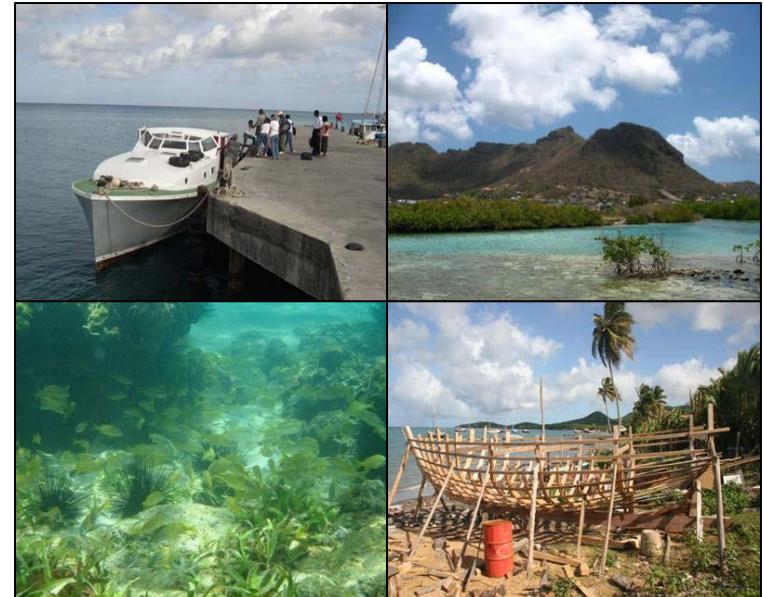


# **Environmental and Sustainable Development Legislation for the Grenadine Islands**

*A Guidebook*



By:

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(CERMES)

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August 2007

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## Grenada

<sup>21</sup> Botanical Gardens Act, No. 25 of 1968.

<sup>22</sup> National Botanical and Zoological Gardens Rules, SRO 55 of 1968.

<sup>23</sup> Forestry, Soil and Water Conservation Act, No. 34 of 1984.

<sup>24</sup> National Parks and Protected Areas, No. 52 of 1991, No. 42 of 1990.

<sup>25</sup> Plant Protection Act, No. 19 of 1986.

<sup>26</sup> Protection from Disease (Plants) Act.

<sup>27</sup> Birds and Wildlife (Protection) Act.

<sup>28</sup> Beach Protection Act, No. 67 of 1979.

<sup>29</sup> Fisheries Act, No. 25 of 1989.

<sup>30</sup> Fisheries Regulations, No. 9 of 1987, Fisheries (Amendment).

<sup>31</sup> Fisheries (Fishing vessels safety) Regulations, No. 3 of 1990.

<sup>32</sup> Civil Liability for Oil Pollution Damage (International Convention) Act, No. 7 of 1998.

<sup>33</sup> Oil Pollution Damage Compensation Fund (International Convention) Act, No. 6 of 1998.

<sup>34</sup> Physical Planning and Development Control.

<sup>35</sup> Abatement of Litter Act, No. 10 of 1990.

<sup>36</sup> Waste Management Act, No. 16 of 2001.

<sup>37</sup> National Heritage Protection Act, No. 18 of 1990.

## Endnotes

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### St. Vincent and the Grenadines

<sup>1</sup> Botanical Garden Act, No. 20 of 1987.

<sup>2</sup> Botanical Gardens Rules, S.R.O. 9 of 1991 and S.R.O. 24 of 2005.

<sup>3</sup> Forest Resource Conservation Act, 1992, No. 47 of 1992.

<sup>4</sup> National Parks Act, No. 33 of 2002.

<sup>5</sup> Plant Protection Act, No. 16 of 2005.

<sup>6</sup> Plant Protection Regulations, No. 9 of 1991.

<sup>7</sup> Wildlife Protection Act, No. 16 of 1987.

<sup>8</sup> Beach Protection Act, No. 10 of 1981.

<sup>9</sup> Fisheries Act, No. 8 of 1986 Amended by No. 32 of 1986 and No. 25 of 1989.

<sup>10</sup> Fisheries Regulations: Statutory Rules and Orders 1 of 1987.

<sup>11</sup> Marine Parks Act, No. 9 of 1997.

<sup>12</sup> Marine Parks (Tobago Cays) Declaration Order, No. 26 of 1998.

<sup>13</sup> Management of Ship Generated Solid Waste Act, No. 16 of 2002.

<sup>14</sup> Dumping at Sea Act, 2002.

<sup>15</sup> Aboriginal Subsistence Whaling Regulations, 2003.

<sup>16</sup> Town and Country Planning Act, No. 45 of 1992.

<sup>17</sup> The Montreal Protocol (Substances that deplete the ozone layer) Act, 2003.

<sup>18</sup> Litter Act, No. 15 of 1991.

<sup>19</sup> Waste Management Act, Act No. 31 of 2000.

<sup>20</sup> Environmental Health Services Act, No. 14 of 1991.

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Cover photos (from top left): At the dock in Hillsborough, Carriacou, Grenada; Ashton Lagoon in Union Island, St. Vincent; Marine life in the Tobago Cays, St. Vincent; Boat building in Windward, Carriacou, Grenada.

*All photos were taken by CERMES representatives except where indicated.*

## DISCLAIMER

This guide was prepared by CERMES in association with the Sustainable Grenadines Project and not by the Governments of St. Vincent and the Grenadines and Grenada. The guide was based on sustainable development related legislation from both islands. The official acts are referenced at the end the guidebook for one's personal knowledge.

### 10.2.4 Enforcement

#### YOU MUST NOT...

- Assault or obstruct an authorised officer during their course of duty.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$50,000.00 and imprisonment for 6 months.*

## 11 NATIONAL HERITAGE PROTECTION<sup>37</sup>

#### YOU MUST...

- Apply for a licence to extract or excavate for purchase, sell or otherwise enter into any agreement relating to Amerindian artwork, pre- Columbian artefacts or archaeological remain after consultation with the Grenada national Trust.

#### YOU MUST NOT...

- Excavate any artefacts without a licence.

*Any individual who breaches this provision under the National Heritage Protection Act is guilty of an offence and is liable to a fine of EC\$5,000.00 and imprisonment for two years.*

- Purchase, sell enter into any transactions relating to Amerindian artwork Columbian artefacts.

*Any individual who breaches this provision under the National Heritage Protection Act is guilty of an offence and is liable to a fine of EC\$7000.00 and imprisonment for 3 years. If there is a second offence, the individual is liable to a fine of EC\$10,000.00 and imprisonment for 4 years. Artwork and artefacts will be forfeited by authorised officers.*

- Ensure that any litter left within 5 metres of the vending stall must be removed within 12 hours at the end of the event.
- Ensure if any litter is left while vending on a public road is removed by the end of the day.

*Any individual who breaches these provisions under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$10,000.00 and imprisonment for 1 month.*

### **YOU MUST NOT...**

- Deposit any litter or waste in any national park, protected area, territorial waters, beach, foreshore, marine waters, river or river bank without permission.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$50,000.00 and imprisonment for 6 months.*

- Dispose of waste that may cause pollution of the environment or harm to human health.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$50,000.00 and imprisonment for 6 months.*

- Import waste except if on an aircraft no more than 24 hours before landing, waste generated on a ship after it left port or any secondary resource imported for manufacturing purposes.

*Any individual who breaches the provisions under the Waste Management Act is liable on indictment to a fine of EC\$400,000.00 and imprisonment for 4 years or to a fine of EC\$50,000.00 and imprisonment for 6 months on summary trial if the waste is not hazardous.*

*If waste is hazardous, individual is liable to a fine of EC\$100,000.00 and imprisonment for 10 years on summary trial or to a fine of EC\$200,000.00 and imprisonment for 6 months.*

## **TABLE OF CONTENTS**

<b>ABOUT THIS LEGISLATION GUIDE BOOK.....</b>	<b>VI</b>
<b>PART I: ST. VINCENT &amp; THE GRENADINES .....</b>	<b>1</b>
<b>1 BIODIVERSITY .....</b>	<b>1</b>
<b>1.1 Botanical Gardens'.....</b>	<b>1</b>
<b>1.2 Forestry.....</b>	<b>2</b>
1.2.1 Conservation areas .....	2
1.2.2 Licences & permits.....	3
1.2.3 Enforcement.....	4
<b>1.3 National Parks .....</b>	<b>4</b>
<b>1.4 Plant protection.....</b>	<b>5</b>
1.4.1 Pest Control .....	5
1.4.2 Plant importation .....	6
<b>1.5 Wildlife Protection .....</b>	<b>7</b>
1.5.1 Wildlife Management Protection & Control .....	7
1.5.2 Enforcement.....	9
<b>2 COASTAL &amp; MARINE ENVIRONMENT .....</b>	<b>9</b>
<b>2.1 Beach Protection .....</b>	<b>9</b>
<b>2.2 Fisheries .....</b>	<b>10</b>
2.2.1 Licences .....	10
2.2.2 Registration of local fishing vessels .....	14
2.2.3 Marine Reserves & conservation measures .....	15
2.2.4 Fishing gears/methods & conservation measures .....	16
2.2.5 Harvesting fishery products.....	17
<b>2.3 Marine Parks or Protected Areas .....</b>	<b>19</b>
2.3.1 Marine Park (Tobago Cays).....	20

<b>2.4 Marine Pollution .....</b>	<b>21</b>
2.4.1    Ship generated waste .....	21
2.4.2    Dumping at sea .....	25
<b>2.5 Whaling .....</b>	<b>26</b>
<b>3 LAND USE &amp; DEVELOPMENT.....</b>	<b>27</b>
<b>4 AIR POLLUTION.....</b>	<b>29</b>
<b>5 WASTE AND LAND POLLUTION.....</b>	<b>29</b>
<b>5.1 Litter.....</b>	<b>29</b>
5.1.1    Enforcement.....	31
<b>5.2 Solid waste .....</b>	<b>32</b>
5.2.1    Waste management licenses & permits .....	32
5.2.2    Waste management operations .....	34
5.2.3    Monitoring and enforcement .....	36
<b>6 ENVIRONMENTAL HEALTH .....</b>	<b>36</b>
<b>6.1 Environment health matters .....</b>	<b>36</b>
6.1.1    Special powers.....	38
6.1.2    Appeals .....	38
6.1.3    Enforcement.....	38
<b>PART II: GRENADA.....</b>	<b>39</b>
<b>7 BIODIVERSITY .....</b>	<b>39</b>
<b>7.1 Botanical Gardens .....</b>	<b>39</b>
7.1.1    Traffic Control.....	39
7.1.2    Protection of Flora.....	39
7.1.3    Protection of fauna .....	40
7.1.4    Other garden regulations .....	40
<b>7.2 Forestry.....</b>	<b>41</b>

- Fail to allow collection of waste or comply with directions given to facility where waste must be deposited.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$100,000.00 and imprisonment for 12 months.*

- Fail to exercise diligence when transporting waste.

