

CHAPTER 404

THE SLUM CLEARANCE AND HOUSING ACT

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SCHEDULE.

 SLUM CLEARANCE AND HOUSING

(9th April, 1948.)

 3/1948.
 411952.
 1211953.
 1111974.
 28/1975.
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PART I

PRELIMINARY

1. This Act may be cited as the Slum Clearance and Housing Act. Short title.

2. In this Act— Interpretation.

“bank” includes building societies;

“Central Authority” means the Central Housing and Planning Authority established under the provisions and for the purposes of this Act and of the Town and Country Planning Act; Cap. 432.

“dwelling”, “dwelling-house” or “house” means any premises used as a separate dwelling by persons of the working classes or of a type suitable for such use and includes any part of a building which is occupied, or intended to be occupied, as a separate dwelling;

“Housing Association” means a society, body of trustees or company established for the purpose of, or amongst whose objects or powers are included those of constructing, improving or managing or facilitating or encouraging the construction or improvement of houses for the working classes, which the Minister for the purposes of this Act may deem and certify to be a Housing Association;

“Judge” means a Judge of the High Court sitting in Chambers, and in the case of any matter within the jurisdiction of a Magistrate’s Court, includes a Magistrate;

"landlord" means the immediate landlord of an occupier and includes, in relation to an occupier of a dwelling-house who holds under a contract of employment under which the provision of the house for his occupation forms part of his remuneration, his employer;

"agent" means, in relation to the landlord of a dwelling-house, a person who collects rent in respect thereof on behalf of the landlord or is authorized by him so to do, or in the case of a dwelling-house occupied by a person who holds as aforesaid, a person who pays remuneration to the occupier on behalf of the employer or is authorized by him so to do;

"Local Authority" means any Authority which the Minister shall by order published in the *Gazette* declare to be a Local Authority for the purposes of this Act, and within the area and to the extent specified in such order;

"official representation" means a representation made by any Local Authority with regard to any area within the jurisdiction of that Authority, or a representation made by a Medical Officer of Health or any statutory Health Authority;

"owner" in relation to any building or land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the right of ownership of the building or land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the building or land under a lease or agreement the unexpired term whereof exceeds three years;

"road" means any road whether public or private and includes any street, square, court, alley, lane, bridge, footway, trace, bridle path, passage, or highway, whether a thoroughfare or not;

"sanitary defects" includes darkness, dampness, lack of air space or of ventilation, absence of adequate

and readily accessible water supply or sanitary accommodation or of other conveniences, and inadequate paving or drainage of courts, yards or passages;

"scheme" means a housing scheme, a slum clearance scheme, a redevelopment scheme, and a scheme varying or revoking an existing scheme;

"slum clearance area" means an area defined and declared as such in the manner hereinafter contained to be acquired or re-developed for the purposes and in accordance with the provisions of this Act;

"working classes" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants, whose income in any case does not exceed an average of nine dollars and sixty cents a week or such other sum as the Central Authority in its discretion may decide and the families of any such person who may be residing with them.

(2) A house shall be deemed for the purposes of this Act to be overcrowded if the average floor space of such house is less than 40 square feet per person:

Provided that only rooms normally required as living rooms or bedrooms are included and that no account is taken of children under one year of age.

3. (1) For the purpose of this Act there shall be constituted a housing and planning authority, to be called The Central Housing and Planning Authority, vested with the powers and functions in this Act mentioned and charged with the duty of carrying out the provisions of this Act.

**Incorporation of
The Central
Housing and
Planning
Authority.**

(2) The Central Housing and Planning Authority (hereinafter in this Act referred to as "the Central Authority") shall be a body corporate and shall have perpetual succession and a common seal.

(3) The Central Authority shall have power to make contracts or to sue and be sued in their corporate name.

(4) The seal of the Central Authority shall, when used, be authenticated by the signatures of the Chairman and of one other member of the Central Authority.

(5) Judicial, and official, notice shall be taken of the seal.

(6) The Central Authority shall have an office in the City of St. John's.

PART II

CONSTITUTION OF THE CENTRAL AUTHORITY

Constitution of the Central Authority.

4. (1) The Central Authority shall consist of seven persons to be nominated by the Minister, of whom three shall be nominated on the recommendations of the House of Representatives.

(2) (a) The members of the Central Authority shall hold office for such period as the Minister may determine.

(b) The Chairman of the Central Authority shall be appointed by the Minister from amongst their number.

(3) The Central Authority shall have power to co-opt the assistance of the following persons when considering any scheme—

(a) representatives of any Local Authority when any matter affecting the area of such Local Authority is under consideration;

(b) a representative of the Education Department when any matter concerning the siting or design of, or otherwise affecting any school is under consideration;

(c) a representative of the Agricultural Department when any matter affecting the use of land, the marketing of produce or other matter affecting agriculture is under consideration;

(d) a planning officer or architect whenever such an officer is available when zoning, site planning or building is under consideration;

(e) any specialist officer who may be available when the advice of such specialist officer is considered desirable.

(4) The Minister may appoint any person to act in the place of the Chairman or any other member of the Central Authority in case of his absence or inability to act as such Chairman or other member.

(5) Any member of the Central Authority who—

(a) not being an officer in the public service, by writing addressed to the Minister, resigns from the Central Authority; or

(b) departs from Antigua and Barbuda without leave of the Minister; or

(c) remains out of Antigua and Barbuda after the expiration of his leave; or

(d) fails without reasonable excuse to attend four consecutive meetings of the Central Authority shall cease to be a member of the Central Authority.

