OPINION/ ADVICE

Instructions

We are instructed to provide advice on the following:

1. whether Clause 4 of the TSG Bill violates the right of self-determination;
2. whether Clause 5 of the TSG Bill goes against equality of status;
3. whether in Clause 6 of the TSG Bill, Tobago should be identified or delineated by waters surrounding the island;
4. The JSC is of the view that once there is a national policy enacted by the National Parliament of Trinidad and Tobago, a Tobago Act should be consistent with such policy to avoid conflict of law. If so does Clause 8 (4) of the TSG Bill treat with the concern;
5. whether the composition of the Mediation Committee contained in Clause 19 of the TSG Bill should be reviewed due to Cabinet dominance;
6. whether Clause 22 of the TIG Bill is insufficient; clarification is sought as to the relocation of funds, the JSC is interested in understanding what is the method used in the St. Kitts and Nevis context
7. whether the composition of the Fiscal Review Commission contained in Clause 23 of the TIG Bill should be reviewed due to Cabinet dominance; and
8. whether Clause 28 of the TIG Bill should be replaced as it relates to the scope of Tobago's ability to borrow.

Opinion/ Advice

This opinion is guided by the policy of the Cabinet, the political leaders and the citizens of Trinidad and Tobago, that the unitary state of Trinidad and Tobago is to be preserved.

Clause 4 of the TSG Bill

The aspect on which we are required to comment in relation to Clause 4 of the TSG Bill is whether or not this clause violates the right to self-determination.

The right to self-determination is established in Article 1, paragraph 2 (Chapter 1: "Purposes and Principles") and Article 55 (Chapter IX: "International Economic and Social Co-operation) of the Charter

of the United Nations. Article 1, paragraph 2, provides that one of the purposes of the United Nations is the following:

> "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace."

The right to self-determination is an erga omnes obligation, owed towards all, and as such is owed towards all states. It is a fundamental principle of international law. Consequently, all states have a responsibility to ensure that this right is upheld.

In order to ascertain whether Clause 4 of the TSG Bill violates the right to self-determination, we must analyze the scope of this right. The Documents of the United Nations Conference on International Organization reflect the minutes of the 6th meeting of Committee 1 of Commission I of the San Francisco Conference, held on May 1945. At the said conference, the right to self-determination was discussed. The following remarks were made in relation to same:

> "...on the one side that this principle corresponded closely to the will and desires of peoples everywhere and should be clearly enunciated in the Charter; on the other side...that the principle conformed to the purposes of the Charter only insofar as it implied the right of self-government of peoples and not the right of secession."

These comments were made in relation to a proposed amendment of Article 1, paragraph 2 of the Charter of the United Nations. The proposal was for the replacement of the words "based on respect for the principle of equal rights and self-determination of peoples" by the words "to strengthen international order on the basis of respect for the essential rights and equality of the states, and of the peoples' right of self-determination". This amendment was overwhelmingly rejected on the basis that the idea of international order in this sense was altogether new and that one of the purposes of paragraph 2 was to strengthen universal peace and friendly relations on the basis of equality of right which principle was properly dealt with under Chapter II. Further, it was stated that "what is intended by paragraph 2 is to proclaim the equal rights of peoples as such, consequently their right to self-determination. Equality of rights, therefore, extends in the Charter to states, nations and peoples." In the report of the Rapporteur of this Sub-Committee (I/1/A) to Committee I/1 (1 June, 1945) summarizes the debates of the Sub-Committee of Committee 1 of Commission I. These debates included an exchange of views on the meaning of the principle of equal rights and self-determination of people where it was stated:

> "It was understood: That the principles of equal rights of people and that of self-determination are two component elements or one norm. That the respect of that norm is a basis for the development of friendly relations, and is in effect, one of the appropriate measures to strengthen universal peace. It was understood likewise that the principle in question, as a provision of the Charter, should be considered in function of other provisions. That an essential element of the

principle in question, is a free and genuine expression of the will of the peoples; and thus to avoid cases like those alleged by Germany and Italy. That the principle as one whole extends as a general basic conception to a possible amalgamation of nationalities if they so freely choose."

