

Regulation of Anguilla: 11/2020

Gazette Dated: 9th April, 2020

EMERGENCY POWERS ACT, R.S.A. c. E45

EMERGENCY POWERS (BORDER SECURITY AND CONTROL) REGULATIONS, 2020

Regulations made by the Governor under under section 4 of the Emergency Powers Act, R.S.A. c. E45

TABLE OF CONTENTS

SECTION

1. Interpretation
2. Joint Task Force for border control and security
3. Prohibition of the operation of Vessels in Anguilla Waters
4. Power to stop, detain and arrest
5. Offences
6. Forfeiture upon conviction
7. Savings of other powers
8. Citation

Regulation of Anguilla: 11/2020

Gazette Dated: 7th April, 2020

EMERGENCY POWERS ACT, R.S.A. c. E45

EMERGENCY POWERS (COVID-19 BORDER CONTROL) REGULATIONS, 2020

Regulations made by the Governor under section 4 of the Emergency Powers Act, R.S.A. c. E45

Interpretation

1. In these Regulations—

“Act” means the Emergency Powers Act, R.S.A. c.E45;

“Anguilla waters” means the sea or other waters within the seaward limits of the territorial sea of Anguilla;

“authorised person” means any officer of the Joint-Task Force;

“Commissioner” means Commissioner of Police;

“Joint Task Force” means the task force established under section 2;

“officer” means police officers, customs officers and immigration officers of the Joint-Task Force;

“specified period” means the period from 9 April to 21 April 2020.

Joint Task Force for border control and security

2. (1) A joint task force comprising police officers, customs officers and immigration officers is established under these Regulations for the purpose of border control and security.

(2) The Commissioner of Police shall have the command and superintendence of the joint task force referred to in subsection (1).

(3) The powers exercised under these Regulations by the Joint Task Force shall be for the duration of the specified period.

Prohibition of the operation of Vessels in Anguilla Waters

3. (1) No vessels shall operate in Anguilla waters during the specified period.

(2) Subsection (1) does not apply to vessels—

(a) licensed to transport cargo or;

(b) used for emergency services or for the transportation of emergency personnel or equipment.

(3) Notwithstanding subsection (1) the Commissioner of Police, may grant the owner or captain of a vessel written permission to operate in Anguilla waters subject to conditions as may be imposed by the Commissioner

Power to stop, detain and arrest

4. (1) Where an officer has reasonable cause to believe that a person is in violation of these Regulations, he may stop, detain, question and arrest such person and confiscate any vessels being used by that person, if he considers it necessary to do so.

(2) No person shall assault, obstruct, hinder or resist or use any threatening or abusive language or aid or incite any other person to assault, obstruct, hinder or resist any authorised person in the execution of his duty under these regulations.

Offences

5. Any person who contravenes these Regulations commits an offence and is subject to a term of imprisonment for a term not exceeding 12 months or a fine not exceeding \$10,000 or to both.

Forfeiture upon conviction

6. Upon the conviction of any person for an offence against these Regulations, the Court may, in addition to any other penalty it may impose, order that any property including any vessel used in the commission of the offence, be forfeited to the Government.

Savings of other powers

7. The powers conferred by these Regulations are in addition to and not in derogation of any powers vested in an officer under any other Act.

Citation

8. These Regulations may be cited as the Emergency Powers (COVID-19 Border Control) Regulations, 2020.

Made by the Governor this 9 day of April, 2020



Timothy J. Foy, OBE
GOVERNOR OF ANGUILLA