(6) The Minister may at any time revoke the appointment of any member of the Central Authority.

(7) Where the appointment of a member of the Central Authority is revoked, or where a member ceases to be a member of the Central Authority, the Minister may, subject to the provisions of subsection (1), appoint another person to fill the vacancy.

(8) It is hereby declared that membership of the Central Authority, whether with or without remuneration or other allowance, shall not be a public office within the meaning of the Constitution.

5. (1) The Chairman and other members may be paid such remuneration or other allowances as the Minister may determine. **Remuneration of members.**

(2) The Minister may appoint at such remuneration and on such terms and conditions as he may determine a secretary and such other officers, servants and agents as may be requisite for the due and proper execution and enforcement of their duties under this Act, and to require any officer or servant or agent so appointed to give such security as may be deemed proper for the due execution of his duties.

(3) The Central Authority with the approval of the Minister may make rules relating to the duties of their officers, servants and agents.

**Appointment of
committee for
purposes of Act.**

6. (1) The Central Authority may appoint a committee for any of the purposes of this Act which, in the opinion of the Central Authority, would be better regulated and managed by means of a committee and may with the approval of the Minister delegate to the Committee with or without restrictions or conditions as they think fit, any of their powers under this Act.

(2) A committee appointed under this section shall consist of such number of persons as the Central Authority may think fit.

**Meetings and
procedure
thereat.**

7. (1) The Central Authority shall hold monthly meetings for the transaction of general business, which shall be held at such time and place and on such days as the Central Authority may determine.

(2) The Chairman may at any time call a special meeting of the Central Authority.

(3) An extraordinary meeting shall be summoned by the secretary of the Central Authority within twenty-one days of a requisition for that purpose addressed to him by any three members of the Central Authority. The requisition shall be in writing and no business other than that specified in the requisition shall be transacted at the extraordinary meeting except by leave of the Central Authority.

(4) The Chairman shall preside at all meetings of the Central Authority at which he is present. In case of his temporary absence, the members present and constituting a quorum shall elect a Chairman from among their number.

(5) At any meeting of the Central Authority four members shall form a quorum for the transaction of business.

(6) All acts of the Central Authority, and all questions coming or arising before the Central Authority, shall be done and decided by the majority of such members of the Central Authority as are present and vote thereat. In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

(7) Minutes of all meetings shall be recorded and kept by the secretary. Copies of such minutes duly confirmed at a subsequent meeting shall as soon as practicable thereafter be forwarded to the Minister.

PART III

GENERAL POWERS OF THE CENTRAL AUTHORITY

8. Subject to the provisions of this Act the Central Authority may, with the approval of the Minister—

**General powers
of Central
Authority.**

(a) acquire land or buildings, or an estate or interest therein, for all or any of the purposes of an approved scheme, which purposes may include the erection, construction, maintenance and improvement (whether by the Central Authority or by persons other than the Central Authority) of houses and gardens, factories, workshops, places of worship, places of recreation, and other works and buildings for or for the convenience of persons living in Antigua and Barbuda, and generally all such matters as are necessary or desirable for, or are incidental to, the development of the property acquired as a building estate;

(b) (i) acquire land or buildings, or an estate or interest therein, for the purpose of the development of the property acquired in any way which, if a scheme had been applicable to the property, could have been properly provided for in such scheme;

(ii) acquire land or buildings, or any estate or interest therein, adjacent to a slum clearance area or re-development area,

which in the opinion of the Central Authority it is desirable should be acquired for the satisfactory further development or use of the slum clearance area or re-development area as the case may be;

(iii) acquire land or buildings, or any estate or interest therein, in any area suitable for the purposes of a contemplated scheme;

(c) carry out, in connection with any property acquired for the purposes of an approved scheme, the purposes of that scheme;

(d) carry out, in connection with any property acquired under paragraph (b) (i) and (ii), the purposes for which the property was acquired;

(e) carry out, in relation to land or buildings, or any estate or interest therein, vested in the Crown, any purpose which could properly be provided for in a scheme in relation to property acquired for the purposes of the scheme, including (but without prejudice to the generality of the powers conferred by this paragraph) the erection of houses for settlers participating in any Land Settlement Scheme;

(f) without prejudice to any other powers conferred by this section, let or lease any land or buildings vested in the Central Authority on such terms and subject to such covenants and conditions as the Central Authority may think fit:

Provided that, in exercising the powers conferred by this paragraph, the Central Authority shall have regard to the provisions of section 35;

(g) on such terms as the Minister may approve, sell or exchange any land or buildings, or any estate or interest therein vested in the Central Authority;

(h) accept a donation of money for any purpose to which the funds of the Central Authority may lawfully be applied;

(i) guarantee or join in guaranteeing the payment of interest and capital or money borrowed by any person living in Antigua and Barbuda to purchase a dwelling-house or to erect a dwelling-house for his own use upon land belonging to the Central Authority or the Crown let or leased to such person upon such terms and conditions as the Central Authority may deem fit;

(j) advance upon such securities as may likewise be approved, to suitable social organisations for the purpose of assisting the erection of hotels for single men and single women of the working class;

(k) invest at their discretion in any securities authorised by law for the time being for the investment of trust funds any moneys (whether consisting of capital or income at any time at the disposal of the Central Authority not immediately required by the Central Authority for the purchase of property or the construction of buildings for other purposes as authorised by this Act.