There was a view expressed in the Co-ordination Committee of the Conference that by using the words "nations" and "peoples" simultaneously, in provisions that seek to establish the right to self-determination, seemed to introduce the right to secession and that it is more appropriate to use only the word "peoples".

Having regard to the foregoing, we are of the view that Clause 4 of the TSG Bill does not violate the right to self-determination. *However it may be for the purposes of clarity that the section be amended also to recognize the rights of the people of Trinidad to similarly have a right to self determination. The suggested amendment is:*

" recognize that the right to self determination of the people of Trinidad and Tobago including the right of the people of Tobago to determine in Tobago their political status and freely pursue their economic social and cultural development, *including also the right of the people of Trinidad to determine in Trinidad their political status and freely pursue their economic social and cultural development.*

Clause 5 of the TSG Bill

We are required to comment on whether Clause 5 of the TSG Bill goes against equality of status.

The principle of equality of status in international law is used mainly in the context of states. In essence, it provides for the absence of privileges or discrimination against any section of society and by extension equality of status to all people of a country. By virtue of the principle of equality of status, states are deemed equal just by their status as states under international law. As a result, sovereign equality becomes juridical in nature as all states are deemed to be equal under international law despite any asymmetries of inequality. However, we respectfully submit that this is different than stating that the states would be dealt with equitably.

Clause 5 of the TSG Bill seeks to introduce equality of status within Trinidad and Tobago. Accordingly, instead of the usual state to state application, the Clause seeks to introduce this within a single sovereignty. We propose that the Clause be phrased in a manner where it does not make reference to the Islands but simply equality of status and opportunity for all the peoples of the sovereign democratic State of Trinidad and Tobago.

The exercise is not to attempt to establish a Federation, where it might then be arguable that each of the Unit becomes an island state and so there is the need for the equality of status between the states. Here the unitary state of Trinidad and Tobago is to be preserved.

Given the physical facts, it is artificial to state that there is equality of status between the island of Trinidad and the island of Tobago.

If such a state of affair is deemed to exist it must be for an express purpose. To do otherwise will likely result in unforeseen, and unintended consequences for the island of Tobago, the island of Trinidad , and or the state of Trinidad and Tobago. These unintended consequences may also have consequences for the administration of all three units.

The documents we have reviewed, disclose no cause for deeming that such exist; no case for deeming the Tobago Legislature as having equality of status with Trinidad and Tobago National Parliament; and no case is made out for the Tobago island Government to have equality of status, with the Government of Trinidad and Tobago.

However this does not prevent any of the parties entering into agreements with any of the other parties referred to. One does not have to be on an equal standing to negotiate and agree. This is the practical reality.

We propose that the Clause be phrased in a manner where it does not make reference to the Islands but to the right of the people of Trinidad and the people of Tobago having equality of status, enabling them to access a fair share of the resources and access to opportunities available to all the peoples of the sovereign democratic State of Trinidad and Tobago. This is because all citizens whether they are from Tobago or Trinidad must have equality of status in both Trinidad and in Tobago.

Clause 6 (b) of the TSG Bill

The issue for consideration is whether Tobago should be identified or delineated by waters surrounding the island as contained within Clause 6 (b) of the TSG Bill.

The United Nations Convention on the Law of the Sea ("UNCLOS"), which was "prompted by the desire to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea and aware of the historic significance of this Convention as an important contribution to the maintenance of peace, justice and progress for all peoples of the world" is the governing authority on matters of this nature. In its preamble, it affirms "that matters not regulated by this Convention continue to be governed by the rules and principles of general international law…"

Article 2 of UNCLOS provides:

> "The sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea. 2. This sovereignty extends to the air space over the territorial sea as well as to its bed and subsoil. 3. The sovereignty over the territorial sea is exercised subject to this Convention and to other rules of international law."

Article 46 of UNCLOS defines the reference to "archipelagic State" as follows:

> "For the purposes of this Convention: (a) "archipelagic State" means a State constituted wholly by one or more archipelagos and may include other islands; (b) "archipelago" means a group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such."

By virtue of the foregoing definition, Trinidad and Tobago is deemed an archipelagic State. Accordingly, pursuant to Article 2, Trinidad and Tobago's sovereignty extends beyond its land territory, internal waters and its archipelagic waters to its territorial sea.