*Regulation breach is liable at the suit of any persons injured for damages and liable to the Crown for damages for loss to property and reimbursement of the government expenses for alleviating harm to human health, safety and the environment*

- Spill waste as a result of a breach in the condition of adequately covering vehicles during transportation attached to every permit.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$20,000.00 and imprisonment for 3 months*

### *10.2.3 Waste management operations*

#### **YOU MUST...**

- Ensure waste is stored on facility properly in containers to prevent the infestation of pests and vermin and escape of waste, liquids or odours.
- Make waste available for collection if it is not disposed of on the property. This applies to all occupiers of all premises including domestic, retail outlet and roadside vendors.

*Any individual who breaches these provisions under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$10,000.00 and imprisonment for a month.*

- Provide a litter bin for any public event and ensure the litter left is adequately disposed of within 24 hours after the event.

- Dispose of solid waste in an appropriate bin by delivering it to holder of permit for transport to facility or taking it to a facility licensed for reception of that type of waste.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$20,000.00 and imprisonment for 3 months.*

### **YOU MUST NOT...**

- Operate a waste management facility without a waste management licence.
- Fail to comply with any condition of a licence.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$50,000 and imprisonment for 6 months. The corporation will be liable to a fine of EC\$200,000.*

- Fail to retain licence in a place where it can be inspected on demand.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$10,000.00.*

- Allow waste to be deposited at a location other than the facility unless it is allowed by the permit.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$50,000.00 and imprisonment for 6 months*

- Drive a vehicle requiring a permit and permit is not displayed.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$2000.00.*

- Failing to secure waste, property and equipment if permit has been cancelled or suspended.

<b>7.3</b>	<b>National Parks .....</b>	<b>42</b>
<b>7.4</b>	<b>Plant Protection .....</b>	<b>42</b>
7.4.1	Protection from diseases.....	43
<b>7.5</b>	<b>Wildlife Protection .....</b>	<b>44</b>
<b>8 COASTAL &amp; MARINE ENVIRONMENT .....</b>		<b>44</b>
<b>8.1</b>	<b>Beach Protection .....</b>	<b>44</b>
<b>8.2</b>	<b>Fisheries .....</b>	<b>45</b>
8.2.1	Licences .....	45
8.2.2	Fishing Vessels Safety.....	49
8.2.3	Harvesting fishery products.....	50
8.2.4	Fishing gear .....	56
8.2.5	Marine reserve .....	56
<b>8.3</b>	<b>Marine Pollution .....</b>	<b>58</b>
<b>9 LAND USE AND DEVELOPMENT .....</b>		<b>58</b>
<b>9.1</b>	<b>Development control .....</b>	<b>58</b>
9.1.1	Enforcement.....	59
<b>9.2</b>	<b>Conservation of natural &amp; cultural heritage .....</b>	<b>60</b>
9.2.1	Enforcement.....	60
<b>10 WASTE &amp; LAND POLLUTION .....</b>		<b>61</b>
<b>10.1</b>	<b>Litter .....</b>	<b>61</b>
<b>10.2</b>	<b>Solid waste .....</b>	<b>62</b>
10.2.1	Waste management facility .....	62
10.2.2	Waste management licence & permits.....	62
10.2.3	Waste management operations .....	64
10.2.4	Enforcement.....	66
<b>11 NATIONAL HERITAGE PROTECTION .....</b>		<b>66</b>

## **ABOUT THIS LEGISLATION GUIDE BOOK**

### **About this guide book**

The aim of this guidebook is to sensitize stakeholders and the general public about the various environmental laws which affect their everyday living in the Grenadines. It provides details of legal and illegal practices which will enable them to make better long-term environmental decisions. With this knowledge, future generations can benefit from the positive practices and continue to be stewards of the environment

The guidebook is in two sections according to country. Part I focuses on legislation for St. Vincent and the Grenadines while Part II focuses on legislation for Grenada. In essence the guide book lists the laws and regulations relating to biodiversity, marine environment, land-use development, waste and air pollution, and environmental health. Activities that are prohibited and allowed are identified along with the penalties for any offence. The respective legislations are found at the end of the document.

### **Who is the guidebook prepared for?**

This legislation guide book was designed for fishers, owners of hotels and restaurants, yacht and water taxi operators and the general public of the Grenadine Islands. The public is often unaware of its rights and duties as citizens and the penalties for non-compliance with the regulations. This guidebook seeks to increase the public's awareness of environmental regulations without having to interpret the in-depth legislations created by the Government. The guidebook should increase the availability and accessibility of legislation to the general public.

### **How was this guidebook prepared?**

This guide was produced by Katherine Blackman and Indira Mattai. The guide is based on Indira's research report during her graduate studies at the Centre for Resource Management and Environmental Studies of the University of the West Indies (CERMES of UWI). Her research "A Review and Interpretation of Environmental and Sustainable Development Legislation for the Grenadines Islands" entailed an examination of the legislation of St. Vincent and the Grenadines and Grenada regarding the environment and sustainable development. The objective of her

*EC\$1500.00 and EC\$300.00 will be charged for everyday that the litter remains after conviction.*

- Prevent any authorised person from carrying out their duty.

*Any individual who breaches this provision under the Abatement of Litter Act is guilty of an offence and is liable to a fine of EC\$1500.00 and imprisonment for 6 months.*

### **10.2 Solid waste<sup>36</sup>**

#### *10.2.1 Waste management facility*

##### **YOU MUST NOT...**

- Construct a facility without approval.
- Fail to comply with conditions.

*Any individual who breaches these provisions under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$200,000 or imprisonment for 2 years.*

#### *10.2.2 Waste management licence & permits*

##### **YOU MUST ...**

- Apply for a waste haulage permit if involved in a business which involves transport of waste.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$100,000.00 and imprisonment for 12 months.*

- Place copy of waste haulage permit where it can be easily seen in or on the vehicle.

*Any individual who breaches this provision under the Waste Management Act is guilty of an offence and is liable to a fine of EC\$10,000.00.*

## 10 WASTE & LAND POLLUTION

### 10.1 Litter<sup>35</sup>

#### YOU MUST NOT...

- Leave litter in any open public space or on government land.

*Any individual who breaches this provision under the Abatement of Litter Act is guilty of an offence and is liable to a fine of EC\$1500.00 and to imprisonment for 6 months. Subsequent offences are liable to a fine of EC\$3000.00 and to imprisonment for 6 months.*



**Illegal dumping in Grenada**

(Source: <http://www.gswma.com/photos.htm>)

- Influence another person to litter.
- Prevent an authorised person from carrying out their duty.

*Any individual who breaches this provision under the Abatement of Litter Act is guilty of an offence and is liable to a fine of EC\$1500.00 and imprisonment for six months.*

- Fail to adhere to any notices.

*Any individual who breaches this provision under the Abatement of Litter Act is guilty of an offence and is liable to a fine of*

research was to review and bring under one cover all legislation from both St. Vincent and Grenada that pertain to sustainable development in the Grenadines. The guidebook similarly brings all environmental legislation under one document whereby this information can be distributed across the Grenadines. For fuller information please refer to the CERMES Technical report entitled "Review and Interpretation of Environmental and Sustainable Development Legislation for the Grenadine Islands", downloadable at [www.cavehill.uwi.edu/cermes](http://www.cavehill.uwi.edu/cermes).

#### What can you do?

- Assist with enforcement of the regulations. Report all offences to police or relevant authorities.
- Dispose of garbage in a responsible manner. Do not litter on land or at sea. Solid waste inadequately disposed of on land can eventually reach the sea and become detrimental to marine organisms and their habitats.
- Avoid fishing for immature or juvenile species of fish, turtles, conch, lobster and sea urchins. This kind of overfishing can cause a decline in the fisheries especially if few juveniles make it to adulthood to breed.
- Never fish for species during their closed season. Closed seasons were designed to protect species during their breeding season and offspring production.
- Do not take part in any prohibited activities in a marine park. Marine parks were designed to protect vulnerable environments and biodiversity from further negative human activities.
- Protect the corals reefs. Please, do not take them, stand on them or anchor on them. They are the home to many marine organisms that we depend on for food. Coral reefs protect shorelines from erosion and also result in the formation of sand.
- Do not take sand from the beach for any purpose. This can contribute to beach erosion and can impact on wildlife such as sea turtles which nest in the sand.

- Ensure that land use and development are conducted in a sustainable manner.
- Respect the rules of botanical gardens, national parks and forest reserves which aim at protecting biodiversity and restricting human activities that threaten the resources.
- Educate yourself and others about the laws regarding the environment. Education can lead to responsible environmental decisions which will benefit us and future generations. Read the guidebook.

*Any individual who breaches this provision under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of no more than EC\$10,000.00.*

- Use land which is to be discontinued according to the notice.

