conduct of business: custody, capital and the travel rule

16.8 The substantive obligations are extensive. A registrant must keep a minimum of 15% of client funds in escrow with a registered trust company (section 9A), and under the 2026 Regulations must maintain capital and liquidity adequate to the nature, size and complexity of the business, a proportionate standard rather than a fixed minimum. Custodians must segregate client assets and structure holdings to be insolvency-remote. Registrants owe duties of honesty and fair dealing and must operate systems to detect and prevent market abuse. The 2026 Regulations codify the FATF travel rule: required originator information must be obtained and transmitted "immediately and securely" with each transfer, together with the beneficiary's name and an account or transaction reference sufficient to ensure traceability.

16.9 Supervision is correspondingly active. Registrants file quarterly returns covering account numbers, asset values and escrow holdings, and, new under the 2026 Act, quarterly virtual-asset transaction reports covering volumes, values and counterpart service providers. Independent audits, including audits of AML effectiveness, are required. The FSRC may appoint external auditors at the registrant's expense and obtain ownership data from the companies registries. Enterprise-wide risk assessments follow the Financial Services Implementation Standards Regulations 2011, and the 2026 Act threads counter-proliferation-financing obligations throughout. Penalties are serious: unregistered virtual asset business carries a fine of up to EC$100,000 and/or five years' imprisonment, general breaches up to EC$50,000 and/or two years, and the 2026 Act adds administrative penalties of EC$25,000 for individuals and EC$75,000 for bodies corporate, EC$250 per day for continuing breaches, and regulation-made penalties of up to EC$100,000.

Token offerings and the securities boundary

16.10 A registrant proposing to offer or issue virtual assets must file a prospectus with the FSRC at least 14 days before publication (section 10 and Schedule 3), covering issuer details, the asset's functionality, projections and risks. The FSRC may require amendments, or suspend or cancel an offering in the public interest, and the Act imposes strict liability for misrepresentation, with investor rights of withdrawal and compensation. That route covers non-security tokens issued by registrants. A genuine investment token, one carrying profit participation, repayment or equity-like rights, is a security outside the Act's definition, engaging the securities regime and the ECSRC prospectus machinery discussed in Chapter 15, including the unresolved transition between the 2001 and 2021 Securities Acts noted there. Founders planning a token sale should obtain a characterisation opinion before choosing a filing route.

The monetary backdrop: legal tender, DCash and the ECCB

16.11 The Eastern Caribbean dollar, issued by the ECCB from its Basseterre headquarters (see Chapter 30), remains the sole legal tender. No cryptoasset is legal tender anywhere in the currency union. The suggestion by Prime Minister Dr Terrance Drew in November 2022 that Bitcoin Cash might become legal tender by March 2023 was never implemented, and no legislation followed. A common misconception among arriving founders is that the Federation is a "Bitcoin jurisdiction" in the Salvadoran sense. It is not.

16.12 The central bank's own digital-currency experiment has also ended, at least for now. The DCash central bank digital currency pilot ran from March 2021 to January 2024. Its successor, DCash 2.0, was suspended by the ECCB Monetary Council in February 2026 (the decision was approved on 13 February 2026). The Bank has pivoted to an ECCU Fast Payment System, offering instant, around-the-clock EC-dollar transfers by phone number or QR code across banks, and to the CARICOM Payments and Settlement System pilot for cross-border settlement in local currencies. The practical reading for business: expect better conventional EC-dollar rails, not a public digital currency.

Taxation and the citizenship angle

16.13 The fiscal setting is genuinely favourable at the personal level. With no personal income tax and no capital gains tax, an individual resident's own-account crypto gains are simply untaxed. Corporate income tax at 33% applies to resident companies on local-source profits, while Nevis IBCs and LLCs managed and controlled abroad are taxed only on SKN-source income (Chapter 24 carries the tax anchors). How the residence rules apply to an FSRC-registered service provider operating from the Federation deserves specific advice. Separately, since 26 March 2025 the Citizenship by Investment Unit accepts cryptocurrency as a partial source of wealth and funds for CBI applications, with enhanced documentation and higher due-diligence fees. The qualifying investment itself must still be paid in fiat currency (see Chapter 38).

What a founder can realistically do from here, and the banking constraint

16.14 Plenty, provided the business model is chosen with the regime in mind. A founder can hold and trade crypto for their own account tax-free, use a Nevis LLC (see Chapter 7) or international exempt trust (see Chapter 8) for asset-protective custody of keys and tokens, run a NOGA-licensed crypto casino or Web3 gaming business (see Chapter 14), structure a private or professional Nevis fund pursuing crypto strategies (see Chapter 15), and apply crypto wealth, in part, towards citizenship by investment. None of those activities, conducted on one's own account or within those regimes, requires registration under the Virtual Asset Act.

16.15 What is hard is anything client-facing. Operating an exchange, brokerage, custody or transfer service for third parties is virtual asset business, and registration is expensive, roughly US$50,000 a year, escrow-encumbered and rarely granted in practice. The deeper constraint is banking. The domestic banks, SKNANB and the Bank of Nevis among them, are conservative towards crypto businesses under ECCB and correspondent-banking pressure, and most operators bank offshore or through Nevis-licensed international banks and electronic-money institutions (see Chapter 12). Promotional claims that St Kitts and Nevis is a "crypto-banking leader" should be treated as marketing. What a founder cannot do is treat crypto as legal tender, carry on unregistered virtual asset business (a criminal offence), or publicly offer security-type tokens without engaging securities law.

Outlook

16.16 The 2026 amendments show where this regime is heading: closer FATF alignment, more reporting, beneficial-owner vetting and a codified travel rule. This is a small jurisdiction protecting its whitelist standing rather than courting volume. Expect the FSRC to remain a reluctant registrar, and expect the interesting activity to keep flowing through the indirect channels: Nevis holding structures, private funds and NOGA-licensed gaming. The two items to watch are commencement of the *Securities Act 2021*, which will settle the procedural side of the token-securities boundary, and any consolidation of fees and forms under the 2026 regulations.

> **In practice.** Founders regularly arrive planning "an exchange in St Kitts" and leave with something better suited to the jurisdiction: a Nevis LLC holding the treasury, a NOGA licence for the gaming product, and client-facing regulated activity licensed elsewhere. Resolve three questions before spending money. The first is whether your token is a security. The second is whether any part of the model touches third-party assets, because custody is what triggers registration. The third is which bank, named and contacted, not assumed, will hold your fiat. The EC$135,000 renewal is the visible cost of VASP registration. The invisible one is the quarterly reporting and audit cycle, which demands a compliance function most start-ups do not yet have.

PART III

The St Kitts Offshore Sector

The St Kitts statute book's parallel vehicles, from trusts and foundations to limited partnerships, fiduciary licensing and captive insurance, with a practical comparison against their Nevis counterparts.

CHAPTER 17

Trusts and Foundations

17.1 The Federation contains two trust jurisdictions, and it is Nevis, with its ring-fenced international exempt trust and multiform foundation, that hosts the overwhelming bulk of international settlements (see Chapters 8 and 9). St Kitts maintains its own, quite different, regime: a single unified trust statute serving domestic and international settlors alike, and a conventional foundation law of 2003 vintage. Neither is heavily used offshore, but each has genuine uses, and advisers who assume the two islands' laws are interchangeable will mis-serve their clients.

17.2 The design philosophies diverge at the root. Nevis sells privacy and aggressive creditor defences. St Kitts offers a registered, certificate-backed structure with moderate protective features. This chapter sets out the St Kitts rules and is candid about where they trail the Nevis product, because choosing the right island is the first decision, not an afterthought.

One statute for all trusts

17.3 The *Trusts Act 1996* (Cap 5.19), Act 23 of 1996, in force 2 April 1997 and amended through Act 11 of 2020, governs every trust created under St Kitts law. There is no ring-fencing of the Nevis kind: the same statute, registrar and rules apply whether the settlor lives in Basseterre or Boston.

17.4 Within that unified frame the Act is modern and flexible. A trust may run for 100 years (s 17(1)). Charitable trusts are perpetual. Charitable purposes may be prescribed by ministerial order and need not be publicly beneficial (s 10). Non-charitable purpose trusts are permitted with designated enforcers (s 13). Spendthrift and protective trusts are expressly authorised (s 11). Corporate settlors, trustees and beneficiaries are all allowed, the settlor may be a beneficiary and may retain powers without invalidating the trust (s 19), the proper law may be expressly chosen and different aspects of the trust made subject to severable governing laws (s 14), and foreign forced-heirship claims are expressly excluded (s 18(1)). A protector is an optional office (s 25). Other than for "common trusts" it is reserved to lawyers, auditors and designated professionals, and a protector attracts no fiduciary liability absent bad faith (s 25(12)).

Registration: mandatory and constitutive

17.5 The single most important practical feature of the St Kitts regime is that registration is not optional. The FSRC's stated position is that no trust will be recognised under the laws of the Federation as valid and enforceable until the Registrar of Trusts has issued a certificate. At least one trustee must be resident (s 4(2)), and an attestation must be filed with the Registrar containing particulars of the trustees, settlor and beneficiaries, including beneficial-ownership particulars, reflecting the 2020 amendment (s 5). The register is maintained under s 86. An annual statement is due each year (s 60), with removal from the register after three years' delinquency (s 60(5)). The Minister holds inspection powers (s 74 and following). The official fees are modest: registration of the attestation, and each annual statement, costs EC$270 (US$100, EC$2.70 = US$1) for an ordinary trust and EC$540 (US$200) for an exempt trust.

17.6 A Nevis international exempt trust, by contrast, requires only minimal registration and the trust deed itself stays private (see Chapter 8). This is the single biggest practical differentiator between the islands. For a client whose priority is confidentiality, it is decisive against St Kitts. For one who wants a government certificate to show a lender, court or counterparty, it is the reason to choose it.

Asset protection, candidly compared

17.7 The Act contains protective provisions, but it was not built as an asset-protection product. A creditor attacking a transfer into a St Kitts trust must prove an intent to defraud effectively beyond doubt, together with the settlor's resultant insolvency, within a two-year limitation period, and must first post a creditor bond of EC$25,000 (s 21(7)). The *Nevis International Exempt Trust Ordinance* (NIETO, Cap 7.03 (N), as amended in 2015) goes markedly further on every axis:

FEATURE	ST KITTS (TRUSTS ACT, CAP 5.19)	NEVIS (NIETO, AS AMENDED 2015)
Creditor bond	EC$25,000	EC$270,000 (≈US$100,000)
Limitation period	Two years	One year
Fraud standard	Intent to defraud proved effectively beyond doubt, plus resultant insolvency	Beyond reasonable doubt
Perpetuities	100-year cap (charitable trusts perpetual)	Rule against perpetuities abolished
Registration	Mandatory and constitutive, particulars filed	Minimal, deed remains private

17.8 The Nevis bond has stood at EC$270,000 since the 2015 amendments, more than ten times the St Kitts figure. (The Nevis FSRC's FAQ page still quotes the pre-2015 US$25,000 figure. The consolidated ordinance is unambiguous.) The clear conclusion is that the St Kitts Act is a solid general trust law, not an asset-protection product. Protective settlements belong in Nevis (see Chapter 8), and the guide says so plainly.

Tax treatment

17.9 Where the trustees transact exclusively with non-residents, the Act's exempt-trust provisions relieve beneficiaries of income, capital gains and withholding taxes. No estate, inheritance, succession or gift charges arise on trust property, and securities transactions are exempt from stamp duty. These exemptions were not dismantled in the 2018–2019 reforms, which targeted the exempt-companies regime (see Chapter 19), and the FSRC continues to publish them as current in 2026. Two reminders temper their value: the Federation levies no personal income tax in any event (see Chapter 24), and a trust is transparent to most onshore tax systems. The settlor's or beneficiaries' home-country law, not St Kitts law, usually determines the real burden.

The Foundations Act 2003

17.10 St Kitts also offers a foundation under the *Foundations Act 2003* (Cap 21.19), Act 8 of 2003, in force 12 February 2004, amended in 2007, 2011 and 2024. Registration is again constitutive: the foundation becomes a separate legal person on registration (s 3(2)), effected by delivering its articles together with a statement of name, registered office, initial assets, ordinary or exempt status and secretary (s 4), against a conclusive certificate (s 5).

17.11 The organs are conventional. A founder makes an irrevocable transfer of the initial assets. A council of at least one councillor manages (s 12). An optional guardian may supervise (ss 20–21). By-laws may regulate internal affairs (s 63). The mandatory local hook is the secretary, who must be licensed to conduct trust or corporate business (s 13), in practice a Basseterre service provider (see Chapter 19). There is no statutory minimum endowment. Duration is indefinite unless the articles limit it (s 61(1)(f)), and continuance both into and out of St Kitts is permitted (ss 39–45). Protective provisions shield the foundation against foreign law and forced-heirship claims (s 24(1)) and add non-alienation and anti-seizure protections (s 25).

17.12 Fees under the Second Schedule mirror the trust scale: EC$270 (US$100) for an ordinary foundation and EC$540 (US$200) for an exempt one, with an annual return due by month-end following each anniversary (s 66). The default penalties, once capped at four times the fee plus daily fines, were increased substantially by the 2024 amendment. An exempt foundation, one dealing exclusively with non-residents, enjoys full tax exemption (s 64), freedom from estate, inheritance and gift taxes (s 64(3)) and stamp-duty exemption (s 65), provisions left untouched by both the 2018–2021 reforms and the 2024 amendment.

17.13 Here too the comparison must be candid: the Nevis multiform foundation (see Chapter 9) is the more sophisticated instrument, able to take on trust, company or partnership identity, and far more used, with 233 Nevis multiform foundations on the register at end-2018 against no published St Kitts figure.

When the St Kitts vehicle is the right choice

17.14 In our experience the St Kitts trust or foundation earns its place where the client positively wants a registered, certificate-backed structure: comfort for a lending bank, holding St Kitts real estate, or dealings with counterparties and courts that will ask for official proof of the arrangement's existence. Privacy-driven and protective settlements go to Nevis. The Trusts Act has not been amended since 2020. The Foundations Act was amended by the *Foundations (Amendment) Act 2024* (No. 16 of 2024, assented 17 July 2024), which tightened registration, notification and penalty provisions without disturbing the exemptions, and no further trust- or foundation-specific reform was in progress as at August 2026, though licensed fiduciaries administering these structures now sit within the FSRC's 2026 administrative-penalty regime (see Chapter 19).

> **In practice.** The trap is assuming the two islands' laws are interchangeable: a settlor who wants privacy and creditor resistance but is placed into a St Kitts registered trust has bought the opposite of what was intended. Resolve the registration question first. If the client cannot accept filing settlor, beneficiary and beneficial-ownership particulars with a registrar, the conversation belongs in Charlestown, not Basseterre. Where St Kitts is right, secure the resident trustee before drafting begins: the licensed population is very small (see Chapter 19), and trustee capacity, not the law, is usually the constraint.

CHAPTER 18

Limited Partnerships

18.1 For nearly three decades the *Limited Partnerships Act 1996* (Cap 21.12) was the only dedicated limited-partnership statute anywhere in the Federation. Nevis never included a partnership vehicle in its classic offshore suite, its flexible workhorse having always been the LLC, so until 2026 any St Kitts and Nevis limited partnership was, of necessity, a St Kitts registration. That monopoly ended on 1 February 2026, when the *Nevis Limited Partnership Ordinance 2025* came into force (see Chapter 10).

18.2 The St Kitts Act remains a serviceable and deliberately conventional instrument: an English-model partnership without separate legal personality, fiscally transparent, and cheap to establish and maintain. This chapter covers its mechanics, the exempt regime that gives it international utility, and how to choose between the settled Act and the new Nevis ordinance.

The statute

18.3 The Act is Act 24 of 1996, in force 2 April 1997, and has been amended by Act 5 of 2011, Act 16 of 2018, Act 9 of 2019 and SRO 6 of 2019. The 2020 Revised Edition consolidates, and fees are prescribed under the Limited Partnerships (Fees) Order.

Structure and liability

18.4 A limited partnership comprises one or more general partners, who manage the firm and bear unlimited liability, and one or more limited partners, who contribute capital and stand behind a liability shield. Certain fundamental acts by the general partners require the written consent of all limited partners (s 10). A limited partner has no liability for partnership debts (s 18), but loses the shield as against creditors who reasonably believed it to be a general partner if it takes part in management. A statutory safe-harbour list preserves the shield for specified acts (s 18(5)). Bodies corporate may serve as partners, and the same person may be both a general and a limited partner. The name must end in "Limited Partnership" or "L.P." (s 9), and a limited partner whose surname appears in the firm name risks general-partner liability (s 9(4)).

18.5 A common misconception is that the partnership is an entity in its own right. It is not: the Act takes the English aggregate approach, with no express separate legal personality, so partnership property, bank accounts, contracts and litigation all run through the general partners. The certificate of registration is conclusive evidence that the partnership was duly established (s 7), but clients should be advised early on the property-holding and litigation mechanics that follow from the aggregate model, which is one reason a corporate general partner is the standard arrangement.

Registration and administration

18.6 Formation is quick and registry-driven. The name is reserved. The general partner, or, in practice, a licensed corporate-service provider acting as agent (see Chapter 19), files a declaration stating the name, duration and general-partner particulars, together with registered-office details and the nature of the business, with the Registrar of Limited Partnerships (ss 5–7). The Registrar allocates a number and issues the certificate, and the partnership exists on issue. An annual statement is then due before the end of each registration-anniversary month (s 22). Records must be kept for five years, with audit optional (s 26). Dissolution occurs by filing, automatically on the death or incapacity of a sole general partner unless replaced within 90 days, or by court order (ss 27–32). Public offers of partnership units engage a prospectus and civil-liability regime (ss 33–37). The Minister holds inspection powers (ss 38–42), and limited partners may petition on unfair-prejudice grounds (ss 50–51).

Exempt limited partnerships

18.7 The Act's international offering sits in ss 62–63. Where the general partners carry on business exclusively with non-residents, the partners are relieved of all income, capital gains and withholding taxes in respect of their partnership interests, with stamp-duty exemption on securities transactions. The status is not fragile: administering the partnership locally, executing contracts locally, and dealing with exempt residents and authorised banks do not forfeit it (s 62(2)). These provisions were retained in the 2020 Revised Edition and the FSRC continued to publish the exemptions as current in 2026. The partnership's fiscal transparency made it far less objectionable to the OECD and EU reviewers than the exempt company, which was abolished outright (see Chapter 19). The 2018–2019 amendment Acts left ss 62–63 unconditioned. No sunset or grandfathering clause was attached to the partnership exemptions.

Costs

18.8 No minimum capital is prescribed. Establishment costs EC$270 (US$100, EC$2.70 = US$1) for an ordinary partnership and EC$540 (US$200) for an exempt one, and each annual statement carries the same fee. The licensed provider's professional charges, not the official fees, will be the real cost of the structure.

Uses, and the choice against Nevis

18.9 Classic general/limited-partner economics suit closed-ended funds and carried-interest vehicles, joint ventures, family and estate planning (the senior generation holding as limited partners) and passive asset holding. Fiscal transparency plus the exempt regime make a St Kitts exempt limited partnership a genuinely low-cost fund wrapper, but there is no bespoke St Kitts funds legislation and no developed local funds industry (see Chapter 15), so expectations should be managed: this is a wrapper, not an ecosystem.

18.10 The comparative choice runs in two directions. Clients who want member-managed flexibility with charging-order asset protection choose the Nevis LLC (see Chapter 7). Those who want orthodox fund economics historically defaulted to the St Kitts LP. Since 1 February 2026 the Nevis ordinance offers an alternative with mandatory separate legal personality and Nevis-style protective features (see Chapter 10). The new regime is only months old, untested in the courts, with unsettled tax classification, while Cap 21.12 is the settled, three-decade statute, and existing St Kitts partnerships are unaffected by the Nevis enactment. Cross-island combinations also work and are seen in practice: a Nevis LLC as general partner of a St Kitts exempt limited partnership pairs full limited liability at the management level with the partnership's transparent economics.

In practice. The recurring pitfall is treating the partnership as a company: it is not a separate legal person, so title, accounts and contracts sit with the general partner. Put a corporate general partner (commonly a Nevis LLC) in place before anything is acquired. Settle the exempt-status analysis at the outset. The s 62(2) carve-outs are generous, but a single resident-facing dealing outside them puts the exemption in question. Finally, record the reasoning for choosing Cap 21.12 over the new Nevis ordinance or vice versa. In 2026, the older Act's certainty is often worth more than the newer ordinance's features.

CHAPTER 19

Fiduciary and Corporate Services

19.1 Every St Kitts structure described in this Part (company, trust, foundation, limited partnership, captive) reaches the register through a licensed intermediary, so the licensing of trust companies and corporate-service providers is where the St Kitts offshore sector becomes practical. Two features define the landscape in 2026. First, the market is genuinely small: two licensed trust companies and roughly thirty corporate-business providers serve the whole island, while Nevis hosts the majority of the Federation's trust-and-company-service activity, 52 per cent of TCSP-registered entities at the 2021 National Risk Assessment count, through its separately licensed registered agents (see Chapter 13). Second, the sector's centre of gravity shifted permanently when the St Kitts exempt company was abolished, the event that closed the island's tax-privileged company era and reshaped what these providers actually administer.

19.2 This chapter covers the licence regime, supervision by the FSRC's St Kitts branch, the significant 2026 tightening, and what the end of the exempt company means for structures still on the register.

Licensing under the 2019 Regulations

19.3 "Finance business", trust and corporate services, has been licensable on the St Kitts side since the Financial Services (Regulations) Order 1997. The operative regime is now the *Financial Services (Trust and Corporate Business) Regulations 2019* (SRO 3 of 2019), administered by the FSRC St Kitts branch. Authorisation runs in two streams: **trust business** (acting as trustee or protector) and **corporate business** (forming and managing companies, foundations and limited partnerships, providing nominee officers, and registered-office and registered-agent services). A foundation's mandatory secretary must hold a trust or corporate business authorisation (see Chapter 17), and limited partnerships are in practice formed through licensees (see Chapter 18). The licence is the gateway to everything else.

19.4 Applicants must be companies, or individuals who are attorneys-at-law or certified accountants, and must maintain minimum net assets tiered to the authorisation (regulation 6, EC$2.70 = US$1): EC$540,000 (US$200,000) for unrestricted trust business, EC$270,000 (US$100,000) for corporate business and EC$54,000 (US$20,000) for restricted trust business. The fee scale:

ITEM	FEE
Application: corporate business (non-refundable)	EC$1,080 (US$400)
Application: trust business (non-refundable)	EC$1,620 (US$600)
Due diligence, per non-national principal	US$8,000
Licence: corporate business	EC$5,400 (US$2,000)
Licence: trust business, unrestricted	EC$10,800 (US$4,000)
Licence: trust business, restricted	EC$5,400 (US$2,000)

Supervision and ongoing obligations

19.5 The Financial Services Regulatory Commission is a single federal body under the *Financial Services Regulatory Commission Act 2009* (Cap 21.10, in force 26 November 2009), the statutory "ultimate regulatory body for financial services and for anti-money laundering". It operates through two branches (s 5), one in Basseterre, one in Charlestown, each headed by its own Director. The St Kitts branch administers the St Kitts-side enactments listed in the Act's First Schedule, including trust and corporate business, while the Nevis branch administers the Nevis ordinances (Chapter 29 sets out the full architecture).

19.6 An applicant files a business plan covering services, organisation, staffing and projections, with full due diligence on beneficial owners, directors and senior management, all of whom face fit-and-proper testing. Once licensed, a provider must file audited financial statements within four months of its financial year-end and undergo AML/CFT compliance audits. It must conduct customer due diligence and beneficial-ownership identification with ongoing monitoring under the Anti-Money Laundering Regulations 2011, the Anti-Terrorism (Prevention of Terrorist Financing) Regulations 2011 and the Financial Services (Implementation of Industry Standards) Regulations 2011. It must keep records and submit to risk-based FSRC examinations. The *Proceeds of Crime and Asset Recovery Act 2020* (No. 9 of 2020) underpins the whole framework (see Chapter 31).

The 2026 reforms

19.7 Supervision tightened materially in 2026, largely in response to the CFATF's fourth-round mutual evaluation (adopted 2021, published 2022). The *Financial Services (Trust and Corporate Business) (Amendment) Regulations* (SRO 15 of 2026, gazetted 22 June 2026, though the FSRC's website mislabels the instrument "SRO 15 of 2025") add a "beneficial owner or controller" definition and extend fit-and-proper testing to beneficial owners, shareholders and controllers. A new regulation 5A mandates due diligence on non-national and non-resident principals at the applicant's cost. Renewal and refusal decisions are now conditioned on the licensee's record of compliance with the proceeds-of-crime legislation, with thirty days' reasoned notice. A new supervision Part codifies examination, inspection and investigation powers. Penalties run to EC$10,000 for non-compliance, with obstruction fines up to EC$100,000 for individuals and EC$250,000 for corporates. The FSRC must now publish its list of authorised persons.

19.8 In parallel, the *Financial Services Regulatory Commission (Amendment) Act 2026* (No. 5 of 2026, assented 18 June 2026) gives the Commission a direct administrative-penalty power, exercisable without first exhausting other measures, and broadens "regulated business" to cover relevant business under the proceeds-of-crime legislation, with the machinery in the *FSRC (Administrative Penalties) Regulations* (SRO 14 of 2026). An earlier amendment, Act No. 25 of 2024 (assented 20 November 2024), reduced the Commission's meeting frequency from nine to five per year, governance housekeeping rather than substance. Providers touching digital assets should also note the Virtual Asset Act 2020, as amended in 2024 for FATF alignment, under which virtual-asset service providers register through the FSRC (see Chapter 16). The practical message for clients is uniform: onboarding through a St Kitts licensee is materially heavier in 2026 than it was even two years ago.

The end of the exempt-company era

19.9 For two decades the flagship St Kitts offshore product was the exempt private company under the *Companies Act 1996* (Cap 21.03): exempt from tax under s 225 where business was carried on exclusively with non-residents, with bearer-share capacity (s 51) and carve-outs from register inspection (s 45). Following review of the regime by the OECD Forum on Harmful Tax Practices and the EU Code of Conduct Group, it was dismantled in three steps. The *Companies (Amendment) Act 2018* (No. 14 of 2018, adopted 27 December 2018) closed the regime to new entrants with effect from 1 January 2019, with parallel Nevis ordinances doing the same for NBCs and LLCs. Existing exempt companies were grandfathered only to 20 June 2021, the St Kitts Act's own, slightly earlier cut-off. The parallel Nevis ordinances used 30 June 2021. In the interim, the *Companies (Amendment) Act 2019* (No. 7 of 2019, assented 9 September 2019) added s 224A, barring grandfathered companies from acquiring new assets, taking on activities outside their objects, or acquiring or benefiting from intellectual-property assets, and added s 72A, requiring notification of director and shareholder changes within 21 days on pain of an EC$250-per-day penalty. The *Companies (Amendment) Act 2021* (No. 13 of 2021, assented 26 March 2021) then completed the dismantling: it repealed the bearer-share provisions (ss 51–52) and the tax-exemption sections (ss 225–226) outright, required every remaining exempt company to convert to an ordinary or non-resident "international" company by 20 June 2021, and directed the Registrar to strike off, without possibility of restoration, any that failed to do so.