9. (1) The Central Authority may, with the approval of the Minister, make arrangements with a Housing Association or Local Authority for the purpose of enabling such bodies to—

Power of Central Authority to make arrangements with Housing Association, &c.

(a) provide housing accommodation for persons of the working class displaced by action taken by the Central Authority under the provisions of this Act for dealing with slum clearance areas or with redevelopment areas or for the demolition of insanitary houses or for the closing of buildings or part of buildings;

(b) provide housing accommodation for persons of the working class for the purpose of the abatement of overcrowding;

(c) alter, enlarge, repair or improve houses or buildings, which, or an estate or interest in which, the Central Authority have acquired with a view to the provision or improvement of housing accommodation for persons of the working class.

(2) Arrangements made under subsection (1) shall include such terms with regard to such matters, including

the types of houses to be provided, the rents at which the houses provided are to be let, and the conditions of the tenancy, as may appear to the Central Authority to be expedient in view of the needs in relation to the housing of the working classes and as may be approved by the Minister.

(3) If a Housing Association or Local Authority represent to the Minister that they have submitted to the Central Authority proposals for arrangements under this section, and that the Central Authority have unreasonably refused to make arrangements in accordance with the proposals, the Minister may require the Central Authority to furnish him with a report as to the matter stating the reasons for their refusal and to make such arrangements as shall be approved by the Minister.

Power of Central Authority to make advances to persons for the purpose of improving or increasing housing accommodation.

10. (1) The Central Authority may, subject to the provisions hereinafter contained and subject to the approval of the Minister, in any case where the Central Authority consider that having regard to the costs involved and the financial position of the applicant it is reasonable to give such assistance, advance money for purchasing or constructing one or more houses, or for carrying out alterations or repairs to any house or houses, to any person of the working class:

Provided that such house is situate on land owned by any person of the working class or leased by such person for an approved period.

In this subsection "an approved period" means a period during which the recipient of assistance can refund any loan which may be made to him.

(2) Application for advances under this section shall be made in writing addressed to the Central Authority and shall contain full particulars of the houses to be purchased, constructed, altered, or repaired, and of the land on which such houses are or shall be situate, the amount of the advances required, the manner in which such advances are to be applied, the proposals for repayment thereof, and such other particulars as may be required by the Central Authority.

(3) The Central Authority before granting any such assistance shall satisfy themselves that the house in respect of which assistance is to be given will, when the building, alteration, or repair has been completed, be in all respects fit for human habitation, and will be used as dwellings for the working classes.

(4) The Central Authority shall consider each application and shall fix the maximum amount to be allowed, the conditions on which, and the times at which the total amount or any portion thereof shall be advanced, and the terms and conditions of repayment. Every advance made under this Act may, at the discretion of the Minister, carry interest at such rate as may be fixed by the Minister on the amount of every such advance or on so much thereof as may remain unpaid.

(5) Every advance made by the Central Authority under subsection (1) shall be secured by a first mortgage in favour of the Central Authority on the land and houses in respect of which the advance was made, and the mortgage shall be in the form prescribed by regulations under this Act, or, in the case of lands held under the Title by Registration Act Cap. 429.

(6) In any such form of mortgage there shall be implied (unless expressly excluded by the Central Authority) on the part of the borrower, the following covenants with the Central Authority, that is to say—

(a) to expend the advance for the purposes specified in the mortgage, and not otherwise;

(b) to repay the said advance and all charges and interest thereon, at the time or times, and in the manner mentioned in the mortgage, and to pay all expenses incurred by the Central Authority in enforcing or realizing the security of the Central Authority;

(c) to produce, at such times as may be required by any person authorized in writing by the Central Authority, an account showing the expenditure of the moneys advanced, vouched on oath or by affirmation, or in such other manner as may be required by the person so authorized;

(d) to repair, and keep in repair, all buildings and improvements which shall have been, or shall be, restored, altered, or erected upon the land;

(e) to suffer and permit any person authorized by the Central Authority in writing, at all times during the continuance of the security created by the mortgage under this Act, to enter into and upon the land and buildings, with or without surveyors or other persons, to view and inspect the state of repair and condition of the land, buildings, or improvements;

(f) to insure, and so long as any money remains secured by the said mortgage, to keep insured, against loss or damage by fire, earthquake and hurricane, in the name of the Central Authority, their assigns or transferees, in an insurance company, to be approved of by the Central Authority, all buildings, fixtures and erections which shall, for the time being, be erected on the said land, and which shall be of a nature or kind capable of being so insured, to the amount secured by the mortgage, or such less sum as the Central Authority may determine; and when so required, deposit with the Central Authority, their assigns or transferees, the policy of such insurance, and within seven days after each premium shall become payable, the receipt for the payment of such premium; and the moneys which shall be received on account of any such insurance, shall at the option of the Central Authority, their assigns or transferees, be applied, either in or towards satisfaction of the moneys secured by the mortgage, or for the carrying out of the purposes, under the superintendence of the Central Authority, specified in the mortgage; and that on any breach, or non-observance of this covenant the Central Authority their assigns or transferees, shall be at liberty to effect such insurance, and continue the same for such period as they may deem fit, and the costs and expenses paid on account thereof shall be payable on demand, and be a charge on the land, and bear interest at the same rate as in the case of principal money overdue;

(g) not to make any lease, or agreement for a lease without the consent in writing of the Central Authority first had and obtained and any such lease or agreement

for a lease, made or entered into by the borrower without such consent, shall be void to all intents and purposes whatsoever.

