

**COMMONWEALTH OF DOMINICA**

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COMMONWEALTH OF DOMINICA

ACT No. 10 OF 2001

I assent



VERNON L. SHAW  
President

23rd May, 2001

AN ACT TO PROHIBIT THE USE OF POWER CRAFT  
ON CERTAIN DESIGNATED RIVERS IN THE  
COMMONWEALTH OF DOMINICA.

(Gazetted 31st May, 2001.)

BE IT ENACTED by the Parliament of the Commonwealth  
of Dominica as follows:

1. This Act may be cited as the -

**POWER CRAFT PROHIBITION  
(DESIGNATED RIVERS) ACT, 2001.**

Short title.

Interpretation.

**2. In this Act -**

“designated river” means the Indian River or any other river so designated by the Minister;

“Indian River” means that stream of water flowing in a channel in a north-westerly direction, through the parish of St. John, towards the sea;

“Minister” means the Minister responsible for Agriculture;

“power craft” means any water-borne craft used as a means of conveyance and propelled directly or indirectly by a motor or other machinery of any kind, whether or not the motor or other machinery is the principal method of propulsion;

“safe haven” means an area designated by the Minister as a place of shelter in times of emergency.

Prohibition on use of power craft.

**3.** No person shall operate or cause to be operated a power craft on a designated river unless permission in the prescribed manner is granted to that person by the Minister or that the Minister has designated that area as a safe haven.

Power to grant permission to operate power craft.

**4. (1)** The Minister may, upon receipt of a written application to operate a power craft on a designated river; grant such permission in writing if he is satisfied that such operation is necessary for the purpose of carrying out remedial work on that river.

(2) The Minister may impose such conditions as he determines with respect to any permission granted under subsection (1).

(3) The Minister may at any time revoke the permission granted, if upon information received, he is of the opinion that there has been a breach of any condition of the licence.

Power to grant permission to operate power craft in emergency.

**5.** Notwithstanding anything contained in section 4, the Minister may, orally or in writing, grant permission to a person to operate a power craft on a designated river in case of any emergency involving serious illness, natural or other disaster.

6. The Minister may, by Order, designate a safe haven on any portion of a designated river if he is satisfied that such a haven would not result in any damage to that river in particular or to the environment generally.

Creation of safe haven.

7. Notwithstanding anything contained in any enactment or rule of law, the Minister may, by Instrument in writing under his hand, delegate his powers under sections 4 and 5 to any senior public officer so as to ensure that the objective and purpose of the Act are attained.

Delegation.

8. This Act shall be enforced by police officers, forestry officers and park wardens.

Enforcement.

9. A person who contravenes section 3 commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars and a further fine of one hundred dollars for each day or part thereof on which the offence continues after a first or subsequent conviction.

Offence.

10. The Minister may, by Order published in the *Gazette*, declare any river a designated river under this Act.

Power to declare designated river.

11. This Act shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint.

Commencement.

Passed in the House of Assembly this 4th day of April, 2001.

**ALEX F. PHILLIP (MRS.)**  
*Clerk of the House of Assembly*