19.10 The position in 2026 is therefore clean: **there is no tax-privileged St Kitts company**, and none can be formed. All companies incorporate under the ordinary Companies Act, private or public, limited by shares or by guarantee. The segregated-portfolio-company Part (Part XXVI) was itself repealed by the 2021 amendment. They fall under the Income Tax Act (Cap 20.22): 33 per cent corporation tax for resident companies (residence following central management and control) on worldwide income, source-basis taxation for non-residents, and 15 per cent withholding on payments to non-residents (see Chapter 24). Since 26 August 2020, a Federation-incorporated company claiming non-resident status must file the simplified CIT 101 return annually (CIT 100 where there is a local permanent establishment). The exempt-company provisions were formally repealed by the 2021 amendment. The versions still printed in the 2020 Revised Edition, which closed before that Act, are of historical interest only.

19.11 For legacy structures the consequences are concrete. An exempt company that converted in 2021 continues today as an ordinary or international company, fully taxable and filing under the Income Tax Act. One that failed to convert was struck from the register after 20 June 2021 and cannot be restored. Where a supposed St Kitts exempt company surfaces in a client group, the first question is which side of that line it fell on, and, for a struck-off company, what has become of any assets it still held. The analysis should be run now, not when a bank or counterparty asks.

A small market, candidly

19.12 The licensed population tells its own story: two trust companies, National Bank Trust Company (St Kitts-Nevis-Anguilla) Limited and Marvason Trust Limited (formerly CaribTrust), both in Basseterre, alongside roughly thirty registered corporate-business providers, mostly law and accounting practices, and four escrow agents. Dual-island practices are common, but the licences do not travel: a Nevis registered-agent licence does not authorise St Kitts trust or corporate business, and vice versa, so firms serving both markets hold both.

In practice. Choose the provider before the structure: with two trust licensees and some thirty corporate providers, capacity, not law, is the St Kitts constraint, and the provider must be licensed on the correct island for the work. Since the 2026 amendments, arrive with beneficial owners' due-diligence files ready: fit-and-proper now reaches owners and controllers, and the US$8,000 per-head diligence cost for non-national principals belongs in the budget from day one. And if a legacy exempt company surfaces anywhere in a client group, treat it as a live tax-and-penalty problem rather than a dormant asset.

CHAPTER 20

Captive and International Insurance

20.1 St Kitts has operated a purpose-built captive insurance regime since 2006, offering the conventional taxonomy (pure, association and group captives, each with a statutory small-captive tier) that risk managers from the United States and elsewhere will recognise. The necessary starting point, however, is scale: at the most recent published count (the 2021 National Risk Assessment and CFATF evaluation data), 32 international insurance companies were licensed on the St Kitts side against 228 in Nevis, supported by two St Kitts insurance managers against seventeen in Nevis. The regime is genuine and workable, but it is the Federation's smaller insurance book, and any feasibility study should treat the Nevis alternative (see Chapter 11) as the default comparator.

20.2 This chapter sets out the licence classes, capital and fees, the application and ongoing requirements, the tax analysis, which carries the sector's one significant open question, and where a St Kitts captive genuinely fits.

The legal framework

20.3 The governing statute is the *Captive Insurance Companies Act 2006* (Cap 21.20), Act 12 of 2006, in force 7 September 2006, amended by Acts 1 and 36 of 2011 and by Act 13 of 2018, which recast the insurance-manager qualification standards. It is administered by the Registrar of Captive Insurance Companies (s 4(1)) within the FSRC St Kitts branch. Two supporting instruments matter: the *Insurance Act 2009* (Cap 21.11), whose solvency provisions are cross-referenced, and the *Exempt Insurance Companies Act* (Cap 21.08), the potential tax-exemption gateway. A captive underwrites the risks of its owners and affiliates within class-based limits on unaffiliated business (s 8(1)). Personal motor and homeowner's cover cannot be written.

Licence classes, capital and fees

20.4 Minimum unimpaired capital and surplus is set by class (ss 3 and 15). The peg (EC$2.70 = US$1) applies throughout:

LICENCE CLASS	MINIMUM UNIMPAIRED CAPITAL AND SURPLUS
Pure captive (parent and affiliates only)	EC$607,000 (≈US$225,000)
Association captive	EC$810,000 (US$300,000)
Group captive (up to one-third unaffiliated risk)	EC$1,080,000 (US$400,000)
Small pure captive	EC$54,000 (US$20,000)
Small association captive	EC$67,000 (≈US$25,000)
Small group captive	EC$81,000 (US$30,000)

20.5 A common practitioner citation of "US$200,000" for a St Kitts pure captive understates the statutory schedule, which converts to approximately US$225,000. Work from the EC$ figures.

20.6 Fees are modest by international standards: the application fee is EC$1,620 (US$600), reduced to EC$540 (US$200) for small captives, and the annual licence and renewal fee is EC$8,100 (US$3,000), reduced to EC$2,160 (US$800) for small captives.

Licensing and ongoing requirements

20.7 An application (s 8) comprises the organisational documents, a sworn statement of financial condition, a three-year business plan setting out coverages, deductibles and limits, notarised due diligence on beneficial owners and directors, and evidence of capital, management expertise and loss-prevention programmes. Simplified forms apply to small captives (s 9), and directors and officers face fit-and-proper testing (s 10).

20.8 Once licensed, the captive must maintain the solvency margin prescribed by s 54 of the Insurance Act, holding assets within prescribed liquid-asset classes (s 16(2)). It must appoint and retain a qualified insurance manager (s 19), since the 2018 amendment, a licensed firm employing professionally credentialled staff, such as fellows or associates of the Chartered Insurance Institute or holders of equivalent qualifications recognised by the FSRC. It must file annual financial statements prepared to GAAP by 1 March each year, with actuarial certification for long-term business from which small captives are exempt (s 20), and remain within the suspension and revocation grounds of s 22. The insurance-manager requirement deserves early attention: with only two managers licensed on the island, most programmes are in practice administered from Nevis or from abroad, and the manager's identity and capacity belong in the business plan rather than being left to follow licensing.

Tax treatment

20.9 A captive underwriting solely offshore risks may qualify for income-tax exemption under s 33 of the Exempt Insurance Companies Act, which remains listed among the FSRC's regulated enactments. Whether that exemption survived the 2018–2021 dismantling of the Federation's ring-fenced tax regimes (see Chapter 19) is the key open question for this chapter: if it lapsed with the exempt-company era, a captive defaults to ordinary Income Tax Act treatment, 33 per cent if resident by central management and control, source-basis if managed abroad. There are no capital-gains or premium taxes, but the 15 per cent withholding tax bears on payments to non-residents from onshore sources (see Chapter 24). A written confirmation of the operative tax analysis from the FSRC and local tax counsel should precede any licence application. For most foreign-parented captives the sharper questions will in any event be home-country ones: controlled-foreign-company rules and the deductibility of premiums paid to the captive.

The sector in 2026, and the Nevis comparison

20.10 Cap 21.20 has not been amended since 2018, and no captive-specific modernisation was in progress at the time of writing. The sector nonetheless feels the general 2026 tightening, since the FSRC's new administrative-penalty powers (Act No. 5 of 2026 and SRO 14 of 2026) and heightened AML/CFT supervision apply to licensees across the board (see Chapter 19).

20.11 The comparison with Nevis is straightforward on the numbers. The *Nevis International Insurance Ordinance 2004* (Cap 7.07 (N)) licenses six classes with lower entry capital: US$185,000 for general or long-term insurers, US$75,000 for reinsurers, US$10,000 to US$50,000 for captives depending on ownership, and US$10,000 for the allied annuity and reinsurance classes, the niche in which Nevis has built real volume, with eighteen allied reinsurers at the National Risk Assessment count. Nevis is therefore cheaper for a single-owner captive and hosts the deeper service bench. St Kitts answers with the more conventional pure, association and group taxonomy and its statutory small-captive concessions.

When a St Kitts captive fits

20.12 The St Kitts regime suits a parent, typically United States-based, that wants a recognisably orthodox captive statute, class-defined capital, and a small-captive tier with genuinely low entry capital and fees, and that is content to bring its own insurance management. In our experience the sensible pre-engagement step is a direct approach to the FSRC St Kitts branch to confirm three things in writing: the current captive count and the regulator's appetite for new licences, the operative tax analysis under Cap 21.08, and whether any modernisation of Cap 21.20 is pending. Where entry cost dominates the decision, or the programme needs local management depth, the Nevis regime will usually win the comparison (see Chapter 11), the guide's consistent theme in this Part.

> **In practice.** Before commissioning a feasibility study, put two questions to the FSRC St Kitts branch in writing: its appetite for new captive licences, and its operative analysis of the Cap 21.08 tax exemption. The answer determines whether the vehicle is tax-neutral or a 33 per cent taxpayer. Line up the insurance manager at the same time. With only two licensed on the island, most programmes are run from Nevis or abroad, and the manager belongs in the s 8 business plan, not the post-licensing to-do list. If entry capital is the deciding factor, run the Nevis comparison first. For a single-owner captive it is usually the cheaper route.

PART IV

Shipping and Intellectual Property

The open international ship registry, the Federation's intellectual property system across all its branches, and the treaty network that stands behind both.

CHAPTER 21

The International Ship Registry

21.1 St Kitts and Nevis operates one of the world's open ship registries: the St Kitts & Nevis International Ship Registry, universally known as SKANReg, which has accepted internationally owned tonnage since 2005. The registry is administered from the United Kingdom under the Federation's *Merchant Shipping Act, 2002*, and offers what open registries classically offer: no nationality restrictions on ownership or crew, rapid and often same-day processing, negotiable tonnage-based fees and a purpose-built yacht regime. By end-2024 the registry's own figures recorded more than 4,500 vessels registered over its lifetime (approximately 7.2 million tons) and more than 55,000 seafarer documents issued.

21.2 A candid account must begin, however, where charterers, insurers, banks and port State control officers begin: flag performance. St Kitts and Nevis stands on both the Paris MoU and the Tokyo MoU black lists for 2026–27, and in 2022–23 the flag briefly became the largest single host of the "dark fleet" carrying Russian crude above the G7 price cap, a position the registry reversed by deflagging 36 tankers in June 2023. The flag is a rational, economical choice for some owners and an expensive mistake for others. This chapter sets out the machinery, then the performance record, so the reader can judge which they would be.

Legal framework and administration

21.3 The governing statute is the *Merchant Shipping Act, 2002* (Cap 7.05, 2017 Revised Edition), an English-law-based code drafted on the IMO model legislation with input from other Caribbean open registries, supported by the *Merchant Shipping (Agreements) Act* (Cap 7.06), the *Merchant Shipping (Liability of Shipowners and Others) Act* (Cap 7.07) and an extensive body of subsidiary regulations and registry Maritime Circulars. The Federation has been a member of the International Maritime Organization since 2001 and applies the principal technical conventions to its ships: SOLAS 74, MARPOL, STCW 78, Load Lines 66, Tonnage 69 and COLREG 72. It ratified the Maritime Labour Convention, 2006 on 21 February 2012, the twenty-fourth ILO member to do so, and UNCLOS on 7 January 1993 (see Chapter 23). Registration under an open flag dilutes none of this: an SKN ship must carry the full modern suite of statutory certificates.

21.4 The administration is unusual in form. The registry is run by the International Registrar of Shipping and Seamen from a head office at Grays in Essex, England, working in daily contact with the Department of Maritime Affairs in Basseterre, which remains the flag-State administration. Applications are processed through a worldwide network of Maritime Registrars in more than 35 countries, from London and Piraeus to Singapore, Hong Kong, Dubai, Panama and Miami, as well as Basseterre itself. Owners deal with an English-speaking administration on London hours. For opinion purposes, remember that the register remains a public record of the Federation, wherever the administrators sit.

Who may register, the age limit and class

21.5 There are no restrictions on the ownership of St Kitts and Nevis ships. Owners may be Federation companies, foreign companies or individuals. Local incorporation is not required, although the Registrar requires a representative person to be appointed for each registration, a role performed by providers regulated under the

Federation's Proceeds of Crime Act, 2000. Vessels first registered in the ownership of a Federation company with a registered office there, or of a resident citizen, attract a 50 per cent reduction in the registration fee. Vessels must generally be no more than 20 years old from first construction. The limit is waivable where the vessel is maintained in class with an approved society and passes a general condition survey, in practice the door through which older tonnage enters the flag, and precisely the cohort that port State inspectors target hardest.

21.6 Statutory survey and certification are delegated to recognised organisations, as is usual for open registries. The registry's current published list names more than twenty authorised societies in two tiers: eleven IACS members holding full delegation (ABS, Bureau Veritas, the China Classification Society, DNV, the Indian Register of Shipping, the Korean Register, Lloyd's Register, ClassNK, Polski Rejestr Statków, RINA and Türk Loydu), together with a longer roster of non-IACS societies authorised in full or only case by case (the Croatian Register of Shipping, though an IACS member, sits in the case-by-case tier). The Russian Maritime Register of Shipping, which appeared on earlier lists, no longer features. Confirm the current list before committing. Financing banks and insurers commonly impose their own class requirements.

Registration types

21.7 The registry offers a full menu of registration routes:

ROUTE	DURATION	NOTES
Provisional	6 months	The standard entry route while original documents are compiled
Permanent (full term)	4 years from first registration, renewable	Follows provisional registration
Special purpose	3 months, non-extendable	Single or delivery voyages. Simplified documentation, most completed within one working day
Bareboat charter, in and out	Minimum 2 years, maximum 20 years	For permanently registered ships over 1,500 GRT. Provisionally registered ships may bareboat for up to 2 years
Vessels under construction	–	Historically offered but absent from the registry's current published menu. Confirm availability directly with the registry
Fishing vessels	–	Historically accepted but absent from the registry's current published menu. Criteria confirmed case by case with the registry
Yachts, pleasure and commercial	As for ships	Dedicated technical regime (see below)

21.8 Bareboat registration runs in both directions: a foreign-registered ship may fly the SKN flag during a charter, and an SKN ship may suspend the flag to charter into another registry, with dedicated forms covering charter-in, charter-out and return.

The yacht niche

21.9 Yachts are the registry's most actively marketed segment, and the technical regime is sensibly graduated by size. A pleasure yacht under 24 metres is surveyed for safety and tonnage and receives a Pleasure Vessel Safety Certificate and a National Tonnage Certificate. Above 24 metres the Pleasure Vessel Regulations apply, pairing the safety certificate with an international (ITC 69) tonnage certificate. Above 400 GT, MARPOL-type certification is added (oil, sewage, garbage, air emissions and bunkers liability). Above 500 GT the full SOLAS regime applies, including construction, equipment and radio certificates, safe manning and LRIT. Commercial yachts under 24 metres operate under the Small Commercial Vessel Regulations with a SKANReg Certificate of Inspection. Between 24 metres and 500 GT a "Mini ISM" Document of Compliance applies. Above 500 GT, again, full SOLAS. Classification is advisable but not mandatory for yachts, though any yacht over 24 metres must be surveyed by approved surveyors or recognised organisations, and every yacht must carry at least a VHF radio installation.

Mortgages and ship finance

21.10 Ship mortgages are registered with the International Registrar and rank strictly by the date and time of entry in the Registry Book: first in time, first in right. For lenders the rule follows directly: lodge the mortgage immediately on, ideally simultaneously with, registration or drawdown, because the priority rule allows no grace. Mortgage registration is a separately charged service. The mortgage sits on the public register of the Federation, and enforcement proceeds in admiralty, through the Eastern Caribbean Supreme Court where proceedings are brought in the Federation or, as is common in ship finance, wherever in the world the vessel can be arrested.

Fees

21.11 There is no published tariff. Fees are tonnage-based, calculated on gross and net register tonnage, charged once on registration and annually thereafter, with written quotations provided on request. Discounts are available for vessels built within the last five years, for multiple-ship fleets and for SKN-owned vessels, and the registry pledges "no hidden fees". Ancillary services (radio licences, minimum safe manning documents, seafarer documents and mortgage registration) are charged separately. Payment is made in US dollars through the registry's London bankers or via the St Kitts-Nevis-Anguilla National Bank. In our experience the sensible course is to obtain a written all-in quotation covering registration and first-year running costs and compare it like for like against competing registries: headline figures are genuinely negotiable, and the discounts are real.

Crewing and STCW

21.12 Every seafarer serving on an SKN ship must hold the Federation's Continuous Discharge Certificate and Identity Document, and officers and watchkeepers must in addition hold SKANReg endorsements, Certificates of Equivalent Competency, recognising their national STCW qualifications. There are no crew nationality restrictions, and seafarer documentation is processed through the same registrar network, usually quickly.

Flag performance: the full picture

21.13 On the Paris MoU's most recent list (published in its 2025 annual report on inspections from 2023 to 2025, and valid from 1 July 2026 to 6 July 2027), St Kitts and Nevis is black-listed: ranked 60th of 69 flags, on 372 inspections and 42 detentions across the three-year window, one of ten flags on the black list, albeit within its lowest, "medium risk", band. The position is not an aberration: the flag has been black-listed on the Paris MoU for most of the registry's existence. The Tokyo MoU list for the same period (valid 1 July 2026 to 30 June 2027) likewise places the flag on its black, low-performance list, recording 111 inspections, 29 detentions and an excess factor of 5.16. The United States picture is thinner and more benign: in the US Coast Guard's 2024 annual report, SKN ships underwent six examinations with no detentions, the three-year detention ratio (2022–2024) stood at zero, and the flag was not on the USCG targeted flag list. Indeed it appeared among the flags examined in each of the previous three years without a single detention, a function of minimal US traffic rather than demonstrated quality.

21.14 The commercial consequences are concrete. Black-list status feeds port State targeting directly: SKN ships are selected for inspection more often in European and Asia-Pacific ports, detained more readily, and exposed to banning mechanisms on repeat detentions. Detentions mean off-hire, missed cancelling dates and survey costs. Charterers' vetting departments, P&I clubs, hull underwriters and trade-finance banks all screen flag performance, so a black-listed flag raises questions at each desk even for a well-run ship.

Sanctions and the dark-fleet episode

21.15 The registry's sanctions record deserves a full telling, because it now cuts both ways. In 2020 and 2021 SKANReg deflagged tankers found to be carrying sanctioned Iranian oil. By 2022–23, however, the flag had attracted the fleet of Dubai-based Gatik Ship Management, then the largest single "dark fleet" operator moving Russian crude above the G7 price cap. In June 2023, following a confidential internal review, the registry deflagged 36 Gatik-managed tankers at a stroke: vessels representing roughly two-thirds to 71 per cent of the registry's tonnage by deadweight. That was drastic self-surgery, and it appears to have worked. The September 2025 RUSI paper on shadow-fleet flag reform does not list St Kitts and Nevis among the currently permissive registries, in contrast to Cameroon, Comoros, Gambia and Tanzania. Owners should nevertheless expect the registry to probe beneficial ownership, management chains and insurance at registration, and to act decisively if a vessel later attracts sanctions concern: deflagging is its proven remedy, and EU, UK and US sanctions packages continue to press flag States on precisely this ground.

Who the flag suits, and who it does not

21.16 As at August 2026 the flag suits owners of smaller and mid-sized tonnage trading regionally or outside the main inspection regimes. It suits yacht owners, private and commercial, for whom the graduated codes and the sub-24-metre regime are genuinely convenient. It suits owners needing a fast, inexpensive registration for a delivery voyage, lay-up or other single purpose, and those who value an English-law framework with London-based administration and a global agent network. It does not suit owners whose ships call regularly in Paris or Tokyo MoU ports, who face quality-sensitive charterer vetting (oil majors especially), or whose financiers require a white- or grey-listed flag. Nor is a small administration heavily reliant on recognised organisations the natural home for complex fleets needing intensive flag-State engagement. The cost advantage is real, but a single port State detention can consume years of fee savings.

In practice. Two questions decide the matter before any fee quotation is worth reading: where will the ship trade, and who has to approve her (charterers, banks, insurers)? If the answers involve regular European or Asia-Pacific calls and institutional counterparties, the black-list discount is usually a false economy. For yachts, regionally trading tonnage and delivery voyages it rarely bites. Whatever the vessel, lodge any mortgage at the same date and time as the registration itself, since priority runs from the minute of entry, and assemble the sanctions and beneficial-ownership file before applying. This registry has shown it will deflag first and discuss afterwards.

CHAPTER 22

Intellectual Property

22.1 Intellectual property in the Federation is administered by the Intellectual Property Office of St Kitts and Nevis (IPOSKN), within the Ministry of Justice and Legal Affairs in Basseterre. The country has been a WIPO member since 1995, has applied the WTO TRIPS Agreement since 1996 (see Chapter 23), and its statutes broadly follow modern Commonwealth models. Two structural points frame everything else in this chapter. First, all registrations are national: St Kitts and Nevis is not a member of the Madrid Protocol, so no international trademark registration reaches it, and every brand owner must file locally. Secondly, the system is in the middle of its most significant modernisation since 2000, driven largely by the Federation's commitments under the CARIFORUM–EU Economic Partnership Agreement and delivered with WIPO and EUIPO (CarIPI programme) support.

22.2 That modernisation has produced, since 2024, a new *Copyright Act, 2024*, and accession to the Hague Agreement and to the WCT, WPPT, Beijing and Marrakesh treaties with effect from 8 October 2024. It has also produced collective-management regulations from December 2024, an Industrial Designs Bill passed on 31 July 2025 and the Rome Convention in force from 6 February 2026. The statute book is increasingly respectable. Enforcement, as we explain at the end, remains the thinner half of the story, and this chapter is equally candid about the genuine gaps: trade secrets, plant varieties and traditional knowledge among them.

Trademarks

22.3 The governing statute is the *Marks, Collective Marks and Trade Names Act, 2000* (No. 10 of 2000, Cap 18.22, occasionally miscited as Cap 22.22), in force since 28 July 2000, supported by the Trade Marks Rules. Applications are filed at IPOSKN, in practice through a local agent acting under a notarised power of attorney signed before one witness. The Nice Classification applies and multi-class applications are permitted. Applications undergo formal and substantive examination (distinctiveness and conflict with earlier marks), followed by publication in the Gazette and an opposition window within the prescribed period, which practitioners work to as three months. An unopposed application typically proceeds to registration in about five months.

22.4 Registration runs for 10 years from the filing date and is renewable indefinitely for further 10-year periods, with a six-month renewal grace period on surcharge. There is no pre-filing use requirement and Paris Convention priority may be claimed, but a registration becomes vulnerable to cancellation after three consecutive years of non-use. Well-known marks receive Article 6bis-style protection, extending to dissimilar goods or services where a connection with the owner and likely prejudice can be shown. Trade names are protected against unlawful or misleading third-party use without any registration at all. Collective marks are registrable (see the collective-rights section below). No official fee schedule is reliably published. Obtain a current quotation before filing.

22.5 The point that most often catches international brand owners is the Madrid position. St Kitts and Nevis is not a party to the Madrid Protocol, in contrast to Jamaica (2022), Belize (2023) and Grenada (2026), so an international registration cannot designate the Federation, and portfolio managers who assume Caribbean coverage through Madrid will simply have no rights here. Protection requires a national filing. Registrations obtained under the legacy UK-based re-registration route subsist for their unexpired terms, but that route is closed.

Copyright

22.6 The *Copyright Act, 2024* (No. 14 of 2024), assented to on 25 June 2024 and in force from assent, replaced the Copyright Act, 2000 (Cap 18.08) and moved the Federation from a life-plus-50 to a life-plus-70 jurisdiction. Protection arises automatically on creation. There is no registration system. The terms are life of the author plus 70 years for literary, dramatic, musical, artistic and audiovisual works, 70 years for sound recordings (from creation or publication) and for broadcasts, and 25 years for typographical arrangements. Moral rights (attribution, integrity, protection against false attribution and privacy in commissioned works) endure in general for as long as the copyright, the false-attribution right for 20 years after death.

22.7 The Act is a genuinely modern instrument. It provides anti-circumvention protection for technological protection measures (section 131) and for rights-management information (section 133). It contains exceptions covering research, criticism and review, education and libraries, including a non-commercial user-generated content exception (section 54). It confers customs powers to interdict infringing imports (section 50) and police search powers, and it imposes criminal penalties rising to EC$250,000 (EC$2.70 = US$1) and five years' imprisonment on indictment.

22.8 Collective management is now regulated, and contested. Sections 92 to 112, together with the Copyright (Collective Management Organisations) Regulations effective 6 December 2024, require any collective management organisation licensing in the Federation to be authorised by IPOSKN. This produced the new law's first real test. As of May 2025 the Government stated that no CMO (including ECCO, the St Lucia-based Eastern Caribbean Collective Organisation for Music Rights, which has historically licensed music users across the region) had been authorised, and described ECCO's continued licensing as "in open defiance of the law". ECCO challenged the Regulations, and the ECSC High Court delivered judgment in February 2026. At the time of writing (August 2026) the judgment's full effect and the current licensing position were not yet publicly clear. Hotels, broadcasters, restaurants and event venues should take advice before paying, or refusing to pay, music licence fees, and should document the basis on which they act, because both overpayment and unlicensed use carry risk while the position settles.

22.9 On treaties: Berne has applied since 9 April 1995. The WCT and WPPT entered into force for the Federation on 8 October 2024, alongside the Beijing Treaty on audiovisual performances and the Marrakesh Treaty on accessible-format copies. The Rome Convention entered into force on 6 February 2026 (see the table at the end of this chapter).

Patents

22.10 The *Patents Act, 2000* (No. 9 of 2000, Cap 18.25), passed on 28 July 2000, follows the standard modern model: patentability requires absolute worldwide novelty, an inventive step and industrial applicability, and the term is 20 years from filing. Annuities are payable from the first anniversary of filing, with a six-month grace period on surcharge. Non-payment lapses the patent, which in practice is how most rights here are lost. The Act also provides utility (model) certificates for inventions that are new and industrially applicable without an inventive-step requirement, for a seven-year non-renewable term. Compulsory licences and Government exploitation are available on grounds including national security, health, nutrition, the development of the economy and the remedying of anti-competitive abuse, in each case against adequate remuneration.

22.11 St Kitts and Nevis has been a Patent Cooperation Treaty contracting state since 27 October 2005, with the Registrar acting as receiving, designated and elected Office, so international applications enter the national phase in the ordinary way within the prescribed period. Non-resident applicants must appoint a legal practitioner resident and practising in St Kitts and Nevis. Most filings are PCT national-phase entries or Paris-route filings by foreign applicants. Domestic volumes are very small, and again no official fee schedule is reliably published, so a quotation should be obtained at the outset.