(7) Every such mortgage shall be recorded under the provisions of the Registration and Records Act, or registered under the provisions of the Title by Registration Act, as the case may be. **Cap. 375.**

(8) The Central Authority shall, on the repayment of the capital of any mortgage under subsection (5) and of all interest payable thereon file with the Registrar of Deeds or, the Registrar of Titles, as the case may be, a memorandum to that effect in the form prescribed by regulations under this Act, or, in the case of lands held under the Title by Registration Act in the form prescribed by that Act and every such memorandum shall operate as a discharge of the mortgage.

(9) If any person who shall receive an advance shall fail to pay interest on the capital amount if and when due, or shall commit any breach of any of the conditions attaching to such advance, the Central Authority may make up an account showing the amount due on the advance together with the interest thereon, if any, and any other charges and deliver to such person either personally or by post a copy of such account, and upon delivery of such account the amount therein stated to be due shall be immediately payable to the Central Authority, and in default of payment it shall be lawful for the Central Authority to exercise any or all of the powers available to mortgagees for enforcing payment of the securities.

11. Notwithstanding the provisions contained in section 10, the Central Authority may, in any case where the Central Authority think fit, and subject to such conditions, including the charging of a rate of interest as they may deem fit to impose, advance money for purchasing or advance money or supply materials for constructing one or more houses, or for carrying out alterations or repairs to any house or houses, to any person of the working class:

Power of Central Authority to make advances in any case on satisfactory security being given.

Provided that security for the payment therefor to the satisfaction of the Central Authority be given by such person.

Powers of
Central Authority
as to ruinous or
dilapidated
buildings.

12. (1) Whenever any building is, in the opinion of the Central Authority, ruinous or so dilapidated as to have become and to be unfit for human habitation or a nuisance or injurious or likely to be injurious to health, the Central Authority may give notice in writing to the owner requiring him forthwith to take down, secure, repair or rebuild the same to the satisfaction of the Central Authority within a time to be specified in the notice.

(2) If the owner neglects to comply with the requirements of the notice within the time specified therein, the Central Authority or any person authorized in writing by the Chairman of the Central Authority may make complaint thereof before a Magistrate, and such Magistrate may order the owner to carry out the requirements of the notice within a time fixed by him in his order.

(3) If such order is not complied with within the time fixed therein, the owner shall be liable on summary conviction to a fine not exceeding one thousand dollars and to a further fine not exceeding one hundred dollars for every day during the continuance of such non-compliance, and the Central Authority may, without prejudice to their right to institute a prosecution, with all convenient speed, enter upon the building or upon the ground on which it stands and execute the order.

(4) When the order directs the taking down of a neglected building, the Central Authority, in executing the order, may remove the materials to a convenient place, and (unless the expenses incurred by the Central Authority under this section in relation to such building are paid to them within fourteen days after such removal) sell the same or any part thereof as and if they in their discretion think fit.

(5) All expenses incurred by the Central Authority under this section in relation to a building may be deducted by the Central Authority out of the proceeds of the sale, and the surplus, if any, shall be paid by the Central Authority to the owner of the building on demand and upon proof of title; or the Central Authority may, if they think fit, pay such surplus into the High Court to an account to be entitled—

"In the matter of the Slum Clearance and Housing Act, and of the premises (*describing them*) the materials of which were sold under the provisions of the said Act"; and the High Court or any Judge thereof may, on the petition of any person entitled or claiming to be entitled to such moneys or any part thereof, make an order for the payment of the same or any part thereof to the person or persons entitled thereto.

(6) If the building is not taken down and such materials are not sold by the Central Authority, or if the proceeds of such sale are insufficient to defray the said expenses, the Central Authority may recover such expenses or such insufficiency from the owner of the building together with full costs in respect thereto in a summary manner, but without prejudice to his right to recover the same from any lessee or other person liable for the expenses of repairs.

(7) In connection with the exercise by the Central Authority of the powers conferred by this section in relation to a building within the area of a Local Authority, the following provisions shall have effect, namely—

(a) the Central Authority shall, in deciding to issue a notice under subsection (1) or in deciding whether any such notice has been satisfactorily complied with, take into consideration any report on the building submitted by the chief health or engineering adviser of the Local Authority;

(b) the Central Authority shall notify the Local Authority of the dates of the meetings at which any such decisions as are mentioned in paragraph (a) will be considered by the Central Authority and thereupon the Local Authority may delegate three of their members to attend such meetings, or any of them, for the purpose of considering such decisions and expressing their views thereon.

(8) In this section the term "building" includes a part of a building.

PART IV

PREPARATION AND APPROVAL OF SCHEMES

Duty of Central Authority to prepare housing schemes.

13. (1) The Central Authority shall consider the needs of Antigua and Barbuda with respect to the provision of housing accommodation for persons of the working class in any particular area, and as often as occasion arises, or after notice has been given to the Central Authority by the Minister and within such period as shall be specified in the notice, cause the area to be defined on a plan and prepare and submit to the Minister a scheme (hereinafter referred to as a Housing Scheme) for the exercise of their powers under the provisions of this Act and pass a resolution declaring the area so defined to be a housing area.