In relation to the territorial sea, Articles 3, 4 and 5 of UNCLOS are instructive. Article 3 provides:

> "Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention."

Article 4 provides:

> "The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea."

Article 5 provides:

> "Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State."

Clause 6 (b) of the TSG Bill seeks to define Tobago by way of its internal and inland waters. Article 8 of UNCLOS defines internal waters and provides:

1. "Except as provided in Part IV, waters on the landward side of the baseline of the territorial sea form part of the internal waters of the State.
2. Where the establishment of a straight baseline in accordance with the method set forth in article 7 has the effect of enclosing as internal waters areas which had not previously been considered as such, a right of innocent passage as provided in this Convention shall exist in those waters."

As it relates to the delimitation of the territorial sea, Article 15 of UNCLOS speaks to where there are two (2) states with opposite or adjacent coasts. It states as follows:

> "Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from

which the breadth of the territorial seas of each of the two States is measured. The above provision does not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance therewith."

As previously established, by virtue of Article 46, Trinidad and Tobago is an archipelagic State. Accordingly, the power to draw archipelagic baselines is contained within Article 47 of UNCLOS. Article 47 actually sets out the procedural framework for the drawing of these archipelagic baselines and speaks in mandatory terms as it relates to the restrictions and requirements, including the length of the baseline, the points from which it should be drawn, the computation of the ratio of water to land, the need for the baselines to be drawn and shown on charts, scales or lists of geographical coordinates or points and the obligation to publicize the charts or lists of geographical coordinates and deposit same with the United Nations.

Article 49 of UNCLOS confers legal status to archipelagic States of archipelagic waters, the air space over archipelagic waters and of their bed and subsoil. The provisions are as follows:

"1. The sovereignty of an archipelagic State extends to the waters enclosed by the archipelagic baselines drawn in accordance with article 47, described as archipelagic waters, regardless of their depth or distance from the coast.

2. This sovereignty extends to the air space over the archipelagic waters, as well as to their bed and subsoil, and the resources contained therein.

3. This sovereignty is exercised subject to this Part. 4. The regime of archipelagic sea lanes passage established in this Part shall not in other respects affect the status of the archipelagic waters, including the sea lanes, or the exercise by the archipelagic State of its sovereignty over such waters and their air space, bed and subsoil, and the resources contained therein."

Therefore, in accordance with Article 49, an archipelagic State has sovereignty over archipelagic waters and their air space, bed and subsoil and the resources, including sovereignty over the waters enclosed by archipelagic baselines drawn in keeping with Article 47 of UNCLOS.

If a State is desirous of having some delimitation of the internal waters, Article 50 of UNCLOS provides that, "within its archipelagic waters, the Archipelagic State may draw closing lines for the delimitation of internal waters, in accordance with articles 9, 10 and 11." Articles 9, 10 and 11 deal with the baseline requirements for mouths of rivers, bays and ports respectively and set out the binding measurements and characteristics.

The 1933 Montevideo Convention on the Rights and Duties of States is deemed to be the source of the codification of the traditional definition of a State. Article 1 of the said Montevideo Convention provides:

"The state as a person of international law should possess the following qualifications:

(a) a permanent population;
(b) a defined territory;
(c) government; and
(d) capacity to enter into relations with the other states."

Article 2 of the Montevideo Convention provides, "The federal state shall constitute a sole person in the eyes of international law." According to Harris, D.J. (ed) 2004 Cases and Materials on International Law 6th Ed. at page 99, these provisions are "a restatement of customary international law, the Montevideo Convention merely codified existing legal norms and its principles and therefore does not apply merely to the signatories, but to all subjects of international law as a whole."

Therefore, in international law, Trinidad and Tobago is deemed a state as a single entity. Accordingly, all of its rights, powers, obligations and duties are inextricably linked to its status in this regard. As a result, to have the Constitutional definition be amended in the manner that is proposed can disrupt Trinidad and Tobago's standing in international law. Further, the fact that Trinidad and Tobago are not separate states brings into question the ability to actually utilize international law instruments to accord a definition to Trinidad separate from Tobago. However, even if they were considered two (2) separate states, the definition of Tobago simply by way of reference to its internal and inland waters, in our view, is in direct contradiction of the detailed requirements, processes and specifications outlined in UNCLOS and in international law, and would necessitate much further steps to be in line with proper international standards.