Geographical indications

22.12 The *Geographical Indications Act, 2007* (No. 6 of 2007, Cap 18.39) was passed in 2007 but brought into force only on 1 November 2016, as part of EPA implementation. Protection is available with or without registration, but registration, in a register kept by the Registrar at IPOSKN, creates an evidentiary presumption that the indication qualifies. Applications may be made by producers carrying on activity in the area, by groups of consumers or by competent authorities, and registration is effectively indefinite, there being no renewal provision. Wines and spirits receive enhanced, TRIPS Article 23-style protection: uses accompanied by expressions such as "kind", "type", "style" or "imitation" are barred outright. The Act also interlocks with trademark law, allowing refusal or invalidation of marks that conflict with protected indications, and provides injunctions, damages and other civil relief, backed by criminal penalties. No St Kitts and Nevis geographical indication appears yet to have been registered. The regime awaits local products, and remains equally available to foreign right-holders seeking protection here.

Layout-designs of integrated circuits

22.13 The *Protection of Layout-Designs (Topographies) of Integrated Circuits Act, 2007* (No. 19 of 2007, Cap 18.40), in force since 5 November 2007, provides registration-based protection for original layout-designs for a 10-year term, running from the design's first commercial exploitation anywhere in the world (provided registration is applied for within the statutory window) or, where there has been no such exploitation, from the filing date of the application. Candidly, this is a TRIPS-compliance statute: no filings are known, and it appears here for completeness rather than practical volume.

Trade secrets

22.14 There is no trade-secrets statute. IPOSKN itself states that "there are currently no legal provisions that specifically protect trade secrets", and, contrary to some published checklists, no unfair-competition act appears on the Federation's statute book. Protection therefore rests on the common law and on contract: the equitable action for breach of confidence (information having the necessary quality of confidence, imparted in circumstances importing an obligation of confidence, and used without authority to the claimant's detriment), express confidentiality obligations, and employees' implied duties of fidelity, reinforced where appropriate by restrictive covenants drawn no wider than reasonably necessary. The Marks Act's trade-name and misleading-use provisions give incidental cover against some forms of unfair trading. It is fair to say that TRIPS Article 39 is under-implemented.

22.15 The practical consequence is that confidentiality architecture must be built, not assumed. Before any disclosure, a non-disclosure agreement identifying the information and the permitted purpose. In employment contracts, tailored confidentiality clauses surviving termination. Internally, access controls, marking of sensitive material and exit protocols that recover devices and credentials. In licensing and joint-venture arrangements, audit rights and return-or-destroy obligations. Where the secret is commercially critical, consider whether the relationship can be governed by the law and courts of a jurisdiction with statutory trade-secret protection. In this jurisdiction, the contract usually is the protection.

Traditional knowledge

22.16 This is an acknowledged gap: there is no sui generis legislation protecting traditional knowledge or traditional cultural expressions. The repealed Copyright Act, 2000 vested copyright in national folklore in the Crown, and the 2024 Act preserves that approach: under section 20(5), the author's rights in folklore (works forming a basic element of the traditional and cultural heritage, created by community groups and handed down from generation to generation) vest in the Crown as if the Crown had been the original creator. IPOSKN directs communities and cultural practitioners to the general toolbox (trademarks, collective marks, geographical indications, patents and designs), which fits some cases, such as community-branded products, and plainly does not fit others, such as sacred or orally transmitted material that fails conventional originality, novelty or fixation tests. The development to watch is the WIPO treaty on intellectual property, genetic resources and associated traditional knowledge adopted in 2024, which as at August 2026 the Federation had neither signed nor ratified.

Industrial designs

22.17 Until recently the Federation had no national design registration at all. The *United Kingdom Designs (Protection) Act* (Cap 18.37), dating from the 1930s, protected designs here only as an automatic extension of a United Kingdom registered design. A designer without a UK registration had nothing. Two changes have transformed the position. First, St Kitts and Nevis acceded to the Geneva Act (1999) of the Hague Agreement on 8 July 2024, with effect from 8 October 2024. It was the 74th contracting party and the fourth in the Caribbean, after Belize, Jamaica and Suriname. The Federation declared a maximum term of 25 years and a level-two designation fee, and there is no indirect filing through IPOSKN: applicants file directly with WIPO and designate St Kitts and Nevis. Secondly, the Industrial Designs Bill, 2025, passed by the National Assembly on 31 July 2025 on the motion of the Attorney-General, creates a national registration system at IPOSKN protecting the shape, lines, colour, texture and ornamentation of products, repeals Cap 18.37, expressly ending what the Attorney-General called "95 years of inequity" under the UK-extension regime, and implements the Federation's TRIPS, EPA and Hague obligations. At the time of writing the commencement position and final details (including the act number and the national term, expected to run in five-year periods up to 15 years, against up to 25 years via the Hague route) remained to be confirmed. Designers with Hague portfolios can already reach St Kitts and Nevis. Purely national applicants should confirm with IPOSKN whether the new domestic register is open for filings before relying on it.

New plant varieties

22.18 There is no plant variety protection law, and the Federation is not a member of UPOV. The Caribbean members are Trinidad and Tobago, the Dominican Republic and St Vincent and the Grenadines. IPOSKN acknowledges the gap and has indicated that accession routes are being explored, but as at August 2026 a breeder cannot obtain exclusive rights in a plant variety in St Kitts and Nevis, a position that sits awkwardly with TRIPS Article 27.3(b), which requires protection by patent, an effective sui generis system or a combination of the two. Until legislation arrives, the realistic protections are contractual: supply germplasm under licence with propagation and transfer restrictions, and treat parent lines and breeding data as confidential information under the trade-secret architecture described above.

Collective and certification rights

22.19 Collective marks are registrable under Cap 18.22. The application must be accompanied by regulations governing use of the mark by members of the collective. Licensing of a collective mark is prohibited. Registration may be invalidated where the mark is used contrary to its regulations or in a way that misleads. Geographical indications (above) provide the other statutory vehicle for producer groups. Certification marks, by contrast, have no express basis in the Marks Act: schemes that would elsewhere use a certification mark are in practice structured here as collective marks with membership rules, or rest on geographical-indication or purely contractual foundations. Collective management of copyright, the other sense of "collective rights", is dealt with under the CMO regime discussed in the copyright section.

Enforcement

22.20 The legal framework now outstrips its enforcement, and clients should plan on that basis. Civil claims lie in the High Court of the Eastern Caribbean Supreme Court, St Kitts and Nevis circuit (see Chapter 3), where the court's 2023 Civil Procedure Rules support interlocutory injunctions, search (Anton Piller-type) orders, delivery up and final relief by way of damages or an account of profits. Appeals run to the Court of Appeal and ultimately the Privy Council. Criminal enforcement proceeds through the police and the Director of Public Prosecutions, with the Copyright Act 2024 supplying serious penalties. At the border, section 50 of the Copyright Act 2024, supported by the Customs Act 2014, allows interdiction of infringing copyright goods, but the Marks Act contains no equivalent border regime for counterfeit trademarked goods. Importing goods bearing a forged mark is an offence under the Act, but there is no administrative machinery for customs seizure, a gap brand owners should understand before assuming customs will act. The realities on the ground: counterfeit goods circulate in the small retail economy. Reported intellectual property judgments are rare. There is no specialised IP court or list. The US State Department's standing assessment, that the legal structures exist but "enforcement is inconsistent", matches our experience. Most matters resolve through cease-and-desist correspondence. Litigation works, but is uncommon enough that costs and timetables are hard to predict with confidence.

The 2024–2026 treaty accessions

22.21 Between 2024 and 2026 the Federation carried out its largest expansion of IP treaty membership in decades: in substance, delivery on the innovation and intellectual property title of the CARIFORUM–EU EPA, replicated in the CARIFORUM–UK EPA, with support from the EUIPO's CarIPI programme (see Chapter 23). The position as at August 2026:

INSTRUMENT	STATUS FOR ST KITTS AND NEVIS
Paris Convention	In force 9 April 1995
Berne Convention	In force 9 April 1995
Patent Cooperation Treaty	In force 27 October 2005

INSTRUMENT	STATUS FOR ST KITTS AND NEVIS
Hague Agreement (Geneva Act 1999)	In force 8 October 2024
WIPO Copyright Treaty (WCT)	In force 8 October 2024
WIPO Performances and Phonograms Treaty (WPPT)	In force 8 October 2024
Beijing Treaty (audiovisual performances)	In force 8 October 2024
Marrakesh Treaty (accessible formats)	In force 8 October 2024
Rome Convention	In force 6 February 2026
Madrid Protocol	Not a party. National trademark filings only
UPOV	Not a member

22.22 For creators and performers the 2024 accessions matter substantively: the WCT and WPPT bring the digital-agenda rights the Copyright Act 2024 legislates for, Beijing extends protection to audiovisual performers, Marrakesh underpins the accessible-format exceptions, and Rome completes the neighbouring-rights picture from February 2026. For filers, the practical map is as follows. For patents, PCT reaches the Federation. For designs, Hague reaches the Federation. For trademarks, nothing international reaches the Federation, so file nationally.

> **In practice.** File trademarks nationally and early: there is no Madrid route into St Kitts and Nevis, and assembling the local file (agent, notarised power of attorney) takes longer than clients expect. Treat the music-licensing position as unsettled until the effect of the February 2026 ECCO judgment is clear, and document the basis on which you pay or decline to pay any collecting society. Above all, because there is no trade-secrets statute, put contractual confidentiality in place before disclosure, not after. Here the contract is usually the only protection you have.

CHAPTER 23

International Relations

23.1 A small State trades on its treaties. For an investor, the Federation's international network determines four practical things: on what terms its goods and services reach foreign markets, how its flag and its ships are recognised abroad, how far intellectual property connected with St Kitts and Nevis can reach, and whether judgments and arbitral awards move across its borders. The picture as at August 2026 is one of strong connection in some directions and conspicuous absence in others. St Kitts and Nevis is a long-standing WTO member, party to the full framework of maritime conventions that underpins its open ship registry, and, since a remarkable burst of activity in 2024–2026, party to most of the modern WIPO instruments. Yet it is not a party to the New York Convention on arbitral awards, not a member of the Madrid Protocol for trademarks, and its bilateral investment treaty network is close to empty.

23.2 Those gaps are not footnotes. They change how contracts, brand portfolios and investment structures should be drafted. This chapter maps the network and then translates it into practice for exporters, shipowners and intellectual property holders, with cross-references to the chapters where each subject is treated in depth.

The WTO and TRIPS

23.3 St Kitts and Nevis has been a WTO member since 21 February 1996, having previously been a GATT contracting party from March 1994, and the TRIPS Agreement has applied since membership. The transition periods available to small economies are long spent. Trade policy is reviewed jointly with the other OECS WTO members, and the Federation has never been involved in WTO dispute settlement as complainant or respondent. In practice, WTO membership matters most as the legal floor beneath the preferential arrangements described below and as the anchor of the intellectual property system described in Chapter 22.

The WIPO treaty network

23.4 The Federation joined WIPO in 1995 and has been party to the Paris and Berne Conventions since 9 April 1995, and to the Patent Cooperation Treaty and the Nice classification agreement, both since 27 October 2005. Then came the 2024–2026 wave, the Federation's most significant treaty activity in decades: the Hague Agreement (Geneva Act), the WCT, the WPPT, the Beijing Treaty and the Marrakesh Treaty, all with effect from 8 October 2024, followed by the Rome Convention in force 6 February 2026. Chapter 22 sets out the full table and the substantive consequences.

23.5 The gaps are as instructive as the memberships. St Kitts and Nevis belongs to no Madrid Protocol (so trademark filings are national only), no Lisbon system for appellations of origin, no Singapore Treaty on the Law of Trademarks, no Patent Law Treaty and no UPOV. Regional momentum runs towards Madrid (Jamaica joined in 2022, Belize in 2023 and Grenada in 2026), and Grenada's accession increases the pressure on Basseterre to follow, but there is no announced timetable and portfolio owners should plan on national filings for the foreseeable future.

Maritime conventions and the law of the sea

23.6 The Federation has been a member of the International Maritime Organization since 2001 and is party to the principal technical conventions its registry applies (SOLAS, MARPOL, STCW, Load Lines, Tonnage and COLREG), together with the Maritime Labour Convention, 2006, ratified on 21 February 2012. It ratified UNCLOS on 7 January 1993 and the Part XI Agreement on 23 February 2018. For shipowners the meaning is twofold: certificates issued under the SKN flag rest on genuine treaty membership and are internationally recognised, and the full convention obligations apply notwithstanding the registry's open character. The operative commercial risk is therefore not recognition but port State control performance, the Federation's black-list status on the Paris and Tokyo MoUs, examined in Chapter 21. Sanctions diplomacy, through successive EU, UK and US packages and the G7 oil price cap, has meanwhile made flag States part of the enforcement architecture, a development the registry felt directly in the 2023 dark-fleet episode (see Chapter 21).

Trade arrangements: CARICOM, the OECS, the EPAs and the preferences

23.7 The Federation's market access rests on four layers:

ARRANGEMENT	CHARACTER	WHAT IT DELIVERS
CARICOM / CSME	Reciprocal regional bloc	Intra-regional free trade. Common External Tariff on third-country imports
OECS Economic Union	Deep sub-regional union	Free movement, the EC dollar (ECCB), shared ECSC court (see Chapter 4)
CARIFORUM–EU EPA (2008)	Binding, reciprocal	Duty-free, quota-free EU access. Services and IP commitments
CARIFORUM–UK EPA (2019)	Binding, reciprocal	Rolls over EU-equivalent treatment from 1 January 2021
US Caribbean Basin Initiative (CBERA)	Unilateral preference	Duty-free US access for most goods
CARIBCAN (1986)	Unilateral preference	Duty-free Canadian access for most goods, under WTO waiver

23.8 St Kitts and Nevis has been a CARICOM member since 26 July 1974 and participates in the CARICOM Single Market and Economy under the Revised Treaty of Chaguaramas, applying the Common External Tariff to third-country imports (generally in the 0–20 per cent range, with higher rates on some agricultural lines). Disputes under the Revised Treaty go to the Caribbean Court of Justice in its original jurisdiction, the Federation's only submission to that court, since final appeals from its own courts still run to the Privy Council. Within CARICOM sits the tighter OECS Economic Union: a founding member under the Treaty of Basseterre 1981 and the Revised Treaty ratified in 2011, the Federation shares free movement, the EC dollar through the Eastern Caribbean Central Bank and the Eastern Caribbean Supreme Court. Chapter 4 examines how OECS and CARICOM harmonisation shapes domestic law. The point to hold here is that there is no OECS-wide intellectual property office and no

OECS-wide ship registry. Regional models such as the EUIPO's CarIPI cooperation programme and ECCO's regional music licensing operate by cooperation rather than supranational right, as the collective-management litigation described in Chapter 22 illustrates.

23.9 Beyond the region, the CARIFORUM–EU Economic Partnership Agreement, signed on 15 October 2008 and provisionally applied since 29 December 2008, provides duty-free, quota-free access to the EU with phased reciprocal liberalisation, services commitments and the innovation and IP title that has driven the reforms in Chapter 22. The CARIFORUM–UK EPA, signed in 2019, has rolled over equivalent treatment since 1 January 2021. Access to North America rests on older, one-way preferences: the US Caribbean Basin Initiative under CBERA (1984) and Canada's CARIBCAN programme (1986), which operates under a WTO waiver most recently extended to the end of 2033. The Federation is a CBERA beneficiary, but not one of the eight countries designated for the enhanced CBTPA regime. The distinction matters: the EPAs are binding and reciprocal. The CBI and CARIBCAN are unilateral policy that Washington or Ottawa can modify, and business cases built on those margins should be stress-tested accordingly.

Investment protection and the enforcement of awards

23.10 The bilateral investment treaty network is very thin. No BIT with the United States or the United Kingdom is in force, and the public treaty databases record few, if any, BITs in force for the Federation at all. Foreign investors therefore rely on domestic law, on the establishment and investment provisions of the EPAs and on CARICOM instruments, rather than on treaty-based investor-State arbitration. The diplomatic backdrop is itself unusual: the Federation recognises Taiwan, so there are no diplomatic or investment-treaty relations with the People's Republic of China. The Federation is, however, an ICSID Convention party (signed 14 October 1994, ratified 4 August 1995 and in force 3 September 1995), so ICSID arbitration is available, but only where consent exists in a contract or in legislation, since there is rarely a BIT to supply it.

23.11 The defining absence is the New York Convention 1958. St Kitts and Nevis is not a party, one of a small minority of States outside a convention with 172 parties, and unlike its OECS neighbours Antigua and Barbuda, Dominica and St Vincent and the Grenadines. Chapter 3 examines the consequences for arbitration in detail. The treaty-level summary is that a foreign award is enforceable in the Federation only by common-law action on the award or under the limited regime of the domestic Arbitration Act (Cap 3.01), and that an award seated in St Kitts and Nevis carries no Convention passport abroad. No modern international arbitration statute had been enacted at the time of writing. Foreign judgments fare somewhat better: statutory registration is available for judgments of the United Kingdom and certain Commonwealth courts under the Reciprocal Enforcement of Judgements Act (Cap 5.14) and the Foreign Judgements (Reciprocal Enforcement) Act (Cap 3.13). The tax treaty network is similarly sparse: arrangements with the United Kingdom, Denmark, Norway and Sweden, a United States agreement confined to social security, and the CARICOM double-taxation agreement (see Chapter 24).

What the network means in practice

23.12 For exporters, the EPAs are the only binding reciprocal routes into major markets: qualifying under their rules of origin, and papering that qualification properly, is what converts treaty text into margin, while CBI and CARIBCAN preferences should be enjoyed but not banked. For shipowners, treaty membership means SKN certificates are recognised worldwide and full convention compliance is mandatory. The binding constraint is the flag's inspection record, not its legal status (see Chapter 21). For intellectual property holders, the map is asymmetric: the PCT and the Hague Agreement now reach the Federation, but trademarks require national filings, and enforcement expectations should be set by Chapter 22 rather than by the treaty list. For anyone drafting contracts with a St Kitts and Nevis nexus, the rule is simple: never assume New York Convention enforcement. Provide for the ECSC courts, structure ICSID consent where the counterparty profile allows, or choose a foreign court whose judgments can be registered here. If arbitration seated abroad is nonetheless preferred, go in with a considered route for enforcing the award against assets in the Federation (see Chapter 3).

In practice. The two treaty gaps that actually cost clients money are the New York Convention and Madrid: draft dispute-resolution clauses on the assumption that a foreign award will not enforce readily in the Federation, and budget for national trademark filings from the outset. Where investment protection matters, write ICSID consent into the contract, because there will rarely be a BIT to fall back on. And before building a pricing model on CBI or CARIBCAN preferences, remember they are policy, not entitlement. The EPAs are the only market access the Federation can enforce.

PART V

Local Business and Banking

Operating on the islands themselves: domestic companies on each island, the tax framework, the banking system, non-governmental organisations and the domestic insurance market.

CHAPTER 24

St Kitts Companies

24.1 An investor who intends actually to trade in St Kitts (to run a hotel, distribute goods, provide services, employ staff) will almost always do so through a domestic company incorporated under the *Companies Act* (Cap 21.03, Act 22 of 1996). The domestic company is the workhorse of the local economy: it holds the business licence, registers for VAT, employs the workforce and pays the taxes. This chapter covers the corporate mechanics (formation, registers, licences), then sets out the domestic tax framework in full. That second half is the guide's tax anchor, which other chapters cross-refer rather than repeat.

Company types under the Companies Act

24.2 The *Companies Act* (Cap 21.03, Act 22 of 1996) came into force on 2 April 1997 and follows the English model: a company is formed by subscribing a memorandum of association, with articles filed only where the incorporators depart from the model regulations. It has been amended repeatedly, most consequentially by the *Companies (Amendment) Act* (No. 21 of 2024), in force since 20 September 2024, which created the beneficial-ownership regime described below.

24.3 Companies may be limited by shares (private or public), by guarantee, the standard vehicle for non-profits (see Chapter 27), or by both. There are no unlimited companies. A private company is limited to 50 members and may not circulate a prospectus. A memorandum stating more members is deemed to create a public company. A body incorporated abroad that carries on business in the Federation, or keeps a regular business address here, must register as an external company under section 196. Section 224 preserves the old exempt-company regime, but the ring-fenced tax privilege was curtailed by the 2018–2021 amendments to satisfy EU and OECD standards, and new exempt registrations should not be assumed to be available.

Incorporation with the Registrar

24.4 The Registrar of Companies sits within the St Kitts branch of the Financial Services Regulatory Commission (FSRC) on South Independence Square Street, Basseterre. The same branch also registers NGOs and supervises insurers, credit unions and money-services businesses. (The FSRC's Nevis branch is separate. Nevis domestic companies have their own registry: see Chapter 25.)

24.5 Formation is a short sequence. The name is approved first: it must end in "Limited", "Corporation", "Incorporated" or a recognised abbreviation, and misleading or undesirable names are refused. A name search costs EC$54 (EC$2.70 = US$1). The subscribers then deliver the memorandum, stating whether the company is limited by shares or by guarantee, the authorised maximum number of shares and the minimum amount per share. Each subscriber takes at least one share. Since the 2024 amendment the filing must include identifying particulars of the beneficial owners, the natural persons with ultimate ownership or control, and registration may be effected through licensed agents. The registration fee, set by the Companies (Fees) Order, was last recorded at EC$270, with certificates issuing in about three days. There is no online incorporation yet: the name search is automated, but filings go in on paper or by e-mail (the Government's SMARTS portal covers tax only), though the FSRC has tendered for registry digitisation.

Registered office, registers and annual compliance

24.6 Every company must maintain a registered office in St Kitts (section 68) and display its name there (section 69). Directors' particulars must be filed (section 8(1)(f)), and a secretary's for public and "private ordinary" companies (section 8(1)(g)). The Act prescribes no minimum number of directors. Single-director private companies are accepted in practice , and no local-director or residency requirement applies.

24.7 The 2024 amendment added the obligation that now dominates advice to new clients: a register of beneficial owners, kept at the registered office alongside the constitutive documents and register of members, recording each owner's name, address, nationality, birth particulars and identification numbers, with changes notified within 15 days. Non-compliance attracts fines of EC$80,000 to EC$250,000, draconian relative to the cost of compliance. An annual return must be delivered under section 72, though private companies are not generally required to file audited accounts.

Business and occupation licences

24.8 Incorporation confers no right to trade. Every business needs an annual Business and Occupation Licence administered by the Inland Revenue Department under the statute commonly cited as the *Licences on Businesses and Occupations Act*. Licences run with the calendar year, January to December. The indicative fee for a locally owned business has been recorded at EC$200 a year, issued in about ten days. Materially higher fees for foreign-owned businesses are widely reported. Sector licences (liquor, banking, insurance, telecommunications) are additional. Sole traders and partnerships trading under a name other than their own must register it under the *Registration of Business Names Act*. The rest of onboarding is administrative: a taxpayer identification number (free, about three days), VAT registration where the thresholds below are crossed, and employer registration with the Social Security Board (free, one day). Treat the lot as a single package and allow one to two weeks.

Work permits and foreign participation

24.9 A business employing non-CARICOM nationals needs a work permit for each, issued by the Ministry of Labour and renewed annually, at fees typically running to a few thousand EC dollars per worker per year. Foreign investors acquiring land must also budget for the alien landholding licence (10% of value, plus the 0.2% assurance-fund contribution) unless Cabinet grants an exemption (see Chapter 34). Neither requirement restricts ownership of the company itself: no local shareholding or directorship is required.

The domestic tax framework

24.10 Start with the number that matters most and is most often misstated: **the standard rate of corporate income tax is 33%**, and it remained 33% throughout 2025 and 2026. A cut to 25% was widely rumoured ahead of the 2025 Budget and still circulates in secondary summaries. It was never enacted. Neither the 2025 Budget (16 December 2024) nor the 2026 Budget (16 December 2025) contained any corporate-rate measure, and the IRD's 2026 filing guidance continues to apply 33%, the highest headline rate in the Eastern Caribbean, where peers range from 25% to 30%. With citizenship-by-investment receipts down sharply and the IMF pressing for consolidation, each December Budget deserves attention, but as at August 2026, planning on any figure other than 33% is planning on a rumour.

24.11 The headline rates, all federation-wide (Nevis included), are:

HEAD OF TAX	POSITION AS AT AUGUST 2026
Corporate income tax	33%
Personal income tax	None
Withholding tax on payments to non-residents	15%
VAT: standard / hotels and restaurants	17% / 10%
Unincorporated business tax	4% of gross receipts
Social security	5% employer + 5% employee, plus 1% employer employment-injury
Severance Payment Fund	1% (employer)
Housing and Social Development Levy	3% employer, tiered employee deduction
Customs Service Charge	6% of import value

24.12 **Corporate income tax.** Companies pay 33% on profits. The return (form CIT-101) is due three and a half months after the fiscal year end, 15 April for calendar-year filers, and is filed electronically through SMARTS, paper returns no longer being accepted. There is no small-company rate: small-operator relief comes through the unincorporated business tax and discretionary concessions. Resident companies are taxed on their profits under the *Income Tax Act* (Cap 20.22). The treatment of foreign-source income was adjusted by amendment in 2020 to meet EU and OECD standards, and its precise reach should be confirmed where offshore earnings are substantial. There is no economic substance legislation. Since the 2025 filing cycle capital allowances are grouped, with capital gains and losses reported separately on the CIT-101.

24.13 **Withholding tax.** Payments to non-residents (dividends, interest, royalties, management and professional fees, rents and similar) attract withholding at 15%. For a foreign-owned operating company this is in effect the second layer of tax on repatriated profit and belongs in every financial model.

24.14 **No personal income tax.** The Federation levies no tax on personal income, a long-standing position repeatedly confirmed by successive administrations. Employment nonetheless carries real statutory costs through the payroll contributions below.

24.15 **Value added tax.** VAT, in force under the *Value Added Tax Act* since 2010, runs at a standard 17%, with 10% for hotel accommodation and restaurants. Staples (flour, sugar, milk, rice, oats, bread) are zero-rated. Insurance, domestic water and electricity, education, loan interest, medical and dental services and transportation are exempt. Registration is compulsory once taxable supplies exceed EC$150,000 in any twelve months for goods, or EC$96,000 for services, professionals and time-share operators. Voluntary registration lies in the Comptroller's discretion, and late registration brings backdated liability plus a penalty of up to double the output tax. Returns are monthly, due by the 15th. (For readers of older material: the standard rate was 13% between 1 January and 30 June 2025 as a cost-of-living measure, reverting to 17% on 1 July 2025. The 10% tourism rate was unaffected.) The Government also declares occasional Discounted VAT Rate Days at 5%: in 2026, 17 April, 28–29 August and 11 and 19 December, vehicles included only in December.

