

Numbering of sections

| Original number | Comment       | Present number |
|-----------------|---------------|----------------|
| 1-6             | —             | 1-6            |
| 7               | spent/omitted | —              |

Index of subsidiary legislation

Nil

CHAPTER 247

PRESERVATION OF HISTORIC BUILDINGS  
AND ANTIQUITIES ACT

Arrangement of sections

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4. List of buildings to be compiled and maintained.
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AN ACT to make provision for the acquisition and preservation of historic buildings and antiquities, to restrict the exportation of antiquities, and for matters incidental to the foregoing.

Commencement: 29th June 1976

1. This Act may be cited as the Preservation of Historic Buildings and Antiquities Act. Short title.

2. In this Act — Interpretation.
- “antiquity” means any object, other than an historic building, the preservation of which is desirable by reason of its traditional, archaeological, palaeontological or historic interest;
  - “historic building” means any structure or part thereof, other than an ecclesiastical building which is for the time being used for ecclesiastical purposes, the preservation of which is desirable by reason of its traditional, archaeological, architectural or historic interest, and includes any adjoining land which may be required for gaining access thereto or for fencing, covering or otherwise protecting the same;
  - “list” means the list compiled and maintained under section 4 (1);
  - “Minister” means the Minister for the time being responsible for tourism;

"restoration" includes any building or re-building operations, and work of renovation or repair, required to be carried out in relation to a listed building in pursuance of section 4.

Acquisition of historic buildings and antiquities.

3. (1) The Governor-General, in the name and on behalf of the Government, may acquire any building which appears to him to be an historic building, either by agreement with the owner thereof or as provided by this section.

Cap. 2.

(2) The Governor-General, by agreement with the owner, or in accordance with the provisions of this Act and subject to section 6 of the Constitution, may acquire any object which appears to him to be an antiquity the acquisition of which is, in his opinion, expedient in order to secure its utilisation for a purpose beneficial to the community: and every such acquisition shall be in the name and on behalf of the Government.

Cap. 241.

(3) The acquisition of an historic building or antiquity for the purposes of this Act shall be deemed to be a public purpose within the meaning of that term in the Land Acquisition Act.

(4) In the case of the acquisition without the agreement of the owner —

(a) of an historic building, the provisions of the Land Acquisition Act shall apply in respect of such acquisition as if that Act formed part of this Act;

(b) of an antiquity the provisions of sections 10, 11, 12, 13 (1) (f), 13 (2) (a) (c) and (d), 14, 15, 17, 18, 19, 22, 27, 29, 30, 31 and 32 of the Land Acquisition Act shall apply, to such extent as may be necessary, in respect of such acquisition as they apply in respect of an acquisition of land.

(5) In the case of the acquisition of an historic building or antiquity by the agreement of the owner, the purchase price shall be paid out of the Consolidated Fund.

List of buildings to be compiled and maintained.

4. (1) The Minister shall compile and maintain a list containing at least the name (if any) and description of all buildings which in his opinion ought for the purposes of this Act to be preserved and he may add to or vary such list.

(2) Before a building is included in the list, the Minister shall give written notice to the owner and the occupier thereof (if any) specifying a date with effect from which it is to be so included and containing a summary of the effect of the provisions of this section, and shall publish such notice in the Gazette, whereupon such building shall be a listed building for the purposes of this section.

(3) No person shall, in respect of a listed building, carry out or cause to be carried out any development, as defined in the Town and Country Planning Act, for which a grant of permission for development is under that Act required, except under and in accordance with the conditions of such grant issued by the Physical Planning and Development Board established by section 3 of that Act. Cap. 251.

(4) Any person who contravenes any of the provisions of subsection (3) is guilty of an offence and liable to a fine of fifteen hundred dollars and to imprisonment for six months.

(5) Notwithstanding the provisions of subsection (3), where, after consultation with the Physical Planning and Development Board, the Minister is satisfied that it is necessary or in the public interest so to do he may serve upon the owner and the occupier (if any) of a listed building a notice in the prescribed form requiring the execution of any work for the purpose of the restoration of the building and specifying a date on or before which such work is to be completed in such manner as may be specified.

(6) The cost of and incidental to the restoration of a listed building under the provisions of subsection (5) shall, except to such extent as the work consists of the maintenance of the building in a reasonably habitable condition, be paid for out of the Consolidated Fund; but subject thereto shall be recoverable summarily from the owner as a civil debt.

(7) Any person upon whom a notice in pursuance of subsection (5) has been served who, without reasonable excuse, fails or neglects to ensure the restoration of the listed building concerned, either on or before the date specified or in such manner as may be specified in the notice, is guilty of an offence and liable to a fine of fifteen hundred dollars and to a further fine of seventyfive dollars in respect of each day or part of a day during which the offence is proved to have continued.

(8) Without prejudice to the provisions of subsections (5) (6) and (7), if the Minister is satisfied that for any reason a person is unable or unwilling to ensure the restoration of a listed building required by a notice served on such person under subsection (5), or that it is necessary or desirable for the purpose of ensuring that the restoration is carried out promptly and efficiently, he may authorise any public officer, in writing, to enter the listed building concerned and to do or cause to be done all things necessary for its restoration, and the cost and incidental to such restoration shall be recoverable summarily from the owner as a civil debt unless the Minister otherwise directs.

(9) The Minister may authorise any public officer, in writing, to enter any listed building or adjoining land for the purpose of ascertaining whether any and if so to what extent restoration is necessary or in the public interest, and whether any and if so what restoration has been carried out, and whether such restoration has been carried out in the manner specified in a notice served in pursuance of subsection (5), and any person who wilfully obstructs or hinders a public officer so authorised in the execution of his duty under this subsection is guilty of an offence and liable to a fine of seven hundred and fifty dollars.

(10) The Minister may at any time delete the name (if any) and description of a building from the list by giving written notice to the owner and the occupier thereof (if any), and shall publish such notice in the Gazette whereupon the provisions of this section shall cease to apply in respect of the building.

Exportation  
of antiquities  
prohibited  
except under  
licence.

5. (1) The exportation of any antiquity found or excavated in Saint Vincent and the Grenadines is hereby prohibited except under and in accordance with the terms of a licence granted for that purpose by the Governor-General.

(2) The exporter, or his agent, of any antiquity exported in contravention of subsection (1) on the terms of a licence granted under that subsection, is guilty of an offence and liable to a fine of one hundred and fifty dollars and to imprisonment for three months.

Regulations.

6. The Governor-General may make regulations for the disposition, maintenance and preservation of historic buildings and antiquities acquired under the provisions of this Act, and without prejudice to the generality of the foregoing may make regulations —

- (a) prescribing the form and manner of service of the notice to be served in pursuance of section 4 (5);
- (b) prescribing the form of a licence under section 5 (1), and making provision for the manner of application for, the payment of a fee upon, and the terms to be included at the time of, the issue of such licence;
- (c) providing generally in respect of any matter or thing which, in his opinion, may be desirable or necessary for the carrying out of the provisions and purposes of this Act.

## LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

## CHAPTER 248

## REAL PROPERTY ACT

Chapter 84 of 1926  
amended by  
\* Act 3 of 1978  
\* S. R. O. 38 of 1980