



ST. CHRISTOPHER AND NEVIS

CHAPTER 5.13

PUBLIC AUTHORITIES PROTECTION ACT

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

PUBLIC AUTHORITIES PROTECTION ACT

Act 10 of 1916 ... in force 7th March 1916

Amended by: Act 7 of 1976

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CHAPTER 5.13
PUBLIC AUTHORITIES PROTECTION ACT

ARRANGEMENT OF SECTIONS

1. Short title
 2. Action, etc., against any person in respect of act done in execution of duty
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CHAPTER 5.13
PUBLIC AUTHORITIES PROTECTION ACT

AN ACT TO PROVIDE FOR THE PROTECTION OF PUBLIC AUTHORITIES; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Public Authorities Protection Act.

Action, etc., against any person in respect of act done in execution of duty.

2. (1) Where any action, prosecution, or other proceeding is commenced against any person for any act done in pursuance or execution or intended execution of any Act, or of any public duty or authority or of any alleged neglect or default in the execution of any such act, duty, or authority, the following provisions shall have effect—

- (a) the action, prosecution, or proceeding shall not lie or be instituted unless it is commenced within six months next after the act, neglect or default complained of, or, in case of a continuance of injury or damage, within six months next after the ceasing thereof;
- (b) wherever in any such action a judgment is obtained by the defendant, it shall carry costs to be taxed as between solicitor and client;
- (c) where the proceeding is an action for damages, tender of amends before the action was commenced may, in *lieu* of or in addition to any other plea, be pleaded, and if the action was commenced after the tender, or is proceeded with after payment into Court of any money in satisfaction of the plaintiff's claim, and, the plaintiff does not recover more than the sum tendered or paid, he or she shall not recover any costs incurred after the tender or payment, and the defendant shall be entitled to costs, to be taxed as between solicitor and client, as from the time of the tender or payment:

but this provision shall not affect costs on any injunction in the action;

- (d) if, in the opinion of the Court, the plaintiff has not given the defendant a sufficient opportunity of tendering amends before the commencement of the proceeding the Court may award to the defendant costs to be taxed as between solicitor and client.
- (2) This section shall not affect any proceedings by the Crown.
(Section 3 deleted by Act 7 of 1976)
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