24.16 **Unincorporated business tax.** The self-employed and unincorporated businesses pay UBT at 4% of gross receipts, in place of tax on profits, with returns filed monthly within 15 days of month end. The *Unincorporated Business Tax Act* (No. 5 of 2010) builds in a monthly allowance, so tax falls only on receipts above the line, EC$12,500 a month for supplies of goods, but only EC$2,000 a month for services. Small traders below those takings pay nothing.

24.17 **Social security and payroll levies.** Employer and employee each contribute 5% of insurable earnings, plus a 1% employer employment-injury contribution, on earnings up to a ceiling of EC$6,500 per month. The self-employed pay 10%. Employers add 1% to the Severance Payment Fund under the *Protection of Employment Act 1986* (statutory severance runs from two weeks per year of service to four weeks beyond ten years, capped at 52 weeks) and a 3% Housing and Social Development Levy, with a tiered employee-side deduction from which minimum-wage earners are exempt. The minimum wage has been EC$500 per week since 1 July 2025. Employer-side on-costs together approach 10% of payroll.

24.18 **Property tax.** Annual, assessed on market value and due by 30 June, payable online through SMARTS from 2026, at 0.2% for St Kitts residential property and 0.3% for commercial, with Nevis applying its own, generally lower, residential rates. Late payment bears interest at 1% per month. Chapter 34 sets out the full rate tables and reliefs.

24.19 **Customs and import charges.** Imports bear CARICOM Common External Tariff duties (typically 0% to 20%, higher for vehicles) plus a 6% Customs Service Charge, excise taxes on alcohol, tobacco, fuel and vehicles, and VAT at the border. Cost-of-living relief halved the CSC on gasoline to 3%, with excise relief, through 31 July 2026. VAT came off qualifying alternative-energy equipment in 2026.

24.20 **Incentives.** Two statutes materially change the arithmetic for qualifying projects. The *Fiscal Incentives Act*, CARICOM-harmonised and amended in December 2019 for OECD and EU compliance, grants income-tax holidays scaled to local value added: 15 years at 50% or more (Group I), 12 years at 25–50% (Group II), 10 years at 10–25% (Group III), and 15 years for enclave industry producing solely for export. It also grants full import-duty exemption on machinery, parts and raw materials and a post-holiday export allowance rebating 25% to 50% of tax by reference to export profits. The *Hotels Aid Act* exempts building materials and equipment from customs duty for hotels of ten bedrooms or more, with an income-tax holiday of ten years for hotels of thirty bedrooms or more (five years for smaller properties). Chapter 35 covers concessions and their negotiation.

> **In practice.** Treat incorporation, the business licence, tax registrations and social security as one onboarding project and allow one to two weeks. Then keep the beneficial-ownership register current from day one, because penalties starting at EC$80,000 dwarf every fee in this chapter. Model the full stack (33% corporate tax, 15% withholding on repatriated profit, 17% VAT and roughly 10% employer payroll on-costs) before committing to St Kitts as an operating base. For qualifying tourism and manufacturing projects a Fiscal Incentives or Hotels Aid concession changes that arithmetic entirely, so resolve eligibility before, not after, the money is spent.

CHAPTER 25

Nevis Companies

25.1 Nevis is best known internationally for its business corporations and LLCs, but those are the wrong vehicles for actually trading on the island. Anyone opening a shop or restaurant in Charlestown, running a villa-rental operation or building a hotel will need a domestic company incorporated under the *Companies Ordinance* (Cap 7.06 (N)), or, at minimum, a foreign company registered locally as an external company. The distinction is not a formality: it determines whether the business can hold its licences, register for VAT and payroll, and whether an international entity's tax position survives contact with the local economy.

25.2 This chapter explains where the boundary between the domestic and international regimes lies, and how the domestic route works: the registry, the fees, the licences and the taxes that follow.

Island autonomy and the two registries

25.3 Under section 106 of the Constitution, Nevis legislates for itself in a range of areas, companies included, through the Nevis Island Assembly. Its ordinances are consolidated in revised editions (2009, 2017 and 2020, with annual supplements to 2024) and administered on-island. The result is two parallel company systems sharing one small capital town.

25.4 The domestic system is the *Companies Ordinance* (Cap 7.06 (N)), enacted in 1999 and mirroring the federal *Companies Act* described in Chapter 24. It is administered by the Registrar of Companies at the Administration Building on Main Street, Charlestown, which registers local for-profit companies, non-profits and external companies, receives annual returns, and issues Certificates of Incorporation, Good Standing and Incumbency.

25.5 The international system comprises the *Nevis Business Corporation Ordinance* (originally 1984, as revised 2017 and amended in 2023 and 2025) and the *Nevis Limited Liability Company Ordinance* (originally 1995, as revised 2017), administered through the Nevis branch of the FSRC, also on Main Street. Those entities are formed only through licensed registered agents, at a flat US$300 (EC$810) on incorporation and the same again on each annual renewal, with tax-exemption letters available for US$100. They are examined in Chapters 6 and 7. Legislative maintenance of both systems is active: on 14 July 2026 four amendment bills (touching the Companies Ordinance, the NBC and LLC Ordinances and the Nevis international banking legislation) received their first reading in the Assembly and remained before it at the time of writing. The Assembly had already passed the legislation launching a regulated online-gaming industry, the Nevis Online Gaming Bill, in April 2025 (see Chapter 14).

When a domestic company is required

25.6 The dividing line is the source of the income. An NBC or LLC is built for international business: with management and control abroad it is taxed only on income sourced in St Kitts and Nevis, and its practical ecosystem (registered agents, exemption letters, privacy from public inspection) presumes that the entity does not trade at home. Run a beach bar, a boutique or a villa-rental programme through it and both halves of the bargain fail at once. The income is now SKN-source, so the tax exemption is lost, and the operational framework (the business licence, VAT registration, employer registration) presumes a domestic vehicle the structure does not contain.

25.7 For on-island trade, therefore, the orthodox choice is a company under Cap 7.06 (or registration of an existing foreign company as an external company). Mixed structures are common and legitimate: a domestic operating company holds the licences, employs the staff and invoices the customers, while an NBC or LLC above it holds the shares or the underlying real estate. The structure works only if the boundary is respected. The operating company trades. The holding entity does not.

Registering with the Nevis Registrar

25.8 The mechanics track the federal Act described in Chapter 24: a name is approved, a memorandum of association is subscribed and delivered, and the company maintains a registered office on the island. Certificates of Good Standing and Incumbency, routinely demanded by banks, insurers and purchasers, are obtained from the same registry. A company already incorporated elsewhere may instead register there as an external company rather than incorporating afresh, which is often the tidier route for an established group opening a Nevis operation. Fees are set at island level and were increased in 2025 as part of the Nevis Island Administration's stated preference for raising revenue through fees and levies rather than new taxes. The current schedule should be confirmed with the registry before budgeting.

25.9 The registry is reliable but manual: there is no online filing, and documents are processed over the counter. Certificates needed for a closing should be ordered ahead rather than on the day.

Licences, permits and registrations

25.10 A Nevis business licence is required before trading begins. Federal registrations then follow exactly as on St Kitts, because taxation is a federal matter and applies identically on Nevis: a taxpayer identification number from the Inland Revenue Department, VAT registration where the thresholds are crossed, and employer registration with the Social Security Board (see Chapter 24 for the framework in full).

25.11 Immigration is handled on-island. Work permits and residency applications for Nevis-based staff are processed through the Premier's Ministry at the Social Security Building, Pinney's Estate, and permits renew annually each January, a rhythm worth building into the staffing calendar, since a January renewal crunch coincides with the height of the tourist season.

Taxation of local operations

25.12 A Nevis operating company faces the same federal tax stack as its St Kitts counterpart: corporate income tax at 33%, withholding at 15% on payments to non-residents, VAT at 17% (10% for hotel accommodation and restaurants), no personal income tax, and the payroll contributions and levies set out in Chapter 24. The Inland Revenue Department administers those taxes on both islands. Nothing about being on Nevis changes a filing deadline or a VAT return.

25.13 Nevis then adds island-level charges of its own. The most significant for the hospitality sector is the Tourism Development Levy, raised from 2% to 3% with effect from June 2025 by the *Amenities for Tourists (Amendment) Ordinance 2025*, and charged on hotel and guesthouse accommodation and on hotel and restaurant food and beverage. A Nevis hotel folio therefore carries both 10% VAT and the 3% levy, and restaurant bills stack similarly, a combined take that should be priced into published rates rather than absorbed as an afterthought. Property tax applies at Nevis rates, which for residential property are gentler than St Kitts's (see Chapter 34), and Nevis Island Administration charges rose in 2025, including water tariffs and hospital fees.

25.14 The fiscal direction of travel is explicit. The Premier pledged in November 2025 that there would be no new taxes for 2026, with revenue instead drawn from visitor levies and registry fees, which is precisely what the 2025 registry-fee and levy increases delivered. Businesses should expect the cost of *interacting* with the administration, rather than the headline tax rates, to be where Nevis-side costs move.

> **In practice.** The classic error is running a villa-rental or restaurant trade through the NBC or LLC that owns the property: the moment the income is Nevis-source the exemption is gone and the licensing framework has not been met. Put the trade into a licensed, VAT-registered domestic company early and keep any international holding entity strictly passive. Order Certificates of Good Standing and Incumbency a week or two before any closing (the registry is dependable but manual) and price the stacked visitor charges (10% VAT plus 3% Tourism Development Levy) into published rates rather than discovering them on the first guest folio.

CHAPTER 26

Local Banking

26.1 For most new operations in St Kitts and Nevis, the bank account (not the incorporation, not the licence) is the slowest workstream, and the one most often underestimated. Banking here is also impossible to understand in purely national terms: the Federation is one of eight members of the Eastern Caribbean Currency Union, its currency is issued and its banks supervised by a regional central bank headquartered in Basseterre, and the reform agenda (deposit insurance, credit reporting, payments modernisation) is regional too.

26.2 This chapter covers the monetary framework, the institutions actually doing business on the islands in 2026, what opening and running a business account involves, and the state of the market infrastructure a treasurer will care about.

The currency union and the peg

26.3 The Eastern Caribbean Central Bank (ECCB), headquartered at Bird Rock, Basseterre, is the monetary authority for Anguilla, Antigua and Barbuda, Dominica, Grenada, Montserrat, St Kitts and Nevis, St Lucia and St Vincent and the Grenadines. The Eastern Caribbean dollar has been pegged at EC$2.70 = US$1 since July 1976 (the peg marked its fiftieth anniversary in 2026, the same year the ECCB unveiled new banknote designs), and that half-century of fixity is the practical foundation of the Federation's monetary stability. US dollars circulate freely alongside EC dollars, and pricing in either currency is routine.

26.4 Just as important for investors: there are no exchange controls on the EC dollar. Profits, dividends and capital are freely repatriable, and no approval process stands between an operating company and the remittance of its earnings.

Licensing under the Banking Act

26.5 Domestic banking is licensed and supervised by the ECCB under the ECCU-harmonised *Banking Act 2015* (Cap 21.01). Licences run with the calendar year, and the Act sets a minimum paid-up capital of EC$20 million for licensees. The ECCB's remit is banking business. Non-bank financial institutions (the Development Bank, the credit unions and the money-services businesses) are regulated by the FSRC. (The separate Nevis international banking sector is dealt with in Chapter 12.)

The 2026 banking landscape

26.6 Five institutions hold Banking Act licences in the Federation on the ECCB's register as at June 2026:

INSTITUTION	PROFILE
St Kitts-Nevis-Anguilla National Bank Limited	Indigenous and the largest bank in the Federation, National Bank Trust subsidiary, insurance affiliate NCIC (see Chapter 28)
The Bank of Nevis Limited	

INSTITUTION	PROFILE
	Indigenous, headquartered in Charlestown, marked its fortieth anniversary in 2025. Affiliated Bank of Nevis International holds a separate international licence
Republic Bank (EC) Limited	Trinidad-based regional group. Acquired Scotiabank's local operations in 2019 and remains active in the Federation
CIBC Caribbean Bank (Barbados) Limited	Branch operation, renamed from CIBC FirstCaribbean in 2024. Group ownership changing hands (see below)
TDC Financial Services Company Limited	Licensed non-bank credit institution within the local TDC group

26.7 The CIBC branch deserves a paragraph of its own, because its recent history is a case study in reading bank-consolidation news carefully. In 2021 CIBC FirstCaribbean announced the sale of its St Kitts branch to SKNANB. The transaction was approved in 2022 but cancelled in April 2023, and CIBC stayed. Then, in May 2026, Bermuda-based Butterfield Bank agreed to acquire the CIBC Caribbean group as a whole for US$1.79 billion (US$1.09 billion in cash and roughly US$703 million in shares, with CIBC retaining about 22%), with completion expected in the first half of 2027. The St Kitts branch will change ownership with the group, and customers should expect a Butterfield-branded transition during 2027. Republic Bank, by contrast, has been the subject of periodic exit rumours that have simply proved wrong: it remained active through 2025–26. RBC, for its part, genuinely did leave. It sold its Eastern Caribbean operations to a consortium of regional banks in 2021, and there is no RBC presence in the Federation.

26.8 Beyond the Banking Act licensees sits a second tier. The Development Bank of St Kitts and Nevis offers concessional and development lending, particularly to small and medium enterprises, but the IMF's 2025 assessment was blunt ("fragile", with high non-performing loans, weak capital and inadequate regulatory oversight) and it is under restructuring pressure. The credit unions (St Kitts Co-operative, Police Co-operative, Nevis Co-operative and First Federal) have grown quickly, with what the IMF politely calls elevated delinquency. Eight licensed money-services businesses, including the Western Union, MoneyGram and Ria agencies, handle remittances.

Opening a business account in practice

26.9 Account opening is where the region's two decades of correspondent-banking de-risking are felt personally. The KYC file for a company account follows the standard ECCU pattern: certificate of incorporation, memorandum and articles, business licence, taxpayer identification number, extracts from the statutory registers, identification and proof of address for every beneficial owner, and evidence of source of funds, with enhanced due diligence wherever non-residents are involved. None of it is unusual. All of it is checked.

26.10 Timelines are the trap. A straightforward locally owned company can open relatively quickly, but a non-resident-owned company should expect onboarding to take several weeks to a few months. There is no published service standard, and the pace is set by compliance review, not by the branch. In our experience the pragmatic sequence is to prepare the full pack, apostilled, before approaching any bank, then to open first with an indigenous bank (SKNANB or the Bank of Nevis), which are often the most receptive to local operating companies, and finally to treat US-dollar wire capacity as the scarce resource it is, since correspondent relationships remain the system's bottleneck.

Rates and lending conditions

26.11 The rate environment is placid. ECCB data as at August 2026 show a call rate of 2.4%, a discount rate of about 3%, and average fixed-deposit rates of 2.8–2.9%. The ECCB's minimum savings deposit rate remains 2%, maintained most recently at the Monetary Council's February 2026 meeting. Commercial lending rates typically run at about 7–9%. Credit is flowing: private-sector credit grew about 10% in 2024, led by mortgages, while bank non-performing loans have been falling and capital adequacy strengthening. Collateral-based lending remains the norm, and the Development Bank's concessional SME window exists but carries the institutional caveats above.

Payments, deposit protection and credit reporting

26.12 Day-to-day payments clear through the Eastern Caribbean Automated Clearing House (ECACH) for cheques and electronic funds transfers, with large-value payments settling across the ECCB's real-time gross settlement arrangements. A regional instant-payments modernisation programme is ongoing. The region's celebrated central bank digital currency experiment is, for now, history: the DCash retail CBDC pilot, launched on 31 March 2021 with St Kitts and Nevis in the first cohort, ended on 12 January 2024, and the planned commercial successor ("DCash 2.0") had not gone live as at August 2026. Digital-currency and virtual-asset developments are covered in Chapter 30.

26.13 Two structural gaps deserve candour. First, there is still no operating deposit-insurance scheme anywhere in the ECCU: deposits in the Federation are not insured. The regional legislative programme is advancing. St Kitts and Nevis was among the first three territories to pass the enabling Banking (Amendment) Bill 2024, and by April 2026 five of the eight had done so, with the new Office of Financial Conduct and Inclusion expected to be operational in the second half of 2026 and a deposit-insurance framework proceeding alongside it. But until it lands, counterparty selection is the depositor's only protection. Second, credit reporting has not yet reached the Federation: it passed a *Credit Reporting Act* in 2018, and the EveryData-operated ECCU credit bureau has been going live territory by territory since September 2024, but as at mid-2026 it was not yet operational in St Kitts and Nevis. Lending accordingly remains relationship- and collateral-driven, which favours borrowers who bank locally, visibly and early.

26.14 The wider system is nonetheless in better shape than a decade ago: an amendment Act of 2025 kept the regional asset-management corporation (the ECCU's non-performing-loan resolution vehicle) current, ECCU public debt fell to 79% of GDP by end-2025 from 88.2% in 2020, and regional growth has been running at around 3.3–3.4%.

In practice. Start the bank account at the same time as the incorporation, not after it: assemble an apostilled KYC pack (constitutive documents, licences, beneficial-owner identification, source-of-funds evidence) before approaching any bank, and budget weeks, sometimes months, for non-resident onboarding. Open first with an indigenous bank and add correspondent US-dollar capacity as a second step rather than a precondition. CIBC customers should diarise the 2027 Butterfield transition now: account mandates, standing instructions and facility documents may all need repapering, and remembering that deposits are uninsured, spread balances rather than concentrating them.

CHAPTER 27

Non-Governmental Organisations

27.1 Charities, churches, service clubs, sports associations and foundations funded from abroad all operate in St Kitts and Nevis within a two-layer legal framework: a corporate (or associational) form on one layer, and mandatory registration and supervision under dedicated NGO legislation on the other. International founders are often surprised by the second layer. The Federation treats its non-profit sector as a regulated sector, a consequence of the global anti-money-laundering and counter-terrorist-financing standards that apply to non-profit organisations, and the rules were tightened materially between 2020 and 2024.

27.2 The compensation for that compliance burden is real: registered NGOs enjoy exemption from corporate income and business tax, their corporate donors get deductions, and the framework is workable for organisations that build it into their routine from the start.

Choosing the vehicle

27.3 The standard vehicle is a company limited by guarantee, incorporated under the *Companies Act* (Cap 21.03) in St Kitts or the *Companies Ordinance* (Cap 7.06 (N)) in Nevis (see Chapters 24 and 25). A guarantee company has no share capital. Its members undertake to contribute a nominal sum on winding up, and its constitution dedicates income to its objects rather than to distribution. It offers what an unincorporated committee cannot: separate legal personality, limited liability for members and officers, perpetual succession, and, not least, a form that banks recognise when opening accounts. The alternative, an unincorporated association operating under a written constitution, remains common for small congregations and clubs, and is equally capable of registration under the NGO legislation.

27.4 Whichever form is chosen, the constitutive document deserves care at the outset: a tightly drawn objects clause and an express bar on distributions to members are what the registrar, the banks and any concession-granting ministry will all read first. In Nevis, the Charlestown companies registry incorporates non-profit companies alongside for-profits (see Chapter 25). Registration under the federal NGO legislation then follows in either case.

Registration under the NGO Act

27.5 Whatever the form, registration is mandatory under the *Non-Governmental Organisations Act* (Cap 20.59, Act 41 of 2008), which came into force on 14 January 2011 and has been amended three times: in 2020, in 2021 and by the *NGO (Amendment) Act* (No. 22 of 2024), in force since 20 September 2024, which aligned the regime with the current international standard. The registrar function sits with the Registrar of Companies at the FSRC, which also supervises the sector for anti-money-laundering purposes.

27.6 The statutory definition is wide (a public-benefit, non-profit body independent of government) and deliberately so: churches, service clubs and sports bodies all fall within it, not merely organisations that think of themselves as "NGOs". The application must include the organisation's name and address, its constitution or memorandum and articles (showing, for a company, that it is limited by guarantee), its aims and objects, its organisational structure, the names, addresses and occupations of its principals and its by-laws, and, since the 2024 amendment, two forms of identification for beneficial owners, directors and senior management. The fees are nominal: EC$100 on application, EC$50 for the certificate, EC$20 annually, EC$5 for document inspection and EC$150 for reinstatement.

Annual obligations and AML supervision

27.7 The compliance year pivots on 30 September, by which date every registered NGO must file an activity report and financial statements. The 2024 amendment introduced a sensible proportionality rule: organisations with revenue below EC$270,000 may file unaudited statements, while those above the line must file audited accounts. Late filing attracts a penalty of EC$100 for each month of default. Registered NGOs must keep proper accounts and records, use their resources transparently for their stated objects and comply with the anti-money-laundering regulations. The Registrar then publishes each organisation's filed financial statements in the Gazette and a local newspaper (section 15(3)).

27.8 Enforcement is graduated rather than hair-trigger: warnings first, then a 90-day period to cure, and deregistration only after investigation and a hearing, with an appeal to the High Court. Supervision is risk-based, in line with the international standard for non-profits, and the authorities published a terrorist-financing risk assessment of the sector in September 2024. The practical consequence is the same one companies face under the 2024 beneficial-ownership reforms (see Chapter 24): identification files for directors, senior managers and beneficial owners must be kept current, because a stale file is now itself a compliance failure. Banks, for their part, treat non-profit accounts as higher-risk, so the same file does double duty at account opening.

Tax treatment and concessions

27.9 Registration carries the sector's principal privilege: registered NGOs are exempt from corporate income tax and business tax under section 12 of the Act, and may apply for ministerial exemption from other taxes and duties, most usefully import duty on donated goods and equipment. Corporate donors may deduct their donations for income- and business-tax purposes, which matters when soliciting local sponsorship. Exemptions beyond section 12 are not automatic: import-duty relief on donated goods, for instance, is sought case by case, and the application is stronger where the constitution's objects and the intended use of the goods line up exactly. The privileges are contingent: deregistration forfeits all of them, which converts what looks like an administrative lapse (missed filings, stale records) into a tax event.

27.10 Exemption is not blanket. An NGO that employs staff bears the same payroll obligations as any employer (social security contributions, the levies and the Severance Payment Fund described in Chapter 24), and the EC$500-per-week minimum wage applies to paid staff.

Staff, volunteers and work permits

27.11 There is no NGO-specific immigration concession. Non-national staff need standard work permits on the same footing as commercial employees, and organisations placing foreign volunteers or missionaries should assume permits are required and treat any waiver as an ad hoc indulgence to be confirmed in advance with the Ministry, not a rule to be relied on. Budget both the fees and the lead time into any programme that rotates international personnel through the Federation.

Governance in practice

27.12 Well-run local NGOs converge on the same habits. They build the year around the 30 September filing, with accounts closed and (where required) audited well before the date. They watch the EC$270,000 revenue line when planning fundraising, since crossing it triggers audit costs that a small charity feels. They keep the constitution's objects clause tight and current, because concession applications and donor due diligence both start from it. And they minute decisions properly: the sector's supervisory regime, like its banking relationships, rewards organisations that can produce a paper trail on request. Officer succession deserves the same discipline. Registered particulars and identification files must change when the committee does, not at the next filing season. Foreign grant-makers increasingly ask for the same file, so a current registration certificate and a clean filing history have become fundraising assets as much as legal ones.

> **In practice.** Registration is not the finish line. Build the year around 30 September, and keep two current forms of identification on file for every director, senior manager and beneficial owner, because the 2024 amendment made stale files an enforcement issue. Small charities should watch the EC$270,000 revenue threshold before commissioning audits they do not yet need. Open the bank account with the same KYC discipline as a trading company: banks treat non-profits as higher-risk, and a well-papered file is what shortens the queue.

CHAPTER 28

Insurance

28.1 Insurance is where the realities of doing business in a hurricane belt meet the balance sheet. Every operating business in St Kitts and Nevis buys cover (motor cover because the law compels it, property and liability cover because lenders and common sense do), and the price and availability of that cover are set as much by the global reinsurance cycle as by anything local. The domestic market itself is small, regional in character and, since 2009, closely supervised.

28.2 This chapter covers the regulatory framework, the licensing of insurers and intermediaries, compulsory motor insurance, the carriers actually writing business in 2026, the lessons of the BAICO/CLICO collapse, and the catastrophe-risk arrangements, sovereign and commercial, that frame what businesses pay.

Regulation under the Insurance Act

28.3 The domestic market is governed by the *Insurance Act* (Cap 21.11, Act 8 of 2009), in effect since 1 August 2009 and amended in 2009, 2011, 2012 and 2015. It is administered by the Registrar of Insurance under the supervision of the Financial Services Regulatory Commission, the integrated non-bank regulator (see Chapter 24). Registration is by class of business: long-term business (ordinary long-term and industrial life) and general business (liability, motor vehicle, pecuniary loss, personal accident, property, and marine, aviation and transport).

28.4 Capital requirements distinguish local from foreign carriers. A locally incorporated insurer needs EC$2 million of fully paid-up capital. A foreign insurer must show EC$5 million of capital worldwide. A mutual must hold EC$5 million in uncommitted reserves. Statutory deposits are also required: EC$1 million for long-term business and, for motor and the other general classes, the greater of EC$500,000 or 40% of premium income on Federation business net of reinsurance.

28.5 Captive and other international insurance structures are a separate world: St Kitts offers the *Captive Insurance Companies Act* (Cap 21.20), while Nevis operates its own *Nevis International Insurance Ordinance 2004* through the Nevis branch of the FSRC, with US-dollar class-based capital from US$10,000 to US$185,000. Chapter 20 compares the two regimes. Nothing in this chapter's domestic framework applies to them except by analogy.

Intermediaries: brokers, agents and the register

28.6 Everyone selling or servicing insurance must be registered and fit and proper: brokers, agents, adjusters and sales representatives alike. The annual fees are modest (EC$1,000 for a broker, agent or adjuster, EC$500 for a sales representative, EC$250 for reinstatement), but the discipline attached to registration is not. Paying commission to an unregistered person is unlawful, as is rebating premiums to win business. The practical corollary for buyers: check the FSRC's register for every intermediary in the chain, especially in layered placements where a local agent fronts a regional broker.

Compulsory motor insurance

28.7 Third-party motor cover is compulsory under the *Motor Vehicles Insurance (Third-Party Risks) Act*, and it is enforced through the licensing system rather than roadside discretion: annual vehicle licensing through the Inland Revenue Department requires production of a valid certificate of insurance. An uninsured vehicle is therefore also an unlicensed one. Fleet operators should align policy renewal dates with licence renewal to avoid vehicles standing idle for want of a certificate. Comprehensive cover remains optional in law but standard in practice for financed vehicles, because lenders require it.

