

**CHAPTER 203**  
**NATIONAL DISASTER (EMERGENCY POWERS) ACT**

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• Act • Subsidiary Legislation •

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**ACT**

Act No. 15 of 1984

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Declaration of occurrence of national disaster.
4. Emergency powers of Prime Minister.
5. Compensation.
6. Regulations.
7. Power of entry and search.
8. Publication of declaration and regulations in case of difficulty.
9. Immunity.
10. Offences and general penalty.

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**CHAPTER 203**  
**NATIONAL DISASTER (EMERGENCY POWERS) ACT**

**An Act to make provision for the maintenance of supplies and services essential to the life of the community on the occurrence of a national disaster, and for connected matters.**

[Act No. 15 of 1984.]

[21st September, 1984.]

**1. Short title**

This Act may be cited as the National Disaster (Emergency Powers) Act.

**2. Interpretation**

In this Act—

“declaration” means a declaration made by the Prime Minister under section 3(1);

“national disaster” means a disaster occurring as a result of earthquake, hurricane, flood, fire, outbreak of pestilence or infectious disease or other calamity whether similar to the foregoing or not.

**3. Declaration of occurrence of national disaster**

(1) If at any time he or she is satisfied that a national disaster has occurred in Grenada or any part of Grenada and that supplies and services essential to the life of the community are in consequence likely to be endangered, the Prime Minister may, by declaration published in the *Gazette*, declare that a national disaster has occurred in

Grenada or that part, and thereupon the provisions contained in this Act shall commence to have effect.

(2) A declaration shall remain in force until revoked by the Prime Minister by notice published in the *Gazette*, and thereupon the provisions of this Act shall for the time being cease to have effect, but subject to subsection (1).

#### **4. Emergency powers of Prime Minister**

(1) The Prime Minister, or a person authorised by him or her, shall have power to assume control of and regulate—

- (a) means of communication and transport, and all fuel, buildings, plant and materials necessary to the working of the same;
- (b) food and liquor supplies;
- (c) water supplies;
- (d) the use of electricity and gas,

and to take all other measures which he or she deems necessary to maintain supplies and services essential to the life of the community.

(2) In the exercise of the powers conferred by subsection (1), the Prime Minister may requisition any property in Grenada—

- (a) by notice to a person having possession or control of the property; or
- (b) by notice in the *Gazette* specifying the property requisitioned.

(3) The notice of requisition may relate—

- (a) to specified property;
- (b) to property of certain classes; or
- (c) to property containing specified matter or material.

(4) After a notice is issued by the Prime Minister or published under subsection (2), the person having possession or control thereof shall not dispose of the property in any way whatsoever except by delivery to a person designated by the Prime Minister or the agent of that person.

(5) When the notice specifies that the property requisitioned shall be delivered to a person designated by the Prime Minister or the agent of that person, the person or his or her agent shall, upon delivery, give a receipt for the property so delivered and the receipt shall describe the property with sufficient accuracy to enable compensation to be made therefor.

(6) Where the Prime Minister has requisitioned any property he or she may deal with or authorise the use of or dealing with such property for any purpose and in such manner as may be expedient for maintaining supplies and services essential to the life of the community and may hold or otherwise dispose of any such property as if he or she were the owner thereof and as if such property were free from any mortgage, pledge, lien or similar obligation.

#### **5. Compensation**

(1) Where property has been requisitioned in accordance with the provisions of this Act, the Prime Minister shall endeavour to agree with the persons from whom such requisition has been made the amount of compensation for such requisition, but the absence of such agreement shall not restrict or invalidate the exercise of any of the powers conferred upon the Prime Minister by this Act.

(2) Where the Prime Minister has requisitioned property and agreement as to the amount of the compensation to be paid therefor cannot be reached, the amount shall be determined and paid in accordance with regulations made for those purposes by the Governor-General acting in accordance with the advice of the Cabinet.

## **6. Regulations**

(1) The Prime Minister may make regulations for the regulation and control of supplies and services essential to the life of the community and the regulations may authorise such measures as the Prime Minister may deem reasonably justifiable for dealing with the situation that exists in Grenada during the period of the national disaster.

(2) The regulations made under subsection (1) shall have effect as if enacted in this Act.

## **7. Power of entry and search**

Where the Prime Minister is satisfied that an offence against regulations made under section 6 has been or is being committed and that evidence of the commission of the offence is to be found at any premises, the Prime Minister may authorise in writing, signified under his or her hand, any police officer, together with any other person named in the authority, to enter the premises at any time within fourteen days from the date thereof and to search the premises and to seize any article found therein which the police officer has reasonable grounds for believing is evidence of the commission of an offence against the regulations.

## **8. Publication of declaration and regulations in case of difficulty**

(1) Regulations made under section 6 shall be published in the *Gazette*.

(2) If at any time it is impossible or impracticable to publish in the *Gazette* any declaration or regulations it shall be lawful to publish such declaration or regulations by means of notices affixed to public buildings or distributed amongst the public or by oral public announcement by radio or otherwise.

## **9. Immunity**

No person shall be liable to any suit or action in respect of any act done under lawful direction and authority pursuant to the provisions of this Act.

## **10. Offences and general penalty**

A person who does any act or thing contrary to the provisions of this Act, or who contravenes any regulation made under section 6, or who obstructs or attempts to obstruct any other person duly authorised to carry out the provisions of this Act in the performance of his or her duty thereunder, shall be guilty of an offence and liable, on summary conviction, to a fine of one thousand dollars and to imprisonment for twelve months, and in each case to the forfeiture of any goods or money in respect of which the offence has been committed.

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## **SUBSIDIARY LEGISLATION**

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*No Subsidiary Legislation*

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