In the premises, we are of the position that the reference to Tobago by way of its internal and inland waters runs afoul of UNCLOS and the principles of general international law. The consequences could reverberate as this delimitation may affect Trinidad and Tobago's standing in several other conventions and other aspects of international law. We are of the view that it is not necessary for this definition to be contained within the Constitution, having regard to the fact that the Constitution is the supreme law of Trinidad and Tobago.

However, even though a Constitutional amendment relating to this matter cannot be the solution, thought should be given to the entering into an Agreement/ Memorandum of Understanding or Treaty on the core issues relating to the governance, enforcement, and use of the maritime zone(s) in issue. We propose an Agreement or Memorandum of Understanding between the Government of Trinidad and Tobago, and the Tobago Island Government addressing these issues. This may include some aspects of the National Government's authority being delegated to the Tobago Island Administration. That Agreement can then be part of the domestic legislation, e.g. by being incorporated into a Schedule to a Statue.

Clause 8 (4) of the TSG Bill

We are required to comment on whether Clause 8 (4) of the TSG Bill treats with the concern that once there is a national policy enacted by the National Parliament of Trinidad and Tobago, a Tobago Act should be consistent with such policy to avoid conflict of laws.

Our position is that by virtue of this Clause any Tobago Act that is inconsistent with any Act passed by the National Parliament, the Act passed by the National Parliament prevails to the extent of the inconsistency.

However it may be that the National Parliament would wish the drafters to provide that *"the inconsistency can be construed with such modifications, adaptations or, qualifications, and, or exceptions that may be necessary to bring them into conformity with the Act passed by Parliament. (See language taken and adapted from the Constitution of St. Kitts and Nevis, Schedule 2 to the Order, Section 2 Existing laws."*)

Clause 19 of the TSG Bill

The aspect on which we are required to comment in relation to Clause 19 of the TSG Bill is whether the composition of the Mediation Committee of the TSG Bill should be reviewed due to Cabinet dominance.

The proposed construct under Clause 19 looks less than a Mediation Committee.

Section 112 of the St. Kitts and Nevis' Constitution provides that *"the High Court shall, to the exclusion of any other court of law, have original jurisdiction in any dispute between the Administration and the Government if and in so far as the dispute involves any question (whether of law or fact) on which the existence of a legal right depends."*

There is no Mediation Committee in the St. Kitts and Nevis Model, but we see the parties under sub clause 4 and sub clause 5 of section 19 of the Bill, just as in St. Kitts and Nevis under the St. Kitts Nevis Constitution can turn to the Court for final resolution.

However, we are of the view that the composition of the Mediation Committee can be structured to reflect less cabinet dominance in the actual mediation process, with Cabinet or the Prime Minister reserving the power to make the final decision. Whilst the proposed construct might be the most effective way for Government to get its decision, it is not the most effective way to achieve decisions in order for parties to feel that the decisions were arrived at in a fair and transparent manner, by a fair and transparent process. We believe that this provides an opportunity for decisions or recommendations to be arrived at in a more dispassionate way.

We recommend a system where the Committee comprises of persons not amongst the members of Cabinet so as to have a less self-serving process. For example, the Prime Minister and his team can have the power to appoint two (2) members to the Committee and the Tobago Executive Council can have the power to appoint two (2) members to the Committee; perhaps with no more than one from each

Cabinet. The Chairman can be appointed by the Prime Minister after consultation with the Leader of the Tobago Island Administration. The Chairman must "not have a dog in the fight" so he cannot be a member of either cabinet or Parliament. The Mediation Committee shall then make recommendations to the Prime Minister, who would be required to consult with the Head of the Tobago Executive Council before making a decision whether to implement or not to implement the recommendation of the Committee.

Clause 22 of the TIG Bill

We are required to comment on the sufficiency of Clause 22 of the TIG Bill which makes provision for the financial allocation to Tobago.

