



ANGUILLA

A BILL FOR
BEACH CONTROL (AMENDMENT) ACT, 2012

Published by Authority

I Assent

Alistair Harrison
Governor

Date

ANGUILLA

No. of 2012

A BILL FOR

BEACH CONTROL (AMENDMENT) ACT, 2012

An Act to amend the Beach Control Act, R.S.A. c. B20.

[Gazetted: , 2012] [Commencement: Assent under section 57 of the Constitution]

ENACTED by the Legislature of Anguilla

R.S.A. c. B20 amended

1. This Act amends the Beach Control Act, R.S.A. c. B20.

Amendment of Section 1

2. Section 1 is amended by inserting the following in alphabetical order—

(a)““curator of beaches” has the same meaning as given in the Beach Vending Regulations, 2012;”

(b)““permit” has the same meaning as given in the Beach Vending Regulations, 2012.”.

Amendment of section 4

3. Section 4 is amended by replacing subsection (4) with the following—

“(4) Subject to such regulations as may be made under section 8, any person aggrieved by a—

- (a) decision of the Minister as to whether such licence should be granted or refused;
or
- (b) a determination by the curator of beaches as to—
 - (i) whether a permit should be granted, refused or revoked,
 - (ii) any terms and conditions referred to in section 12(1) of the Beach Vending Regulations, 2012

may appeal that decision to the Governor in Council.”.

Amendment of section 8

4. Section 8 is amended by inserting new paragraph (h)—

“(h) prescribing offences against the regulations and prescribing a term of imprisonment not exceeding 12 months, a fine not exceeding \$50,000 or, in the case of a continuing contravention, \$10,000 per day, or both in respect of any one offence.”.

Citation

5. This Act may be cited as the Beach Control (Amendment) Act, 2012.

Barbara Webster- Bourne
Speaker

Passed by the House of Assembly this day of , 2012

Carmen A. Richardson
Clerk of the House of Assembly

OBJECTS AND REASONS

Beach vending in Anguilla has increased over the years, resulting in tension between beach front proprietors, tourists and beach vendors. The Ministry of Tourism and the Anguilla Tourist Board have received numerous complaints about the aggressive behaviour of vendors and conflicts between vendors and beach front proprietors. In response to these complaints, a beach vending policy paper was drafted and approved by Executive Council. That policy calls for the regulation of beach vending businesses, including a prohibition against beach vending except in accordance with a permit.

To give effect to this policy, certain amendments to the Beach Control Act are required and are proposed in this Bill. Specifically, this Bill makes provision for the following—

- Adding definitions related to the regulation of beach vending
- Updating the appeals provision to provide for appeals relating to beach vending permits
- Enabling the creation of offences and penalties by regulation.