(2) Subject to the provisions of this Act but without prejudice to section 9, the Central Authority may carry into effect any Housing Scheme—

(a) by the conversion of any buildings acquired into dwelling houses;

(b) by altering, enlarging, repairing or improving any houses or buildings which have been acquired by the Central Authority;

(c) by altering, enlarging, repairing or improving a house as erected, converted or acquired, and fitting out, furnishing and supplying any such house with all requisite fittings and conveniences.

(3) Where the Central Authority acquire a house or other building in a housing area which could be made suitable as a dwelling house for the working classes, or an estate or an interest in such a house or other building, they shall forthwith proceed to secure the alteration, enlargement, repair or improvement of such house or building either by themselves executing any necessary works, or by leasing it to some person subject to conditions for securing that he will alter, enlarge, repair or improve it.

Central Authority may declare an unhealthy area to be a slum clearance area.

14. (1) Where the Central Authority are satisfied as respects any area that the housing conditions in that area are dangerous or injurious or likely to be injurious to the health and welfare of the inhabitants by reason of the disrepair

or sanitary defects of dwelling houses or barracks therein or of overcrowding in the area or of the bad arrangement of the houses or of the narrowness or bad arrangement of the roads, and that those conditions can be effectually remedied—

(a) by ordering the demolition, reconstruction or repair, as the circumstances may require, of those dwelling houses or barracks which are unfit for human habitation; or

(b) by the acquisition of the land and buildings thereon comprised in the area and themselves undertaking or otherwise securing the demolition, reconstruction or repair, as the circumstances may require, of those dwelling houses or barracks which are unfit for human habitation; and

(c) if it is so desired, by the acquisition by the Central Authority of any land or buildings in the area which it is expedient for them to acquire for the reconstruction and development of the area; and

(d) if it is so desired, by the acquisition of any land which is surrounded by the area, the acquisition of which is reasonably necessary for the purpose of securing a cleared area of convenient shape and dimensions, and of any adjoining land, the acquisition of which is reasonably necessary for the satisfactory development or use of the cleared area,

the Central Authority shall cause that area to be defined on a plan in such a manner as to exclude from that area any land or buildings in respect of which in their opinion sanitary defects do not exist or which they do not find it expedient to acquire for the remedying of overcrowding or badly arranged conditions, but including in such area buildings which in their opinion are in a state of disrepair and any surrounding or adjoining land which it is desired by the Central Authority to acquire.

(2) The Central Authority shall pass a resolution declaring the area so defined to be a slum clearance area and, shall, within the period hereinafter prescribed, prepare and submit to the Minister a scheme (hereinafter referred to as a slum clearance scheme) for the exercise of their powers under the provisions of this Act.

Duty of Central Authority to secure redevelopment.

15. Where the Central Authority are satisfied that in any district there is an area in which the following conditions exist, that is to say—

(a) at least one-third of the working class houses in the area are overcrowded, or so arranged as to be congested, or unfit for human habitation and not capable at a reasonable expense of being rendered so fit;

(b) the industrial and social conditions of the district are such that the area should be used to a substantial extent for housing the working classes; and

(c) it is expedient in connection with the provision of housing accommodation for the working classes that the area should be redeveloped as a whole;

the Central Authority shall—

(i) cause the area to be defined on a plan, and pass a resolution declaring the area so defined to be a proposed redevelopment area;

(ii) within the period and in the manner hereinafter prescribed, prepare and submit to the Minister a scheme (hereinafter referred to as a redevelopment scheme) for the exercise of their powers under the provisions of this Act.

Copies of resolutions to be sent to the Minister.

16. (1) As soon as may be after the Central Authority have passed a resolution under sections 13, 14 or 15, they shall send a copy of the resolution to the Minister and shall publish in the *Gazette* and in at least one local newspaper a notice stating that the resolution has been passed and naming a place where a copy of the resolution may be inspected.

Submission of scheme to the Minister.

(2) Within three months after the Central Authority shall have passed such resolution or within such extended period as the Minister may allow, the Central Authority shall prepare and submit to the Minister a plan of any scheme intended to be undertaken accompanied by a statement containing appropriate particulars of the scheme indicating—

(a) the manner in which it is intended that the defined area should be laid out and the land therein used, and in particular the land intended to be used

for the provision of houses for the working classes, for roads and for open spaces;

(b) the approximate quantity of the land to be acquired;

(c) the approximate number and the nature of the houses to be provided by the Central Authority;

(d) the average number of houses to be constructed per acre;

(e) the community facilities proposed, including shops, schools, churches, meeting halls, play centres and recreation grounds;

(f) if the total demolition of existing houses is not proposed, the nature of repairs, improvements and reconstruction intended to be made;

(g) the time within which the scheme or any part thereof is to be carried into effect;

(h) the estimated cost of the scheme and of the rents expected to be derived from the houses provided under the scheme;

(i) such incidental, consequential and supplementary provisions (including provisions as to the subsequent variation of the scheme) as may appear necessary or proper for the purpose of the scheme;

(j) objections made by persons affected by the scheme where such objections have not been met or withdrawn.

(3) In the preparation of any scheme the Central Authority shall have regard to the provisions of any planning scheme relating to the defined area or land in the neighbourhood thereof.