We are of the view that provisions of section 110 of the St. Kitts Nevis Constitution and the provisions of our statutory Rules and Order 1983, No. 46 can be of guidance in fleshing out this provision thereby bringing more certainty, and clarity, so that both the people of Tobago and the people of Trinidad are seen to be receiving fair shares. For example, in St. Kitts and Nevis, section 110 of the Constitution deals with the issue of revenue allocation to Nevis. It provides as follows:

> "(1) Subject to subsection (2), the proceeds of all taxes collected in Saint Christopher and Nevis under any law shall be shared between the Government and the Administration and the share of each shall be determined by reference to the proportion between the population of the island of Saint Christopher and the population of Saint Christopher and Nevis as a whole or, as the case may be, the population of the island of Nevis and the population of Saint Christopher and Nevis as a whole, as ascertained by reference to the latest available results of a census of those populations carried out in pursuance of a law enacted by Parliament.
>
> (2) The share of the Administration under subsection (1) shall be subject to the following deductions:
>
> > (a) a contribution to the cost of common services provided for Saint Christopher and Nevis by the Government; and
> >
> > (b) a contribution to the cost of meeting the debt charges for which the Government is responsible under section 75.
>
> (3) The Governor-General may make rules for the purpose of giving effect to the provisions of this section and (without prejudice to the generality of the foregoing power) any such rules may make provision
>
> (a) for prescribing what services are to be regarded as common services;
> (b) for determining the contributions to be made by the Administration in relation to any common service so prescribed;

(c) for determining the contributions to be made by the Administration in respect of the debt charges for which the Government is responsible; and

(d) for prescribing the time at which and the manner in which calculations and payments (including provisional payments) are to be made.

(4) The powers of the Governor-General under subsection (3) shall be exercised by him or her on the advice of the Prime Minister but no such advice shall be given without the concurrence of the Premier."

In respect of Statutory Rules and Orders 1983 No.46, a copy of it will be sent as an attachment to this opinion.

Clause 23 of the TIG Bill

Whether the composition of the Fiscal Review Commission contained in Clause 23 of the TIG Bill should be reviewed due to Cabinet dominance. We believe that a similar structure to that recommended in relation to the composition of the Mediation Committee can be applied in relation to the Fiscal Review Commission. We understand that the Fiscal Review Commission would play a more substantive role as opposed to the facilitative role of the Mediation Committee and as such we agree with the specifications as it relates to the qualifications and tenure of the members of the Fiscal Review Commission. However, we do believe that the process can be less dominated by the Cabinet with the Cabinet retaining the final power as it relates to the decision. We also note that in its current form only one (1) member is appointed by the Tobago Executive Council, which on its face can suggest inequality in terms of the numbers.

Clause 28 of the TIG Bill

Whether Clause 28 of the TIG Bill should be replaced as it relates to the scope of Tobago's ability to borrow.

We would like you to consider the provisions of section 111 of the St. Kitts Nevis Constitution.

"(1) The Governor-General may make rules providing that (a) the existing or contingent liability of the Administration for servicing its public debt shall not exceed such limits as may be prescribed; (b) the Minister responsible for finance shall be informed in advance of any proposal that the Administration should obtain any grant or loan of money; and (c) there shall be such consultation between the Government and the Administration as may be prescribed concerning any such proposal before the proposal is put into effect. (2) The powers of the Governor-General under subsection (1) shall be exercised by him or her on the advice of the Prime Minister but no such advice shall be given without the concurrence of the Premier."

Although the Tobago Administration has wide powers under section 28, it is subject to the approval of the Minister of Finance, whose consent must not be unreasonably withheld. . It may be wise to consider incorporating a mechanism on which both Administrations can agree for establishing guide lines on

borrowing limits and other things incidental thereto. E.g deciding the borrowing limits for the Tobago island Government. What is the maximum. Can it be based on the percentage contribution that the Tobago economy makes to the Gross National Product of Trinidad and Tobago? Or other factors that would be relevant to a pre determination of such issues. This might help to avoid allegations of unreasonable behavour on the part of the Minister and all other parties concern.