*Any individual who breaches this provision under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of EC\$10,000.00. A further EC\$500.00 is charged everyday for which the offence continues.*

## 9.2 Conservation of natural & cultural heritage

### YOU MUST...

- Be responsible for the conservation and rehabilitation of any listed building, monument or site that you own

### YOU MUST NOT...

- Demolish or alter any building listed as prehistoric, historic and architectural merit without permission.

*Any individual who breaches the provision under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of EC\$500,000.00 and 18 month imprisonment.*

- Display an advertisement on any building or land without written permission from Authority.

#### 9.2.1 Enforcement

### YOU MUST NOT...

- Obstruct a person from exercising their authority regarding entering occupier's property.

*Any individual who breaches the provisions under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of EC\$1500.00.*

- Provide the authority with the date on which development will begin, if permit was granted.
- Place a billboard stating the contractor, applicant name and number and date of construction commencement on construction sites.
- Conduct EIA for the construction of hotel of more than 50 rooms, quarrying and mining sites, marinas, airports, ports and harbours.

### **YOU MUST NOT...**

- Conduct development without written permission from the Planning and Development Authority.
- Layout roads, water pipes clear and level land, fill ravines and swamps before construction can begin.

#### *9.1.1 Enforcement*

### **YOU MUST NOT...**

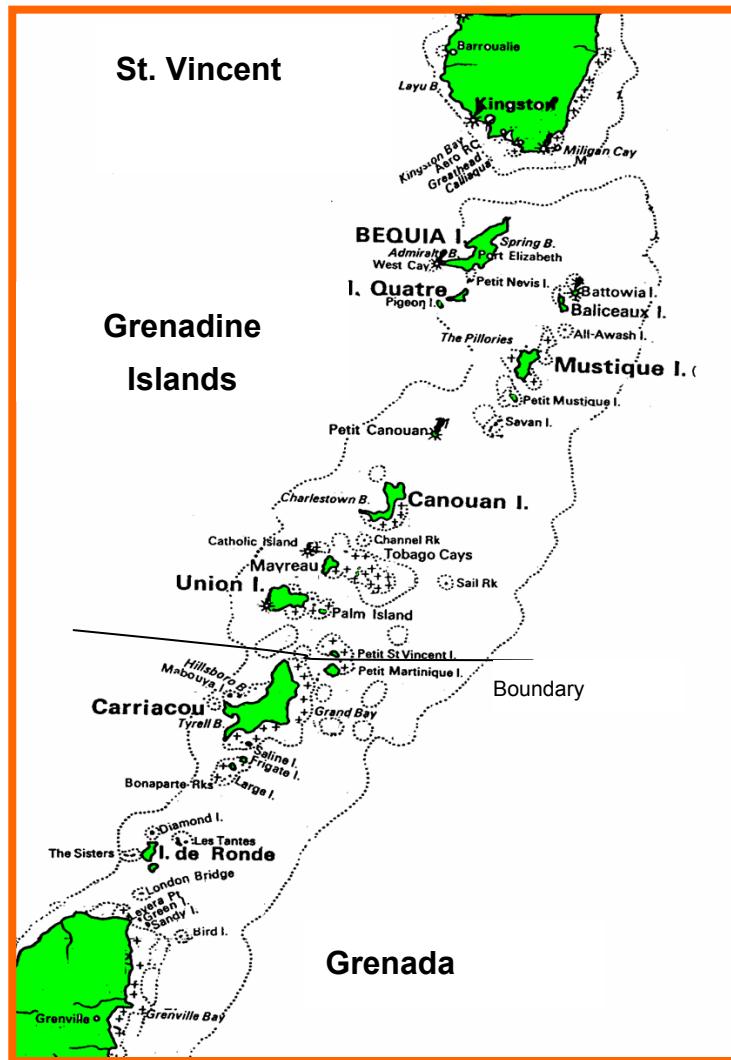
- Interfere with exercise by the Authority to continue remaining steps in the enforcement notice.

*Any individual who breaches this provision under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of EC\$1000.00.*

- Fail to comply with notices to assist in the conservation and rehabilitation of the building or land in a certain time.

*Any individual who breaches this provision under the Physical Planning and Development Control is guilty of an offence and is liable to a fine of EC\$10,000.00. A further EC\$500.00 is charged everyday for which the offence continues.*

- Conduct operations to restore buildings or other works that have been demolished with an enforcement notice.



Map of the Grenadine Islands

## **PART I: ST. VINCENT & THE GRENADINES**

### **1 BIODIVERSITY**

#### **1.1 Botanical Gardens<sup>1,2</sup>**

##### **YOU MUST...**

- Drive at a moderate pace if you are riding a horse or any wheeled vehicle in the Gardens.

##### **YOU MUST NOT...**

- Carry any load throughout the Gardens.
- Dress indecent or conduct yourself disorderly manner.
- Handle, cut or pick any flower, fruit, plant or branch.
- Sell any merchandise or refreshment.
- Deposit bottles, paper or rubbish of any kind in the Gardens unless permission is granted.
- Climb trees, fences or gates.
- Use firearms to hunt animals or kill or catch birds in the Gardens.
- Play any games in the Gardens.
- Hold any public meetings in the Gardens.
- Hunt any animals and eggs.
- Deface or damage any benches, buildings, garden seats, fences or boundary marks in the Gardens.

*Any individual who breaches these provisions under the Botanical Gardens Act/Rules is guilty of an offence and is liable to a fine of EC\$250.00.*

### **8.3 Marine Pollution<sup>32,33</sup>**

##### **YOU MUST NOT...**

- Leave or enter the port in Grenada with your ship without a valid insurance issued under the Act and Convention.

*Any individual who breaches the provisions under is liable to a fine of no more than EC\$500,000.00 and if convicted on a second offence will be liable to a fine of no more than EC\$200,000.00.*

- Fail to make contributions to the Oil Pollution Damage Compensation Fund when requested.

*Any individual who breaches the provisions under is liable to a fine of no more than EC\$500,000.00 and for a second offence will be liable to a fine of EC\$2,000,000.00.*



**Water polluted with solid waste in Grenada**

*(Source: <http://www.gswma.com/photos.htm>)*

### **9 LAND USE AND DEVELOPMENT<sup>34</sup>**

#### **9.1 Development control**

##### **YOU MUST ...**

- Apply for permission for development at the Physical Planning Unit.

- Undertake or assist in fisheries research without permission or breach conditions under permission.

*Any individual who breaches the provisions under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$1000.00.*

- Use or attempt to use any explosives, poisons or noxious substances for killing or catching fish.
- Carry explosives, poisons or noxious substances with the intention of using such fishing methods.

*Any individual who breaches the provisions under the Fisheries Act is guilty of an offence and is liable to a fine of EC\$5000.00.*

- Have explosive, poison or noxious substances on board any fishing vessel.
- Land or sell fish which were caught via prohibited fishing methods.

*Any individual who breaches the provisions under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$1000.00.*

- Use any net mesh size which does not conform to the prescribed minimum mesh size set for that type of net.
- Use any prohibited gear or fishing gear which does not conform to the standards prescribed for that type of gear.

*Any individual who breaches the provisions under the Fisheries Act is guilty of an offence and is liable to a fine of EC\$1000.00.*

## 1.2 Forestry<sup>3</sup>

### 1.2.1 Conservation areas

#### YOU MUST NOT...

- Pollute any river or stream with livestock activity, garbage chemicals or other waste.
- Remove any sand, gravel, boulders or other natural material from the bed of a river or stream, except if designated.



**Forested area in St. Vincent**

- Undercut or cause any erosion of a slope resulting land slippage.
- Violate terms of the Crown land lease.
- Violate the terms in the conservation plan or prepared plan specifically for that parcel of land within the conservation area.
- Violate any of the conservation regulations.
- Destroy any tree or vegetation without permission from Director of Forestry.
- Engage in the production of coal.

*Any individual who breaches these provisions under the Forest Resource Conservation Act is guilty of an offence and is liable to a fine of not more than EC\$5000.00 or no more one year imprisonment, or both. If offence continues, the individual is liable to a fine of EC\$200.00 for each day that the offence continues.*

- Participate in any activity causing damage to trees or other vegetation in a forest reserve.
- Clear or cultivate on any land in a forest reserve.
- Allow livestock to trespass or pasture in reserve.
- Damage or alter any notice or boundary in the reserve.
- Erect any building to shelter in the reserve.

*Any individual who breaches these provisions under the Forest Resource Conservation Act is guilty of an offence and is liable to a fine of no more than EC\$5000.00 or to a term of imprisonment for no more than one year, or both.*

- Refuse to give your name and residence to an authorised officer when you have committed an offence.
- Provide false name and address to an authorised officer when you have committed an offence.

*Any individual who breaches these provisions under the Forest Resource Conservation Act is guilty of an offence and is liable to a fine of no more than EC\$2000.00 or 6 months imprisonment.*

## 1.2.2 Licences & permits

### YOU MUST...

- Apply to the Director of Forestry to obtain a permit to set afire Crown land.
- Appeal against to Director of Forestry if he refuses to issue a licence.

### 8.2.4 Fishing gear

#### YOU MUST ...

- Apply for permission to operate SCUBA or hookah diving facility or tank filling facility.
- Apply for licence to operate SCUBA or Hookah diving facility.

#### YOU MUST NOT...

- Use SCUBA or hookah equipment if they are an unregistered commercial diver and is not under supervision of a licensed SCUBA or hookah operator.
- Use a spear gun without permission from CFO, if you are not a citizen of Grenada.
- Use spear guns while using scuba and hookah equipment.
- Use unregistered and unlicensed beach seine.

*Regulation breach is liable to a fine EC\$5000.00 or imprisonment for a term no longer than 2 years.*

- Buy stocks of turtle, urchin, lobster, conch in quantities greater than 23 kilos.

