



BERMUDA

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
(CONSEQUENTIAL AMENDMENTS) ACT 2016

2016 : 21

WHEREAS it is expedient to amend certain enactments consequent on the amalgamation of the Department of Conservation Services and the Department of Environmental Protection into the new Department of Environment and Natural Resources;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Department of Environment and Natural Resources (Consequential Amendments) Act 2016.

Consequential amendments

2 The Schedule has effect to make amendments to the enactments set out therein consequent on the amalgamation of the Department of Conservation Services and the Department of Environmental Protection into the new Department of Environment and Natural Resources.

Commencement

3 This Act shall be deemed to come into operation on 1 April, 2016.

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SCHEDULE

(Section 2)

CONSEQUENTIAL AMENDMENTS

- 1 The Agriculture Act 1930 is amended—
 - (a) in section 1 by deleting the definition of “the Department” and substituting—

“the Department” means the Department of Environment and Natural Resources;”;
 - (b) by repealing section 2(7) and replacing it with—

“(7) The Director (or his designate) shall be an ex officio member of the Board.”;
 - (c) in section 4(k) by deleting “conservation services” and substituting “the environment”; and
 - (d) in section 5, in the heading and in subsection (1), by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.
- 2 The Bermuda Housing Act 1980 is amended in section 64 by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.
- 3 The Care and Protection of Animals Act 1975 is amended in section 1 by deleting the definition of “the Department” and substituting—

“the Department” means the Department of Environment and Natural Resources;”.
- 4 The Care and Protection of Animals (Commercial Horse Stables)(Licensing) Regulations 2005 are amended in regulation 2(1) by deleting the definitions of “Department” and “Director” and substituting—

“Department” means the Department of Environment and Natural Resources;

“Director” means the Director of the Department of Environment and Natural Resources;”.
- 5 The Coral Reef Preserves Act 1966 is amended in sections 5(1) and (2) by deleting, wherever it appears, “Conservation Services” and substituting “Environment and Natural Resources”.

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6 The Customs Tariff Act 1970 is amended in the Fifth Schedule paragraph 4 (Table of End-Use Reliefs) by deleting, wherever it appears, “Environmental Protection” and substituting “Environment and Natural Resources”.

7 The Development and Planning (Tree Preservation Order) Regulations 1975 are amended in the Schedule paragraphs 1, 2, 3, 7 and 8 in Forms 1 and 2 by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.

8 The Dogs Act 1978 is amended in section 1 by deleting the definition of “the Department” and substituting—

“the Department” means the Department of Environment and Natural Resources;”.

9 The Endangered Animals and Plants Act 2006 is amended in section 2 by deleting the definition of “Minister” and substituting—

“Minister” means the Minister responsible for the environment;”.

10 The Fisheries Act 1972 is amended—

(a) in section 1 by deleting the definition of “Director” and substituting—

“Director” means the Director of the Department of Environment and Natural Resources;”;

(b) in section 2 by deleting “Environmental Protection” and substituting “Environment and Natural Resources”;

(c) in section 4A(1) by deleting “of the Department of Environmental Protection”;

(d) in the Third Schedule by repealing paragraph 1 and replacing it with—

“1 The Board shall consist of not more than twelve members and the Director (or his designate) shall be ex officio a member and shall be executive secretary to the Board.”; and

(e) in the Fourth Schedule paragraph 1 by deleting “of the Department of Environmental Protection”.

11 The Fisheries (Anti-fouling Paints Prohibition) Regulations 1989 are amended in regulation 2 by deleting the definition of “the Director” and substituting—

“the Director” means the Director of the Department of Environment and Natural Resources;”.

12 The Fisheries Regulations 2010 are amended—

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- (a) in the enacting provision by deleting “Environmental Protection” and substituting “the environment”;
 - (b) in regulation 2 by deleting the definitions of “Department” and “Director” and substituting—
 - “ “Department” means the Department of Environment and Natural Resources;
 - “Director” means the Director of the Department of Environment and Natural Resources; ”; and
 - (c) in regulation 31(4) by deleting “of Environmental Protection”.
- 13 The Historic Wrecks Act 2001 is amended in section 2 by deleting the definition of “Minister” and substituting—
- “ “Minister” means the Minister responsible for the environment;”.
- 14 The King Edward VII Memorial Hospital (Special Planning Provision) Act 2009 is amended in Schedule 2 paragraphs 5 and 6 by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.
- 15 The Morgan’s Point Resort Act 2014 is amended—
- (a) in sections 7(1)(c) and 7(1)(e)(v) by deleting “Environmental Protection” and substituting “Environment and Natural Resources”; and
 - (b) in section 9(d) by deleting “environmental protection” and substituting “the environment”.
- 16 The Pesticide Safety Act 2009, upon coming into force, is amended in sections 9(1) and (2) by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.
- 17 The Protected Species Act 2003 is amended—
- (a) in section 2 by deleting the definition of “Minister” and substituting—
 - “ “Minister” means the Minister responsible for the environment;”; and
 - (b) in sections 4(2), 5(3) and 6(2) by deleting “Conservation Services” and substituting “Environment and Natural Resources”.
- 18 The Protected Species Order 2012 is amended in the enacting provision by deleting “conservation services” and substituting “the environment”.
- 19 The Protection of Birds Act 1975 is amended in section 1 by deleting the definitions of “Department” and “Minister” and substituting the following definitions—

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“Department” means the Department of Environment and Natural Resources;

“Minister” means the Minister responsible for the environment;”.

20 The St. George’s Resort Act 2015, upon coming into force, is amended in sections 4(1)(c) and 4(1)(e)(v) by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.

21 The Veterinary Practitioners Act 2008 is amended in Schedule 1 paragraph 4 by deleting “Environmental Protection” and substituting “Environment and Natural Resources”.

[Assent Date: 13 June 2016]

[Operative Date: 01 April 2016]