

I ASSENT

ALLEN LEWIS,
Governor-General.

18th July, 1984.

SAINT LUCIA

No. 8 of 1984

AN ACT to amend the Land Development (Interim Control) Act, 1971.

[18th July, 1984.]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Parliament of Saint Lucia, and by the authority of the same, as follows :—

1. This Act may be cited as the Land Development (Interim Control) (Amendment) Act, 1984 and shall be read as one with the Land Development (Interim Control) Act, 1971 hereinafter referred to as the principal Act.

2. Section 7 of the principal Act is hereby amended—

- (a) by inserting the words “ the construction of any building ” after the word “ swamps, ” appearing in line 7 of subsection (2) thereof ;
- (b) by inserting the following as subsection (3) thereof —

“ (3) Without prejudice to the provisions of sections 22 and 23 and subject to the provisions of section 7A where any person has commenced any development of land in contravention of the provisions contained in subsection (2), the Authority may remove, demolish or alter such development, if the Authority is satisfied that it would not have granted permission for that development. ”

3. The principal Act is hereby amended by inserting immediately after section 7, the following new section ‘ 7A ’ :—

“ Service of notice 7A (1) Before taking any action under subsection (3) of section 7 the Authority shall serve a notice on the owner and on the occupier of the building or land in respect of which the action is proposed to be taken and on any other person who, in their opinion, may be affected thereby, specifying the nature of the action and the grounds upon which they propose to take that action.

(2) The date stated in a notice served under this section as the date on or after which the intended exercise of the power therein mentioned is intended to begin shall be not less than one month after the service of such notice and the Authority shall not do any act or thing in exercise of such power in relation to the building or land mentioned in the notice before the said date.

(3) If any person served with such a notice as aforesaid considers the period fixed by such notice to be insufficient or desires to dispute any allegation or matter contained therein, he may within twenty-eight days from the date on which he received such notice appeal to a Judge by notice in writing in which he shall set forth the grounds of his appeal. The Judge shall cause the appellant and the Authority to appear before him, and it shall be lawful for him to hear and determine the matter in dispute in a summary manner ; and for that purpose to examine such parties or any of them and their witnesses.

(4) If on any such appeal the Judge is satisfied that the Authority is entitled to take the proposed action on the grounds specified in the notice, he shall dismiss the appeal and shall by his order empower the Authority, to remove, demolish or alter the building or work, or reinstate the land or execute the required work, but if he is not so satisfied, he shall allow the appeal. The Judge shall allow such costs as he may think fit.

(5) The Authority shall recover from the owner or the occupier the expenses reasonably incurred for any action taken by the Authority under this section.

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(Amendment) Act*

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(6) Every person who obstructs or interferes with the exercise by the Authority of any power vested in them shall in addition to any civil liability be guilty of an offence and liable, on summary conviction, to a fine not exceeding five thousand dollars. "

Passed in the House of Assembly this 15th day of June, 1984.

W. ST. CLAIR-DANIEL,
Speaker.

Passed in the Senate this 26th day of June, 1984.

E. HENRY GIRAUDY,
President.