

No. 6 of 1993. *The Beach Protection (Amendment)
Act, 1993.*

ANTIGUA
AND
BARBUDA

[L.S]

I Assent,

Wilfred Jacobs,
Governor-General.

17th February, 1993.

ANTIGUA AND BARBUDA

No. 6 of 1993.

AN ACT to amend the Beach Protection Act (Cap. 298)

[18th February, 1993.]

ENACTED by the Parliament of Antigua and Barbuda as follows:-

1. This Act may be cited as the Beach Protection (Amendment) Act, 1993. Short title.

2. Section 2 of the Beach Protection Act, in this Act referred to as the principal Act is amended by inserting after the definition "Director of Public Works" the following - Amendment of Section 2 of Cap. 298.

"Minister" means the Minister responsible for Public Works."

3. Section 4 of the principal Act is amended as follows- Amendment of Section 4 of the principal Act.
 - (a) by deleting from subsection (4) the words "not exceeding fifty dollars or to imprisonment for a term not exceeding three months" and substituting the following, "of five thousand dollars or to imprisonment for two years and in addition the Magistrate may order that the vehicle or equipment used-

(a) for digging the sand, stone, shingle or gravel;
and

(b) for taking, conveying or carrying away the
sand, stone shingle or gravel,

be seized and forfeited to the State";

(b) by renumbering subsection (4) as subsection (5);
and

(c) by inserting between subsection (3) and (5) the
following-

"(4) A police officer or an authorised officer
shall-

(a) arrest without a warrant any person
found digging, taking, conveying or
carrying away, aiding or assisting in
digging, taking, conveying or carrying
away any sand, stone, shingle or gravel
from any beach or seashore in Antigua
and Barbuda without a permit issued
by the Director of Public Works or an
authorised officer;

(b) impound any vehicle or equipment
used in-

(i) digging any sand, stone, shingle
or gravel from any beach or sea-
shore in Antigua and Barbuda
without a permit;

(ii) taking, conveying or carrying
away any sand, stone, shingle or
gravel from any beach or sea-
shore in Antigua and Barbuda
without a permit."

Amendment of
Section 5 of the
principal Act.

4. Section 5 of the principal Act is amended as follows-

(a) by deleting the words "not exceeding fifty dollars
or to imprisonment for a term not exceeding three
months" in subsection (2) and substituting the
following-

"of one thousand dollars or to imprisonment for a **term of** one year and in **addition** the Magistrate may order that the vehicle in which such sand, stone, shingle or gravel was conveyed be forfeited to the State if the driver of the vehicle was not in possession of a permit issued under this Act";

(b) by **renumbering** subsection (2) as subsection (4);
and

(c) by inserting between subsection (1) and subsection (4) ~~the~~ following-

"(2) A police officer or an authorised officer may at any time stop any vehicle in which he suspects that sand, stone, shingle or gravel is being conveyed or moved and demand from the **driver** of the vehicle the production of a permit issued by the Director of Public Works or authorised officer for inspection.

(3) Where the driver of the vehicle fails to produce a permit issued by the Director of Public Works or authorised officer, the police officer or authorised officer shall without a warrant arrest the driver and impound the vehicle".

5. Section 7 of the principal Act is repealed and substituted by the following-

Section 7 of the principal Act repealed and replaced.

"7. For the avoidance of doubt this Act applies to Barbuda."

6. The principal Act is amended by inserting after section 8 the following-

Section 9 inserted in principal Act.

"Regulations.

9. (1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the **generality** of subsection (1) the Minister may by order published in the Gazette **prohibit-**

ANTIGUA
AND
BARBUDA

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(a) the digging, taking, conveying, carrying away, aiding or assisting in digging, conveying or carrying away sand, stone, shingle or gravel from any beach or seashore in Antigua and Barbuda;

(b) the excavation, removal or conveyance, or aiding or assisting in excavation, removal or conveyance of sand, stone, shingle or gravel from any part

Passed the House of Representatives this
25th day of January, 1993.

C. L. Murray,
Speaker.

L. A. Dowe,
Clerk to the House of Representatives.

Passed the Senate this 11th day
of February, 1993.

B. T. Carrott,
President.

L. A. Dowe,
Clerk to the Senate.

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