

EMERGENCY POWERS ACT

CHAPTER 15:02

Act
2 of 1951
Amended by
28 of 1973
12 of 1990

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
<i>1-4</i>	<i>1/1991</i>

**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

**Note
on
Omissions**

Regulations made under this Act have been omitted since most of these Regulations apply only during the state of emergency specified in the Proclamation.

CHAPTER 15:02

EMERGENCY POWERS ACT

AN ACT to make provision for the security of the State in an emergency.

1961 Ed.
Cap. 244.
2 of 1951.

[7th May 1951]

Commencement.

1. This Act may be cited as the –

Short title.

EMERGENCY POWERS ACT.

2. It shall be lawful for the President or any person duly authorised by him thereto to take during the period of public emergency measures that are reasonably required for dealing with the situation that exists in Dominica during that period, and in particular –

Emergency
powers of
President.
[28 of 1973].

- (a) to assume control and regulate –
 - (i) all means of communication and transport, all fuel, buildings, plant and materials necessary to the working of the same;
 - (ii) all food and liquor supplies, and all necessities;
 - (iii) all electric, water and other power stations;
 - (iv) all arms, ammunition and explosives;
- (b) to prohibit or restrict the possession or use by any person or body of persons of any specified articles;
- (c) to impose on any person any restrictions in respect of his employment or business, in respect of his place of residence, and in respect of his association or communication with other persons;
- (d) to prohibit any person from being out of doors between such hours as may be specified, except under the authority of a written permit granted by such authority or person as may be specified;
- (e) to require any person to notify his movements in such manner, at such times, and to such authority or person as may be specified;

- (f) to prohibit any person from travelling except in accordance with permission given to him by such authority or person as may be specified;
 - (g) to require any person to quit any place or area or not to visit any place or area;
 - (h) to impose restrictions on public officers in respect of their employment or business, in respect of their places of residence and in respect of their association or communication with other persons;
 - (i) to take any other measures, including the arrest and detention of persons that are reasonably justifiable for dealing with the situation in Dominica during the period of public emergency.
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Publication of
Regulations.

3. The President is hereby empowered to make and publish Regulations and to issue orders and instructions for the purpose of exercising the powers conferred on him by this Act. If at any time it is impossible or impracticable to publish in the *Gazette* any proclamation, notice, regulation or order in pursuance of this Act, it shall be lawful for the President to publish the same by notices thereof affixed to public buildings or distributed amongst the public or by oral public announcements.

Indemnity and
compensation.
[28 of 1973].

4. No person is liable to any suit or action in respect of any act done under lawful direction and authority pursuant to the provisions of this Act but the President shall order that compensation shall be paid out of the public funds of the State to any person upon being satisfied that such person has suffered loss or damage by reason of the exercise of any powers conferred by section 3.

Penalties.
[28 of 1973].

5. Any person who contravenes any regulation, order or instruction issued under the powers of this Act and any person who obstructs or attempts to obstruct any person duly authorised to carry out the provisions of this Act in the performance of any duties thereunder is liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.