### 8.2.5 Marine reserve

#### YOU MUST NOT...

- Attempt to fish in the area.
- Remove any flora or fauna other than fish.
- Remove sand or gravel from the area.
- Deposit waste or polluting matter which may affect the environment.
- Construct any building in the site.

*Regulation breaches are liable to a fine of EC\$1000.00.*



**Oyster bed in Tyrrel Bay, Carriacou**

*Coral and Aquarium fish*

**YOU MUST NOT...**

- Take coral except with permission of the CFO.
- Sell, import or export aquarium fish. Import or export quantities of fish must not exceed 50lbs.

*Regulation breach is liable to a fine of EC\$5000.00. Regulations do not apply to fisheries research which has permission from the Chief Fisheries Officer.*

- Dispose of garbage, water-ski, anchor boats or remove vegetation from a coral reef site.
- Stand or handle coral formations.
- Allow no anchor, chain or rope to injure coral.
- Must not damage reefs when operating watercrafts. Watercraft operators must use mooring buoys or anchoring areas or stations where designated.
- Fly the red and white “diver down” flag if diving operations are being conducted from the watercraft.

*Regulation breaches are liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*

### 1.2.3 *Enforcement*

**YOU MUST NOT...**

- Obstruct or assault any forestry officer or authorised person during his/her duty.

*Any individual who breaches this provision under the Forest Resource Conservation Act is guilty of an offence and is liable to a fine of EC\$10,000.00 or to a term of imprisonment for no more than 2 years or to both.*

*On a second offence within 5 years of previous conviction, the individual is liable to twice the fine or two terms of imprisonment or both.*

*N.B. In the case of destroying trees, the convicted may be asked to pay compensation in a sum not exceeding market value for each tree.*

### 1.3 **National Parks<sup>4</sup>**

**YOU MUST...**

- Obtain permission from Minister to do any prohibited acts which will assist with the proper management of the Park.

**YOU MUST NOT...**

- Destroy or remove any flora and fauna from any National Park.
- Reside or cultivate land in the Park.
- Construct a house or place of shelter in the Park.
- Drill or remove any minerals from the Park.
- Take any livestock or domestic animal in the Park.
- Pollute any body of water i.e. rivers, lakes etc of the Park.

- Remove archaeological or cultural areas from the Park.
- Engage in activity that will endanger, destroy or disturb wildlife living in the Park.

*Any individual who breaches these provisions under the National Parks Act is guilty of an offence and is liable to a fine of EC\$20,000.00 or to a term of imprisonment not exceeding a year.*

- Fail to comply with orders of the authorised persons if you are suspected of causing an offence in the Park.

*Any individual who breaches this provision under the National Parks Act is guilty of an offence and is liable to a fine of EC\$2000.00 or imprisonment for a term of two months.*

## 1.4 Plant protection<sup>5,6</sup>

### 1.4.1 Pest Control

#### YOU MUST...

- Inform Plant Protection Officer (PPO) if a noticeable pest is on your property.

*Any individual who breaches this provision under the Plant Protection Act is liable to a fine of EC\$1500.00.*

- Take measures required by PPO to eradicate pests. If not conducted PPO can enter property and use specified measures. However the owner of the property will pay for any expenses.
- Apply to PPO to evaluate property to determine if the pests have been eradicated.

#### YOU MUST NOT...

- Remove any plant, soil, manure or packages from a nursery under quarantine.



Sea urchin, *Tripneustes ventricosus* near the shore

#### YOU MUST NOT...

- Fish for sea urchins during the closed season. The dates will be published in Gazette.
- Fish for sea urchins which are less than 90 mm in diameter in a line measured at right angle to the mouth.
- Fish for sea urchins in a closed area.

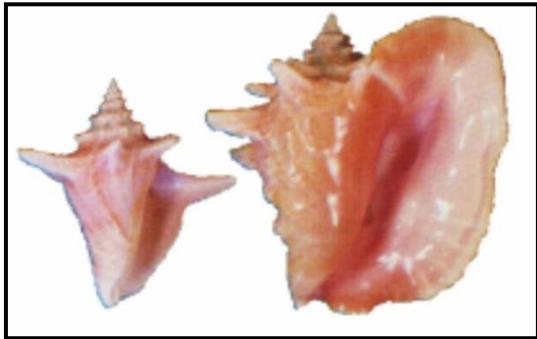
*Regulation breaches are liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*

#### Oysters

#### YOU MUST NOT...

- Disturb, sell or buy oysters without any permission from CFO.

*Regulation breach is liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*



**The shell of an immature and adult Queen conch,  
*Strombus gigas***

(Source: <http://www.strombusgigas.com/>)

**YOU MUST NOT...**

- Sell or buy any immature conch (conch shell smaller than 18 cm length, meat less than 255 grams (8 ounces) after removing digestive gland, conch must not have a flared lip).
- Take, sell or buy conch during the closed season. The dates will be published in Gazette.

*Regulation breaches are liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*

**Sea urchins**

**YOU MUST ...**

- Only commercial enterprises who purchased stock before closed season can sell sea urchins no later than 14 days after the start of the closed season.
- During this period commercial enterprises must:
  - Declare to CFO in writing the quantity of sea urchins held in storage.
  - Allow inspection of their stored stock by authorised officers at any period of the closed season.

- Obstruct any authorized persons who are executing their powers.
- Introduce any pest into cultivated or uncultivated land.
- Fail to comply with any Acts or regulations made.

*Any individual who breaches these provisions under the Plant Protection Act is liable to a fine of EC\$1500.00 or 6 months imprisonment.*

**1.4.2 Plant importation**

**YOU MUST...**

- Take imported plant to be inspected by PPO to ensure that it has not been infected by any pests.
- Obtain a permit when importing any plant or plant products into the island.

**YOU MUST NOT...**

- Import any plant, vegetable, animal or agent in St. Vincent and the Grenadines if it is not distributed on the island.

*N.B. Any articles imported which are in breach of the regulations will be forfeited.*

- Import planting materials, fruits, vegetables and cotton other than those prescribed by the Plant Quarantine Committee.
- Import soil or dung except through the Plant Quarantine Station.
- Import fruit and all spice from any island in the Greater Antilles.
- Import any part of the coconut palms other than those prescribed by the Plant Quarantine Committee.

- Import banana, sugar cane, sweet potatoes or members of the grass family except when imported as planting material.

## 1.5 Wildlife Protection<sup>7</sup>

### 1.5.1 Wildlife Management Protection & Control

#### YOU MUST...

- Apply for licence to keep dogs, licensed guns or weapons of hunting capability if you live in an area designated as a wildlife reserve.
- Apply for special hunting licences to hunt wildlife for research, collection of specimen from zoological gardens, museums and institutions, eradication of wildlife considered as vermin.
- Pay a prescribed fee if requesting duplicate licence if the previous licence was stolen or lost.
- Carry licence when engaging in any activity.
- Keep a Saint Vincent Parrot in captivity if you can show that you possessed that parrot prior to January 1, 1984 if it is appropriately registered.

#### YOU MUST NOT...

- Engage in any hunting activity while in any wildlife reserve.
- Disturb or destroy the nests, eggs or offspring of any wildlife within the reserve.

*Any individual who breaches these provisions under the Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$2000.00. For second offence, the individual is liable to a fine of EC\$4000.00 and to imprisonment for one year.*

- Destroy or deface any tree within the wildlife reserve.

- Declare to CFO in writing the quantity of turtle held in storage.
- Allow inspection of their stored stock by authorised officers at any period of the closed season.

#### YOU MUST NOT...

- Fish for, take, sell or buy any turtle (Figure 18) or part of a turtle. The Gazette will stipulate minimum and maximum size and weight for harvesting a turtle.
- Disturb eggs, buy or sell turtle eggs.
- Fish for turtles during closed season. Closed season will be published in Gazette.
- Set unlicensed net, seine net or any article to capture turtles.

*Regulation breaches are liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*

#### Queen Conch

#### YOU MUST...

- Only commercial enterprises who purchased stock before closed season can sell Queen Conch no later than 14 days after the start of the closed season.
- During this period commercial enterprises must:
  - Declare to CFO in writing the quantity held in storage.
  - Allow inspection of their stored stock by authorised officers at any period of the closed season.

## YOU MUST NOT...

- Harvest, purchase or sell any lobster during closed season. Closed season will be posted in Gazette.
- Harvest undersized lobster [less than 250mm cm length or carapace length of 95mm, less than 680g/1.5 pounds, tail less than 340 grams (12 ounces)] or a lobster carrying eggs, or moulting.
- Harvest lobster via hand, loop, pot or trap.
- Sell lobsters which were hooked or speared.
- Remove eggs or selling, purchasing lobster from which its eggs have been removed.
- Land lobster that is not whole from any vessel.

*Regulation breaches are liable to a fine of no more than \$5000.00 or imprisonment for no more than 2 years.*

## Turtles

## YOU MUST...

- Only commercial enterprises who purchased stock before closed season can sell turtle no later than 14 days after the start of the closed season.



The Hawksbill Turtle, *Eretmochelys imbricata*

- During this period commercial enterprises must:

- Permit livestock to trespass the reserve.
- Kindle or carry any fire into the reserve.
- Remove any forest produce from the wildlife reserve.

*Any individual who breaches these provisions under the Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$2000.00. If there is a second offence, the individual is liable to a fine of EC\$4000.00 and 1 year imprisonment.*

- Hunt any wildlife species, their nest or eggs during the close season.
- Disturb or destroy any nest, eggs of any species of wildlife during the closed season.
- Have in possession any wildlife species or their nest, eggs or young.
- Have in possession or control any protected wildlife.
- Import or export any wildlife species into or from St. Vincent and the Grenadines. Without written permission from the Minister.

*Any individual who breaches these provisions under the Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$4000.00 and to imprisonment for nine months.*

- Place an electrical device to frighten any protected or partially protected wildlife.
- Set any article to injury to protected or partially protected wildlife.
- Use noxious substances to injure or kill protected or partially protected wildlife.
- Deposit any harmful substances in water frequented by fish, shrimp or crabs.
- Construct and maintain a pit to capture or kill any wildlife.