(4) The Central Authority before submitting such scheme to the Minister shall—

(a) publish in a local newspaper a notice stating that the scheme is about to be submitted to the Minister for approval, naming a place where the plan and particulars of the scheme may be inspected, and specifying

the time within which, and the manner in which, objections may be made; and

(b) serve a notice to the like effect on every owner and on every other person who to the knowledge of the Central Authority has any estate or interest in land in the defined area, except persons holding under a monthly tenancy or less period:

Provided that failure to serve any such notice shall not in any manner prejudice such scheme.

Local Authority affected by scheme to be notified.

17. (1) In any case where a scheme is wholly or in part within the area of a Local Authority, the Central Authority shall, before submitting the draft scheme to the Minister for approval, furnish particulars and a copy of the scheme to the Local Authority for their consideration and representations.

(2) If the Local Authority desire to make any objections or representations in respect of the said scheme, they shall within the prescribed time and manner submit the same to the Central Authority.

(3) The Central Authority shall consider any objections or representations received by them in pursuance of this section, and shall give full opportunity for such Local Authority to be heard by the Central Authority, and in submitting the scheme to the Minister for approval shall forward copies of all such objections or representations which have not been met or withdrawn.

Approval of scheme by Minister.

18. (1) The Minister may, if he thinks fit, after considering any objections duly made to the scheme which have not been met or withdrawn approve the scheme submitted to him or any part thereof, either without modification or with such modifications as he thinks fit (including, if he thinks fit, the alteration of the defined area so as to exclude land therefrom, but not so as to add land thereto) and the scheme or part thereof when so approved shall be binding on the Central Authority; but if the Minister considers the scheme inadequate he may refuse to approve the scheme and require the Central Authority to prepare and submit to him a further scheme within such time as he may fix, or he may approve the scheme or any part thereof subject to the condition that

the Central Authority prepare and submit to him a further scheme within such time as he may fix:

Provided that in the case of a redevelopment scheme he may, before approving the scheme, cause a public inquiry into the matter to be held under the Commissions of Inquiry Act and shall consider any objection not withdrawn and the report of the Commission of Inquiry, and he may thereafter approve the scheme with or without any such modifications as aforesaid. Cap. 91.

(2) The Minister shall not approve of any scheme unless he is satisfied that—

(a) the size of the area is such that the housing conditions therein can be remedied within a reasonable period;

(b) in so far as suitable accommodation available for the persons of the working classes who will be displaced by the steps the Central Authority propose to take for the clearance and development of the area does not exist, the Central Authority will provide, or secure the provision of, such accommodation in advance of the displacements which will from time to time become necessary as these steps are taken.

In this section "suitable accommodation" means, in relation to the occupier of a dwelling house, a dwelling house as to which the following conditions are satisfied, that is to say—

(a) the house must be a house in which the occupier and his family can live without causing it to be overcrowded;

(b) the Local Authority must certify the house to be suitable to the needs of the occupier and his family as regards security of tenure and proximity to place of work and otherwise to be suitable in relation to his means; and

(c) if the house belongs to the Local Authority, they must certify it to be suitable to the needs of the occupier and his family as respects extent of accommodation having regard to the standard specified in this Act.

Notification of approval of scheme.

19. (1) Upon notification to the Central Authority of the approval of the Minister of any scheme, the Central Authority shall forthwith publish in the *Gazette* and in at least one local newspaper a notice stating that the scheme has been approved and naming a place where a copy of the plan and particulars thereof may be inspected, and in the case of a redevelopment scheme serve a like notice on every person who gave notice of his objection to the scheme.

(2) Where, after a scheme has been approved, it appears to the Central Authority that any land in the area (that is to say the defined area or so much thereof as is comprised in the scheme approved) ought to be redeveloped or used otherwise than as indicated in the scheme, the Central Authority shall prepare and submit for the approval of the Minister a new scheme as respects that land.

(3) In the following provisions of this Act references to redevelopment or use in accordance with a scheme shall be construed as references to a scheme approved under this section, or, in the case of land comprised in a new scheme approved under this section, in accordance with the new scheme.

PART V

EFFECTS AND OBLIGATIONS CONSEQUENT UPON AN APPROVED SCHEME

Demolition order.

20. (1) Where as respects any area declared by the Central Authority to be a slum clearance area and included in a slum clearance scheme approved of by the Minister in the manner hereinbefore provided, the Central Authority shall determine to order any buildings in the area to be demolished, they shall make an order (in this Act referred to as a "demolition order") ordering the demolition of each of those buildings, and the Central Authority shall forthwith publish in at least one local newspaper, a copy of the order, and upon such publication the order shall become operative.

(2) When a demolition order has become operative the owner or owners of any building to which the order applies shall demolish that building before the expiration of two months from the date on which the building is required by

the order to be vacated or, if it is not vacated until after that date, before the expiration of two months from the date on which it is vacated or, in either case, before the expiration of such longer period as in the circumstances the Central Authority may deem reasonable; and, if the building is not demolished before the expiration of that period, the Central Authority shall enter and demolish the building and sell or otherwise dispose of the materials thereof.

(3) Any expenses incurred by the Central Authority under subsection (2), after giving credit for any amount realized by the sale of materials, may be recovered by them as a simple contract debt from the owner of the house or, if there is more than one owner from the owners thereof in such shares as the court may determine to be just and equitable; and any owner who pays to the Central Authority the full amount of their claim may in the like manner recover from any other owner such contribution, if any, as the court may determine to be just and equitable.