The market in 2026

28.8 The FSRC's register lists 14 domestic insurers, and the roster tells the story of a market served overwhelmingly by regional groups writing through branches or subsidiaries: Sagicor Life (Eastern Caribbean), NAGICO (general and life), Guardian General, Beacon, Caribbean Alliance, Gulf Insurance, Island Heritage, ICWI, CUNA Caribbean, Pan-American Life and GK Life among them. Only two carriers are locally incorporated: National Caribbean Insurance Company (NCIC), part of the SKNANB group (see Chapter 26), and TDC Insurance Company, part of the local TDC conglomerate. Distribution is intermediated: Oasis Prime and CGM Gallagher operate as brokers. The regional carriers write through local agencies: TDC for Sagicor Life, Kane Agencies for Beacon, Quinlan Walwyn for Pan-American Life, Advantage Capital for NAGICO, E.A. Laws for Gulf. In so small a premium pool, price differences between carriers are usually modest. What merits comparison is claims service and the security of the reinsurance standing behind each carrier.

28.9 Two tax points complete the picture: insurance supplies are exempt from VAT, and the Insurance Act itself imposes no premium tax, though the World Bank's last *Doing Business* profile recorded a separate 5% levy on insurance premiums (with a per-policy registration fee capped at EC$30), so the current status of that charge should be confirmed with the Inland Revenue Department before pricing cover.

The BAICO/CLICO legacy

28.10 Candour requires a paragraph on 2009. The collapse of the Trinidad-based CL Financial group's insurance arms, BAICO and CLICO, hit policyholders across the Eastern Caribbean hard, St Kitts and Nevis included. Annuities and policies that had been sold as safe savings products were frozen for years. The Federation legislated a workout path through the *BAICO (Plan of Arrangement) Act 2016*, and regional recovery instalments ran through the late 2010s, but the episode has never fully closed: Trinidad and Tobago's residual payout remained in dispute as recently as February 2026. The durable lessons for buyers are the ones the region learned expensively: the substance and supervision of the carrier matter more than the familiarity of its brand, savings-type insurance products deserve particular scrutiny, and large exposures are better spread than concentrated.

Catastrophe risk, CCRIF and what cover costs

28.11 Catastrophe protection operates on two levels. At the sovereign level, St Kitts and Nevis is one of 19 Caribbean members of CCRIF SPC, the regional parametric facility, holding tropical-cyclone, earthquake and excess-rainfall policies (with fisheries and utilities products also available). The Federation's most recent payout was US$1,509,804 for excess rainfall associated with Tropical Storm Philippe and Cyclone Tammy in 2023. Parametric payouts fund the government's rapid response. They do not compensate private losses, and businesses sometimes discover that distinction too late.

28.12 At the commercial level, the arithmetic is unsentimental. Regional property rates hardened after the 2017 hurricane season and have stayed high. Catastrophe deductibles typically run at around 2% of sums insured. Because domestic carriers reinsure heavily offshore, local pricing follows the global reinsurance cycle with little local discretion. The supervisor is alert to the same exposure. Climate-risk supervision was the FSRC's declared theme for 2025. For a hotel or other substantial risk, the realistic expectations are meaningful deductibles, close underwriting of construction standards, and premiums that reward hurricane shutters, roof engineering and elevation above flood lines.

Buying cover in practice

28.13 Larger risks (hotels, marinas, industrial plant) are commonly placed in layers through regional brokers, with local carriers fronting and international reinsurers behind them. That is normal and sound, provided every intermediary in the chain is FSRC-registered and the policyholder understands who ultimately carries the risk. Sums insured should reflect full rebuild cost, not market value: post-hurricane construction inflation is the standard cause of underinsurance, and average clauses make partial losses painful for the underinsured. In our experience the buyers who fare best treat insurance as an annual exercise done before hurricane season (reviewing values, deductibles and business-interruption periods in the first quarter) rather than a renewal formality in the third.

> **In practice.** Buy only through FSRC-registered intermediaries and check the register for every link in the chain. Commission to unregistered persons is unlawful. Insure to full rebuild cost rather than market value, interrogate the catastrophe deductible before the storm rather than after, and review values and business-interruption periods early in the year, ahead of hurricane season. Keep motor certificates current ahead of licence renewal: the IRD will not relicense an uninsured vehicle, and a parked fleet is its own business-interruption event.

PART VI

Financial Services Regulation

The regulators an investor will meet: the FSRC, the Eastern Caribbean Central Bank and the Financial Intelligence Unit. Alongside them sit money services businesses, credit unions and the Federation's international compliance standing.

CHAPTER 29

The Financial Services Regulatory Commission

29.1 Almost every structure described in this guide runs through one regulator. The Financial Services Regulatory Commission is the Federation's statutory "ultimate regulatory body for financial services and for anti-money laundering": it licenses and supervises trust and corporate service providers, international banks, insurers, money services businesses, credit unions and virtual asset businesses. It maintains the corporate, trust, foundation and limited-partnership registries. It polices anti-money-laundering compliance economy-wide, reaching lawyers, accountants, real estate agents and other gatekeepers. The significant carve-out is domestic commercial banking, which belongs to the Eastern Caribbean Central Bank (see Chapter 30). Whether the reader is forming a Nevis LLC, applying for a money services licence or simply engaging a registered agent, the FSRC decides what must be proved, to whom and how quickly.

29.2 Two features matter most to a newcomer. The first is architectural: one Commission operates through two branches, and identifying which owns your product is the first sequencing decision of any project. The second is recent: the reform package assented on 18 June 2026 armed the Commission with administrative fining powers deployable without first exhausting softer measures, a hardening of enforcement every licensee should price into its compliance budget.

One Commission, two branches

29.3 The Commission was established by the *Financial Services Regulatory Commission Act* (No. 22 of 2009, now Cap 21.10). Section 5(2) divides it into two operational departments, one in Saint Christopher and one in Nevis, each with its own Director (s 8) and Licensing Committee (s 32). The St Kitts branch sits at South Independence Square Street, Basseterre, and the Nevis branch on Main Street, Charlestown. These are not head office and outpost but parallel branches under a single Board, each with its own register, licensing pipeline and supervisory programme. An application lodged with the wrong one simply waits.

29.4 The division of work follows the legislation rather than the applicant's geography. The St Kitts branch administers the federation-level statutes: domestic and captive insurance (see Chapter 20), private pensions, money services businesses (see Chapter 32), credit unions (see Chapter 33), the Development Bank of St Kitts and Nevis, trust and corporate business licensing, the corporate and fiduciary registries, non-governmental organisations, gaming (see Chapter 14) and virtual asset registration (see Chapter 16). The Nevis branch regulates the Nevis international sector, the entities formed under the island's own ordinances: business corporations under the *Nevis Business Corporation Ordinance* (Cap 7.01), limited liability companies, international exempt trusts (Cap 7.03), multiform foundations, mutual funds, international insurance and international banks under the *Nevis International Banking Ordinance* (Cap 7.05(N)) (see Chapters 6 to 12).

29.5 The statute preserves the Nevis sector's distinct procedure: s 32(3) provides that applications under the Nevis business-corporation, international-exempt-trust and offshore-banking ordinances are determined under those enactments rather than through the standard Licensing Committee process, and an international banking licence is formally granted by the Nevis Ministry of Finance, with the Nevis branch as day-to-day regulator and supervisor (see Chapter 12).

Board and mandate

29.6 A seven-member Board of Commissioners (s 6(1)) seats every institution that matters around one table: the Financial Secretary of St Christopher in the chair, the Permanent Secretary of the Nevis Ministry of Finance as deputy chair, a nominee of each island's Minister of Finance, a nominee of the Governor of the Eastern Caribbean Central Bank, a nominee of the Attorney-General, and the Director of the Financial Intelligence Unit ex officio. Nominees must have experience in banking, insurance, law, economics, finance, accounting or anti-money laundering (s 6(2)). Coordination between the FSRC, the ECCB and the FIU (see Chapters 30 and 31) is thus personal rather than bureaucratic, a genuine strength in a jurisdiction this size.

29.7 The Commission's functions (s 4) are to maintain a general review of all regulated entities, to monitor compliance with the AML/CFT/CPF regime economy-wide (the FSRC is the AML supervisor for financial institutions and designated non-financial businesses and professions alike), to examine the soundness of licensees, to act against unauthorised business, and to cooperate with foreign regulators. It is funded by appropriation and prescribed fees (ss 24, 41–42). The Act has been amended by Act 12 of 2018, Act No. 25 of 2024 and, most significantly, Act No. 5 of 2026.

The regulated population

29.8 The registers convey scale. As at 31 December 2025 the St Kitts branch reported 1,943 registered entities, 36 licensed corporate and trust service providers, 8 money services businesses and 14 insurance companies, plus gaming licensees. The Nevis branch's August 2026 lists show 8 international banks, 60-plus trust and corporate service providers, 5 money services businesses, 2 credit unions and 8 insurance managers. These are boutique numbers, and they shape the culture: examiners know their licensees, and the officer who reads an application will likely later inspect the business.

Powers

29.9 The Commission may compel documents and testimony, inspect premises and seize records (s 39). Enforcement (s 40) runs from written warnings through remedial-action agreements and cease-and-desist orders to administrative penalties (since June 2026), and the Licensing Committee may restrict, vary or revoke a licence (s 40(2)). Two 2026 changes deserve emphasis: the express power to fine administratively, and deletion of the former requirement to exhaust the milder s 40(1) measures first. The Commission may move directly to whatever sanction it considers proportionate.

The June 2026 reform package

29.10 Five instruments, all assented on 18 June 2026 and gazetted on 19 June 2026, with regulations following on 22 June 2026, form the most consequential regulatory event in recent years.

29.11 The *Financial Services Regulatory Commission (Amendment) Act* (No. 5 of 2026) writes counter-proliferation financing into the Act by reference to the *Anti-Proliferation (Financing of Weapons of Mass Destruction) Act* (Cap 4.43), expands "regulated business" to capture regulated services, financial services business and "relevant business" under the *Proceeds of Crime and Asset Recovery Act*, and inserts the administrative-penalty power (s 40(1)(iv)).

29.12 The *Financial Services Regulatory Commission (Administrative Penalties) Regulations* (SRO 14 of 2026) supply the machinery. A Schedule lists eleven AML/CFT/CPF breaches: operating without an approved Compliance or Reporting Officer, customer due diligence failures, non-filing of suspicious transaction reports, weak risk management, missing compliance reports, and record-keeping and training gaps. Penalties run from EC$5,000 to EC$15,000 for individuals and EC$55,000 to EC$65,000 for legal persons and arrangements (EC$2.70 = US$1), with EC$100 per day accruing on late payment. The process is brisk: written notification, fourteen days for representations, a penalty notice, payment within fourteen days, and appeal to the Appeals Tribunal within a further fourteen days. Appealing does not suspend payment. Persistent non-payment risks licence suspension, revocation or prosecution. The regime applies to businesses within Schedule 6 of the *Proceeds of Crime and Asset Recovery Act*, essentially the whole supervised population.

29.13 The *Financial Services (Trust and Corporate Business) (Amendment) Regulations* (SRO 15 of 2026) rework the supervision of service providers (see Chapters 13 and 19): beneficial-owner and controller definitions, and a fit-and-proper test extended beyond directors to beneficial owners, shareholders and controllers. They also provide for due-diligence costs for non-resident key personnel borne by the applicant, a published register of authorised persons, a new Part VII establishing risk-based on-site and off-site supervision, an EC$10,000 administrative penalty for failing to answer information requests, fines of EC$100,000 for individuals and EC$250,000 for companies for obstructing or assaulting inspectors, and a new ground of revocation for continuous AML breaches.

29.14 On the digital-asset side, the *Virtual Asset (Amendment) Act* (No. 8 of 2026) and the *Virtual Asset Business Regulations* (SRO 13 of 2026) build out registration under the *Virtual Asset Act* (Cap 21.29): an FSRC registration certificate determined within ninety days, risk-based capital and liquidity requirements, know-your-customer measures including for transactions above US$1,000, sanctions screening, seven-year record-keeping, audit and quarterly reporting duties and the FATF travel rule, with administrative penalties of up to EC$100,000 under the regulations (Chapter 16 covers the regime in detail). The *Anti-Terrorism (Amendment) Act* (No. 6 of 2026) completes the set by writing virtual asset service providers into the counter-terrorist-financing provisions of the *Anti-Terrorism Act*.

Working with the Commission

29.15 Start by identifying your branch. Nevis-ordinance products (IBCs, LLCs, international trusts, foundations, international insurance and banking) are handled in Charlestown, invariably through a licensed Nevis service provider acting as registered agent and interlocutor. Federation licences (money services, domestic insurance, credit union registration, virtual asset registration) run through the relevant branch's Licensing Committee, with fit-and-proper vetting that now reaches shareholders and beneficial owners, and applicant-funded due diligence on non-resident principals.

29.16 The supervisory tone is engaged rather than adversarial, but no longer merely corrective. In 2025 the St Kitts branch conducted eight full-scope examinations, two targeted inspections, four spot checks and two follow-ups. The common findings were AML/CFT/CPF deficiencies, precisely the conduct now listed in the SRO 14 penalty Schedule. The Commission publishes monthly topical newsletters (hawala and informal remitters in November 2025, best practices for gatekeepers in June 2026, an explainer on the new penalties in July 2026), marked fifteen years as AML supervisor in October 2025, and is digitising its registry services. In our experience the FSRC will discuss a proposed structure before an application is filed, a courtesy worth using.

In practice. Resolve which branch and which statute govern your product before anything is drafted: the St Kitts and Nevis pipelines are separate, and a misdirected application costs weeks. Since June 2026, gaps in the compliance file (an unapproved compliance officer, thin CDD, unfiled STRs, missing training records) attract fixed-scale fines rather than warning letters, and the fourteen-day response windows mean every licensee needs a standing protocol for regulatory correspondence. Budget for applicant-funded due diligence on any non-resident director or beneficial owner, and keep the fit-and-proper file current at ownership level, not merely board level.

CHAPTER 30

The Eastern Caribbean Central Bank

30.1 St Kitts and Nevis does not run its own monetary policy, and for most investors that is a feature rather than a defect. The Federation belongs to the Eastern Caribbean Currency Union, whose central bank, the Eastern Caribbean Central Bank, issues the EC dollar, holds the reserves that back it, and licenses and supervises the commercial banks. Uniquely among the member territories, St Kitts hosts the institution itself: the ECCB's headquarters campus stands at Bird Rock in Basseterre. For a business assessing whether the monetary environment is stable and whether local banks are properly watched, the ECCB is the answer to both questions.

30.2 This chapter explains the institution, the currency peg it defends, its supervision of domestic banks under the *Banking Act 2015*, and the state of payments modernisation, including the candid story of DCash, the region's pioneering but now-shelved central bank digital currency.

A regional central bank on local soil

30.3 The Bank was created by the *Eastern Caribbean Central Bank Agreement*, signed on 5 July 1983, and commenced operations on 1 October 1983 as successor to the East Caribbean Currency Authority. The Agreement has local effect through the *ECCB Agreement Act*. Its members are Anguilla (which joined on 1 April 1987), Antigua and Barbuda, Dominica, Grenada, Montserrat, St Kitts and Nevis, Saint Lucia, and St Vincent and the Grenadines, eight territories with a combined population of over 600,000. Under Article 4 of the Agreement its purposes are to issue and manage the common currency with unrestricted flow among members, to regulate the availability of money and credit, to promote monetary stability and a sound financial structure, and to support the balanced growth of member economies.

30.4 Hosting the headquarters is a genuine, if understated, advantage of doing business from St Kitts. The Governor's office, the research and statistics departments and the Bank's capital-markets and credit-guarantee initiatives are physically present in Basseterre (the ECCB maintains an agency office in each member state, but the Federation's is the head office itself), and local banks, ministries and professionals deal with their supervisor face to face.

Governance

30.5 Policy direction comes from the Monetary Council: one minister, normally the finance minister, from each member government. The Federation's seat is held by its Minister of Finance, an office the Prime Minister holds at the time of writing, and the chairmanship rotates among members, passing to Dominica at the Council's 113th meeting in July 2026. Beneath the Council sit a Board of Directors and the executive: Governor Timothy N. J. Antoine has led the Bank since 1 February 2016, with Dr Valda F. Henry as Deputy Governor.

The EC dollar and the peg

30.6 The EC dollar has been fixed at EC$2.70 = US$1 since July 1976: fifty years without a devaluation, as at August 2026. The arrangement operates as a quasi-currency board. The Agreement requires foreign reserves of at least 60% of the Bank's demand liabilities, and the actual backing ratio runs far above the floor: 97.5% in July 2025, 99.5% in

February 2026, and 97.6%, with reserves of EC$5.9 billion, reported to the Monetary Council in July 2026. The Bank's administered rates include a Minimum Savings Rate of 2% on deposits and discount rates of 3% (short term) and 4.5% (long term).

30.7 For business planning the consequences are straightforward. US-dollar revenues, borrowings and contracts carry no exchange risk against the local currency, and conversion is free. Models can treat EC$ and US$ as a single exposure. The trade-off is the absence of national monetary tools (no devaluation, no independent interest-rate policy) and a floor under deposit pricing set by the Minimum Savings Rate. Half a century of peg credibility, backed by near-full reserves, is the strongest single fact in the Federation's macro-financial story.

Banking supervision under the Banking Act 2015

30.8 Domestic banking is governed by the uniform *Banking Act 2015*, enacted in materially identical terms across the currency union and in force in St Kitts and Nevis since 20 May 2016. The ECCB is the licensing authority, and a single licence permits operation throughout the ECCU on a branch basis, the "single banking space", completed by the *Banking (Licences) Regulations 2018* in all eight territories. The Act raised minimum capital, tightened the duties of directors, officers and significant shareholders, and equipped the Bank with remedial-action and least-cost resolution powers. Supervision proceeds through monthly, quarterly and annual returns and on-site examinations. Basel II/III implementation is ongoing, with a second phase of prudential standards gazetted in 2026. The ECCB is also banker to member governments and commercial banks and acts as lender of last resort.

30.9 Eighteen commercial banks hold licences across the union, two of them locally incorporated in St Kitts and Nevis (St Kitts-Nevis-Anguilla National Bank Limited and The Bank of Nevis Limited), while regional groups serve the market as foreign branches under the single banking space: the ECCB's institution list for the Federation adds Republic Bank (EC) Limited and CIBC Caribbean Bank Limited on that basis. One boundary matters for readers of this guide's Nevis chapters: international banks formed under the *Nevis International Banking Ordinance* are licensed through the Nevis Ministry of Finance and supervised by the FSRC's Nevis branch (see Chapters 12 and 29), not by the ECCB. The Central Bank's writ runs to the domestic, EC-dollar banking system.

Payments modernisation and the DCash story

30.10 The ECCB oversees the payment system: the Eastern Caribbean Automated Clearing House, cheque clearing, harmonised messaging standards and preparation for ISO 20022. The modernisation headline, though, is DCash. Announced in 2019 and issued from March 2021, DCash was among the first retail central bank digital currencies in the world and the first launched within a currency union. The pilot concluded in January 2024, and the Bank began work towards a production-grade "DCash 2.0". Then, at its 112th meeting, held on the ECCB campus in St Kitts on 13 February 2026, the Monetary Council approved the suspension of DCash 2.0 development in order to prioritise a Fast Payment System and participation in the CARICOM Payments and Settlement System (CAPSS) pilot. As at August 2026, therefore, there is no live retail central bank digital currency in the union and none imminent. The modernisation to watch is instant EC-dollar payments, not digital currency (see Chapter 16 for the virtual-asset angle).

Financial stability, deposit insurance and credit information

30.11 The ECCB publishes a periodic Financial Stability Report (latest edition June 2024, published March 2025) and describes a resilient banking sector: strong liquidity (excess liquidity of roughly EC$1.41 billion at end-January 2026), rising capital adequacy and falling non-performing loans, with ECCU growth estimated at 2.5% for 2025. The architecture is being built out: the Monetary Council approved a Regional Financial Stability Committee in July 2025 and directed the drafting of a Financial Stability Law, and an Office of Financial Conduct (and Inclusion) is targeted to launch in late 2026.

30.12 One gap deserves candour: deposit insurance. No deposit-guarantee scheme is yet operational across the union. The ECCB reported in April 2026 that some member governments had enacted the Deposit Insurance Corporation Agreement Bill, without naming them, but as at August 2026 no union deposit-insurance fund was operational and depositors in the Federation are not protected by a funded scheme.

30.13 Two newer pieces of infrastructure work in a business's favour. The ECCU Credit Bureau, licensed under national credit-reporting legislation and operated by EveryData ECCU, is live in five members including St Kitts and Nevis (February 2026), with 83% of licensed institutions participating by July 2026 and data furnishers now extending beyond banks to telecoms, utilities, development banks and hire-purchase firms. A credit file built in the Federation increasingly travels across the region. And the Eastern Caribbean Partial Credit Guarantee Corporation, established in 2018 with US$2 million subscribed by each of six participating governments including the Federation, guarantees loans to micro, small and medium-sized enterprises through banks, development banks and credit unions from its offices on the ECCB campus. It had issued more than 300 guarantees exceeding EC$30 million in aggregate by April 2026 (see Chapter 33 for the credit-union channel).

What the currency union means for planning

30.14 Membership means the Federation imports monetary credibility and exports discretion. A treasurer can plan in EC$ or US$ interchangeably. A lender prices without devaluation risk. A bank licensed here can branch across eight territories, and regional initiatives (the credit bureau, the low-KYC "First Step" savings account launched in all eight members, the Regional Government Securities Market) mean the effective financial market is the currency union, not a single small island. The Bank's 2026–2031 Strategic Plan, "The Big Push", aims to double ECCU GDP within a decade. Whatever one makes of the target, it signals a central bank that sees development finance, payments and capital markets as its business alongside the peg.

> **In practice.** Model EC$ and US$ as a single exposure (the peg has fifty years of history and near-full reserve backing), but remember there is no deposit insurance yet: for significant balances, assess the institution and consider spreading treasury funds. Account opening is the slow step for new arrivals (see Chapter 31 for the compliance climate), so start it early and in parallel with incorporation. Anyone building payment products should design around the coming Fast Payment System and existing clearing rails rather than DCash. The CBDC is shelved, and the Council's February 2026 decision tells you where the Bank's energy now goes.

CHAPTER 31

The Financial Intelligence Unit

31.1 Before any deal-specific diligence, an international bank, fund administrator or joint-venture partner assessing St Kitts and Nevis asks two questions: is the jurisdiction on any warning list, and does its anti-money-laundering system actually function? As at August 2026 the answers are, respectively, no and demonstrably yes. The Federation sits on neither the FATF grey nor black list, appears on neither annex of the EU's tax-cooperation lists, and has climbed steadily through its Caribbean FATF follow-up reports. That standing is not an accident of size. It is the product of a functioning intelligence-and-enforcement apparatus whose operational heart is the Financial Intelligence Unit.

31.2 This chapter covers the Unit itself, who must report to it, the statutory framework around it, and, because it is what counterparties actually check, the Federation's record before the CFATF, the FATF, the European Union and the OECD Global Forum. The practical corollary runs through everything: a jurisdiction that keeps this standing does so by making its private sector do real due diligence, and newcomers should expect exactly that.

The Unit and its mandate

31.3 The FIU was established by the *Financial Intelligence Unit Act* (No. 15 of 2000, in force 22 May 2001, now Cap 21.09), since amended several times, most recently by Act No. 26 of 2024. It is the central national agency for the collection, receipt, analysis and dissemination of suspicious-transaction information. It maintains databases on money laundering and terrorist financing and exchanges intelligence with foreign counterparts. The Unit is a member of the Egmont Group, the global network of financial intelligence units through which cross-border information requests flow, membership that matters because it is what lets a compliance officer in London or Toronto verify that the Federation's FIU is a recognised, cooperating counterpart. The Director, La-Real Wilson at the time of writing, sits ex officio on the Board of the FSRC (see Chapter 29), keeping intelligence and supervision joined up, and the Unit reports quarterly on its operations and annually to the Minister.

Powers with teeth

31.4 The Act arms the Unit well beyond passive receipt of reports. It can obtain court production orders for financial records, freeze accounts for up to five days at the request of a foreign FIU or law-enforcement agency, and direct a person to refrain from completing a transaction for up to 72 hours. Records relevant to its functions must be retained for at least five years. Those who report in good faith are immune from civil and criminal liability, while tipping off a customer that a report has been made is an offence punishable by a fine of up to EC$10,000 (EC$2.70 = US$1) and a year's imprisonment.

31.5 The *Financial Intelligence Unit (Amendment) Act* (No. 26 of 2024), assented on 20 November 2024, extended the Unit's reach beyond the regulated sector: information demands may now be addressed to any person, not only to regulated businesses, and a new s 4A criminalises non-compliance, punishable by up to EC$50,000 and one month's imprisonment for individuals, and EC$250,000 for legal persons. The message for professionals and operating businesses alike is that an FIU request is enforceable and should be answered as such, whether or not the recipient holds a licence.

Who reports

31.6 Suspicious activity and suspicious transaction reports are filed with the FIU by "regulated businesses", a category keyed to Schedule 6 of the *Proceeds of Crime and Asset Recovery Act* that captures financial institutions and designated non-financial businesses and professions alike: lawyers, notaries, accountants, real estate agents, trust and corporate service providers and dealers in high-value goods. The 2026 legislation extended the net to virtual asset service providers, both generally and specifically within the counter-terrorist-financing provisions (*Anti-Terrorism (Amendment) Act*, No. 6 of 2026, see Chapters 16 and 29). Supervision of reporting entities belongs to the FSRC. The FIU receives and analyses what they file.

31.7 Reporting discipline is now enforced in cash. The Federation's 2022 mutual evaluation had criticised reporting levels as low relative to the country's assessed vulnerabilities. The answer, delivered in the June 2026 reforms, was to make non-filing of suspicious transaction reports one of the eleven scheduled breaches attracting administrative penalties under SRO 14 of 2026: EC$55,000 to EC$65,000 for firms, imposed without court process (see Chapter 29).

The framework around the Unit

31.8 The FIU operates within a dense AML/CFT/CPF statute book. The *Proceeds of Crime Act* (Cap 4.28), dating from 2000, has been substantially overtaken by the *Proceeds of Crime and Asset Recovery Act* (No. 9 of 2020, amended in 2021 and 2024), the operative confiscation and asset-recovery regime to which the 2026 amendments cross-refer. Day-to-day conduct obligations sit in the *Anti-Money Laundering Regulations* (SRO 46 of 2011, as amended through 2022) and the *Financial Services (Implementation of Industry Standards) Regulations* (SRO 51 of 2011, as amended), together the customer-due-diligence code applied by every regulated business. Terrorist financing is addressed by the *Anti-Terrorism Act* (Cap 4.02) and its regulations, proliferation financing by the *Anti-Proliferation (Financing of Weapons of Mass Destruction) Act* (Cap 4.43), and national coordination by a statutory Anti-Money Laundering National Committee established in 2020. National risk assessments underpin the system, including the National Risk Assessment published in January 2020 and a Nevis non-profit-sector risk assessment in 2024.

