



L.S.

I Assent,

James B. Carlisle,
Governor-General.

31st December, 1998.

ANTIGUA AND BARBUDA

No. 22 of 1998

AN ACT to amend the Transport Board Act, 1995.

[*4th February, 1999*]

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. (1) This Act may be cited as the **Transport Board (Amendment) Act, 1998.**

Short title and commencement.

(2) This Act shall come into force on the day appointed by the Minister by notice published in the *Gazette*.

2. The long title of the Transport Board Act, 1995 (in **this** Act referred to as the "principal Act") is repealed and the following long title is substituted:

Amendment of the long title of 13 of 95.

"AN ACT to establish a Transport Board to promote efficient management and administration in ground transportation of persons and goods in Antigua and Barbuda, to regulate and institute proper management procedures for public service vehicles, to advise Government on the management and maintenance of its **vehicles** in an efficient and economical manner and for connected purposes."

ANTIGUA 2
AND
BARBUDA

*Transport Board (Amendment)
Act, 1998*

No. 22 of 1998.

Amendment of
section 5.

3. Section 5 of the principal Act is amended by inserting **after** subsection (5) the following subsection:

"(6) Subject to the provisions of this Act the Board may regulate its own procedure for meetings."

Amendment of
section 7.

4. Section 7 of the principal Act is amended

(a) by repealing subsection (1) and substituting the following:

"(1) The Board shall manage and administer efficiently and in a businesslike manner ground transportation of persons and goods in Antigua and Barbuda and all other matters vested in the Board according to this Act including:

- (a) standards to be prescribed for vehicles imported into Antigua and Barbuda;
- (b) measures for controlling commercial and private transportation and the establishment of standards under which commercial and private transportation may operate;
- (c) regulating fares, rates, fees and other charges relating to ground transportation after consultation with the Minister and with the approval of Cabinet;
- (d) the payment of tolls and other charges by vehicles;
- (e) licensing of vehicle operators in conjunction with the Police and the Department of Inland Revenue;
- (f) regulatory measures to control vehicle or pedestrian traffic in conjunction with the Traffic Commissioner;

- (g) the construction, management and regulation of car parks;
 - (h) issuing of permits for **taxi** and other public service vehicles;
 - (i) issuing of routes to public service vehicles: and
 - (j) **registration** of vehicles and the issuing of vehicle numbers and registration number plates";
- (b) in subsection (2) by repealing "subject to subsection (1)";
- (c) by repealing subsection (3) and substituting the following:

"(3) The Board shall have the power

- (a) to approve the establishment of driving schools and prescribe the qualifications for the registration of persons to give driving lessons;
- (b) to prescribe **the** requirements for driving test, both written and practical;
- (c) to examine persons taking a driving test, both written and practical; and
- (d) to prescribe the requirements to test and approve a vehicle for road worthiness";

- (d) by repealing subsection (4) and substituting the following:

"(4) It shall be the duty of the Board to prescribe qualifications for the registration of persons to carry on the business of repairing and maintaining motor vehicles."

ANTIGUA 4
AND
BARBUDA

*Transport Board (Amendment)
Act, 1998*

No. 22 of 1998.

Insertion of
sections 7A, 7B
and 7C.

5. After section 7 of the principal Act, the following sections are inserted:

"Power to appoint
traffic wardens.

7A. (1) The Board shall have the power to appoint persons, to be known as traffic wardens, to assist in the policing of ground transportation.

(2) For the purposes of the discharge by traffic wardens of the functions stated in subsection (3) references to a police officer in the following enactment's shall include references to a traffic warden:

Cap. 460.

(a) the Vehicles and Road Traffic Act and its regulations; and

Cap. 461.

(b) the Vehicles and Road Traffic (Enforcement and Administration) Act and its regulations.

(3) Traffic Wardens may be employed

(a) to enforce the law with respect to an offence committed in respect of fixed penalty offences under the Vehicles and Road Traffic (Enforcement and Administration) Act and its regulations;

(b) any other offences under the Vehicles and Road Traffic Act and its regulations;

(c) to act as parking attendants at street parking places provided or controlled by the Board (in consultation with the Minister and with the approval of Cabinet);

(d) in connection with obtaining information under the Vehicles and Road Traffic Act and its regulations and the Vehicles and Road Traffic (Enforcement and Administration) Act and its regulations;

- (e) to perform functions in connection with custody of vehicles removed from the road in pursuance of the Vehicles and Road Traffic Regulations;
- (f) to act as school crossing patrols; and
- (g) in the control and regulation of traffic (including pedestrian traffic) or vehicles and to discharge any other functions normally undertaken by the police in connection with the control and regulation of traffic (including pedestrian traffic) or vehicles.

Power to delegate. **7B.** Subject to the provisions of this Act the Board may delegate to a Director or committee of the Board, the power and authority to carry out on its behalf the duties determined by the Board.

Power to appoint committees. **7C.** (1) The Board may appoint a committee to examine and report to it on any matter arising out of or connected with any of its powers and duties under the Act.

(2) A committee shall consist of at least one member of the Board together with other persons (whether members of the Board or not) the Board may desire, to give assistance and advise.

(3) A person who is not a member of the Board but is a member of a committee appointed under this section or where a person is co-opted under this section, the Board may with the approval of the Minister and by resolution of the Board pay remuneration and allowances to the person out of the funds and resources of the Board.

(4) The Board may invite a person to attend a particular meeting of the Board for the purpose of assisting or advising the Board but the invited person shall not have the right to vote."

ANTIGUA 6
AND
BARBUDA

*Transport Board (Amendment)
Act, 1998*

No. 22 of 1998.

Insertion of
section 18.

6. The principal Act is amended by inserting after section 17 the following section:

"**Repeal**
Cap. 286.

18. The Motor Vehicles (Control of Hire) Act
is repealed."

Passed the House of Representatives this
30th day of November, 1998.

Passed the Senate this 10th day
of December, 1998.

B. Harris,
Speaker.

M. Percival,
President.

S. Walker,
Clerk to the House of Representatives.

S. Walker,
Clerk to the Senate.