

ANTIGUA AND BARBUDA

No. of 2004

BILL FOR

AN ACT to amend The National Parks Act, Cap. 290.

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ENACTED by the Parliament of Antigua and Barbuda as follows —

1. This Act may be cited as the National Parks (Amendment) Act, 2004. Short title.

2. Section 2 of the National Parks Act, in this Act referred to as the principal Act is amended as follows — Amendment of section 2.

(a) by the repeal of the definition of “Minister” and the substitution of the following —

“Minister” means the Minister to whom the responsibility of National Parks has been assigned.”

(b) by inserting in its appropriate alphabetical order the following —

ANTIGUA 2 *National Parks (Amendment) Act, 2004* No. of 2004
AND
BARBUDA

No. 6 of 2003 “Town and Country Planner” means the person appointed under section 6 of the Physical Planning Act, 2003.

Amendment of section 4.

3. Section 4 of the principal Act is amended as follows —

(a) by the repeal of paragraph (a) of subsection (1) and the substitution of the following —

“(a) to preserve, protect, manage and develop the natural, physical and ecological resources and the architectural, cultural and historical heritage of Antigua and Barbuda;”

(b) by repealing subsection (1)(d)(i) and substituting the following —

“(i) the repair, restoration and maintenance of any buildings of special architectural or historical interest;”

(c) by the renumbering of paragraph (d) as (e) and inserting the following as paragraph (e) —

“(e) to collaborate with the Town and Country Planner to compile a list of the buildings of special architectural or historical interest in any part of Antigua and Barbuda.”

Amendment of section 10.

4. Section 10 of the principal Act is amended by the repeal of subsection (3) and the substitution of the following —

“(3) In the preparation, review or amendment of a Park’s plan, the Parks Commissioner shall consult with the Town and Country Planner, the members of the local community, local authorities and other person affected by the Park’s plan.”

Amendment of Second Schedule of Cap. 290.

5. The Second Schedule to the principal Act is amended as follows —

(a) by repealing paragraph 1 and substituting the following —

ANTIGUA 4 *National Parks (Amendment) Act, 2004* No. of 2004
AND
BARBUDA

In carrying out his functions of compiling a list of such architectural, cultural and historic importance, the Town and Country Planner is required to consult with the National Parks Authority, but there is no provision for cooperation in the restoration and maintenance of buildings of architectural and historic importance. The amendment in clause 3 is intended to carry the process of consultation in the compilation of the list of architectural and historic buildings beyond the compilation of the list. The proposed amendment extends the consultation process to collaboration and cooperation in performing functions of common interest in restoring and maintaining such buildings.

Similarly, section 10 is amended to include the Town and Country Planner as one of the persons to be consulted by the Parks Commissioner in the preparation, review or amendment of a Park's Plan.

Clause 4 seeks to transfer the management of Clarence House to the National Parks Authority by making that historic property a part of the Nelson's Dockyard National Park.

When the Nelson's Dockyard National Park was constituted under the National Parks Act, Clarence House was specifically excluded from the control of the Authority. The decision to exclude Clarence House was based on the fact that Clarence House was at that time the country residence of the Head of State. Since that time Clarence House has ceased to play that role and has become one of the key historical attractions in the area. It forms a natural part of what is easily the nation's chief attraction.

With the property being part of the national park, the Authority will be in a position to complete the restoration which the Governor General has brought to an advanced stage through his unstinting efforts. The Authority will also be able to integrate the property in its plan for the management and development of the whole historical area. In so doing it will be fulfilling one of its functions under the Act, namely, "to preserve, protect, manage and develop the natural, physical and ecological resources and the historical cultural heritage of Antigua and Barbuda" (Section 4(1)(a) National Parks Act, Cap. 290).

Clause 5, also amends paragraph 3 of the Schedule by deleting the word "Legislature" and replacing it with the word "House of Representatives".

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Minister of Justice and
Legal Affairs

ANTIGUA AND BARBUDA

THE NATIONAL PARKS (AMENDMENT) ACT 2004

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 2.
3. Amendment of section 4.
4. Amendment of section 10.
5. Amendment of Section Schedule of Cap. 290.