31.9 Targeted financial sanctions are implemented without delay: the *Anti-Terrorism (Targeted Financial Sanctions Listing) Regulations* (SRO 13 of 2023) give direct effect to United Nations Security Council designations, delisting procedures exist, and the FSRC circulates every consolidated-list update to industry, as well as, for risk awareness rather than legal effect, US OFAC designations, which matter in practice to any business with US-dollar flows.

Standing: the lists that matter

31.10 The Caribbean Financial Action Task Force's fourth-round mutual evaluation of the Federation (on-site March 2021, report published January 2022) told a familiar regional story: reasonable technical compliance, weaker demonstrated effectiveness, and a place in enhanced follow-up. What has happened since is steady, verifiable improvement. The second enhanced follow-up report of December 2023 re-rated five Recommendations upward, bringing the Federation to 31 of 40 rated Compliant or Largely Compliant. The fourth enhanced follow-up report, published on 15 October 2025, re-rated confiscation (R.4) to Compliant and beneficial ownership of legal persons (R.24), international instruments (R.36) and extradition (R.39) to Largely Compliant, so that St Kitts and Nevis now stands Compliant or Largely Compliant with 35 of the 40 FATF Recommendations. Five partially compliant ratings and the effectiveness agenda remain the work programme ahead of the fifth round, and much of the 2024–2026 legislation described in this Part is best read as that programme in execution.

31.11 On the lists themselves: the Federation is not on the FATF black list (North Korea, Iran, Myanmar) nor on its grey list of jurisdictions under increased monitoring, as at the 19 June 2026 update. Nor does it appear on the EU's separate list of high-risk third countries for AML purposes (Delegated Regulation (EU) 2016/1675, as amended through 2025). On tax cooperation, the EU Council's update adopted on 17 February 2026 places St Kitts and Nevis on neither Annex I (non-cooperative jurisdictions) nor Annex II (pending commitments): having earlier sat on Annex II, the Federation now appears among jurisdictions that cooperate with the EU with no commitments outstanding, with the next revision due in October 2026. At the OECD Global Forum, the Federation's peer reviews on exchange of information on request have rated it Largely Compliant, and automatic exchange is operational. The Inland Revenue Department runs the FATCA and CRS reporting portals (Chapter 24 carries the tax and information-exchange anchors).

The corollary: expect real due diligence

31.12 Clean lists are earned at the counter. Every provider a newcomer engages (bank, registered agent, trustee, insurance manager, lawyer) is a supervised gatekeeper facing examination and, since June 2026, fixed-scale personal and corporate fines for weak files. Expect certified identity documents, source-of-funds and source-of-wealth evidence with a documentary trail, beneficial-ownership disclosure, sanctions screening and genuine ongoing monitoring. Expect follow-up questions on anything unusual, and expect delay if the file is incomplete. The FSRC's June 2026 "Best Practices for Gatekeepers" guidance signals where examiners will look. None of this is friction for its own sake: it is the price of the correspondent-banking relationships and counterparty acceptance that make structures formed here bankable abroad. A client shopping for anonymity will be disappointed. The Federation decided some years ago to compete on credibility instead.

> **In practice.** Assemble a complete due-diligence pack before approaching any provider (certified passport and proof of address, professional references, and a documented source-of-funds and source-of-wealth narrative) and keep it current, because every institution will ask and none can now afford not to. Treat any FIU or FSRC information request as enforceable with a short clock, even if you hold no licence: since November 2024 non-compliance is itself an offence. Read the Federation's standing correctly: the absence of listings reflects enhanced-follow-up discipline, so expect the compliance bar to keep rising rather than relax, and build that trajectory into compliance budgets.

CHAPTER 32

Money Services Businesses

32.1 Remittances, currency exchange and bill payment are everyday commerce in a small open economy with a large diaspora and a tourism workforce, and the global money-transfer brands are all present, through locally licensed operators. For investors the money services licence matters in two directions: it is one of the most accessible financial-services licences the Federation offers, and it is the first regime any payments or fintech founder must map a product against before building anything. This chapter sets out the licensing framework, the fees and capital rules, the market as it stands, and the perimeter questions that decide whether a venture belongs here at all.

The statute and the licence classes

32.2 The governing statute is the *Money Services Business Act* (No. 26 of 2008, Cap 21.21), in force since 1 October 2008 and amended by Act No. 3 of 2020. A "money services business" is the provision, as a primary business, of any of five services: transmission of money or monetary value, cheque cashing, currency exchange, the issuance, sale or redemption of money orders or traveller's cheques, and payday advances, plus anything the Minister designates by order. The regulator is the FSRC, with licences issued through the branch Licensing Committees and separate St Kitts and Nevis registers (see Chapter 29).

32.3 Licences come in five classes:

CLASS	PERMITTED SERVICES
A	Money transmission, money orders and traveller's cheques, cheque cashing and currency exchange
B	Money orders and traveller's cheques, cheque cashing and currency exchange
C	Cheque cashing only
D	Currency exchange only
E	Payday advances only

32.4 Class A is the transmitter's licence, the one a remittance or payments business needs, and in practice the class held by the operators of the international brands.

Fees, capital and the application

32.5 The application fee is EC$2,000 (EC$2.70 = US$1) and the annual licence fee EC$10,000 for every class, under SRO 31 of 2016. Classes A and B must additionally maintain adequate capital as prescribed by ministerial order and place a statutory deposit with the regulator, held in an interest-bearing account for the benefit of holders of outstanding payment instruments. Classes C, D and E are exempt from capital requirements (s 8(7)). The Act itself fixes no amounts and no prescribing order is published in the FSRC's law library, so the capital and deposit figures must be confirmed with the Commission at the time of application. They drive the funding plan.

32.6 An application follows the Act's Second Schedule: a business plan, financial statements (audited accounts for an existing operation), particulars of directors, shareholders and beneficial owners, and character references, against a fit-and-proper test of financial status, competence and reputation, and, for Classes A and B, an assessment of capital adequacy and earnings prospects. Once licensed, the certificate must be displayed at every place of business, quarterly financial reports are due, and annual statements must be audited. The criminal provisions are not decorative: unlicensed money services business carries a fine of up to EC$150,000 and two years' imprisonment, use of a misleading name up to EC$50,000 and two years, false or misleading information up to EC$150,000 and three years, and obstruction up to EC$10,000 and six months.

The market

32.7 The St Kitts branch register listed eight licensees in 2025–26: GraceKennedy Money Services (the Western Union operator), Fidelity Management Ltd (MoneyGram), Easy Money Transfer Ltd (Ria), Unicomer (St Kitts-Nevis) Ltd (in-store credit and remittance), Money World Ltd, Advance Caribbean (St Kitts-Nevis) Ltd, Genesis Innovative Management Inc. and Project and Business Management Caribbean Ltd, with five parallel registrations on the Nevis branch register. Two features of that list repay attention. The global brands operate through locally licensed principals rather than direct establishment, the workable route for any international operator entering the market. And the St Kitts and Nevis registers are separate: an operator serving both islands needs its registrations in order on both sides (see Chapter 29 on the two-branch architecture).

AML obligations and enforcement

32.8 Money transmission is a classic money-laundering risk channel, and MSBs are supervised accordingly. The full AML/CFT/CPF programme applies under the *Anti-Money Laundering Regulations* and the industry-standards code (see Chapter 31): an approved Compliance and Reporting Officer, customer due diligence, suspicious-transaction reporting to the FIU and targeted-financial-sanctions screening. The FSRC examines MSBs on-site, and since June 2026 the administrative-penalty regime under SRO 14 of 2026 applies squarely, with the corporate scale of EC$55,000 to EC$65,000 per scheduled breach (see Chapter 29). Enforcement attention also runs to the informal sector: the Commission's November 2025 newsletter on hawala and other similar service providers signalled that unlicensed remitters are a priority, which protects the licensed operators' franchise as much as it burdens their compliance teams.

The fintech perimeter

32.9 The Act predates the wallet era, and e-money and payment wallets are not among its enumerated services. Practice as at August 2026 is that a fiat remittance start-up is licensed as a Class A transmitter. No separate e-money class has been created. Product design therefore determines the regime. A service transferring or exchanging virtual assets belongs not here but under the *Virtual Asset Act* (Cap 21.29) and the 2026 registration regime (see Chapter 16). A wallet that holds customer float begins to resemble deposit-taking, engaging the *Banking Act 2015* and the ECCB, whose oversight of the payment system is also in play for anything touching clearing and settlement (see Chapter 30). The sensible first spend for a fintech founder is a perimeter analysis across the MSB Act, the Virtual Asset Act and the Banking Act, cheaper than discovering mid-build that the product sits in the wrong regime, or in two at once.

> **In practice.** Answer the perimeter question before building: fiat transfer is MSB territory, virtual-asset transfer is a different registration entirely, and a stored customer float can drift towards banking regulation. The EC$10,000 annual fee makes a Class A licence look inexpensive, but the true cost is the AML programme: an approved compliance officer, screening tools and an audit trail sized for an examiner who will visit and can now fine. Cross-island operators should put both branch registrations in place at the outset, and applicants should confirm the current statutory-deposit requirement early, since it, not the fee schedule, shapes the capital plan.

CHAPTER 33

Credit Unions

33.1 Credit unions are not exotic finance, and that is precisely why they belong in this guide: a founder establishing a business in the Federation meets them not as an investment product but as part of the everyday financial landscape, the institutions through which staff save and borrow, a common payroll-deduction benefit, and for new arrivals one of the quicker routes to a local credit record. They are member-owned co-operatives, four are active across the two islands, and, a point that speaks to the credibility of the wider system, they are supervised by the financial regulator, not left to a registrar of societies.

Legal framework and supervision

33.2 The governing statute is the *Co-operative Societies Act* (No. 31 of 2011, Cap 21.04), in force since 17 October 2011. Its supervisory design is deliberately split. Co-operatives generally answer to a Registrar of Co-operative Societies appointed through the public service (s 5(1)). Credit unions answer to a separate Registrar of Credit Unions appointed by the Financial Services Regulatory Commission (s 5(2)), so financial co-operatives sit within the FSRC's supervisory perimeter, with Nevis-based credit unions on the Nevis branch register (see Chapter 29). The Registrar's toolkit is genuinely prudential: powers to inspect and monitor societies (s 5(4)(b)), to direct the cessation of harmful practices, to place a society under administrative supervision with an appointed advisor (s 7(1)(b)), and to suspend or remove directors after a hearing (s 7(8)). Carrying on co-operative business unregistered is criminal, with fines of up to EC$100,000 (EC$2.70 = US$1) and three years' imprisonment (s 4(2)).

33.3 Registering a credit union requires at least 100 members (fifteen suffice for other co-operatives), demonstrated economic viability, the words "Credit Union" in the name, a registered local address and commencement of business within ninety days. The FSRC's fee schedule is tiered to size:

ITEM	FEE
Application (non-refundable)	EC$3,500
Annual registration (total assets below EC$20 million)	EC$3,500
Annual registration (total assets EC$20–40 million)	EC$7,500
Annual registration (total assets above EC$40 million)	EC$10,000

The four credit unions

33.4 Four credit unions operate in the Federation as at 2025–26: the St. Kitts Co-operative Credit Union Ltd (the largest, based in Basseterre), the Police Co-operative Credit Union (St Kitts & Nevis) Ltd, the Nevis Co-operative Credit Union Ltd in Charlestown, and the First Federal Co-operative Credit Union Ltd (also in Nevis). The Development Bank of St Kitts and Nevis, though likewise FSRC-regulated, is a statutory development lender and not a credit union. Consolidated membership and asset statistics for the sector are not routinely published. Scale is best assessed institution by institution from annual accounts.

Membership, governance and services

33.5 Membership is open to persons aged sixteen and over who are citizens or residents of St Kitts and Nevis or citizens of CARICOM states, a point of real utility to regional staff and newly arrived founders. Undischarged bankrupts are excluded, the membership fee must be paid before rights are exercised, joining a second credit union requires the written consent of the first (s 26(8)), and minors may hold deposits (s 124), which makes credit unions a common vehicle for family saving.

33.6 Governance is member-democratic but statutorily disciplined. Alongside the elected board, every credit union must have a credit committee of at least three persons, no directors or employees among them, which meets monthly, reports monthly on loans, and may delegate approval authority to managers only within board-set limits. The Act requires annual financial statements (s 130) audited by qualified auditors with inspection rights, statutory reserves, contributions to a Development Fund (s 126) and, optionally, a staff pension fund (s 127), and it regulates loan security and interest (ss 203–206). Credit unions are also “regulated businesses” for anti-money-laundering purposes: an approved compliance officer, customer due diligence and suspicious-transaction reporting are required, and since June 2026 the FSRC’s administrative-penalty regime applies to them as to any other supervised institution (see Chapters 29 and 31). Members’ services are the co-operative staples (savings, consumer and mortgage lending, increasingly delivered through digital channels) at rates competitive with the banks.

Where credit unions meet business

33.7 For an employer, the standard encounter is payroll deduction: staff authorise fixed deductions to their credit union for savings and loan repayments, and the employer remits them. The arrangement costs little to administer and is a valued benefit in a market where formal workplace pensions are not universal. For newcomers, membership is a practical on-ramp to the local financial system: account opening is personal, lending decisions are made locally, and, since credit unions participate in the ECCU Credit Bureau alongside the banks (see Chapter 30), a repayment record built at a credit union now feeds a portable regional credit file. In the small-business market, credit unions are active consumer and SME lenders and are eligible channels for guarantees from the Eastern Caribbean Partial Credit Guarantee Corporation, which backs loans to smaller enterprises that lack collateral.

33.8 Recent developments are incremental rather than dramatic. Credit unions fell within the FSRC’s 2025 examination cycle, with the supervisory themes (AML programmes, governance, record-keeping) mirroring those across the regulated sector. The ECCB’s financial-inclusion initiatives complement rather than compete with the movement. Cap 21.04 remains the governing law, regional discussion of harmonised ECCU co-operative legislation notwithstanding. Advisers should also note the routing rule at the start of any co-operative project: a financial co-operative goes to the FSRC-appointed Registrar of Credit Unions, while agricultural, consumer and other co-operatives go to the Registrar of Co-operative Societies.

> **In practice.** Employers should agree the payroll-deduction mechanics with a credit union once, at onboarding, rather than employee by employee. It is a cheap benefit that staff genuinely use. Newly arrived founders and their families can usefully join early: a credit-union savings and repayment record, now reported to the regional credit bureau, is one of the faster ways to establish local credit standing before approaching a bank for larger facilities. And anyone forming a co-operative should identify the correct registrar first. A credit union runs through the FSRC, other co-operatives do not, and the two tracks have different thresholds and supervision from day one.

PART VII

Real Estate and Tourism

Land, resorts and development: how property is bought and held, how the tourism economy is performing and being incentivised, and how development actually gets permitted and built.

CHAPTER 34

Real Estate

34.1 Real estate is where many international clients first engage the law of St Kitts and Nevis: a villa on Nevis, a condominium at Frigate Bay, a share in a citizenship-approved resort, a development site on the South East Peninsula. Two features define the legal environment. The first is reassuring: a Torrens-style registered-title system in which the state certifies ownership and stands behind the register with an assurance fund. The second is a gatekeeper: with limited exceptions, a foreign buyer needs an alien landholding licence before holding land, or shares in a company that holds land, and the licence costs 10% of the price. Over both sits a fiscal setting that makes property comparatively expensive to enter and notably cheap to hold: no personal income tax, no capital gains tax, no inheritance or gift taxes, annual property tax at rates below 1% (the tax anchors are in Chapter 24).

34.2 The citizenship-by-investment rules that drive a substantial share of demand are set out in Chapter 38. The developer's path (planning, environmental approvals and CBI-approved projects) is Chapter 36.

Registered title, certificates and the assurance fund

34.3 Land on both islands is held under the *Title by Registration Act*, Cap 10.19. Ownership is evidenced by an indefeasible certificate of title (s 8), issued in duplicate, one copy bound in the register, one delivered to the proprietor, with every mortgage and encumbrance noted on its face. Just as important is s 5: dealings (a transfer by memorandum, a mortgage, a registrable lease) take effect on registration, not execution. Signing and paying do not, of themselves, move title. The registry does.

34.4 The Registrar of Titles is the Registrar of the High Court (s 136), and the records are kept in the Circuit Record Offices: Basseterre for the St Kitts Circuit, Charlestown for the Nevis Circuit. The state guarantee is concrete: before a certificate issues, the purchaser pays 0.2% of value, the Act's "one cent per five dollars" (s 18), into an assurance fund, and a person wrongly deprived of land through the register's operation claims compensation against the Attorney-General (s 19). Two further features matter for diligence. Anyone claiming an interest may lodge a caveat freezing dealings (ss 111–122), so a caveat search is standard. And registration has not abolished prescription: an occupier can still acquire registered land by long possession, but only under judicial control. The Registrar must state a case to the High Court before any certificate issues on adverse possession (s 34).

Foreign buyers and the alien landholding licence

34.5 The *Aliens Land Holding Regulation Act*, Cap 10.01 (2020 revision) requires a non-national, an "alien", to be licensed before holding land in the Federation. The sanction is severe: unlicensed holding exposes the land to forfeiture to the Crown, declared by court judgment and retroactive to the breach. The Act also catches alien participation in landholding companies: a licence is needed for an alien to hold shares, debentures, a directorship or voting rights in an alien-controlled company that holds land, so a corporate purchase does not avoid the regime. It multiplies the licences required, and unlicensed shareholders or directors are a frequent diligence miss. Banks and licensed financial institutions are excluded from the definition of alien, so a foreign bank taking a mortgage is not caught.

34.6 Licences are granted by the Governor-General, in practice on Cabinet advice, and become operative only once registered at the relevant Circuit Record Office. Although Cap 10.01 is a single federal Act, practice splits by island: Nevis applications are processed through the Nevis Island Administration (its Legal Department and the NIA Cabinet), and St Kitts applications run through the federal ministry responsible for lands. The application, prepared by local counsel, includes a police certificate, references, particulars of the property and a survey plan. Approval typically takes two to four months. The licence fee is the striking part: 10% of the purchase price or market value, an administratively set rate, plus roughly EC$1,500 attorney handling. The Act itself fixes only an EC$50 stamp on the licence document (EC$2.70 = US$1).

34.7 Exemptions soften the edges. Annual tenancies of under five acres need no licence. A foreigner who inherits land has a year to sell or obtain one. A 2009 amendment exempts South East Peninsula purchases of up to two acres for a single residence, and specific projects have been exempted: the KHT Joint Venture (2007), the Ritz-Carlton Project (2018), Beacon Heights (2020). Most significant commercially: purchasers in CBI-approved developments in practice do not obtain individual licences, the exemption operating at project level or by Cabinet order, although a licence is generally needed when such a unit is later resold to a foreign buyer outside the citizenship programme (see Chapter 38).

The transaction, step by step

34.8 A purchase by a non-national ordinarily runs as follows:

1. offer and heads of terms, then a sale agreement with a 10% deposit (sometimes 10–15%) held by an attorney or agent,
2. a title search by a local attorney, mandatory in practice, at the Circuit Record Office, verifying the certificate of title, encumbrances and caveats,
3. the alien landholding licence application, where one is needed, and
4. completion: the balance is paid, a memorandum of transfer is executed, stamped and registered, and a new certificate of title issues to the buyer.

34.9 A cash, licence-exempt purchase customarily closes in 60 to 90 days. With a licence, the realistic window is two to four months or more. Historically the registry could take up to six months to issue the new certificate, which matters because title passes only on registration: until then, the buyer relies on attorneys' undertakings and, where appropriate, a caveat.

What the transaction costs

ITEM	RATE	WHO PAYS
Stamp duty on the conveyance	10% standard. Variant rates reported for particular classes: 5% condominiums, 6% certain freeholds, around 14% in special development areas and 18.5% on the South East Peninsula	Vendor (statutory)
Assurance fund		Purchaser

ITEM	RATE	WHO PAYS
	0.2% of value, paid before the certificate of title issues	
Registration and search fees	Nominal: EC$7.20 registration, EC$5 title search	Purchaser
Alien landholding licence	10% of price or market value, plus roughly EC$1,500 attorney handling	Purchaser
Legal fees	Bar scale, regressive: 2.5% on the first EC$25,000, 2% on the next EC$25,000, 1% on the balance, commonly 1–3% overall	Each side its own. The purchaser funds the conveyance
Agent’s commission	5–7%, with 6% customary	Vendor

34.10 The statutory incidence of stamp duty surprises buyers from other jurisdictions: under the *Stamps Act*, Cap 20.40, s 60 places conveyance duty on the vendor, and a purchaser who pays can recover it from the vendor (s 61). Contracts nonetheless reallocate the burden commercially, routine in CBI-development sales, so the allocation should be written expressly into the agreement rather than assumed. Gifts are no escape: a voluntary conveyance is dutiable as a sale at market value (s 57), though a concessionary close-family rate is widely cited in practice . Duty on leases and agreements for lease is modest by comparison. All told, a licensed foreign buyer should budget roughly 11–13% on top of the price, far less where an exemption applies, and a vendor roughly 10–16% between duty and commission.

Annual property tax

34.11 Property tax is assessed on market value under the *Property Tax Act*, Cap 20.32 (St Kitts) and the *Nevis Property Tax Ordinance*, Cap 6.13 (N). Bills issue by 31 May. Payment is due 30 June. Late payment attracts interest at 1% per month.

CLASS	ST KITTS: BUILDING / LAND	NEVIS: BUILDING / LAND
Residential	0.2% / 0.2%	0.156% / 0.75% (as printed by the IRD)
Commercial	0.3% / 0.3%	0.3% / 0.2%
Accommodation (hotels)	0.2% / 0.2%	0.3% / 0.2%
Agricultural / institutional	0–0.2% (certification required)	0–0.2%

34.12 The first EC$80,000 of a home’s value is exempt, and newly built homes enjoy a one-year exemption from completion. Nevis, revaluing properties in 2025–26 for the first time since 2008, extended its 2026 payment deadline to 30 September. Classification repays attention: a villa in a rental pool may be assessed as accommodation rather than residential, and the differential is material.

Condominiums

34.13 The *Condominium Act*, Cap 10.03 provides the strata architecture for resort and beachfront schemes: a condominium is created by registering a declaration and description, with surveyor-certified plans, with the Registrar of Titles. Each unit then constitutes separate real property with its own certificate of title, and owners hold the common property as tenants in common. The unit and its common interest are inseparable, and instruments purporting to sever them are void. Registration automatically creates a management corporation of unit owners: a board of at least three, by-laws adopted by a 66⅔% vote. The Act is silent on nationality: foreign unit buyers need licences on ordinary principles, subject to the CBI project-level practice above.

Mortgage finance for foreign buyers

34.14 Local and regional banks, namely St Kitts-Nevis-Anguilla National Bank, the Bank of Nevis, CIBC Caribbean and Republic Bank (EC), lend to non-residents at indicative 60–80% loan-to-value, roughly 7–9.5% interest and 15–25-year terms . One wrinkle matters for private lending: a mortgage is an interest in land, so an alien lender needs a licence unless it is a licensed financial institution. And an unlicensed alien mortgagee cannot foreclose. Vendor and private financing should be structured with that in mind.

The market in 2025–26

34.15 On St Kitts, Frigate Bay remains the liquid mid-market: entry condominiums in the resort communities near the Marriott and Royal St Kitts start at about US$325,000–360,000. Detached villas trade to around US$1.5m. The prime end is Christophe Harbour on the South East Peninsula (2,500 master-planned acres with thirteen miles of shoreline, the Park Hyatt, a Tom Fazio golf course under development and a Safe Harbor-managed superyacht marina), where homesites and Legacy Collection villas have achieved sales approaching US$8m. On Nevis, mid-market villas trade between roughly US$475,000 and US$1.3m in districts such as Jones Estate, Fern Hill and Nisbet. Four Seasons Resort Estates villas run from US$1.4m to beyond US$4m. Beachfront condominiums trade at about US$430,000–690,000, and Nevis Peak Residences, the Four Seasons residential community, was in vertical construction in February 2026.

34.16 The citizenship overlay is shifting. Since October 2024 the minimum qualifying investment has been US$325,000 (share or condominium in an approved development) or US$600,000 (approved private single-family dwelling), each with a seven-year hold. A CBI unit cannot be resold to a subsequent CBI buyer without Cabinet-approved substantial further investment (see Chapter 38). The IMF's 2026 Article IV records CBI inflows falling sharply from their 2023 peaks, cooling new-build CBI sales. With post-hold resale stock accumulating and the tighter escrow and pricing rules of Chapter 36, pricing is migrating towards genuine-use value. The bright spot is that genuine-use market: tourism-led demand and villa rental yields (see Chapter 35).

Title diligence before committing

34.17 Registered title makes diligence efficient, not optional. Insist on sight of the vendor's duplicate certificate of title. Search for caveats and encumbrances. Commission an up-to-date surveyor's report on the boundaries (typically EC$350 to US$1,500), and walk the land for occupiers: expired leases and informal occupation can take years to clear, as the Friars Bay dispute shows (see Chapter 36). For corporate purchases, confirm every alien shareholder and director is licensed: licence conditions run with the licence, and a breach, including an unlicensed cap-table change, risks forfeiture of the land itself.

> **In practice.** Make the sale agreement conditional on the alien landholding licence and lodge the application at once: the two-to-four-month licence, not the conveyance, sets the timetable. Before paying a deposit, see the duplicate certificate of title and walk the land for occupiers. In our experience the costliest oversights are corporate: buyers licence the company but not its alien shareholders and directors, then restructure years later without checking the licence at all.

CHAPTER 35

Tourism Development

35.1 Tourism is the leading sector of the St Kitts and Nevis economy. The Ministry of Tourism has historically put the industry's direct contribution at more than 25% of GDP, with the indirect weight (construction, transport, food, real estate) considerably higher. The IMF's 2026 Article IV consultation, concluded 21 April 2026, found stay-over arrivals now exceeding pre-pandemic levels, cruise "recovering gradually" and the sector resilient, findings that carry particular weight because citizenship-by-investment receipts are falling at the same time (see Chapter 38), leaving tourism as the economy's working engine. For investors, the sector matters twice over: it is the demand base underpinning the villa and condominium market (see Chapter 34), and it carries a dedicated incentive framework of its own.

35.2 The physical platform is compact. St Kitts is served by Robert L. Bradshaw International Airport (SKB) outside Basseterre and by the twin cruise piers at Port Zante. Nevis is served by Vance W. Amory International Airport (NEV), a regional turboprop field whose expansion the Nevis Island Administration has explored as a public-private partnership since 2023. A sea bridge ties the islands together (passenger ferries between Basseterre and Charlestown and the Reggae Beach–Oualie water taxis), so most Nevis-bound visitors arrive through St Kitts or a regional hub and finish the journey by boat.

