



GRENADA

ACT NO. 25 OF 1968

I assent,



HILDA BYNOE,
Governor.

25th June, 1968.

An Act relating to the Botanical and Zoological
Gardens.

[*29th June, 1968*].

Be it enacted by the Queen's Most Excellent Majesty,
by and with the advice and consent of the Senate and
House of Representatives of Grenada, and by the
authority of the same, as follows:—

1. This Act may be cited as the

Short title.

NATIONAL BOTANICAL AND ZOOLOGICAL
GARDENS ACT, 1968.

2. In this Act—

Interpreta-
tion.

“Director” means any person appointed to be the
Director of the Gardens;

“guard” means any person appointed to guard and watch over the Gardens or any part thereof, including a person appointed to be a keeper thereof;

“Minister” means the person for the time being charged with responsibility for the subject of Agriculture;

“the Gardens” means the Botanic Gardens as delineated and set forth in a certain Plan drawn by J. Landreth Smith in February, 1891, and numbered 31/31 and deposited in the Public Works Department.

Vesting of control of the Gardens in the Minister.

3. The Minister shall have the management, control and care of the Gardens and shall maintain and keep the same in good condition and may enclose the same with proper railings and gates, and may ornament and otherwise improve the same, and may erect and maintain buildings and do all such works and things as may be requisite for the use of the Gardens, including the entry into agreements for purposes relating to the use thereof.

Rules.

4.—(1) The Minister may make Rules relating to the Gardens for all or any of the purposes following, that is to say—

- (a) regulating the use of the Gardens and of any building thereon and the days and times of admission thereto or any part thereof, and providing for the preservation of order and prevention of nuisances therein;
- (b) providing for the use of portions of the Gardens by clubs or other bodies and fixing the times and conditions of such use;
- (c) fixing the fees to be paid for admission to and use of the Gardens or any part thereof or any building thereon;
- (d) fixing the hours of opening and closing the Gardens or any part thereof, and the hours

at or during which the public may be prohibited access thereto;

- (e) regulating the granting of permission to persons to sell refreshments in the Gardens and the terms and conditions on which such permission may be granted;
- (f) to control or prohibit traffic therein.
- (g) to declare what portion of the Gardens shall be required for any particular purpose, and not accessible to the public except by special permission;
- (h) for the management, control and upkeep of any zoological collection, aviary, or library, museum, or other buildings that may be established or erected within the Gardens;
- (i) to prohibit any interference with or damage to or the destruction of trees, plants, shrubs, fruit, animals, gates, fences or other things within or about the Gardens;
- (j) in respect of any matter or thing, whether similar or not to those abovementioned, in respect of which it may be expedient to make Rules for the purposes of carrying out the provisions of this Act.

(2) Copies of such Rules or parts thereof shall be put up at the main entrance of the Gardens, and in such other conspicuous places about the Gardens as the Minister may deem necessary.

5.—(1) The Minister may appoint one or more Committees consisting each of a Chairman and not more than seven other members which shall respectively act in any advisory capacity to the Minister for the purpose of carrying out his functions or any part thereof under this Act. Committee.

(2) Three members of a Committee, including the person presiding, shall form a quorum.

(3) A Committee may, subject to its rules of

procedure, act notwithstanding any vacancy in its membership or the absence of any member.

(4) The members of a Committee shall hold office during the pleasure of the Minister and shall be eligible for re-appointment.

(5) Subject to the provisions of subsection (4) of this section, the term of office of a member of a Committee shall be for a period of two years.

(6) The persons who immediately before the commencement of this Act were appointed to be members of a Committee to advise the Minister in relation to the zoological collection within the Gardens shall be deemed to have been appointed under the provisions and for the purposes of this Act.

Application
of fees.

6. All fees collected under the provisions of this Act shall be paid into the Consolidated Fund.

Penalty for
contravening
rules.

7. If any person shall contravene any rule made under the authority of this Act, such person shall be liable on summary conviction to a fine not exceeding ninety-six dollars and, in default of payment, to imprisonment for a term not exceeding fourteen days.

Assault on,
or obstruction
of, officers.

8. If any person shall assault, or obstruct, or aid or abet any person to assault or obstruct the Director, or a guard or any other person employed in or about the Gardens, in the execution of his duty, every such person shall be liable on summary conviction to a fine not exceeding one hundred and twenty dollars and, in default of payment to imprisonment for a term not exceeding one month.

Power of
arrest.

9. The Director, or any person authorised by him, or any guard in uniform, or any constable, may arrest without warrant any person found committing any offence against this Act; provided that every person arrested under the authority of this section shall be taken with all reasonable speed and diligence before

a Magistrate to be dealt with according to law; provided further that in no case shall any person arrested be detained in custody for longer than twenty-four hours before being brought before a Magistrate.

10. The Director and the guards, in addition to any powers and immunities conferred on them by this Act, shall have and exercise within the limits of the Gardens all the powers vested in any constable and shall, for acts done in the *bona fide* performance of their duty under this Act, enjoy the same rights, privileges and immunities as are possessed and enjoyed by constables under the provisions of the Police Ordinance.

Director
and guards
to have
powers of
constables.

No. 38 of 1966.

11. Any complaint charging an offence under this Act may be laid or brought—

Procedure.

- (a) in respect of any offence under section 8, by the party aggrieved or by the Director for and on behalf of the party aggrieved; and
- (b) in respect of any other offence against this Act, by the Director or any person authorised by him in writing to lay or bring such complaint.

12.—(1) The provisions of the Ordinances specified in the Schedule to this Act shall not apply to any person who, pursuant to the authority of the Minister so to do, takes or captures or has in his possession any animal or bird to which the said Ordinances relate.

Provisions
of certain
Ordinances
not to
apply.

(2) Anything which has been done before the commencement of this Act pursuant to the authority of the Minister, and which would have been lawfully done if this section had come into operation on the 8th day of February, 1968, shall be deemed to have been lawfully done.

1. The Birds and Other Wild Life (Protection of) Ordinance (Cap. 36).
2. The Wild Animals and Birds (Sanctuary) Ordinance (Cap. 314).

Passed in the House of Representatives this 15th day
day of May, 1968.

CURTIS V. STRACHAN,
Clerk of the House of Representatives.

Passed in the Senate this 20th day of May, 1968.

CURTIS V. STRACHAN,
Clerk of the Senate.