

ANTIGUA AND BARBUDA



CROWN LANDS (REGULATION) (AMENDMENT) BILL 2018

NO. OF 2018

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AN ACT to amend the Crown Lands (Regulation) Act, 2018.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Crown Lands (Regulation) (Amendment) Act, 2018.

2. Interpretation

In this Act—

“principal Act” means the Crown Lands (Regulation) Act.

3. Insertion of new section in the principal Act

The principal Act is amended by inserting after section 1 the following new section—

“1A. Interpretation

In this Act, unless the context otherwise requires—

“Board” means the Board appointed by the Minister under section 3;

“Land” includes interest in land;

“Major development” means—

- (a) a development which will cost in excess of five million four hundred thousand Eastern Caribbean Dollars; or
- (b) a development which in the view of the Cabinet will have a significant impact on the economy, environment or infrastructure of Barbuda;

“Minister” means the Minister with responsibility for lands.

4. Amendment of section 3 – Governor General may appoint Boars and Land Officers

Section 3 of the principal Act is amended by—

- (a) repealing the section heading and replacing it with the following new heading—

“Appointment of Boards and officers”

- (b) repealing section 3 and replacing it with the following new section—

“3. (1) The Minister may appoint such Board as he considers necessary for dealing with the administration and management of Crown lands.

(2) The Public Service Commission shall appoint such land officers, land surveyors and other staff to assist the Board in the performance of its functions.”

5. Amendment of section 5- Rules when published shall have the force of law

Section 5 of the principal Act is repealed and replaced by the following—

“5. All regulations made pursuant to section 4 shall be approved by an affirmative resolution of the legislature and when so approved and published in the *Gazette*, shall have the force of law.”

6. Repeals and Revocations

- (1) The following Acts are repealed—

- (a) The Barbuda Land Act, 2007 No.23 of 2007;
- (b) The Barbuda Land (Amendment) Act, 2017 No.41 of 2017.

- (2) The Barbuda Land Regulations, 2010 No.17 is revoked.

Passed by the House of Representatives
on the day of 2018.

Passed by the Senate on the
day of 2018.

Speaker
Clerk to the House of Representative

President
Clerk to the Senate

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Crown Lands Regulation Act Cap.120 to make provisions for certain matters affecting the management and administration of lands in the Island of Barbuda which have been vested in the Crown.

In the opinion of the Government, the appropriate legislative vehicle to address all matters relating to the management and administration of Crown Lands is the Crown Lands Regulation Act, Cap 120, which was enacted on the 1st June 1917 and has remained on our Statue Book in a suspended state of animation for over hundred years. The suspension is now being lifted to enable the Government to deal with all Crown Lands in Antigua and Barbuda in accordance with the Act.

The amendments to the Act include the insertion of an Interpretation section containing definitions of certain words and expressions.

The Bill proposes to amend section 5 of the Act to enable the Legislature to have oversight of and approve all regulations made by the Cabinet by affirmative resolution before the Regulations are published in the Gazette.

Finally, the Bill proposes to repeal the Barbuda Land Act and any amendments made to it. The Bill also seeks to revoke the Barbuda Land Regulations 2010.

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Hon. Steadroy Benjamin
Attorney General and Minister
of Justice and Legal Affairs