

## EMERGENCY POWERS ACT

### Interpretation

1. In this Act—

“Constitution” means the Constitution of Anguilla;

“law” includes any law, regulation, rule, order, proclamation or by-law in force in Anguilla;

“period of public emergency” means any period during which—

- (a) Her Majesty is at war; or
- (b) a declaration of emergency is in force under section 17 of the Constitution;

“Proclamation” means a proclamation made pursuant to section 17 of the Constitution.

### Declaration of emergency

2. (1) The Governor, in the event of Her Majesty being at war or whenever it appears to him—

- (a) that a public emergency has arisen as a result of the imminence of a state of war between Her Majesty and any foreign state or as a result of the occurrence of any earthquake, hurricane, flood, fire, outbreak of pestilence, outbreak of infectious disease or any other calamity; or
- (b) that action has been taken or is immediately threatened by any person or body of persons of such a nature as to be likely to endanger the public safety or public order or to deprive the community or any substantial portion of the community of supplies and services essential to life;

may, by Proclamation which shall be published in the *Gazette*, declare that a state of emergency exists.

(2) A Proclamation made by the Governor under this section shall declare that the Governor is satisfied—

- (a) that a public emergency has arisen as a result of any of the events set out in paragraphs (1)(a) and (b); and
- (b) that the declaration is reasonably justifiable in the interests of defence, public safety, public order or public health.

### Lapse or revocation of state of emergency

3. (1) Every declaration of emergency shall lapse at the expiration of 90 days from the date on which it was made.

(2) A declaration of a state of emergency may at any time be revoked by the Governor by Proclamation which shall be published in the *Gazette*.