

LS

I assent,

CLEMENT A. ARRINDELL

Governor-General.

6th November, 1986.

SAINT CHRISTOPHER AND NEVIS

No. 12 of 1986

AN ACT to provide for the development, conservation and management of the South-East Peninsula, to establish a Land Development and Conservation Board with specific powers and functions, and for matters connected thereto.

(By Order published in the *Gazette*.)

Commencement.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis and by the authority of the same as follows:-

1. This Act may be cited as the South-East Peninsula Land Development and Conservation Act, 1986 and shall come into operation on such date as the Minister may by Order publish in the *Gazette*.

Short title and commencement.

2. In this Act, unless the context otherwise requires -

Interpretation.

"Board" means the South-East Peninsula Land Development and Conservation Board established under section 3 of this Act;

"Minister" means the Minister for the time being charged with the subject of Planning and Development;

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and Conservation Act, 1986 - 12.*

"South-East Peninsula" means the area
as defined in the Schedule to this Act;

"wild animal" means any deer or other
animal designated by the Minister
by Order under this Act;

"wild bird" means any bird specified
in the Schedules to the Wild Bird
Protection Act.

(Chapter 113)

Establish-
ment of a
South-East
Peninsula
Land Develop-
ment and
Conservation
Board.

3.(1) There shall be established a
South-East Peninsula Land Development and
Conservation Board.

(2) The Board shall be comprised
of five members appointed by the Minister, one
of whom shall be appointed Chairman of the
Board.

(3) The members of the Board shall be
appointed to serve for a period not exceeding
three (3) years and shall be eligible for
re-appointment.

(4) The Board shall regulate its own
proceedings and may establish Committees and
co-opt persons to serve on any Committee.

(5) The Minister may at any time revoke
the appointment of any member if he considers
it expedient so to do.

Powers and
Functions of
the Board.

4. The powers and functions of the Board
shall be -

(a) to evaluate residential, commercial,
industrial, agricultural and other
development schemes;

(b) to make recommendations concerning:-

(i) allotment, reservation and
zoning of land for different
purposes;

(ii) control of pollution and
maintenance of the environ-
mental quality of the
South-East Peninsula, in-
cluding coastal conservation;

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(iii) development and implementation of an environmental protection plan;

(iv) schemes to develop lands in terms of the Land Development (Control) Act;

- (c) to carry out planning studies relating to the various sectors of the South-East Peninsula;
- (d) to monitor development schemes and if necessary to make further recommendations; and
- (e) to do any other matter incidental or consequential to the aforementioned powers and functions or to evaluate any matter required by the Minister.

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1966.

5.(1) The Board shall prepare a South-East Peninsula Development and Land Use Management Plan to include the following -

South-East
Peninsula
Development
Plan.

- (a) the guidelines to be used in determining the suitability of particular developmental activities in the Peninsula;
- (b) proposals dealing with the following subjects -
 - (i) land use;
 - (ii) transport facilities;
 - (iii) preservation and management of the scenic and other natural resources;
 - (iv) recreation and tourism;
 - (v) waste disposal facilities and power plants;
 - (vi) living resources;
 - (vii) human settlements;

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(viii) agriculture and industry with-
in the South-East Peninsula;

(ix) coastal conservation;

(x) any other developmental matter
submitted by the Minister.

No. 15 of
1966.

(2) The Board shall submit the Plan
and any schemes evaluated by it to the Minister
in accordance with the provisions of the Land
Development (Control) Act.

(3) The Board may, with the approval
of the Minister make the Development and Land
Use Management Plan available for public
inspection and invite submission of comments
or recommendations thereon in writing.

(4) Upon approval of the Plan made by
the Minister by Order published in the *Gazette*,
the Plan shall regulate developmental activity
in the South-East Peninsula.

Offences.

6.(1) Any person who -

(a) fails to comply with the
requirements of the Develop-
ment Plan;

(b) resists or obstructs the Board
or any officer in the exercise
of any power conferred or as
directed by the Board in
conformity with any other Act;

(c) fails to comply with the
provisions or Regulations made
under this Act;

(d) makes any statement, which
to his knowledge is false or
incorrect, in any return or
information furnished by him
in compliance with a notice
issued by the Board,

shall be guilty of an offence under this
Act and shall on conviction after summary
trial before a Magistrate, be liable to a

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fine of not less than one thousand five hundred dollars and not exceeding twenty-five thousand dollars or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

(2) Every person who is guilty of an offence under this Act, shall in addition to the fines prescribed under this section, be liable to a fine not exceeding one hundred dollars for each day on which the offence is continued after conviction.

7.(1) The South-East Peninsula is hereby designated a conservation area.

Designation
of Conserva-
tion Area
and related
Offences.

(2) Any person who other than by authority in writing from the Minister -

- (a) wilfully kills, wounds or takes any wild animal or wild bird;
- (b) takes, removes, injures or destroys any nest or egg of any wild bird;
- (c) exposes for sale or knowingly has in his possession any such wild animal or wild bird or any part of such animal or bird, killed, wounded or taken in the conservation area;
- (d) exports or attempts to export the carcass or skin of any wild animal or the skin or plumage of any wild bird killed, wounded or taken in the conservation area;

shall be liable on summary conviction to a fine not exceeding two thousand dollars.

8. (1) The Minister may in consultation with the Board, make Regulations to give effect to the principles and provisions of this Act.

Regulations.

(2) Without prejudice to the generality

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of powers under sub-section (1), the Minister may make Regulations relating to the laying out, maintenance and improvement of roads, the laying out and sub-division of land for building purposes, the erection, construction and alteration of buildings and structures the class and design of buildings or structures to be erected in any specified part of the South East Peninsula and for zoning any area or the use to which any land may be put.

SCHEDULE

All that area in the Parish of St. George, Basseterre extending from the boundary of the Frigate Bay Development Area to the extremities of Nag's Head and Scotch Bonnet, such area to be more particularly designated by the Minister by Order made under this Act.

I. C. BUCHANAN
Speaker.

Passed the National Assembly this 28th day
of October, 1986.

F. ALPHONSO LEWIS
Clerk of the National Assembly.