When the national debt of Trinidad and Tobago is being considered by international bodies, lending institutions, and financial rating institutions, it is not only the government debt of Trinidad and Tobago, but also the debt of the Tobago Island Administration, that will also be taken into account when making assessments of the country, including its credit worthiness.

Our experience has shown that many of the international and banking institutions have declined to lend monies to the Nevis Island Administration unless the request for the loan is supported by a sovereign guarantee from the St. Kitts and nevis Federal Government. Consideration should be given to having provisions in place that should a sovereign guarantee be given by the Government of Trinidad and Tobago in support of borrowing done by the Tobago Island Administration, how in the event of a default the Trinidad and Tobago Government and the Tobago Island Administration will treat with it. The establishment of such provisions whilst useful during the preservation of the unitary state may equally address any change in the status of the two Islands.

Conclusion

Overall, the underlying policy that dictates the provisions of the Bills is that of according self-government to Tobago within the context of Trinidad and Tobago's sovereignty. In keeping with our position in relation to the individual Clauses discussed above, we believe that subject to our foregoing comments, the general spirit of the Bills has been achieved as it relates to the internal processes.

However, one of the overarching concerns relate to the proposal to redefine Tobago and by extension Trinidad and Tobago by way of maritime zones. We cannot over emphasize that the particular amendment as it stands can change the overall thrust of the Bills and place Trinidad and Tobago in a tenuous position within the ambit of international law. We however, appreciate and understand the objective that is being sought and believe that it can be achieved through domestic even if it has to be piece meal legislation as an Agreement between the parties, which Agreement forms part of the Schedule of the relevant Act.

Yours faithfully,

DELANO F. BART, Q.C.
Attorney-at-Law

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS
1983, No. 46

The Saint Christopher and Nevis (Revenue Allocation) Rules, 1983 dated the 12th day of December, 1983 and made under section 110(3) of the Saint Christopher and Nevis Constitution, 1983.

1. SHORT TITLE. These Rules may be cited as the Saint Christopher and Nevis (Revenue Allocation) Rules, 1983.

2. ALLOCATION OF REVENUE. The proceeds of all taxes collected in Saint Christopher and Nevis under any law shall be shared between the Government of Saint Christopher and Nevis and the Administration of Nevis in the manner appearing hereunder and the following provisions shall apply in respect of common services and debt servicing.

ANNUAL CALCULATION OF DISTRIBUTION OF REVENUE BETWEEN THE CENTRAL GOVERNMENT AND THE NEVIS ISLAND ADMINISTRATION

(a) Gross Revenue collected in St. Kitts	$		
(b) Less Philatelic Bureau	$		
(c)		=	
(d) Gross Revenue collected in Nevis	$		
(e) Less Philatelic Bureau	$		
		=	
(f) Total Gross Revenue		=	
(g) Gross Portion to Nevis Island Administration (Proportion of population percentage) of (f)			$
(h) Less Common Services payments on behalf of Nevis (Schedule I)	$		
(i) Less Debt service payments on behalf of Nevis (Schedule II)	$	$	
(j) Net portion to Nevis Island Administration		=	$

(k) Amount actually payable to Nevis Island Administration by Central Government = (j) – (d) = $

Note if (d) is more than (j) then the Nevis Island Administration will pay the Central Government the difference.

SCHEDULE I

Cost of Common Services for Nevis Island Administration

ITEM	PERCENTAGE
Governor-General	10
Parliament	Proportion of population
Defence	Proportion of population
Foreign Affairs	Proportion of population
Regional & Foreign Contributions	Proportion of population
Telephone	Proportion of population
Radio and T.V.	Proportion of population
Government Printery	Proportion of population
Passenger Vessel	Proportion of population
Technical College	10
Teachers College	30
Total	

SCHEDULE II

COST OF SERVICING LOANS outstanding at 19th September, 1983 by Nevis Island Administration

NAME OF LOAN	PERCENTAGE
J. N. France Hospital	5
Miscellaneous Development Projects	5
Telephone Department	Proportion of population
20m Special Development 1990/95	Proportion of population
Golden Rock Airport	5
Deep Water Port	5

Note: All other loans will be serviced according to where (that is on which island) the loan funds were or are spent.