- Engage in logging or land clearing and allow any debris into the water frequented by fish, shrimp or crabs.

*Any individual who breaches these provisions under the Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$2000.00 and imprisonment for 6 months.*

### 1.5.2 Enforcement

#### **YOU MUST NOT...**

- Assault or obstruct a wildlife officer during his duty.

*Any individual who breaches this provision under the Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$2000.00 and imprisonment for 6 months.*

## **2 COASTAL & MARINE ENVIRONMENT**

### 2.1 Beach Protection<sup>8</sup>

#### **YOU MUST...**

- Apply for a permit to remove beach material.
- Pay fees required for permit.



Visitors on a beach in the Tobago Cays

- Fit vessels with required equipment.
- Allow authorised persons to inspect any vessel when necessary.

#### **YOU MUST NOT...**

- Prohibit an authorised person to board a vessel within 10 minutes of being asked.

*Regulation breach is liable to a fine of EC\$1000.00.*

- Assault or threaten an officer during his duty.

*Regulation breach is liable to a fine of no more than EC\$2000.00. NB. Person convicted of inflicted injury to any officer must pay the damage which any officer has suffered.*

- Carry on board equipment not in good working condition.
- Carry a crew of less than two men onboard.

*Regulation breaches are liable to a fine of EC\$1000.00.*

#### *8.2.3 Harvesting fishery products*

##### *Lobsters*

#### **YOU MUST...**

- Only commercial enterprises who purchased stock before closed season can sell lobster no later than 14 days after the start of the closed season.
- During this period commercial enterprises must:
  - Declare to CFO in writing the quantity of lobster held in storage.
  - Allow inspection of the stored stock by authorised officers at any period of the closed season.

## **YOU MUST NOT...**

- Trans-shipping of fish from or unto other boats.

### *Fish processing establishment licence*

## **YOU MUST...**

- Apply for licence, fee is EC\$500.00.

## **YOU MUST NOT...**

- Operate a fish processing establishment until the Minister is satisfied with its construction.



### **Red snappers being sold at a local fish market in Grenada**

#### *Condition for the licence*

- Operate establishment in a clean and sanitary manner.
- Keep accurate records for quantity, species and quality of fish imported, received, processed, sold or exported.

### **8.2.2 Fishing Vessels Safety**

## **YOU MUST...**

- Carry onboard safety equipment.

## **YOU MUST NOT...**

- Remove beach material from the beach or seabed.

*Any individual who breaches these provisions under the Beach Protection Act is guilty of an offence and is liable to a fine of no more than EC\$500.00; 2<sup>nd</sup> offence no more than EC\$1000.00.*

- Take sand/gravel from the beach. If you live along shore you are allowed no more than one truck load.

## **2.2 Fisheries<sup>9,10</sup>**

### **2.2.1 Licences**

#### *Foreign fishing licence*

## **YOU MUST...**

- Obtain a foreign fishing licence to operate in waters from Chief Fisheries Officer (CFO).
- Pay annual fees (cost depends on boat size).

## **YOU MUST NOT...**

- Use foreign vessels for fishing or related activities without a valid foreign fishing licence.

*Any individual (master, owner and charterer of the foreign fishing vessels) who breaches this provision under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$500,000.00 each.*

#### *General conditions for licence*

## **YOU MUST...**

- Comply with directions from authorised persons.
- Take reasonable measures and precautions to avoid causing damage to any local fishing operations including non-commercial operations.

## **YOU MUST NOT...**

- Change information set out in application form.
- Tranship fish from one vessel to another without permission from CFO.

*If foreign vessel 60ft and over.*

## **YOU MUST...**

- Always fly the state flag.
- Display international radio call sign and registered number assigned.
- Record daily fishing operations in a logbook.
- Write reports to the CFO when entering or leaving the fishery water.
- Notify the CFO before 24 hours of the expected time of arrival at any port in SVG.
- Allow authorised persons to board and remain on ship as an observer.
- Have the registered licence number assigned to the vessel, if no number assigned, markings must identify the vessel and country of origin.
- Keep record of catches.

*If vessels are under 60ft.*

## **YOU MUST...**

- Ensure registration or licence number is clearly visible from sea or air.
- Maintain records of catches and other information as the CFO may require.
- Provide details on fishing operations in the fishery waters.

- Pay annual fees (cost depends on boat size).
- Apply for a new licence if owner of the vessels has changed.

## **YOU MUST NOT...**

- Use vessels for fishing or related activities without a valid local fishing licence.

*Any individual (master, owner or charterer of the vessels) who breaches this provisions under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$250.00.*

General conditions for licence

## **YOU MUST...**

- Notify the CFO if there is any change in information set out in application form. Changes must be made no later than 7 days.



**A fishing boat being constructed in Windward, Carriacou**

- Display identification markings on vessels.
- Comply with safety standards published in Gazette.
- Maintain a logbook on daily basis.
- Transmit logbook in its original and unaltered format when required by the CFO.

- Allow officers specified by the CFO to board and remain on vessel.
- Provide officer with accommodation and food without charge if they remain on board.

*If vessels are under 60ft.*

#### **YOU MUST...**

- Ensure registration or licence numbers are clearly visible from sea or air.
- Maintain records of catches and other information as the CFO may require.
- Provide details on fishing operations in the fishery waters.
- Ensure logbooks, records and notifications maintained are in English.

#### *Storage of gear*

#### **YOU MUST...**

- Store prohibited gear where it is not readily available.
- Disconnect all nets, trawl board and weights from towing/hauling ropes and also all mechanical hauling devices.
- Store fishing gear below deck.

*Regulation breaches are liable to a fine of EC\$5000.00 for storage of gear. The owner, master and charterer of vessel are liable to this fine.*

#### *Local fishing vessels licence*

#### **YOU MUST...**

- Obtain a local fishing licence to operate in waters from Chief Fisheries Officer (CFO).

- Ensure logbooks, records and notifications maintained are stated in English.

#### *Storage of gear*

#### **YOU MUST...**

- Store prohibited gear on board the vessel where it is not easily available.
- Disconnect all nets, trawl board and weights from towing/hauling ropes and also all mechanical hauling devices.
- Store fishing gear below deck.

*Regulation breaches are liable to a fine of EC\$5000.00 for storage of gear. The owner, master and charterer of vessel are liable to this fine.*

#### *Local fishing vessels licence*

#### **YOU MUST...**

- Obtain a local fishing licence to operate in waters from Chief Fisheries Officer (CFO).



**Fishing vessels docked at the fishing complex in Canouan.**

- Pay annual fees (cost depends on boat size).

- Apply for a new licence if owner of the vessels has changed.

### **YOU MUST NOT...**

- Use vessels for fishing or related activities without a valid local fishing licence.

*Any individual (master, owner or charterer of the vessels) who breaches this provision under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$250.00.*

General conditions of the licence

### **YOU MUST...**

- Display identification markings on vessel assigned by CFO.
- Comply with laws relating to safety standards.
- No trans-shipping of fish from or onto vessels except with permission from Chief Fisheries Officer.
- Maintain logbook to be prepared for Chief Fisheries Officer when required.
- Transmit logbook in the original and unaltered form to the CFO when required.
- Comply with directions from authorized officer if provided and requirements of the Act.

### **YOU MUST NOT...**

- Change information set in application form without notifying the CFO, no later than 7 days after change.

*Fish processing establishment licence*

### **YOU MUST...**

- Obtain a fish processing establishment licence.

### **YOU MUST NOT...**

- Use foreign vessels for fishing or related activities without a valid foreign fishing licence

*Any individual (master, owner and charterer of the foreign fishing vessels) who breaches this provision under the Fisheries Act is guilty of an offence and is liable to a fine of no more than EC\$500,000.00 each.*

General conditions of the licence

### **YOU MUST...**

- Comply with directions from authorised persons.
- Take reasonable measures and precautions to avoid causing damage to any local fishing operations including non-commercial operations.

### **YOU MUST NOT...**

- Change information set out in application form.
- Tranship fish from one vessel to another without permission from CFO.

*If vessels are 60ft and over*

### **YOU MUST...**

- Follow directions given by authorised person.
- Take measures to prevent damage to local fishing operations or non-commercial operations.
- Fly flag of your state and display registration numbers.
- Maintain a logbook on a daily basis recording fishing operations.
- Make reports when specified by CFO.
- Notify CFO upon entry into any port.

*Any individual who breaches the provisions under Beach Protection Act is guilty of an offence and is liable to a fine of EC\$4500.00 or 6 months imprisonment.*

- Use a motor vehicle to help remove sand and other beach material.

*Offender will be disqualified from holding/obtaining a drivers licence for 12 months.*



**Local beach in Carriacou affected by sand mining**

## **8.2 Fisheries<sup>29,30,31</sup>**

### **8.2.1 Licences**

*Foreign fishing licence*

#### **YOU MUST...**

- Obtain a foreign fishing licence to operate in waters from Chief Fisheries Officer (CFO).
  - Pay annual fees (cost depends on boat size). Local vessels: [no fee (less than 10ft)- EC\$50 (over 60 ft)].
  - Foreign vessels: [EC\$1000 (less than 30ft)- EC\$4000 (over 60ft)].

#### **YOU MUST NOT...**

- Operate a fish processing establishment until the Minister is satisfied with its construction.

*Any individual who operates an establishment without a valid licence is liable to a fine of no more than EC\$1000.00.*

General conditions for licence

- Maintain and operate establishment in a clean and sanitary manner.
- Keep accurate records for quantity, species and quality of fish imported, received, processed, sold or exported.