(4) Any surplus in the hands of the Central Authority shall be paid by them to the owner of the house, or if there is more than one owner, shall be paid as those owners may agree. If there is more than one owner and the owners do not agree as to the division of the surplus, the Central Authority shall be deemed by virtue of this subsection to be trustees of the surplus for the owners of the house.

(5) The court, in determining for the purposes of this section the shares in which any expenses shall be paid or contributed by, or any surplus shall be divided between, two or more owners of a house, shall have regard to their respective interests in the house, their respective obligations and liabilities in respect of maintenance and repair under any covenant or agreement, whether expressed or implied, and all the other circumstances of the case.

21. (1) When a demolition order has become operative no land to which the order applies shall be used for building purposes, or otherwise developed, except subject to such restrictions and conditions, if any, as the Central Authority may think fit to impose:

Use of land in respect of which a demolition order has been made.

Provided that an owner who is aggrieved by a restriction or condition so imposed on the user of his land, or by a subsequent refusal of the Central Authority to cancel or modify any such restriction or condition, may at any time appeal by notice in writing to a Judge who shall determine the matter summarily and make such order in the matter as he thinks proper, and his decision shall be final.

(2) A person who commences, or causes to be commenced, any work in contravention of a restriction or condition imposed under this section shall be liable, on summary conviction, to a fine not exceeding one hundred dollars in respect of each day during which the work exists in such a form and state as to contravene the restriction or condition.

Owner of land and buildings may be permitted to carry out slum clearance scheme or redevelopment scheme.

22. (1) Notwithstanding the publication of a notice by the Central Authority in accordance with the provisions of section 19 the owner of any land or buildings specified in such notice may, with the permission of the Central Authority and the approval of the Minister, undertake for himself the clearance and reconstruction of the land and buildings so specified or the redevelopment thereof subject to the provisions hereinafter contained.

(2) Any application for such permission with full particulars accompanied by plans shall be made by the owner in writing addressed to the Central Authority within four weeks of the date of publication of the notice by the Central Authority. The Central Authority shall as soon as practicable after the receipt of such application consider the same at a meeting of the Central Authority and shall by resolution passed at such meeting either refuse or accept the application. The resolution together with the application shall be submitted to the Minister who may either reject the application or grant it with such modifications (if any) as he may think fit.

(3) If the application is granted, the owner shall within four weeks of the date of his being notified of the granting of his application enter into a bond with one or more sureties to be approved by the Central Authority in a sum not less than the estimated cost of clearance and reconstruction of the land and buildings or the redevelopment thereof, as the

case may be, specified in the application as approved by the Minister, which said bond shall be conditioned that the owner shall pay such sum as aforesaid to the general revenue of Antigua and Barbuda upon failure to complete the clearance and reconstruction of the said land and buildings or the redevelopment thereof, as the case may be, within a period to be specified in the bond and in accordance with the scheme:

Provided that, if the owner of any such land and buildings fails to complete the clearance and reconstruction thereof or the redevelopment thereof, as the case may be, in accordance with the scheme to the satisfaction of the Central Authority and within the period specified in the bond, subject to any variation or extensions approved by the surety or sureties and the Minister, the Central Authority may, notwithstanding the enforcement of the bond, acquire such land and buildings and clear and reconstruct or redevelop the same in accordance with the provisions of this Act.

(4) Upon the completion by the owner of the clearance and the reconstruction of the said land or buildings or the redevelopment thereof, as the case may be, to the satisfaction of the Central Authority, the Central Authority shall, at the expense of the owner, cause the notice published by the Central Authority in accordance with section 19 to be amended by the publication of an amending notice deleting from the first mentioned notice the land and buildings specified in the bond.

(5) Where the Central Authority are satisfied that, for the purpose of enabling the clearance and reconstruction of land and buildings or the redevelopment thereof, as the case may be, to be carried out in accordance with proposals which have been submitted as aforesaid and in respect of which the Central Authority have given notice of their satisfaction, it is necessary that any dwelling house to which the Rent Restriction Act applies should be vacated, and that suitable alternative accommodation is available for a tenant or will be available for him at a future date, the Central Authority may issue to the landlord a certificate that such suitable alternative accommodation is available for the tenant or will be available for him by such future date, and a certificate so issued shall, for the purposes of the Rent Restriction Act, be binding on the court to order the recovery of possession of any such dwelling house.

Cap. 378.

Certificates as to the condition of houses and exemption from slum clearance area.

23. (1) Any owner of a dwelling house, which is occupied or of a type suitable for occupation, by persons of the working class and in respect of which works of improvement (otherwise than by way of decoration or repair but including fittings and fixtures) or structural alteration are proposed to be executed, may submit a list of the proposed works to the Central Authority with a request in writing that the Central Authority shall inform him whether in their opinion the house would, having due regard to the nature of its site and its relationship to the arrangements of existing roads after the execution of those works, or of those works together with any additional works, be in all respects fit for human habitation and would, with reasonable care and maintenance, remain so fit for a period of at least five years.

(2) As soon as may be after receipt of such a list and request as aforesaid the Central Authority shall take the list into consideration and inform the owner whether they are of opinion as aforesaid or not, and in a case where they are of that opinion, shall furnish him with a list of the additional works (if any) appearing to them to be required.

