



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 7.09

## PRIVATE PIERS AND WHARVES 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—

### PRIVATE PIERS AND WHARVES ACT

**Act 6 of 1884** ... in force 18th August 1884

Amended by: Act 6 of 1976

Act 7 of 1976

Act 9 of 1986

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**CHAPTER 7.09**

**PRIVATE PIERS AND WHARVES ACT**

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**CHAPTER 7.09****PRIVATE PIERS AND WHARVES ACT**

AN ACT TO MAKE PROVISION FOR THE GRANTING OF LICENCES FOR THE ERECTION, MAINTENANCE AND USE OF PRIVATE PIERS AND WHARVES; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**Short title.**

1. This Act may be cited as the Private Piers and Wharves Act.

**Licences to be granted.**

2. It shall be lawful for the Cabinet to grant to private persons licences to erect, maintain and use piers and wharves on or over any part of the Crown's foreshores in the State hereinafter defined in consideration of such annual payment and subject to such conditions as the Cabinet may think fit.

*(Amended by Act 6 of 1976)*

**Wharfage dues to be paid as heretofore. Goods *bonâ fide* property of licence holders exempt from wharfage dues.**

3. Except as hereinafter provided there shall be charged on and paid in respect of all goods, wares and merchandise landed at or shipped from any pier or wharf for the erecting and use of which such licence shall have been granted the several wharfage dues which would under the rules and regulations in force for the time being be payable had such goods, wares or merchandise been landed at or shipped from a public pier or wharf in the State:

Provided that no pier or wharfage dues shall be charged on or payable in respect of any goods, wares or merchandise landed at or shipped from any pier or wharf in respect of which a licence shall have been granted as aforesaid which said goods, wares or merchandise shall be the *bonâ fide* property of the person or persons for the time being beneficially entitled to the privileges conferred by such licence.

**\*Regulations.**

4. It shall be lawful for the Minister responsible for Communications ( in this Act called the Minister) to make regulations for the regulation of piers and wharves in respect of which such licence shall have been granted and for assessing and securing the wharfage dues payable in respect of goods, wares and merchandise landed thereat or shipped therefrom.

*(Amended by Act 6 of 1976)*

**Penalties.**

5. Any person who violates or refuses or neglects to comply with the regulations framed by the Minister under the provisions of this Act shall, on summary conviction, be liable to a fine not exceeding two hundred and fifty dollars in addition to the amount of wharfage dues.

*(Amended by Acts 7 of 1976 and 9 of 1986)*

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\* Original section 5 repealed by Act 6 of 1976; section 6,7 and 9 have been renumbered accordingly.

**Definition of the Crown's foreshores.**

6. The Crown's foreshores to which this Act relates are hereby defined and declared to be as follows—

- (a) the foreshore extending along the coast of St. Christopher in front of the town of Basseterre for a distance of half a mile in an easterly direction from the public export pier, and for a distance of half a mile in a westerly direction from the public import pier;
- (b) the foreshore extending along the coast of St. Christopher for a distance of one quarter of a mile on either side of the public pier at Sandy Point;
- (c) the foreshore extending along the coast of St. Christopher for a distance of one quarter of a mile on either side of the public pier at Dieppe Bay;
- (d) the foreshore extending along the coast of Nevis which would be included by a straight line drawn from Fort Point to the Nevis Infirmary;
- (e) the foreshore extending along the coast of Nevis within the limits of Parbuckle Bay and for a distance of fifty feet beyond each of the extremities of the Bay.

**Act not to derogate from Crown grants made before its commencement.**

7. Nothing hereinbefore contained shall be construed so as to derogate from any grant by the Crown of any rights over the foreshore made previous to the passing of this Act.

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