*Regulation breaches are liable to a fine of no more than EC\$5000.00.*



**Fishing complex in Paget farm, Bequia**

### **2.2.2 Registration of local fishing vessels**

#### **YOU MUST...**

- Obtain valid certificate of registration.
- Notify the CFO when changing ownership of vessel.
- Get fishing vessel inspected and registered before it is used at sea.

- Ensure vessel is well maintained and sea-worthy.

*Any individual who breaches these provisions under the Fisheries Act is liable to a fine of no more than EC\$200.00. This applies to the master, owner and charterer of the vessel.*

#### **YOU MUST NOT...**

- Threaten any officer during his duty.

*Any individual who breaches this provision under the Fisheries Act is liable to a fine of no more than EC\$1000.00 or to imprisonment of no more than 9 months or to both.*

#### **2.2.3 Marine Reserves & conservation measures**

#### **YOU MUST NOT...**

- Fish in the marine reserve.
- Take or destroy any flora and fauna in the area.
- Remove sand or gravel from the area.
- Deposit waste which would harm the environment.
- Construct any building or structure on any land in the reserve.

*Any individual who breaches these provisions under the Fisheries Act is guilty of an offence and is liable to EC\$1000.00.*

- Conduct fisheries research in the reserve without permission from the Minister.
- Fail to comply with conditions set by Minister.

*Any individual who breaches these provisions under the Fisheries Act is guilty of an offence and is liable to a fine no more than EC\$2500.00.*

#### **7.5 Wildlife Protection<sup>27</sup>**

#### **YOU MUST NOT...**

- Export any wild birds.
- Kill, wound or have in possession any wild birds or its eggs.
- Kill, wound or take any wild birds, turtles, lobsters or oysters during the closed season.
- Take eggs of such species during the closed season.

*Any individual who breaches the provisions under Birds and Wildlife Protection Act is guilty of an offence and is liable to a fine of EC\$1000.00 and to imprisonment for 6 months.*

- Found with any wild bird or turtles in one's possession. It must be proved that the turtles or the wild birds and its eggs were killed.
- Have in possession any wild bird or bird eggs, lobsters, turtles or oysters after the third day of the beginning of the closed season or before the end of the season.

*Any individual who breaches the provisions under Birds and Wildlife Protection Act is guilty of an offence and will forfeit the wild bird, lobster, oyster, turtle, or its eggs as well as the equipment used in the offence.*

#### **8 COASTAL & MARINE ENVIRONMENT**

#### **8.1 Beach Protection<sup>28</sup>**

#### **YOU MUST NOT...**

- Remove any sand, stone, shingle or gravel from the seashore.

- Remove any plant, soil, fruit or vegetables from the land if the area is under quarantine.
- Alter, forge or destroy any document or certificate provided for the Plant Protection Act.
- Assault or obstruct any employee from the Ministry.

*Any individual who breaches the provisions under The Plant Protection Act is guilty of an offence and is liable to a fine of EC\$10,000.00 or imprisonment for two years.*

#### 7.4.1 Protection from diseases

##### **YOU MUST...**

- Inform to the Chief Technical Officer in writing if a known plant disease is existing on your land or the land which you manage.

##### **YOU MUST NOT...**

- Fail to carry out requirements prescribed by the Chief Technical Officer.
- Prohibit an authorised person to enter his land for examination.
- Obstruct or impede a person from entering his land.

*Any individual who breaches the provisions under The Forestry, Soil and Water Conservation Act is guilty of an offence and is liable to a fine of EC\$3000.00 and imprisonment for 3 months in default of payment.*

*If there is a further conviction within 12 months for a second offence, the individual is liable at the discretion of the court to imprisonment for 6 months.*

#### 2.2.4 Fishing gears/methods & conservation measures

##### **YOU MUST...**

- Obtain permission from CFO to use a spear gun or fish gun.

##### **YOU MUST NOT...**

- Use explosives, noxious substances for catching fish.

*Regulation breaches will be liable to a fine of EC\$2500.00.*

- Have explosives, poison or other noxious substances on board a fishing vessel.
- Land, sell or receive fish caught by the use of explosives, poison and noxious substances.

*Regulation breaches will be liable to a fine of EC\$2500.00.*

- Use a spear gun without a licence to use it especially in conservation areas.
- Use tangle nets or use a net mesh size which is smaller than 1" square for seine nets and smaller than 0.5" for ballahoo nets.



**Fish traps in Paget Farm, Bequia**

- Draw up ballahoo nets onto land, any wharf or jetty or into a boat, canoe, vessel, raft or floating construction, lying within fifty feet of land.

*Regulation breaches are liable to a fine of EC\$5000.00.*

- Place fish aggregating devices (FADS) in water without permission from CFO.
- Fish near to FADS.

## 2.2.5 Harvesting fishery products

### Lobsters

#### **YOU MUST NOT...**

- Harvest undersized lobster (less than 25 cm length or carapace length of 95 mm, less than 1.5 pounds, tail less than 7035 grams)
- Harm, sell or buy any lobster carrying eggs or moulting.
- Capture lobster by other means other than via hand, loop, pot or trap.
- Remove lobster eggs.



**Lobster tank at restaurant in Bequia**

- Sell lobsters which were hooked or speared.

*Any individual who breaches the provisions under The Forestry, Soil and Water Conservation Act is guilty of an offence and is liable to a fine of EC\$3000.00 and to imprisonment for 3 months.*

## 7.3 National Parks<sup>24</sup>

#### **YOU MUST NOT...**

- Assault a park attendant while he is doing his duty.

*Regulation breach is liable to a fine of EC\$1000.00 and to imprisonment for 6 months.*

- Hunt, trap or kill any wild animal.
- Picking, digging up any wild flower, shrub or plants.
- Remove or deface any historical or archaeological artefact in a national park.

*Regulation breaches are liable to a fine of EC\$2000.00 and to imprisonment for 6 months.*

## 7.4 Plant Protection<sup>25,26</sup>

#### **YOU MUST...**

- Get a permit to import or export plants or planting material.
- Send phytosanitary certificate along with imported goods on arrival into Grenada.
- Advise the Ministry if a plant pest is found on your property.

#### **YOU MUST NOT...**

- Import any planting material, fruits, vegetable, plant products, plant pests, predators or plant parasites or soil into the country without permission.

- Enter any restricted areas such as the nursery for plants, a hospital or kitchen for the zoo or for use of employees of the Gardens, unless authorised by the Director.

*Regulation breaches are liable to a fine of EC\$500.00 or imprisonment for no longer than 14 days on failure of payment.*

## 7.2 Forestry<sup>23</sup>

### **YOU MUST NOT...**

- Destroy or uproot any tree.
- Cause damage by felling a tree.
- Remove timber to any manufacturing process.
- Kindle or keep a fire.
- Permit livestock to trespass.
- Clear or cultivate land for cultivation or any other purpose.
- Enter into a prohibited area.

*Any individual who breaches the provisions under The Forestry, Soil and Water Conservation Act is guilty of an offence and is liable to a fine of no more than EC\$500.00 or to imprisonment for no more for six months.*

*Individual may be subjected to pay a fee of EC\$5.00 for each tree or log of timber with respect to the offence.*

*If a person is liable to a forestry offence then all forestry products, tools and livestock are liable to forfeiture at the magistrate's discretion.*

- Counterfeit any tree or timber.
- Affix to any tree a mark used only by forestry officers.
- Alter any mark placed on any tree or timber.

- Sell or buy lobsters from which its eggs have been removed.
- Harvest, sell or buy lobster during closed season (1<sup>st</sup> May to 31<sup>st</sup> August). Only hotels/restaurants can sell if they purchased the stock before closed season.
- Land any lobster that is not whole from a fishing vessel.

*Regulations breaches are liable to a fine of no more than EC\$5000.00.*

### Turtles

### **YOU MUST NOT ...**

- Take, disturb, sell or buy turtle eggs and interfere with a turtle nest.
- Take, sell or buy any immature turtle or immature turtle shell.
- Catch, sell or buy turtles in the closed season (1<sup>st</sup> March to 31<sup>st</sup> July).

*Regulations breaches are liable to a fine of no more than EC\$5000.00.*

### Queen conch

### **YOU MUST NOT ...**

- Take, sell or buy any immature conch (immature conch: smaller than 7 inches, does not have flared lips and meat weight is less than 8 ounces).
- Catch conch in closed season. The season will be declared in Gazette during any period.

*Regulations breaches are liable to a fine of no more than EC\$5000.00.*

## Coral and Aquarium fish

### **YOU MUST NOT...**

- Remove coral from the fishery water except with permission of CFO.
- Import, export or sell aquarium fish without permission from CFO.

*Regulations breaches are liable to a fine of no more than EC\$5000.00.*



**Marine biodiversity in the Mayreau Gardens**

## 2.3 Marine Parks or Protected Areas<sup>11,12</sup>

### **YOU MUST...**

- Fish in MPA water and remove objects from the water if given permission by Minister.
- Obtain permission management of reserve to conduct any prohibited activities.

### **YOU MUST NOT...**

- Fish in the protected waters.
- Remove any flora, fauna or any fish from the water.
- Remove or damage facility or equipment in the area.

- Use the ornamental waters in the Gardens.
- Sell or expose for sale any flora or refreshment in the Gardens unless authorised.

### **7.1.3 Protection of fauna**

### **YOU MUST NOT...**

- Remove any animal, fish, bird or reptile from the Gardens.
- Injure or disturb any animal, fish, bird or reptile from the Gardens.
- Bring any animals into the Gardens unless intended to form part of the zoological collection.

### **7.1.4 Other garden regulations**

### **YOU MUST NOT...**

- Throw any stone or missile or light firework in the Gardens.
- Discard or leave any refuse in the Gardens except in a garbage bin.
- Damage any structure or monument.
- Place posters or ads on the wall or other structures.
- Make excessive noise in the Gardens.
- Play any recreational sport or game or even use the equipment unless authorised by Minister.
- Use any musical instrument, television or radio in the Gardens unless the radio has earphones attached or the radio is installed in the vehicle.
- Disturb anyone visiting the Gardens.
- Conduct yourself in an indecent or disorderly manner.

