



TURKS AND CAICOS ISLANDS

CHAPTER 85
COAST PROTECTION ORDINANCE

Revised Edition
showing the law as at 15 May 1998

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance 1997.

This edition contains a consolidation of the following laws—

COAST PROTECTION ORDINANCE

Ordinance 1 of 1970 .. in force 3 June 1970

Amended by Ordinance 3 of 1984 .. in force 12 January 1990

Amended by Ordinance 3 of 1988 .. in force 1 August 1988

Amended by Ordinance 3 of 1998 .. in force 3 April 1998

No Subsidiary Legislation has been made under this Ordinance

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CHAPTER 85

COAST PROTECTION ORDINANCE

(Ordinances 1 of 1970, 3 of 1984, 3 of 1988 and 3 of 1998)

AN ORDINANCE TO PROVIDE FOR THE PROTECTION OF THE
COASTS OF THE ISLANDS.

[3 June 1970]

Commencement

1. This Ordinance may be cited as the Coast Protection Ordinance.

Short title

2. In this Ordinance “coast” means land bordering on the sea or any tidal water and having its seaward boundary at the low water mark.

Interpretation

3. (1) Subject to the provisions of subsection (3)*, every person who, not being in possession of a licence issued under section 4, digs up, removes or carries away any sand, earth, stones, coral-rag or any calcareous substance from the coast of any of the islands of the Turks and Caicos Islands shall be guilty of an offence and liable on summary conviction to a fine of \$25,000 or to a term of imprisonment for six months or to both such fine and imprisonment, and upon conviction on indictment to a fine of \$100,000 or to imprisonment for five years or to both such fine and imprisonment; and any vessel or machinery used in the commission of the offence is liable to forfeiture to the Crown by order of the Court. (Amended by Ord. 3 of 1998)

Digging or removing sand, etc., from the coast

(2) The Governor may by notice in the *Gazette* designate that areas of such coast be exempt from the provisions of subsection (1) of this section.

(3) A Belonger (as defined in the Immigration Ordinance) who desires to use sand, earth, stones, coral-rag or any calcareous substance from the coast of any part of the Islands for the building of a dwelling house for his own personal use shall be exempt from the provisions of subsection (1):

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Provided that the exemption shall only have effect in respect of the building of one dwelling house for that person in respect of whom the exemption originally operated.

* See Note to Section 7

Licence to take
sand, etc., from
the coast

4. The Governor may upon application by any person, issue that person with a licence not exceeding three months duration to dig up, remove or carry away sand, earth, stones, coral-rag and/or calcareous substances for such payment therefor and from such part or parts of the coast as the licence shall therein specify:

Provided that nothing herein shall prevent any person applying for more than one licence or for consecutive licences.

Depositing
offensive
substance on
coast

5. Every person who places or deposits or causes or permits to be placed or deposited any offensive substance on the coast, or who causes or allows any offensive substance to be deposited in the sea, wherefrom the offensive substance travels to the coast, shall be guilty of an offence and liable on conviction to compensate the owner or owners of such coast for all damage done as a direct or indirect result of the offence and shall further be liable on summary conviction to a fine of \$25,000 or to a term of imprisonment for two years and upon conviction on indictment to a fine of \$100,000 or to imprisonment for five years or to both such fine and imprisonment; and any vessel or machinery used in the commission of the offence is liable to forfeiture to the Crown by order of the Court. (*Amended by Ord. 3 of 1998*)

Depositing litter
on coast

6. Every person who, on the coast—

- (a) deposits or leaves any garbage, rubbish, litter or derelict article otherwise than in a place or receptacle intended for its reception; or
- (b) breaks any bottle or other glass or china article and fails immediately to dispose adequately of the broken pieces thereof,

shall be guilty of an offence and liable on conviction to a fine of \$500. (*Amended by Ord. 3 of 1988*)

Saving

7. The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law.*

* Section 14 of the Minerals (Exploration and Exploitation) Ordinance (*Cap. 79*) which was enacted after this Ordinance, provides that this Ordinance shall not apply to any work carried out in pursuance of a licence under section 7 of that Ordinance.

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