The numbers, 2024–25

35.3 Cruise is the volume story. The 2023–24 season closed at 690,244 passengers, and 2024–25 reached 748,056, an 8.4% increase, making Port Zante one of the Eastern Caribbean's fastest-growing cruise ports. The single-day record, 11,334 passengers off six ships on 26 December 2024, shows what the two piers (the second completed in 2019) can absorb. Government's stated ambition is roughly one million passengers a year as homeporting builds out.

35.4 Stay-over traffic, which drives hotel and villa economics, is smaller but growing at pace. The first quarter of 2025 recorded 46,641 stay-over arrivals, up 15% year on year and above the pre-pandemic first quarter. Air arrivals for January to April 2025 ran to 61,374 (+14%), and the Christmas peak of 14–25 December 2024 brought 8,335 air arrivals, 11.3% ahead of 2023 and above 2019's 8,069. Full-year stay-over totals for 2024 and 2025 had not been published at the time of writing . Visitor spend for the first quarter of 2025 was estimated at US$24.3m, with the United States supplying more than half the market. Air Canada reported an 89% load factor in the same quarter, and British Airways' 2025 Travel Trends Report ranked St Kitts second globally for year-on-year destination growth.

35.5 Nevis tells its own story through the Tourism Development Levy: receipts of EC$412,738 in July 2025 (up 64% year on year, EC$2.70 = US$1) and EC$311,951 in August 2025 (up 44%), by which point the island had already exceeded its full-2024 tourism revenue, with the Four Seasons touching 100% occupancy at peaks.

Air access in 2026

35.6 The North American schedule into St Kitts is the strongest it has been. American Airlines flies Miami twice daily (doubled on 5 December 2024) and operates Charlotte and New York JFK seasonally in winter and summer, pausing in late August and resuming in November. Delta flies JFK seasonally nonstop, resumed on 21 December 2024 and running through April, and now also links Atlanta with a weekly Saturday rotation. United operates Newark seasonally from December, and JetBlue has flown JFK three times weekly since November 2023. Air Canada serves Toronto seasonally, upgauged to the 201-seat A321 for November 2025 to April 2026, adding 65 weekly seats. From Europe, British Airways connects London Gatwick twice weekly, a link flown since October 2021. Regionally, interCaribbean opened a San Juan–St Kitts nonstop from December 2025, Sunrise Airways has linked the Antigua and Dominica network since 2024, and LIAT20 and Winair provide further connections.

35.7 Nevis's own airlift is thin but improving: Winair began daily St Maarten–Nevis service on 3 November 2025. Cape Air has flown St Thomas–Nevis daily since February 2023, with San Juan links, and Tradewind Aviation has operated premium San Juan–Nevis service in past seasons, though Nevis no longer appears on its published scheduled network in 2026 (charter remains available). Most Nevis guests still route via St Kitts, St Maarten, San Juan or Antigua and transfer by ferry or water taxi. The structural point for underwriting is seasonality: much of the network is winter-only, so a hotel's business case should be built on the winter schedule, not the headline route count.

Cruise: Port Zante and the homeporting step-change

35.8 The transformative announcement came in April 2026: P&O Cruises will homeport *Iona*, a 5,200-passenger-class ship, at Basseterre from November 2027, operating UK fly-cruise turnarounds supported by phased Port Zante upgrades (a new cruise terminal and improved airport-to-port passenger flow). Homeporting changes the economics of cruise tourism fundamentally: transit calls yield a few onshore hours per passenger, while turnarounds generate pre- and post-cruise hotel nights, ground transport, provisioning and airport volume. Royal Caribbean's senior leadership visited in April 2025, and the Tour Development Programme launched in August 2024 (fifteen local tour companies onboarded, with insurance bottlenecks resolved) is aimed squarely at lifting onshore spend per passenger.

The hotel landscape

35.9 On St Kitts, the branded stock clusters at two poles. At Christophe Harbour, the Park Hyatt St Kitts (77 rooms, 44 suites and three new rooftop-pool villas at Banana Bay) anchors the luxury end. At Frigate Bay, the St. Kitts Marriott Resort & Royal Beach Casino (roughly 389 rooms, with golf and the Federation's flagship casino, licensed under the *Betting and Gaming (Control) Act*, Cap 17.01) carries the convention and gaming trade, alongside the Koi Resort, Curio Collection by Hilton (about 102 keys at Half Moon Bay) and the Royal St Kitts Hotel, now being refurbished as a citizenship Public Benefit Option project. An independent tier (Ocean Terrace Inn, Timothy Beach Resort, Sunset Reef, Belle Mont Farm at Kittitian Hill) rounds out the stock, with the NYKOS rooftop venue opening in April 2026.

35.10 Nevis is a different product. The Four Seasons Resort Nevis (about 189 rooms plus the Resort Estates villa community, under a new general manager from September 2025) is the island's economic anchor, and around it sits the Caribbean's best-known collection of plantation inns: Montpelier Plantation & Beach (Relais & Châteaux, about 19 rooms), Nisbet Plantation Beach Club (about 36), Golden Rock Inn (about 11) and The Hermitage, whose great house dates to about 1670, together with Oualie Beach Resort and Mount Nevis Hotel. Small inventory, high rates and repeat guests define the model.

The pipeline

35.11 The headline project is the Ritz-Carlton St Kitts Resort & Residences at Friars Bay: a private purchaser of the Friars Bay lands with a Marriott International agreement, announced in December 2024 with groundbreaking targeted for 2025. The site carried a long-running dispute with beach bars occupying the land on expired leases. The Attorney-General addressed the relocation publicly in September 2025 and construction is to proceed, a reminder that occupier diligence is as important for resorts as for villas (see Chapters 34 and 36). An alien landholding exemption for a "Ritz-Carlton Project" dates back to 2018. On Nevis, the Four Seasons' Nevis Peak Residences had buildings at slab-pour stage in February 2026, when restoration of the Bath Hotel, opened in 1778 and generally regarded as the Caribbean's first hotel, was also under way. Port Zante's homeport infrastructure works run through 2026–27. Two older announcements showed no reported progress between 2024 and 2026: Six Senses St Kitts at La Vallée (Range Developments, 2018), which no longer appears among the developer's listed projects, and the 273-suite Ramada Whitegate (2019). The Federation hosts the ASTA Caribbean Showcase on 22–25 August 2026, a profile-raising step for the meetings and incentives segment.

Government strategy and institutions

35.12 The Ministry of Tourism (Minister Marsha T. Henderson, elected chair of the OECS tourism ministers in February 2026) sets federal policy, delivered through the St Kitts Tourism Authority under the *Saint Christopher Tourism Authority Act*, Cap 20.36 (supported by vendor-licensing and prescribed-areas legislation, Caps 18.41 and 18.42). Nevis runs its own promotion through the Nevis Tourism Authority under the *Nevis Tourism (Promotion and Marketing) Authority Ordinance*, Cap 6.06 (N), with a new chief executive, Andia Ravariere, from 1 September 2025. Policy sits inside the Drew administration's Sustainable Island State Agenda: water and energy security (Nevis's geothermal programme signed a drilling contract in 2026: see Chapter 36), food security, the creative economy, community tourism and an explicit "value over volume" stance. Nevis has positioned itself in the value cruise niche (announced February 2026) while courting luxury, VIP and small-meeting business.

Investment incentives

35.13 The statutory toolkit is generous by regional standards. The *Hotels Aid Act*, Cap 18.17 gives customs-duty relief on building materials and equipment for hotels of ten or more bedrooms. The accompanying income-tax holiday (ten years for hotels of thirty or more bedrooms, five years below that) is granted under the Income Tax Act. The *Fiscal Incentives Act*, Cap 20.14 offers tax holidays of up to fifteen years graded by local value added (Group I, 50%-plus value added: fifteen years, Group II: twelve, Group III: ten, enclave enterprises: fifteen), full import-duty exemption on machinery and materials, and post-holiday export-allowance rebates of 25–50%. VAT applies to tourism at the reduced 10% rate for hotel accommodation and restaurants, against the 17% standard rate. The legacy *Hotel Accommodation and Restaurant Tax Act*, Cap 20.20 is superseded by VAT for most purposes (Chapter 24 carries the tax anchors: corporate tax 33%, no personal income tax).

35.14 Citizenship capital completes the picture: hotel-share and fractional investment qualifies for citizenship at US$325,000 in approved developments with a seven-year hold, making CBI equity a principal funding source for resort construction, and the Public Benefit Option channels US$250,000 contributions into approved public-benefit projects, including the Royal St Kitts refurbishment (see Chapter 38). Beyond the statutes, packages combining Hotels Aid and Fiscal Incentives relief with bespoke Cabinet concessions (duties, work permits, land terms) are negotiated case by case through the St Kitts Investment Promotion Agency and the Ministry of Finance.

Yachting, marinas and short-term rentals

35.15 The superyacht offer centres on Safe Harbor Christophe Harbour, Safe Harbor Marinas' only St Kitts location, with slips for vessels from 80 up to 377 feet (about 115 metres), operating as a designated port of entry with on-site customs and immigration , and a marina village. Nevis offers moorings, anchorages and the Charlestown port. Marina traffic feeds directly into the ultra-prime villa market described in Chapter 34.

35.16 Short-term rentals remain lightly regulated: there is no dedicated vacation-rental statute as at August 2026. Villas and cottages let to visitors operate under tourism-accommodation licensing through the St Kitts and Nevis tourism authorities and fall within the VAT net above the registration threshold . Owners should also note the property-tax classification point in Chapter 34, since rental use can move a villa from the residential to the accommodation class.

> **In practice.** Incentives are negotiated, not claimed: settle the Hotels Aid and Fiscal Incentives package, and any bespoke Cabinet concessions, in a signed investment agreement before closing on land, because leverage drops sharply once you own the site. The P&O homeport from November 2027 creates contractable demand for pre- and post-cruise room-nights, transport and provisioning, and operators who position in 2026 will take the first contracts. Underwrite hotel projects on winter airlift schedules rather than peak headlines: much of the network pauses out of season.

CHAPTER 36

Real Estate Development

36.1 Development is where the Federation's real estate law, planning system, environmental regime and citizenship programme meet, and the sequencing among them decides whether a project runs or stalls. The model that built the modern hotel stock is well worn: assemble a site (with the alien landholding formalities of Chapter 34), obtain planning and environmental approvals, secure incentive concessions (Chapter 35), and, for a large share of projects, fund construction with citizenship-by-investment equity under the Citizenship by Investment Unit's approved-development regime. The 2024 reforms professionalised that last stage considerably: escrowed purchase monies, certified drawdowns, regulated appraisals and price floors. At the same time, the IMF's 2026 Article IV records CBI inflows falling sharply from 2023 peaks, so a plan built on assumed CBI sales velocity now needs stress-testing.

36.2 This chapter maps that path: land assembly, planning, environment, construction, CBI designation, financing and risk. The buyer-side citizenship rules are in Chapter 38.

Land assembly and the developer's licence

36.3 Site control usually begins with a sale-and-purchase agreement conditional on planning permission. Where the developer vehicle is alien-controlled, as it almost always is for international sponsors, the *Aliens Land Holding Regulation Act*, Cap 10.01 requires a licence covering both the company and its alien shareholders and directors (see Chapter 34). For projects of scale the alternative is a project-specific exemption order: the Ritz-Carlton Project (2018) and Beacon Heights (2020) amendments are the precedents. Crown and government land is commonly made available by negotiated Cabinet grant or long lease on St Kitts and through the Nevis Island Administration on Nevis. Two disciplines follow: keep licence conditions under continuous review, because breach exposes the land itself to forfeiture. And treat every cap-table change (new investors, replaced directors) as a licensing event, not a formality.

Planning permission: two regimes, one 90-day clock

36.4 On St Kitts, the *Development Control and Planning Act*, Cap 20.07 (No. 14 of 2000, in force 3 October 2000) governs. Planning permission is granted by the Development Control and Planning Board through the Chief Physical Planner and the Department of Physical Planning. The Board also administers building control under Part VII. An application (prescribed fee, plans and particulars) goes out to consultee agencies, which have a 28-day response window, and is decided against the development plan and material considerations. The decision is due within 90 days, failing which it is deemed refused. Outline permission lapses unless a detailed application follows within one year. Detailed permission lapses if the development is not completed within three years. Critically for developers, subdivision is itself "development" requiring permission: division of land for sale, gift, partition, lease or mortgage all count. Enforcement runs through compliance notices (minimum 28 days) and immediate stop orders, and the Board may enter, remediate and recover its costs against the land. Appeals lie to the Appeals Tribunal under Part IX, then to the High Court on a point of law.

36.5 On Nevis, the *Nevis Physical Planning and Development Control Ordinance*, Cap 6.09 (N) (No. 1 of 2005) puts development permission in the hands of the Director of Physical Planning, advised by a multi-agency Development

Advisory Committee chaired by the Permanent Secretary. Applications are filed in triplicate (maps, drawings, proof of title or the owner's consent, statutory consents, professional certifications and fees) with the same 90-day determination window and deemed refusal. Enforcement notices (3–28 days) and stop notices mirror the St Kitts machinery. Appeals go to a three-member Appeal Tribunal within 30 days, whose decisions are final. Zoning is governed by the *Nevis Zoning Plan Ordinance*, Cap 6.04 (N), and the NIA's Department of Physical Planning and Environment published a Development Application "Quick Tip" Booklet in February 2025 that usefully consolidates the requirements.

36.6 The World Bank's Doing Business 2020 study measured a standard warehouse project on St Kitts at 12 procedures and 105 days, about 0.4% of value: land-use approval EC$200 and 21 days (EC$2.70 = US$1), the development permit about EC$5,050 and 35 days, and an electricity connection 18 days.

Environmental approvals: from NCEPA to NCEMA

36.7 For nearly four decades the operative conservation statute was the *National Conservation and Environment Protection Act*, Cap 11.03 (1987). In November 2025 Parliament passed the *National Conservation and Environmental Management Act* (NCEMA), a modern, science-based framework covering biodiversity, coastal and marine protection, a pollution-control and permitting regime, climate resilience and protected areas, described by government as the legal engine of the Sustainable Island State agenda.

36.8 Environmental impact assessment sits inside the planning system. On St Kitts, an EIA is mandatory for projects listed in the Third Schedule to Cap 20.07 (s 26) and discretionary wherever the Board considers that significant adverse environmental impact could result. In practice it is triggered by coastal works, marinas and piers, large resorts, quarrying and subdivisions in sensitive areas (the second cruise pier was consented on an EIA in 2018). On Nevis, an EIA is ordinarily required for Second Schedule developments (hotels, industrial projects, mining), and the Director may require one for any potentially significant development. NCEMA provides for a polluter-accountability and pollution-permit regime and strengthened protected-area and coastal-zone management on top. Developers should expect new EIA and appeals machinery as commencement instruments and implementing regulations issue. One rule of the coast is already firm: beaches are public, and commercial use of the foreshore requires permits, the point the Attorney-General underlined in the Friars Bay dispute in September 2025.

Building permits, codes and construction capacity

36.9 Building approval runs with and under planning permission (Part VII of Cap 20.07 on St Kitts and the Nevis equivalent), with plans reviewed by building inspectors and staged inspections through construction (the Doing Business study recorded about six, at no fee). The national building code is based on the OECS model code. A Code Review Committee under the Development, Planning and Building Board has been modernising it for accessibility and resilience since 2020, and the NIA has run contractor code-compliance seminars since 2021 . Whatever the code's letter, hurricane-resilient design (roof tie-downs, wind loading above 130 mph, elevation against storm surge) is standard underwriting practice: the Federation sits in the Atlantic hurricane belt, and insurers and lenders will hold a project to it.

36.10 The construction market is thin: a small local contractor base supplemented by regional firms, with nearly all materials imported, which is why the duty concessions under the Hotels Aid and Fiscal Incentives Acts (see Chapter 35) are critical to the budget. Indicative 2026 hard costs run at roughly US$200–275 per square foot for mid-range residential and US$350–600-plus for luxury resort product . Contractor capacity, not approvals, is often the true schedule constraint on parallel projects.

Utilities and energy

36.11 St Kitts power comes from SKELEC and Nevis power from NEVLEC. Water comes from the Water Services Department and the Nevis Water Department, with new connections at about EC$1,200 and 35 days in the Doing Business baseline. The strategic development is Nevis geothermal: a drilling contract was signed in 2026, rig mobilisation followed in mid-2026, and the NIA made a US$5.9m down-payment in August 2026. Developers on Nevis should track the power-purchase timeline: credibly green power is a marketable asset with resort brands and their guests.

Subdivision and condominium registration

36.12 Because subdivision is itself development, a lotting plan needs planning permission before parcels can be sold. Condominium projects then register a declaration and description with surveyor-certified plans under the *Condominium Act*, Cap 10.03, creating separate unit titles each with its own certificate, with a management corporation of unit owners arising automatically (the mechanics are in Chapter 34). That architecture, saleable registered unit titles, is the standard vehicle for CBI share and condominium sales.

Developing for the CBI market

36.13 Citizenship equity is admitted only through designated projects. Under the Citizenship by Substantial Investment Regulations 2024 (SRO 20 of 2024), made under the *Saint Christopher and Nevis Citizenship by Investment Unit Act*, No. 11 of 2024, the path to “approved development” status runs:

1. application through the St Kitts Investment Promotion Agency (SKIPA),
2. recommendation to the CIU’s Board of Governors, and
3. designation by the Federal Cabinet, which fixes the approved unit count, the schedule of unit distribution and the escrow drawdown process.

36.14 The application must include a notarised certificate of title, architectural and engineering drawings already approved by the Development Control and Planning Board, a financing letter, a quantity surveyor’s report and unit-sales details. Designation follows planning and title work. It cannot substitute for them.

36.15 The post-2023 escrow regime is the heart of the compliance load. For units not yet complete, the buyer’s full price (minus stamp duty) is paid into an irrevocable escrow account under an escrow agreement, and the Board engages an independent licensed quantity surveyor, architect, engineer or project manager to certify construction phases before funds are drawn down, turning escrow receipts into milestone-certified construction finance. Marketing is policed: prescribed minimum prices may not be undercut, “special discounts” are banned, and passport-sale language and aggressive marketing are prohibited, with fines up to EC$10,000 and de-authorisation for breach. Valuations must come from ECCB-approved or RICS-certified appraisers (standards recast by SRO 43 of 2024, which admitted RICS certification alongside ECCB approval), and land-surveyor boundary verification is required.

36.16 On the sales side, the floors set by SRO 43 of 2024 (25 October 2024) are US$325,000 per CBI purchaser in an approved development and US$600,000 for an approved private single-family dwelling, down from the

US$400,000 and US$800,000 levels that applied from July 2023. Each carries a seven-year holding period, and a unit cannot be resold to a subsequent CBI buyer without Cabinet-approved substantial further investment. Breaches risk revocation of the buyer's citizenship and nullification of the transaction, which makes the developer's compliance record a selling point in itself (the buyer-side rules are in Chapter 38).

Financing

36.17 Construction debt comes from local and regional banks: St Kitts-Nevis-Anguilla National Bank, the Bank of Nevis, CIBC Caribbean, Republic Bank (EC). The Development Bank of St Kitts and Nevis is active on smaller projects and the Caribbean Development Bank on infrastructure. CBI escrow receipts function as the equity engine under certified drawdowns. The structural caution is concentration: with CBI inflows well down from the 2023 peaks, an escrow-dependent construction schedule keyed to citizenship sales alone is fragile. Blend the buyer mix (genuine-use and branded-residence purchasers alongside CBI) and size debt so construction survives a slow CBI season.

Risks and realistic timelines

36.18 Four risks recur. First, registry delay: certificate issuance has historically taken up to about 180 days, managed with attorneys' undertakings and caveats (see Chapter 34). Secondly, occupiers: expired leases and informal beachfront occupation can stall a site for years (the Friars Bay beach bars were under notice from 2018 and required the Attorney-General's intervention in 2025), and prescription claims, though court-controlled (Cap 10.19, s 34), must be flushed out early. Thirdly, forfeiture: the alien landholding exposure described above demands standing review. Fourthly, climate: insure to replacement cost, design to the modernised code, and expect tightening EIA scrutiny of coastal setbacks under NCEMA.

36.19 On timing, the statutory components are knowable: an alien landholding licence or exemption order (two to four months), a 90-day planning determination on either island (105 days for full permitting in the Doing Business baseline), an EIA where triggered, and CIU designation only after Board-approved drawings and title are in hand. Some run in parallel, but even a well-prepared project should expect approvals to consume the better part of a year before escrowed sales and vertical construction begin in earnest.

> **In practice.** Sequence the approvals in the order the rules assume: site control, licence or exemption, planning and EIA, then CIU designation. Marketing an undesignated project invites both wasted spend and regulatory attention. Walk the site for occupiers and expired leases before signing, because they, not the Board, set the slowest clock. And model the capital stack on a slow CBI market: the projects that struggle are, almost without exception, those that treated escrowed citizenship sales as guaranteed construction finance.

PART VIII

Citizenship by Investment

The world's oldest citizenship-by-investment programme: its four-decade evolution, the current requirements in precise detail, and the fast-moving international landscape around investment migration.

CHAPTER 37

Origins of the Programme

37.1 St Kitts and Nevis operates the world's oldest citizenship-by-investment programme. Established in 1984, within months of independence (19 September 1983), it has run continuously for more than four decades, long enough to have invented an industry, priced and re-priced it, survived successive reputational crises, and become the template against which every rival programme is measured. For an investor, the history is not ornamental. The programme's current shape (premium pricing, mandatory interviews, biometric passports, a statutory administering corporation) is the direct product of forty years of experiment, shock and correction, and an applicant who understands that arc will read the current rules (see Chapter 38) and the surrounding diplomacy (see Chapter 39) far more intelligently.

37.2 One pattern repeats through this history and is worth stating at the outset: an economic or natural-disaster shock prompts discounting. Discounting drives volume. Volume strains vetting. Vetting failures draw international sanction, and the Federation responds by re-pricing and re-regulating. The cycle has turned three times (around 2006, 2014–2015 and 2022–2024), and each turn has left the programme more institutionalised than before.

The statutory foundation (1984)

37.3 The legal basis has never changed. The *Saint Christopher and Nevis Citizenship Act* (Cap. 1.05), enacted in 1984, provides in section 3(5) for Cabinet-approved citizenship by registration of persons who invest substantially in the Federation. Section 3(13) empowers Cabinet to exclude classes of applicants by order, the provision under which today's nationality exclusions are made. Registration under section 3(5) is discretionary, carries no residence requirement, and from the beginning was offered through two routes: a contribution to government and the purchase of designated (later "approved") real estate. For its first two decades the programme ran quietly and at modest volumes, a footnote to an economy still organised around sugar.

Sugar's end and the SIDF era (2006–2018)

37.4 The first transformation followed the closure of the sugar industry in July 2005. From 2006 the Sugar Industry Diversification Foundation (SIDF), a public-benefit foundation, became the approved contribution vehicle, and the programme became an instrument of national economic transition. The single-applicant SIDF contribution stood at US$250,000, with higher tiers by family size. Henley & Partners held a structuring and marketing mandate for the programme in this era, and it was in these years that the modern, internationally marketed citizenship-by-investment industry took recognisable shape, with St Kitts and Nevis as its reference product.

37.5 Formal machinery followed. The *Citizenship by Investment Regulations 2011* (S.R.&O. No. 52 of 2011) consolidated the framework, and the Citizenship by Investment Unit (CIU) was created in 2011 as the administrative unit receiving and processing applications, a unit of government, as it would remain until 2024. On the property side, the qualifying real-estate minimum stood at US$400,000 for most of the period from 2012 to 2023, anchoring a construction boom in approved resort developments on both islands.

The integrity shocks (2013–2015)

37.6 Success attracted the wrong customers. In 2013 the Federation announced the suspension of Iranian applications. On 20 May 2014 the United States Financial Crimes Enforcement Network issued Advisory FIN-2014-A004, warning that illicit actors, including Iranian nationals designated under OFAC sanctions, had obtained St Kitts and Nevis passports to mask their identities, that the 2013 suspension was being circumvented, and that controls were lax. It was the most damaging public document in the programme's history, and it stayed on the books for nearly twelve years until FinCEN formally rescinded it on 24 February 2026 (see Chapter 39). On 22 November 2014 Canada imposed a visa requirement on St Kitts and Nevis nationals, citing identity-management and passport-integrity concerns tied to the programme. The requirement remains in force today. In 2015 the government recalled and reissued approximately 16,000 passports issued between 2012 and 2014, so that every document would show the holder's place of birth and any former names.

37.7 The response set the programme's modern direction: hardened vetting, fully biographical passports and, from about 2017, deliberate repositioning as the industry's premium-priced, premium-vetted "platinum standard" rather than its cheapest option.

The pricing wars (2017–2022)

37.8 Positioning and fiscal reality then collided. After Hurricanes Irma and Maria in September 2017, the government opened the Hurricane Relief Fund, a discounted contribution of US$150,000 for a family of up to four, available from late September 2017 until 31 March 2018. It undercut the SIDF's own US$250,000 price and set off region-wide price-cutting among the five Eastern Caribbean programmes. From April 2018 the Sustainable Growth Fund (SGF) replaced both the relief fund and the SIDF as the contribution route, at US$150,000 for a single applicant (inclusive of government fees) and US$195,000 for a family of up to four. Discounting returned in the pandemic: a "Limited Time Offer" of US$150,000 for a family of four ran from July 2020 until the incoming administration ended discounting around the turn of 2022–2023. By then the self-styled premium programme was selling citizenship at its lowest effective price in a decade, and the contradiction had become impossible to sustain.

What the programme has meant to the Treasury

37.9 No account of the programme makes sense without the fiscal numbers. An IMF working paper of May 2015 documented the surge: budgetary CBI receipts rose from under 1% of GDP in 2008 to an estimated 13% in 2013, with inflows to the SIDF estimated at a further 12% of GDP that year. CBI inflows helped drive public debt down from around 160% of GDP in 2010 to under 70% by 2017–2018. The pandemic-era boom was larger still: the IMF's 2026 Article IV mission (March 2026) records CBI receipts peaking at 25.8% of GDP in 2022 and 22.2% in 2023, then falling to a projected 5.3% of GDP in 2025 as reform, competition and external pressure bit. The same mission noted that the 2021–2023 windfall financed a substantial rise in current spending: government deposits fell from 31% of GDP (2021) to about 7.2% (2025), the 2025 fiscal deficit reached 11.7% of GDP, and public debt (58.4% of GDP in 2025) is projected to climb to 63.6% in 2026 and 78.2% by 2031 as CBI revenue fades. Nevis Premier Mark Brantley put the dependence plainly on 23 July 2026: citizenship revenues still supply an estimated 60–70% of the Federation's annual public revenues, against a 2026 federal budget of EC$1.075 billion (EC$2.70 = US$1). Four decades of the programme paid down the post-sugar debt burden, financed hurricane recovery and public investment, and built much of the modern resort and villa stock on both islands. The corollary, examined in Chapter 39, is that the public finances remain heavily exposed to the programme's fortunes.

