

THE BEACH CONTROL ACT

REGULATIONS
(under section 9)

THE BEACH CONTROL (CROWN LICENCES) REGULATIONS, 1956

(Made by the Minister on the 26th day of May, 1956)

L.N. 109/56

1. These Regulations may be cited as the Beach Control (Crown Licences) Regulations, 1956. Short title.

2. In these Regulations—

“encroachment” includes any dock, wharf, pier or jetty and any structure, apparatus or equipment pertaining to any dock, wharf, pier or jetty, encroaching on the foreshore or the floor of the sea;

Interpreta-
tion.

“licence” means a licence under subsection (2) of section 9 of the Act.

3.—(1) Any person who wishes to obtain a licence shall apply in writing to the Minister in the form set out in the Schedule.

Form and
manner of
application.
Schedule.

(2) The application shall be accompanied by—

(a) six copies of a site plan prepared by a duly qualified surveyor showing the boundaries of the area from which the encroachment is to be projected, the outline of the encroachment and the boundaries of any lands within or adjoining or adjacent to the area and specifying the particulars of ownership of such lands;

(b) four copies of a plan showing constructional details of any encroachment to be projected together with such notes on the construction of the encroachment as will enable the Minister and his technical advisers to give proper consideration to the application.

4.—(1) There shall be paid periodically in advance to the Commissioner of Lands or to such other public officer as the Minister may from time to time direct, such amount as may be agreed as the consideration for the grant of the licence.

Fees.

(2) It shall be a condition of the licence that if the licensee fails to pay any amount due as consideration for the grant of the licence within thirty days after the date on which such amount becomes due the Minister shall be entitled to revoke the licence at any time after expiration of a further period of thirty days from the date upon which a notice in writing demanding payment of such amount has been served on the licensee unless such amount is sooner paid.

Provisions
of licence.

5. Every licence shall contain provisions—

- (a) giving the Minister the right, if the licensee contravenes or fails to comply with any of the provisions of the licence, to require the licensee, by notice in writing, to demolish any encroachment specified in the notice within a specified period;
- (b) giving a right to any person acting on behalf of the Minister to enter upon any premises of the licensee for the purpose of demolishing and removing any encroachment if the licensee fails to demolish and remove such encroachment after being lawfully required to do so;
- (c) requiring all costs and expenses incurred in demolishing and removing any encroachment to be borne by the licensee;
- (d) requiring the approval of the Minister to be obtained for all alterations to or variations from the original specifications relating to the encroachment;
- (e) requiring the dates of commencement and completion of every encroachment to be reported to the Minister in writing;
- (f) giving the Minister the right to inspect or to authorize any person to inspect on his behalf any encroachment during and after construction thereof;
- (g) prohibiting the licensee from using the encroachment or permitting it to be used for any purpose not authorized by the licence,

and such other provisions, whether incidental to the foregoing or not, as the Minister may think proper to include in the licence.

SCHEDULE

(Regulation 3)

THE BEACH CONTROL (CROWN LICENCES) REGULATIONS, 1956

Application for Licence

TO THE MINISTER OF MINING AND NATURAL RESOURCES:

Date of receipt by the Minister.....

- 1. Name of applicant.....
- 2. Nationality of applicant.....
- 3. Names and Nationality of directors, partners or managing committee, if the applicant is a company, partnership or other body of persons.....
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- 4. Address in Jamaica at which notices, etc., may be served—
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- 5. Name and situation of property from which encroachment is to be projected.....
- 6. Property registered at Volume.....Folio.....
- 7. Length of term for which licence desired.....
- 8. Nature of encroachment.....
- 9. Purpose for which encroachment desired.....
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- 10. Any other detail in connection with the encroachment.....
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Six copies of site plan as required by the regulations are attached hereto.

Four copies of plan showing constructional details as required by the regulations are attached hereto.

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Signature of Applicant

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Address

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Date