## **PART II: GRENADA**

### **7 BIODIVERSITY**

#### **7.1 Botanical Gardens<sup>21,22</sup>**

##### **YOU MUST NOT...**

- Obstruct any guard or employee of the Gardens.

*Regulation breach is liable to a fine of \$750.00 or imprisonment for a term not exceeding a month.*

##### **7.1.1 Traffic Control**

##### **YOU MUST...**

- Park in the designated parking lot when entering the Gardens.

##### **YOU MUST NOT...**

- Enter the gardens on business whether using a cart or wagon.
- Drive above the speed limit of 20mp/h.
- Ride a bicycle in the park.
- Enter the Gardens except through the main gates.
- Remain in the gardens after the time appointed for closing 6:30pm.

##### **7.1.2 Protection of Flora**

##### **YOU MUST NOT...**

- Climb trees, walk on grass or flower beds in the Gardens.
- Touch, cut or pick any flora and part of the flora such as leaves, branches etc in the Gardens.

- Damage or affect the growth of any flora or fauna.
- Carry on any commercial activity except if it is in designated area.
- Take part in fisheries research without permission.
- Permission for list of prohibited must be authorised by proper management of reserve.

*Any individual who breaches these provisions under the Marine Parks Act is liable to a fine of not exceeding EC\$5000.00 or imprisonment no exceeding one year or both. Where equipment has been removed or damaged, it must be replaced or repaired.*

##### **2.3.1 Marine Park (Tobago Cays)**

##### **YOU MUST...**

- Pay prescribed fees when anchoring or mooring a vessel in the park.
- Pay prescribed fees to dive in the park.
- Obtain a permit from the board to film underwater in the waters of the park, film on lands of the park or use the name of the park in a film.



**Aerial view of the Tobago Cays Marine Park**

- Renew permits when it exceeds the period stated.

- Apply to chairman for a duplicate permit, if permit is lost or stolen or damaged. Appropriate fees must be paid.
- Produce permit and valid receipt if inspected by an authorised person.

#### **YOU MUST NOT...**

- Anchor or moor vessel in undesignated area.
- Fish in the park's water.
- Carry out activities which may endanger the health and safety of members of the public.
- Keep or rear animals.
- Erect a camp or engage in camping activities.
- Exceed more than 10 knots per hour in a anchoring and mooring site.

*Regulation breaches are liable to a fine of no more than EC\$5000.00 or imprisonment for no more than 1 year.*

## **2.4 Marine Pollution**

### **2.4.1 Ship generated waste<sup>13</sup>**

#### *Prevention of pollution by solid waste*

#### **YOU MUST...**

- Dispose of waste if it will secure the safety of the ship and those on board.
- Allow the discharge of solid waste if it has resulted from damage to the ship after all precautions have been taken before and after the damage.
- Have placard in English explaining waste disposal requirements.

*If offence is committed by a corporate body, then the body is liable to a fine stipulated above.*

#### **6.1.1 Special powers**

#### **YOU MUST...**

- Comply with order if a CEO states the source of the contaminant is an immediate danger to life.

#### **6.1.2 Appeals**

#### **YOU MUST...**

- Apply to Magistrate if aggrieved by a notice.
- Send a copy of the decision and all papers relating to the appeal if applying for an appeal.

#### **6.1.3 Enforcement**

#### **YOU MUST NOT...**

- Assault any authorised persons in the execution of their duties.
- Make false or misleading statement to any authorised officer.

*Any individual who breaches these provisions under The Environmental Health Act is guilty of an offence and is liable to a fine of EC\$500.00 or to imprisonment for 6 months or both.*

- Keep your surrounding clean if it is adjacent to the road.
- Comply with order if a CEHO states the source of the contaminant is an immediate danger to life.
- May apply to extend the time within which the notice is served.

#### **YOU MUST NOT...**

- Construct or alter any structure that may emit or discharge a contaminant or pollutant into the environment.
- Conduct or alter any process of production that will result in a pollutant or contaminant being discharged into the environment or the rate at which the pollutant will enter the environment.
- Dump or deposit any garbage in any public space or open space.
- Keep or shelter any domestic or other animal otherwise prescribed.
- Transport or treat any solid or liquid waste on any premises.
- Emit or discharge any pollutant or contaminant into the environment in excess of prescribed.

*Any individual who breaches these provisions under the Environmental Health Act is guilty of an offence and is liable to a fine of EC\$5000.00 and imprisonment. If there is a second offence, the individual is liable to a fine of EC\$10,000.00 or to imprisonment for 12 months or to both.*

*A continued offence is liable to a fine of EC\$500.00 for each day that the offence continues after the conviction. In default of payment, individual may be imprisoned for no more than 6 months.*

- Train crew to comply with disposal requirements.
- Have a solid waste management plan. This applies to ships over 400 gross tonnages and above and also craft certified to carry 15 or more people.
- Have a Solid Waste Record Book on board and keep accurate records written in English.

*Any individual who breaches these provisions under the Management of Ship Generated Solid Waste Act is liable to a fine of EC\$500,000.00 or imprisonment for not more than a year.*



**Ferry at port in Kingstown, St. Vincent**

#### **YOU MUST NOT...**

- Dispose of any type of plastics.
- Dispose of solid waste such as dunnage, lining and packaging material less than 25 nautical miles from land.
- Dispose of food waste and all solid waste such as paper products, glass, metal, bottles, crockery and rags that may contain toxic and heavy residues.
- Dispose of food waste if it has not passed through the grinder. Disposal must be made as far as possible

from land (i.e. more than 3 nautical miles). Waste must pass through a screen with openings of 25mm.

- Dispose of plastics, food waste and all solid waste in special areas.
- Dispose of contaminated waste in the Wider Caribbean region.
- Dispose of garbage from fixed and floating platform engaged in exploration and exploitation or other activities relating to the seabed.

#### *Control of marine pollution*

##### **YOU MUST...**

- Notify the Director, Manager and Medical Officer of Health of any accidental disposal of waste into territorial waters.

*Any individual who breaches this provision under the Management of Ship Generated Solid Waste Act is guilty of an offence and is liable to a fine of no more than EC\$100,000.00 or imprisonment for no more than 1 year.*

- Notify Director or General Manager within two hours of disposal.

*Any individual who breaches this provision under the Management of Ship Generated Solid Waste Act is guilty of an offence and is liable to a fine of EC\$500,000.00 or imprisonment for no more than 5 years.*

- Provide solid waste reception facilities at port and terminals, marinas and any place of anchorage for ships or pleasure crafts.
- Give notice to General Manager or Director about disposal of waste kept at these facilities.

#### **5.2.3 Monitoring and enforcement**

##### **YOU MUST...**

- Form a non-governmental organisation (NGO) if your community is located near a solid WMF.

##### **YOU MUST NOT...**

- Assault or obstruct any police officer or authorised officer during his duty.

*Any individual who breaches this provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$50,000 or to imprisonment for no more than 12 months or to both.*

## **6 ENVIRONMENTAL HEALTH<sup>20</sup>**

### **6.1 Environment health matters**

##### **YOU MUST...**

- Obtain a certificate of approval to approve the method or device to be used to control or prevent the emission or discharge of any contaminant or pollutant into the environment.
- Supply the Chief Environmental Health Officer (CEHO) with documents needed while seeking certificate e.g. plans, specifications for the plant, methods and devices to be used.
- Make an appeal if one is dissatisfied about the refusal of the certificate of approval, the terms and conditions attached and revocation of the certificate.
- Ensure surroundings are not unsanitary and cannot harbour insects, pests, rodents or vermin.

- Store waste in containers that prevent escape of liquids and bad odours and also prevent infestation by pests and vermin.
- Make waste available for collection and transportation to a WMF.
- Provide litter bins for any event held in a public place.
- Ensure all litter on site is properly disposed of within twenty four hours.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$15,000.00 or three months community service or to both.*

- Import waste into the country other than waste governed by the Marine Pollution Act 2000.
- Bring waste generated on board any aircraft landing no earlier than 24 hours before the landing time.
- Import material other than hazardous waste.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than one million dollars or to imprisonment not more than five years on indictment and summarily to a fine of no more than EC\$250,000.00*

- Import any waste contrary to the waste types mentioned above.

*Any individual who breaches this provision under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$150,000.00*

- Dump illegally any litter or waste.

*Any individual who breaches this provision under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$5000.00.*

- Move ruined vehicles and scrap metal to an approved site.

#### **YOU MUST NOT ...**

- Pollute within the territorial sea or Exclusive Economic Zone of St. Vincent and the Grenadines or outside their waters.
- Fail to maintain the Solid Waste Record Book and comply with the solid waste management plan or make false recordings.

*Any individual who breaches these provisions is guilty of an offence and is liable to a fine of no more than EC\$100,000.00 or imprisonment for no more than 1 year.*

- Dispose of solid waste held at a marina or pleasure craft facility which would pose a threat to human health and safety.

*Any individual who breaches this provision under the Management of Ship Generated Solid Waste Act is guilty of an offence and is liable to a fine of no more than EC\$100,000.00 or imprisonment for no more than 1 year.*

#### *Monitoring and Enforcement*

#### **YOU MUST...**

- Report any solid waste discharge or escaped from any craft where there is a threat to the territorial waters.
- Record details about escaped waste i.e. time, position, weather and sea conditions, quantity and concentration of waste and mitigation measures taken.

#### **YOU MUST NOT...**

- Fail to make recordings about escaped waste.
- Make false recordings in report.

*Any individual who breaches these provisions under the Management of Ship Generated Solid Waste Act is guilty of an*

*offence and is liable to a fine of EC\$100,000.00 or imprisonment for no more than 1 year.*

- Fail to report any marine accidents which may be detrimental to the marine environment.

