
4th Session Second Parliament Trinidad and Tobago
18 Elizabeth II



TRINIDAD AND TOBAGO
Act No. 1 of 1970

[L.S.]

AN ACT respecting the marine areas of Trinidad and
Tobago

[Assented to 11th February, 1970]

BE IT ENACTED by the Queen's Most Excellent Majesty, ^{Enactment}
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and
by the authority of the same, as follows: —

1. This Act may be cited as the Marine Areas (Preserva- ^{Short title}
tion and Enhancement) Act, 1970.

Interpretation

2. In this Act—

“flora and fauna” include any part of a coral reef or other deposit existing in its natural conditions;

“marine areas” means the submarine areas within the territorial sea and includes any adjoining land or swamp areas which form within certain submarine areas a single ecological entity;

“Minister” means the member of Cabinet to whom responsibility for Agriculture, Lands and Fisheries is assigned;

“Regulations” means regulations made under this Act;

“restricted area” means any area so designated by the Minister under section 3.

Restricted areas

3. (1) The Minister may by Order published in the *Gazette* designate any portion of the marine areas of Trinidad and Tobago as a restricted area where he considers that special steps are necessary for—

- (a) preserving and enhancing the natural beauty of such areas;
- (b) the protection of the flora and fauna of such areas;
- (c) the promotion of the enjoyment by the public of such areas;
- (d) the promotion of scientific study and research in respect of such areas.

(2) Except as is provided by the regulations; no person may go in or alight upon a restricted area, or counsel, aid or abet any other person so to do (whether for reward or not); and any person who contravenes the provisions of this subsection is guilty of an offence and liable on summary conviction to a fine of five hundred dollars, and in the case of a continuing offence to a further fine of twenty dollars for each day on which the offence continues.

(3) An area so designated shall be described and be limited in such Order by reference to a map or such other descriptive matter as may be necessary for the purpose.

4. (1) Where the Minister considers that it is necessary to acquire any private lands for the purpose of a restricted area he shall enter into negotiations with the owner or other person entitled to grant rights in the land for the purpose of acquiring the lands. Minister may acquire private lands

(2) Where it is not reasonably practicable to acquire any such lands by private negotiation for any of the following reasons—

- (a) that the owner or other persons with power to grant the right are numerous or have conflicting interests;
- (b) that the owner or other persons with power to grant the right, or any of them cannot be ascertained or cannot be found;
- (c) that the owner or other persons from whom the right must be obtained, or any of them, have not the necessary powers of disposition whether by reason of defect in title, legal disability or otherwise;
- (d) that the owner or other persons with power to grant the right unreasonably refuses to grant it or demands terms which, having regard to the circumstances, are unreasonable,

the Minister may by means of a compulsory purchase Order, acquire such land and upon such an Order being made, the lands specified in the Order shall, subject to the provisions hereinafter contained, vest in the Crown.

(3) The provisions of the Second Schedule to the Water and Sewerage Act, 1965, with such modifications and adaptations as are necessary or expedient shall have effect with respect to compulsory purchase Orders made under this section. Act No. 16 of 1965

(4) The acquisition of land for any of the purposes of this Act is hereby declared to be a public purpose.

(5) In this section "land" includes any interest in land.

Management
of restricted
areas

5. The Minister may assign to any Board, Committee or similar body which he considers competent for the purpose, responsibility for the control and management of any restricted area in accordance with the provisions of this Act, any regulations made thereunder and any general or special directions that he may give.

Regulations

6. (1) The Minister may make regulations generally for the purpose of giving effect to this Act, and in particular, may by such regulations provide for all or any of the following matters—

- (a) the protection of the flora and fauna in restricted areas and the establishment of offences in connection therewith;
- (b) the care, control and management of the restricted area;
- (c) the regulation of the use and enjoyment of such areas;
- (d) the regulating of the use of parking and refreshment facilities;
- (e) the licensing of boats and crafts employed in the transportation of visitors to restricted areas, and the licensing of any guides required by visitors;
- (f) the ensuring of public rights of way over private property to allow access to restricted areas;
- (g) permitting entry to restricted areas upon such terms and conditions as may be imposed by the Minister.

(2) A person who contravenes or fails to comply with the provisions of any such regulations is guilty of an offence and liable on summary conviction to a fine of five hundred dollars and in the case of a continuing offence to a further fine of twenty-five dollars for each day on which the offence continues.

(3) Regulations made by the Minister shall be published in the *Gazette* and shall be subject to negative resolution of the House and of the Senate.

7. The Minister shall, as soon as possible after the end of each year, make a report to Parliament on the discharge by him of his functions under this Act.

Passed in the House of Representatives this 16th day of January, 1970.

G. R. LATOUR
Clerk of the House

Passed in the Senate this 27th day of January, 1970.

J. E. CARTER
Clerk of the Senate