Reform and the statutory Unit (2022–2024)

37.10 The administration of Prime Minister Dr Terrance Drew took office in August 2022 and moved quickly. On 23 December 2022 it announced sweeping integrity reforms, refined by circulars in early 2023: an end to discounting, resale restrictions on CBI real estate, a restructured accelerated-processing option carrying a US$20,000 premium due-diligence fee for the main applicant, and the renaming of the "Public Good" route as the Public Benefit Option, then priced at US$175,000 per applicant, changes carried into the *Citizenship by Investment Regulations 2023* (No. 4 of 2023). The decisive break came on 27 July 2023, when the *Saint Christopher and Nevis Citizenship by Substantial Investment Regulations 2023* (SRO 26 of 2023, gazetted in Extraordinary Gazette No. 44 of 2023), the largest overhaul in the programme's history, raised prices, closed the SGF in favour of today's Sustainable Island State Contribution, entrenched mandatory interviews, abolished accelerated processing and re-regulated agents, accompanied by the *Citizenship by Investment (Exclusion) Order 2023* (SRO 27 of 2023). "Our citizenship is not accessible to those who do not value our citizenship," the Prime Minister said that month. (Accounts of a further December 2023 restructuring circulate in the market but are not supported by the gazetted record. The next changes came in 2024.)

37.11 Institutionalisation followed. The *Citizenship by Investment Unit Act 2024* (No. 11 of 2024, assented to 19 June 2024) converted the CIU from a government unit into a statutory corporation governed by a Board of Governors, with annual independent audits gazetted and all contributions paid directly into the Federal Consolidated Fund. That ended, definitively, the SIDF-era model of contributions routed through a foundation. The *Citizenship by Substantial Investment Regulations 2024* (SRO 20 of 2024, 8 July 2024) then replaced the 2023 regulations as the principal instrument, amended on 25 October 2024 by SRO 43 of 2024. Leadership has turned over with the eras: Les Khan ran the Unit from about 2016 to 2022, Michael Martin from 2022 to 2024, and since mid-2024 the statutory Unit has been chaired by Executive Chairman Calvin St. Juste under the new Board. The rules those instruments now impose are the subject of Chapter 38. The international weather around them is the subject of Chapter 39.

> **In practice.** When a client already holds St Kitts and Nevis citizenship, the first question we ask is when it was granted: the era of grant determines the document's history and the scrutiny it attracts, and pre-2015 passports, issued without place of birth, drew bank and border attention for years. All programme citizens, whenever naturalised, must now re-enrol biometrically by 31 July 2027 (see Chapter 38), so legacy holders should not wait for a renewal date to act. Prospective applicants should read the history the right way: the programme's present cost and rigour are not bureaucratic accretion but the price of the pedigree, and the features most likely to survive external scrutiny.

CHAPTER 38

Requirements

38.1 This chapter states the rules of the St Kitts and Nevis Citizenship by Investment Programme as they stand at August 2026, the position an applicant filing today will actually face. The governing instrument is the *Saint Christopher and Nevis Citizenship by Substantial Investment Regulations 2024* (SRO 20 of 2024, made 8 July 2024), as amended by SRO 43 of 2024 (25 October 2024), administered by the Citizenship by Investment Unit as a statutory corporation. Everything about the current regime reflects the post-2022 settlement described in Chapter 37: prices are the region's highest, an interview is mandatory for every main applicant, and the vetting is the most layered in the Eastern Caribbean. Applicants should budget from the full fee stack rather than the headline investment figure, and should treat published timelines as targets, not promises.

The legal framework

38.2 The power to grant citizenship on investment remains section 3(5) of the *Saint Christopher and Nevis Citizenship Act* (Cap. 1.05, enacted 1984): citizenship by registration, approved by Cabinet, with no residence requirement. The *Citizenship by Investment Unit Act 2024* (No. 11 of 2024, assented to 19 June 2024) constitutes the Unit as a statutory corporation under a Board of Governors. Commencement was left to ministerial order, and it has operated in that form since July 2024. The principal regulations, SRO 20 of 2024, repealed the 2023 regulations. As amended by SRO 43 of 2024, they remained the current text as at 20 August 2026, with no further amending instrument published. Nationality exclusions are made under the *Citizenship by Investment (Exclusion) Order 2023* (SRO 27 of 2023). A note on names: the operative regime is styled citizenship by "substantial investment", and the Unit now presents itself simply as the "Citizenship Unit", but the statute, the market and this guide continue to say "citizenship by investment" and "CIU".

The investment options

38.3 Four routes qualify. Figures are the Unit's published minimums as at August 2026 (all programme amounts are set and paid in US dollars, EC$2.70 = US$1):

OPTION	MINIMUM INVESTMENT	IN FORCE SINCE
Sustainable Island State Contribution (SISC), main applicant and up to three dependants	US$250,000	8 July 2024
SISC, each additional dependant: under 18 / aged 18 or over	+US$25,000 / +US$50,000	8 July 2024
Approved Development real estate: unit, condominium or approved share in an approved development	US$325,000	25 October 2024

OPTION	MINIMUM INVESTMENT	IN FORCE SINCE
Approved Private Home: condominium / single-family private dwelling	US$325,000 / US$600,000	25 October 2024
Public Benefit Option (PBO): per application, family of up to four (SISC dependant add-ons apply)	US$250,000	8 July 2024

38.4 **SISC.** The default route: a non-refundable contribution paid into the Federal Consolidated Fund. The single US$250,000 price for a main applicant alone or a family of up to four has applied since 8 July 2024 (from 27 July 2023 until then the tiers were US$250,000 single, US$300,000 couple and US$350,000 for a family of four) and had not changed as at August 2026.

38.5 **Real estate.** The two property routes (investment in an approved development, or purchase of a home designated an Approved Private Home) were cut to their present levels on 25 October 2024 by SRO 43 of 2024: the approved-development minimum from US$400,000 to US$325,000, and the private-home minimums from US$400,000 (condominium) and US$800,000 (single-family) to US$325,000 and US$600,000. The minimum must be invested net of commissions and marketing costs, and the property must be held for seven years. A property resold within that period cannot support a subsequent buyer's application unless Cabinet approves that substantial further investment (construction or renovation) has been injected into it (SRO 20 of 2024, regulations 20(22) and 22(18)). Breach exposes the seller's citizenship to revocation. RICS-certified appraisals have been accepted in support of valuations since SRO 43 of 2024.

38.6 **PBO.** A US$250,000 contribution per application (family of up to four, with the SISC dependant add-ons), paid to the Unit for a unit in an Approved Public Benefit Project. Approved categories are industry development, construction on State land, real estate transferred to State ownership, and projects with substantial local impact and employment. The first approved public benefactor was MSR Media/MSR Hotels (announced by 24 January 2024). Projects listed in August 2026 include the Basseterre High School redevelopment, a National Housing Corporation affordable-housing project (US$10 million, announced 2025), the Prime Creative Arts Centre and the Royal St. Kitts Beach Resort.

The fee stack

38.7 The headline investment is only the start. Current fees (Unit schedules, August 2026, introduced 27 July 2023 and re-enacted 8 July 2024 unless otherwise dated):

FEE	AMOUNT
Application processing (per applicant)	US$250
Due diligence, main applicant	US$10,000
Due diligence, each dependant aged 16 or over	US$7,500
	US$25,000

FEE	AMOUNT
Post-approval government fee (real-estate and public-benefit routes, payable within 90 days of approval-in-principle): main applicant	
Spouse	US$15,000
Dependant under 18	US$10,000
Dependant aged 18 or over	US$15,000
Adding a spouse or other qualifying dependant after grant	US$30,000
Child born during processing	US$10,000
Child under 3 born after the main applicant's citizenship (since 25 October 2024)	US$7,500
Biometric enrolment (2026), first adult (16+) / second adult / child under 16	US$2,500 / US$2,000 / US$1,300

38.8 The SISC is inclusive: no post-approval government fee applies on that route. On the PBO the fees do apply, with one concession: the main applicant's US$25,000 is deducted from the US$250,000 investment sum rather than charged on top (SRO 20 of 2024, regulation 26). Spouse and dependant fees are payable in full. A 10% discount applies to biometric enrolment completed between 20 July and 31 December 2026. Applicants also pay their agent's professional fees, plus, on the real-estate routes, conveyancing and related closing costs. The licence fees themselves (US$5,000 for an Authorised Agent, US$20,000 for an International Marketing Agent, with annual renewal and AML/KYC filings) fall on the agent but are priced into the market. Realistic all-in figures from independent industry costings (24 February 2026): about US$260,611 for a single applicant and about US$268,111 for a family of four with young children on the SISC route. Each dependant aged 16 or over adds US$7,500 of due diligence, and the real-estate and public-benefit routes add the post-approval government fees above.

Who can be included

38.9 A "family of up to four" means the main applicant and up to three dependants. Qualifying dependants (Unit criteria, August 2026) are: the spouse, children under 18, children aged 18 to 25 in full-time secondary or tertiary education and fully supported by the main applicant (the ceiling in regulation 3 of the 2024 Regulations, though the Unit's published criteria still say 18 to 30), adult children with physical or mental challenges, and parents or parents-in-law aged 55 or over living with and fully supported by the main applicant. The age threshold was cut from 65 to 55 on 25 October 2024. Siblings are not eligible. They were removed in the July 2023 overhaul. An applicant who has been an undischarged bankrupt within ten years of the application is disqualified (SRO 43 of 2024). Family members added after grant pay the post-citizenship fees in the table above.

Interview, due diligence and source of funds

38.10 Every main applicant must attend an interview, a requirement introduced by the December 2022–January 2023 reforms and entrenched since 27 July 2023. The interview is conducted by an independent professional firm commissioned by the Unit, or by Unit officials, and may be virtual or in person (in the Federation or at a location approved by the Board of Governors). Dependants aged 16 or over may also be required to attend. Due diligence runs in layers: the Unit itself, the Financial Intelligence Unit, and independent international firms in the United Kingdom, the United States and Europe, with a Continuing International Due Diligence Unit (established June 2024, headquartered in Europe) monitoring citizens after grant. Applicants must evidence source of funds and source of wealth with full banking and AML documentation, and from 2026 fingerprinting and biometric capture are mandatory for all applications. Filings are made through the Unit's digital application platform introduced in 2025. Expect no shortcuts: the 60-day Accelerated Application Process was abolished in the July 2023 overhaul, and no fast-track route exists under the 2024 Regulations.

Restricted nationalities

38.11 Under the Exclusion Order (SRO 27 of 2023, 27 July 2023, made under section 3(13) of the Act), nationals of, and persons ordinarily resident in, Afghanistan, Belarus, Iran, Iraq, North Korea and Russia may not apply. The list was unchanged as at August 2026. The exclusions carry history: Iranian applications have been barred since 2013–2014 (the suspension was announced in 2013 and the Unit dates the outright ban to 2014), and Russian and Belarusian applications were suspended by the Federation in March 2022, after the invasion of Ukraine, before all five Eastern Caribbean programmes closed to those nationals from 31 March 2023 under the United States "six principles" (see Chapter 39). Note that the bar extends beyond passport-holders to persons ordinarily resident in a listed state, a point often missed by dual nationals and long-term residents.

Process and timelines

38.12 There is no direct filing: applications must be submitted through a licensed Authorised Agent. The sequence runs: retain an agent. Submit the application with forms, due-diligence fees and processing fees. Vetting by the Unit, the FIU and the international firms, plus the mandatory interview. Approval-in-principle, targeted within 120 to 180 days of acknowledgment (the Unit also quotes "three to six months"). Completion of the investment and payment of any post-approval fees within 90 days. Issue of the Certificate of Registration. Then passport issuance. Since July 2023 the Unit has required the Certificate to be collected in person, in the Federation or at a designated embassy or consulate, with the oath or affirmation of allegiance taken at collection. That is a requirement of the 2023 overhaul as announced and of the Unit's practice, not one spelled out in the Regulations themselves. Adding the published stages together, a realistically prepared file should be budgeted at six to twelve months end to end. In our experience the common extenders are interview scheduling, biometric enrolment and source-of-funds queries, and the files that move fastest are those whose banking evidence was assembled before submission.

Passports, renewals and biometrics

38.13 Each registered citizen may obtain a St Kitts and Nevis passport. Adult passports have historically been issued with ten-year validity. Confirm the term of the new biometric document on issue. The significant recent change is biometric. From 14 April 2026, every citizenship-programme citizen, dependants included, must enrol under the

National Biometric Enrolment and Passport Modernisation Programme. The enrolment window runs to 31 July 2027, after which only biometric-enabled passports will be accepted for travel. Enrolment centres operate in St Kitts and in Dubai, Abu Dhabi, Hong Kong, Istanbul, Ottawa, Toronto, London and Washington DC, with Lagos, Jeddah and Singapore added from 1 August 2026. Biometrics are captured once per document lifetime, so later renewals involve biometric validation but no re-enrolment and no separate biometric fee. The modernisation programme is administered by the Ministry of National Security in partnership with the Unit.

What citizenship gives, and what it does not

38.14 Citizenship granted under the programme is full citizenship of the Federation. There is no residence requirement to obtain or to retain it under current law (for the announced "genuine link" direction of travel, see Chapter 39), and plural citizenship is permitted. No renunciation is required. On tax, precision matters: the Federation levies no personal income tax, capital gains tax or inheritance tax, and citizenship alone does not subject worldwide income to any St Kitts and Nevis charge, but neither does a passport change the holder's tax residence elsewhere. The Federation's tax system, and what actually establishing residence there involves, are covered in Chapter 24.

38.15 On travel, the passport's standing as at August 2026 (Arton Passport Index): a mobility score of 146 (100 destinations visa-free, 39 visa-on-arrival and 7 by electronic travel authorisation). That includes the Schengen area (90 days in any 180, visa-free, intact as at August 2026, though under the EU's reformed suspension mechanism and active review: see Chapter 39), the United Kingdom (visa-free, subject since early 2025 to an Electronic Travel Authorisation costing £20 and valid two years or to passport expiry), Hong Kong (90 days), and Singapore (30 days, with arrival card). What it does not give is the United States. St Kitts and Nevis has never been in the US Visa Waiver Program: a B visa is required for visits, Canada has required visas since November 2014, and since 21 January 2026 US immigrant-visa issuance to St Kitts and Nevis nationals has been paused, though visitor, student and work visas are unaffected (see Chapter 39). A common misconception is that the passport is a route into the United States. It is not, and never has been.

38.16 Finally, on numbers: the Federation publishes no regular application or approval statistics. The Unit claimed a 169% increase in applications in 2025 with proportionally higher rejection rates (Chairman's year-in-review, December 2025, base year unstated), while the European Commission (December 2025) recorded 10,573 applications across the five Eastern Caribbean programmes in 2024 and more than 100,000 passports issued cumulatively since the programmes began.

> **In practice.** Budget from the all-in figure, not the headline: for a family, due-diligence, processing, post-approval and biometric fees add tens of thousands of dollars, and each dependant aged 16 or over brings US$7,500 of due diligence and a possible interview. Resolve the disqualifiers before spending money: nationality and ordinary residence against the exclusion list, the ten-year bankruptcy rule, and source-of-funds documentation, which causes more delay than any other item. Real-estate buyers should verify the development's approval status and escrow arrangements and price in the seven-year lock before contracting. Diarise two dates above all: the 90-day post-approval payment window, and 31 July 2027, after which non-biometric passports will no longer be accepted for travel.

CHAPTER 39

Recent Developments and Landscape

39.1 More has changed in the citizenship-by-investment world since 2023 than in the previous three decades, and no one should commit funds without understanding the field as it stands in August 2026. Three forces are reshaping it at once: the Federation's own reforms (Chapters 37 and 38), consolidation among the five Eastern Caribbean programmes, and unprecedented pressure from Washington and Brussels. This chapter takes the developments chronologically, then weighs what they mean for an applicant, including the scenarios in which the product being bought could change beneath them.

Reform at home (2023–2024)

39.2 The sequence began with the United States. At a St Kitts roundtable on 25 February 2023, the US Treasury and the five programme governments agreed the "six principles": denial of applicants refused by another programme (with sharing of denial information), mandatory interviews, Financial Intelligence Unit checks on every file, regular audits to international standards, law-enforcement cooperation to retrieve revoked passports, and suspension of Russian and Belarusian applicants. The last was implemented region-wide from 31 March 2023. St Kitts and Nevis embedded the principles in its 27 July 2023 overhaul (SROs 26 and 27 of 2023): higher prices, mandatory interviews, in-person certificate collection, agent and advertising regulation, six excluded nationalities and the end of accelerated processing, while the European Union pressed its own list of concerns that July. The 2024 consolidation followed: the *Citizenship by Investment Unit Act 2024* made the Unit a statutory corporation under a Board of Governors chaired by Calvin St. Juste, with gazetted audits and contributions paid directly to the Consolidated Fund. The Continuing International Due Diligence Unit (June 2024) added post-grant monitoring. SRO 20 of 2024 (8 July 2024) consolidated the SISC at US$250,000 for a family of up to four. SRO 43 of 2024 (25 October 2024) cut real-estate minimums and tightened eligibility (see Chapter 38).

Regional coordination: the 2024 MOA and ECCIRA

39.3 On 20 March 2024 the heads of government of Antigua and Barbuda, Dominica, Grenada and St Kitts and Nevis signed a Memorandum of Agreement, with St Lucia adhering by 23 June 2024. Its core terms: a minimum investment floor of US$200,000 from 30 June 2024 (measured on funds actually received and changeable only by unanimity), an end to underselling and discounting, an information-sharing portal through the Joint Regional Communications Centre in Barbados (with revenue and disbursement transparency), a commitment to a common regional regulator, enhanced pre- and post-approval screening and passport retrieval, and marketing standards prohibiting "visa-free" promises and passport imagery. Every programme repriced between June and August 2024. The regulator then materialised: the Eastern Caribbean Citizenship by Investment Regulatory Authority (ECCIRA) agreement was signed by the five heads of government in September 2025 (announced 23 September 2025), providing for uniform standards, licensing of agents and developers, regional registers of applicants and licensees, fines and licence revocation, annual compliance reports, and mandatory biometrics, including on passport renewals. Enabling legislation passed in all five states in October–November 2025. Headquartered in St George's, Grenada, it is expected to be fully operational in late 2026. As at August 2026 it was not yet operating, with executive recruitment ongoing and no chief executive announced.

The United States: pressure, escape, and one pause

39.4 Washington's escalation defined 2025–2026. In March 2025, press reports described a draft tiered travel-ban list placing St Kitts and Nevis, St Lucia, Dominica and Antigua and Barbuda on a "yellow" tier, with 60 days to remedy concerns, the citizenship programmes among them. Presidential Proclamation 10949 (4 June 2025, effective 9 June) suspended entry from 19 countries in full or in part. No Eastern Caribbean state was included. Days later a State Department cable named 36 further countries under consideration, St Kitts and Nevis among them, demanding 60-day benchmark plans. The government stated (17 June 2025) that no official correspondence had been received. Prime Minister Drew confirmed (23 June) "no formal US travel ban", then announced (24 June 2025) a residency clause and biometrics for a coming citizenship law. The biometrics arrived (January–April 2026, see Chapter 38). No residency or genuine-link statute had been identified as enacted by August 2026.

39.5 Proclamation 10998 (16 December 2025, effective 1 January 2026) then imposed full suspensions on 19 countries and partial suspensions on 19 more (Antigua and Barbuda and Dominica among them, CBI vulnerabilities expressly cited), while St Kitts and Nevis, Grenada and St Lucia were not listed. The Federation did not escape entirely: a US pause on immigrant-visa issuance for nationals of countries assessed at high risk of public-benefits reliance (announced 14 January and effective 21 January 2026, covering some 75 countries) includes St Kitts and Nevis, its four CBI neighbours, and non-CBI states from the Bahamas to Jamaica. Immigrant visas are refused under INA section 221(g) pending enhanced vetting. Visitor, student and work visas are unaffected, and dual nationals may apply on their other passports. Then a genuine milestone: on 24 February 2026 FinCEN formally rescinded its 2014 advisory on St Kitts and Nevis passports (see Chapter 37), closing the programme's longest-running reputational file. The position at August 2026: the Federation sits on no US travel-ban or visa-suspension list, but is caught by the immigrant-visa pause, with 180-day review cycles still in play, and the mooted public-charge bond (reported 30 July 2026 at up to US$100,000) is now a State Department pilot for certain immigrant-visa applicants, announced 5 August 2026 with amounts set case by case.

Europe: the suspension mechanism and the phase-out demand

39.6 Brussels has gone further than Washington. The backdrop is the Court of Justice ruling against Malta's investor-citizenship scheme (Commission v Malta, C-181/23, Grand Chamber, 29 April 2025), which hardened the EU position against citizenship without a genuine link. A revision of the visa-suspension mechanism, agreed in June 2025, was adopted on 26 November 2025 as Regulation (EU) 2025/2441, published in the Official Journal on 10 December 2025 and in force from 30 December 2025. Its significance is blunt: operating an investor-citizenship scheme is now, in itself, a ground for suspending a third country's visa-free access, with lower numerical triggers, suspensions of twelve months extendable by twenty-four, and targeted suspensions confined to particular groups. Vanuatu's waiver had already been suspended outright (November 2024). Georgian officials were targeted on 6 March 2026. The Commission's eighth visa-suspension-mechanism report (27 December 2025) said that operating a CBI programme "constitutes, in itself, a ground for suspending visa-free status" and required strengthened vetting "pending the discontinuation" of the schemes. By July 2026 the Commission had written to all five states requesting phase-out by 1 June 2028, with a September 2026 interim deadline for excluding EU-sanctioned individuals and reinforcing vetting (Antigua published its letter on 7 July 2026). Regional politicians are unusually frank: St Lucia's Deputy Prime Minister Ernest Hilaire (13 July 2026) said Brussels had moved "from fixing programs to ending them". Nevis Premier Mark Brantley (23 July 2026) called the EU "hell-bent" and doubted the programmes' viability after June 2028. Schengen access for St Kitts and Nevis nationals was nonetheless unchanged as at 20 August 2026. Routine friction is also arriving: ETIAS, the EU's pre-travel screening for visa-free nationals, is expected to launch in late 2026, becoming mandatory after a transition to about October 2027. The United Kingdom already requires an Electronic Travel Authorisation: applications from 27 November 2024, mandatory since 8 January 2025, the fee risen in stages to £20 (2026).

Integrity and enforcement at home

39.7 The Federation's counter-programme is deliberate and visible: statutory governance and gazetted audits. Escrow obligations and advertising restrictions for approved developments (SRO 20 of 2024, Schedule 2). Agent and marketing-agent licensing with annual renewals, AML filings and a published blacklist. The ban on discounting. Interviews, FIU checks and post-grant monitoring. The biometric passport programme (announced 30 January 2026, launched 14 April 2026). A demonstrated willingness to revoke. When the United Kingdom sanctioned a pre-2014 economic citizen with Iranian links on 3 November 2025, the Unit stated (29 January 2026) that deprivation procedures had been initiated within 24 hours of discovery . Dominica's gazetted revocation of 68 CBI citizenships for fraud or misrepresentation (6 June 2024) shows the regional direction. From late 2026, ECCIRA is expected to add regional registers, compliance reporting and fines.

The competitive landscape (August 2026)

PROGRAMME	CONTRIBUTION MINIMUM	REAL ESTATE	POSITION, AUGUST 2026
St Kitts and Nevis	US$250,000 (family of up to four)	US$325,000 / US$600,000	Premium pricing, biometric passport regime, on no US ban list
Dominica	US$200,000 single / US$250,000 (family of four)	US$200,000	Cheapest entry, US partial travel ban, US visas cut to 3 months (28 February 2026)
Grenada	US$235,000 (family of up to four)	US$270,000	Only E-2 treaty state, applications down 45% in 2025, on no US ban list
Antigua and Barbuda	US$230,000 (family of up to four) + US$20,000 processing	US$300,000	30-day residency requirement, US partial travel ban, 3-month US visas
St Lucia	US$240,000 (applicant + up to three)	US$300,000	Bond and enterprise options, on no US ban list

39.8 All five are caught by the January 2026 immigrant-visa pause. On all-in cost (industry costings, 24 February 2026) Dominica remains the cheapest single-applicant ticket at about US$210,400 against St Kitts and Nevis at about US$260,611, a premium the Federation defends as the price of vetting, echoing its Attorney-General's remark

(January 2024) that its pricing was "double that of competing Caribbean programs". The market itself is shrinking and crowding at once: the five programmes processed 10,573 applications in 2024 (European Commission, December 2025). Grenada's applications fell 45% in 2025 and its first-quarter 2025 receipts 38%. St Kitts and Nevis receipts fell from 22.2% of GDP in 2023 to a projected 5.3% in 2025 (IMF, March 2026, see Chapter 37). Meanwhile St Vincent and the Grenadines confirmed (November 2025) a 2026 launch, and Tonga and Botswana are exploring entry.

Outlook: weighing an application in 2026

39.9 The practical advice divides into what is solid and what is contingent. Solid: the Federation's reforms are real and externally validated (a statutory Unit, gazetted audits, biometric documents, absence from every US ban list, and the FinCEN rescission), and the passport works today exactly as described in Chapter 38. Contingent: the two propositions that historically sold Caribbean citizenship, visa-free Europe and a falling price, are both under structural attack. Regulation 2025/2441, the 1 June 2028 phase-out demand and ETIAS bear on the first, while the MOA floor and ECCIRA are designed to prevent the second returning. A 2026 applicant should therefore value the citizenship on the assumptions that survive a Schengen suspension (durable plural citizenship for the family, a stable common-law base, the travel network beyond Europe) and treat EU access as a benefit under review rather than a permanent feature. The stated direction (December 2025) is toward residency-linked, "genuine link" models, with legislation expected in 2026–2027. How pending files would be treated is unresolved, an argument for filing early and pressing files to completion. The Federation, for its part, is betting that a smaller, dearer, cleaner programme is the version that endures, and the IMF's March 2026 figures show both why reform was unavoidable and why the government cannot afford to let the programme fail.

> **In practice.** Stress-test the purchase against the worst realistic case (Schengen suspended, ETIAS screening in force, the contribution model replaced by a genuine-link regime) and proceed only if the citizenship still earns its price for your family. Clients with United States immigration intentions should take specific advice: this passport has never offered US access, and immigrant-visa processing is paused. File on the current rules rather than waiting: treatment of pending files under successor legislation is unresolved. Diarise the dates that now govern this market: September 2026 (EU vetting deadline), late 2026 (ECCIRA and ETIAS), 31 July 2027 (biometric re-enrolment), 1 June 2028 (the EU's demanded phase-out).

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