

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER A5

ACCESS TO BEACHES ACT

Showing the Law as at 15 December 2000

Published by Authority

Printed in
The Attorney General's Chambers
ANGUILLA

© Government of Anguilla

All rights reserved. No part of this publication may be reproduced in any form or by any means (including photocopying) without the written permission of the Government of Anguilla except as permitted by the Copyright Act or under the terms of a licence from the Government of Anguilla.

ACCESS TO BEACHES ACT

Interpretation

1. (1) In this Act—

"beach" includes the land adjoining the foreshore of Anguilla and its islands and extending not more than 100 feet beyond the landward limit of the foreshore;

"excepted beach" means a beach which for the time being is of any of the following descriptions—

(a) land covered by buildings or the curtilage of such buildings;

(b) any beach or part of a beach declared by the House of Assembly to be an excepted beach.

(2) A declaration under paragraph (1)(b) of the definition of "excepted beach" is a regulation.

Rights of public access to beaches

2. (1) Subject to the following provisions of this Act, a person who enters upon any beach for the purpose of open-air recreation or fishing without causing any damage or who is on such beach for either of those purposes after having so entered thereon, shall not be treated as a trespasser on that beach or incur any other liability by reason only of so entering or being on the beach but this subsection shall not apply to an excepted beach.

(2) The rights of access in subsection (1) shall include the bringing on to the beach any boat not exceeding 50 feet in length.

(3) Nothing in the provisions of subsections (1) and (2) shall entitle a person to enter or be on any beach or bring any boat on to a beach, or do anything thereon in contravention of any prohibition contained in or having effect under any other enactment.

(4) Subsections (1) and (2) shall have effect subject to the provisions of the Schedule as to the general restrictions to be observed by persons having access to beaches by virtue of those subsections.

Penalty for wrongful interference with rights of public access

3. Any person who wrongfully interferes with or obstructs the rights of public access of a person to any beach is guilty of an offence and is liable on summary conviction to a fine of $5,000 or to imprisonment for a term of 6 months.

Citation

4. This Act may be cited as the Access to Beaches Act, Revised Statutes of Anguilla, Chapter A5.

———————

SCHEDULE

(Section 2(4))

GENERAL RESTRICTIONS TO BE OBSERVED BY PERSONS HAVING ACCESS TO BEACHES

Sections 2(1) and (2) shall not apply to a person who, in or upon the beach in question—

(a) drives or rides any motor vehicle except where any public road or right of way or custom exists;

(b) wilfully damages the beach or anything thereon or therein;

(c) wilfully injures, removes or destroys any plant, shrub, tree or root or any part thereof;

(d) removes sand from the beach without lawful authority;

(e) deposits any rubbish or leaves any litter;

(f) engages in disorderly or indecent conduct; or

(g) obstructs any person interested in the land, or any person acting under his authority, in exercise of any right or power vested in him.