*Any individual who breaches this provision under the Management of Ship Generated Solid Waste Act is guilty if an offence and is liable to a fine of EC\$300,000.00 or imprisonment for no more than 2 years.*

#### 2.4.2 Dumping at sea<sup>14</sup>

##### Licences

##### YOU MUST...

- Obtain a licence to deposit via any means, substances and articles in the sea or under the sea bed.
- Obtain a licence to sink any ship, vessel or marine structure at sea.
- Obtain a licence for incineration of any substances or articles on a vessel or marine structure in the waters.
- Pay any prescribed fees determined by the Minister.

##### YOU MUST NOT...

- Conduct any activity that requires a licence.
- Cause any person to commit any activity that requires a licence.

*Any individual who breaches this provision under the Dumping at Sea Act is guilty if an offence and is liable to a fine of no more than EC\$5,000.00 or imprisonment for no more than 2 years or both.*

- Make false statement or intentionally fails to disclose any material in efforts to obtain a licence.



**Landfill in Clifton, Union Island**

- Fail to allow the collection of waste by another WMF specified by authority.
- Fail to comply with directions by Minister, if your licence has been suspended.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$35,000.00 or imprisonment for no more than 12 months.*

#### 5.2.2 Waste management operations

##### YOU MUST...

- Ensure that the transfer of waste is not harmful to human health, safety or to the environment.
- Comply with requirements for handling and disposal of waste.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$50,000.00 or 12 months in prison or both.*

- Arrange for the disposal of waste generated from industrial, commercial and institutional operations.
- Be responsible for safe management of hazardous waste or other classes of waste.

- Accept costs incurred by waste facility who is temporarily storing the waste.
- Deposit household waste on your domestic property.
- Transport waste in course of business if one has a waste haulage permit.
- Transport of waste in vehicles weighing less than one half ton by person conducting a business where waste is generated.
- Hold responsible the holder of the waste management licence if there is any harm to human health, safety or to the environment during management and transportation of waste.

#### **YOU MUST NOT...**

- Deposit solid waste on any land or marine or freshwater area.
- Construct any WMF without a licence.
- Let solid waste cause any harm to human health.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable to a fine of EC\$ 75,000 and imprisonment for no more than 12 months. For a corporation, regulation breaches are liable to a fine of no more than EC\$200,000.*

- Fail to secure waste, property or equipment or to allow waste collection if licence was suspended or cancelled.

*Any individual who breaches this provisions under The Waste Management Act is guilty of an offence and is liable to a fine of no more than EC\$100,000.*

*Any individual who breaches this provision under the Dumping at Sea Act is guilty if an offence and is liable to a fine of no more than EC\$5,000.00.*

#### *Enforcement*

#### **YOU MUST NOT...**

- Obstruct an officer performs his/her duties.
- Fail to comply with requirements made by an officer.
- Make a false statement or intentionally fail to disclose any required information to an officer.

*Any individual who breaches these provisions under the Dumping at Sea Act is guilty if an offence and is liable to a fine of no more than EC\$2,000.00.*

#### **2.5 Whaling<sup>15</sup>**

#### **YOU MUST...**

- Obtain a licence for whaling.

*Regulation breach is liable to a fine of EC\$5000.00 or imprisonment for no more than three years.*

#### **YOU MUST NOT...**

- Whale without being under supervision of a licensed captain.

*Regulation breach is liable to a fine of no more than EC\$2500.00 and imprisonment of 6 months.*

- Whale during the declared closed season.

*Regulation breach is liable to a fine of EC\$6000.00.*

- Strike a humpback whale calf or a female humpback whale accompanied by a calf

*Regulation breach is liable to a fine of no more than EC\$5000.00 or imprisonment for no more than 6 months.*



**Humpback whale taking a dive**  
(Source: <http://www.whale-images.com>)

- Whaler must not strike, land or process a whale less than 26 feet.

*Regulation breach is liable to a fine of no more than EC\$5000.00 or imprisonment for no more than 6 months.*

### **3 LAND USE & DEVELOPMENT<sup>16</sup>**

#### **YOU MUST...**

- Apply for a permit for development.

#### **YOU MUST NOT...**

- Construct or demolish any building unless a permit has been issued by authority.
- Make or cause change of material to be made to a plan, specification, document of which the permit was issued without filing details of such change and obtaining permission from the board.
- Develop land, construct or demolish a building except in accordance with the plans, specifications, documents and any information on the basis of which the permit was issued.

*Any individual who breaches this provision under The Litter Act is guilty of an offence and is liable to a fine of EC\$500.00*

## **5.2 Solid waste<sup>19</sup>**

### **5.2.1 Waste management licenses & permits**

#### **YOU MUST...**

- Conduct an environmental impact assessment pre-evaluation if planning to build a waste management facility.
- Obtain a waste management licence.
- Register your waste management facility (WMFs) whether a new or existing facility.
- Comply with all conditions for the waste management licence.

*Any individual who breaches these provisions under The Waste Management Act is guilty of an offence and is liable (non-compliance of conditions of licence) is liable to a fine of no more than EC\$120,000.00.*

- Apply for a waste haulage permit.
- Keep permit in or on vehicle at all times.

*Any individual who breaches these provisions under The Waste Management Act regarding waste haulage permit is guilty of an offence and is liable to fine of EC\$50,000.00.*

- Prepare disaster management response plan to be reviewed annually no later than March in any year.
- Promptly clean up and transport waste after any spillage of waste.
- Store waste safely if the permitted WMF cannot accept the waste.

*If person does not comply with notice to remove litter from public/private place, one will be liable for no more than EC\$2000.00 or imprisonment for 6 months. An additional penalty of no more than EC\$200.00 for every day the offence continues.*

- Cause another person to commit any of the littering offences listed above.

*If convicted of a second offence, he is liable to a fine of double the maximum fine.*

### 5.1.1 Enforcement

#### **YOU MUST NOT...**

- Refuse to provide authorised person or officer with information.
- Assault or threaten physically or verbally any authorised person during his duty.
- Fail to do anything that he is required to do by the authorised officer.
- Use vehicles to deposit litter.

*Any individual who breaches these provisions under The Litter Act is guilty of an offence and is liable to a fine not exceeding EC\$5000.00 or to imprisonment with or without hard labour for a period of no more than 6 months. One may be liable to pay the fine and be imprisoned. One will be liable to a fine of EC\$200.00 for each day the offence continues.*

- Leave litter in or on any public place, private property.

*Any individual who breaches the provisions under The Litter Act is guilty of an offence and is liable to a fine no more than EC\$2000.00 or to imprisonment for no longer than 6 months or both. EC\$20.00 may be fined for each day that the offence continues.*

- Remove or tamper with receptacles for litter.

- Keep all documents pertaining to the permit at the construction site.
- Occupy any new building unless as occupancy certificate has been issued.
- Must comply with requirements of a waste order if it was given to you.

*Any individual who breaches these provisions under the Town and Country Planning Act is guilty of an offence and is liable to a fine of no more than EC\$10,000.00 and a further fine of no more than EC\$300.00 for everyday that the offence continues.*

- Fail to comply with tree preservation order.

*Any individual who breaches this provision under the Town and Country Planning Act is guilty of an offence and is liable to a fine of no more than EC\$200.00 for each day that the offence continues*

- Cause or permit any work in breach of the tree preservation order.

*Any individual who breaches this provision under the Town and Country Planning Act is guilty of an offence and is liable to a fine of EC\$25,000.00 or imprisonment for one year or both.*

- Fail to submit EIA when required.

*Any individual who breaches this provision under the Town and Country Planning Act is guilty of an offence and is liable to a fine of no more than EC\$30,000.00*

- Prevent any one from carrying out their duty.

*Any individual who breaches this provision under the Town and Country Planning Act is guilty of an offence and is liable to a fine of EC\$20,000.00*

- Fail to comply with request from the Board while conducting work.

*Any individual who breaches this provision under the Town and Country Planning Act is guilty of an offence and this Act is liable to*

a fine of no more than EC\$3000.00 and a further fine of EC\$100.00 for everyday that the offence continues.

## 4 AIR POLLUTION<sup>17</sup>

### YOU MUST...

- Register to be an importer of ozone depleting substances (ODS).
- Pay requisite fee to register.
- Apply for ODS licence. A limited quantity of ODS to be imported will be issued.
- Maintain records of one's importation of ODS.

### YOU MUST NOT...

- Import an ODS unless you are a registered importer holding valid ozone depleting substance licence.

*Any individual who breaches the provisions under The Montreal Protocol (Substances that deplete the ozone layer) Act is guilty of an offence and is liable to a fine of no more than EC\$5000.00 and the substances imported will be forfeited.*

## 5 WASTE AND LAND POLLUTION

### 5.1 Litter<sup>18</sup>

#### YOU MUST...

- Provide enough receptacles in a bus, taxi, ship or boat.

*Any individual who breaches the provisions under the Litter Act is guilty of an offence and is liable to a fine of EC\$2000.00.*

- Remove litter deposited in any public place.

*Any individual who breaches the provisions under the Litter Act is liable to a fine of EC\$1000.00.*



**Litter carelessly left on a ferry travelling to Union Island**

#### YOU MUST NOT...

- Drop litter in a public place or on private property without permission.
- Put up (in writing or making) anything in a public place/ structure that would deface the area.
- Permit an employee on your behalf to litter.
- Break bottles or glass objects in a public place without permission.
- Transport a vehicle carrying any material/substance which is not secured properly.
- Deposit any waste, effluent or any substance that would harm the environment or marine life.

*Any individual who breaches these provisions under the Litter Act is guilty of an offence and is liable to EC\$1000.00 or imprisonment for no more than 6 months and in case of a body corporate, a fine not exceeding EC\$5000.00. A person is liable if they aid the principal offender.*

*If convicted of a second offence, one is liable to a fine of double the maximum fine.*