(3) Where the Central Authority have stated that they are of opinion as aforesaid and the works specified in the list submitted to them, together with any additional works specified in a list furnished by them, have been executed to their satisfaction, they shall, on the application of any owner of the house, issue to him a certificate that the house is in all respects fit for human habitation and will with reasonable care and maintenance remain so fit for a period (being a period of not less than five years nor more than ten years) to be specified in the certificate.

(4) During the period specified in a certificate given under this section no action shall be taken under this Act with a view to the demolition of the house as being unfit for human habitation and its reconstruction as part of a slum clearance area.

Judge may empower owner to execute works on default of another owner.

24. (1) If it appear to a Judge on the written application of any owner of a house in respect of which a notice requiring the execution of works has been served, or a demolition order has been made, that owing to the default of any other owner of the house in executing any works required

to be executed on the house, or in demolishing the house, the interests of the applicant will be prejudiced, the Judge may make an order empowering the applicant forthwith to enter on the house, and, within a period fixed by the order, execute the said works or demolish the house, as the case may be; and where it seems to the Judge just so to do, he may make a like order in favour of any other owner.

(2) Before an order is made under this section, notice of the application shall be given to the Central Authority, and to any other owner who may be affected by the order.

(3) Proceedings under this section shall be determined by the Judge in a summary manner, and any order made by him shall be final.

PART VI

ACQUISITION AND COMPENSATION

25. Where the Central Authority are unable to acquire by agreement and on reasonable terms any lands or buildings which they consider should be acquired for the purposes of this Act, the Central Authority shall report the fact to the Minister and, if the Central Authority so request, the Minister may, if he thinks fit, take the necessary steps to acquire such lands or buildings compulsorily under the provisions of the Land Acquisition Act.

Acquisition of land.

Cap. 233.

26. (1) The Central Authority may pay to any person displaced from any dwelling house or other building in a slum clearance area or a redevelopment area, as the case may be, which has been acquired under the provisions of this Act, as being unfit for human habitation and not capable at reasonable expense of being rendered so fit, such reasonable allowance as they think fit towards his expense in removing; and to any person carrying on any trade or business in any such dwelling house or other building, they may also pay such reasonable allowance as they think fit towards the loss which, in their opinion, he will sustain by reason of the disturbance of this trade or business consequent on his having to quit the house or building and in estimating that loss they shall have regard to the period for which the premises occupied by him might reasonably have been expected to be available for the purpose of his trade or

Power of Central Authority to make allowances to certain persons displaced.

business and the availability of other premises suitable for that purpose.

(2) The Central Authority may also, in cases of special hardship, pay to the owner of any premises acquired for the purposes of this Act such sum as they consider fair and reasonable in the circumstances.

PART VII

COMPLETION OF SCHEMES AND CONSEQUENTIAL POWERS AND DUTIES OF THE CENTRAL AUTHORITY

Central Authority to carry out scheme.

27. (1) The Central Authority, who are hereby empowered so to do, shall execute any scheme approved by the Minister within such time as may be specified in such scheme or within such further time as may be allowed by the Minister.

(2) The Central Authority may, in connection with any scheme, authorize the laying out and construction of roads and services upon the land acquired by them; and all roads and services as laid out and constructed if situated within the jurisdiction of a Local Authority, shall thenceforth be public roads and services maintained by the Local Authority.

(3) Subject to the approval of the Minister the Central Authority may also engage with any person to carry the whole or any part of the scheme into effect upon such terms as the Central Authority may think expedient.

(4) When and so soon as a scheme has been substantially completed by the Central Authority in accordance with the provisions of this Act, the Central Authority shall certify that fact to the Minister and specify the date upon which the buildings within the area of such scheme or any part thereof were or shall be ready for habitation.

Assignment of duties of Central Authority to Local Authorities.

28. The Central Authority may with the approval of the Minister come to an agreement with a Local Authority so named in a scheme and in consequence thereof assign to such Local Authority duties and functions in relation to the enforcement and carrying out of such scheme.

29. (1) Where any scheme has been approved in accordance with the provisions of this Act the Central Authority shall serve on the occupier of any land or building or any part thereof within the area of such scheme a notice stating the effect of such scheme and specifying the date by which the Central Authority require the building to be vacated, and requiring him to quit the said land or the building before the said date or before the expiration of twenty-eight days from the service of the notice, whichever may be the later; and if at any time after the date on which the notice requires the land or building to be vacated any person is in occupation of the land or building or any part thereof, the Central Authority may make complaint to the Magistrate of the district within which the land or building is situate and thereupon the Magistrate shall by warrant in the form set out in the Schedule, order vacant possession of the land or building or of any part thereof to be given to the complainants within such period as may be determined by the Magistrate, and the Magistrate may allow any costs and expenses incurred by the Central Authority under this section in obtaining possession of any land or building.

Recovery of Possession of Buildings within areas of approved schemes.

Schedule.

(2) Any person who, knowing that a scheme in any area has been approved and applies to any land or building, enters into occupation of that land or of any such buildings or any part thereof after the approval of such scheme in such area or permits any person to enter into such occupation after that date, shall be liable, on summary conviction, to a penalty not exceeding one thousand dollars and to a further penalty not exceeding one hundred dollars for every day or part of a day on which the occupation continues after conviction.

30. (1) Where any premises in respect of which any order or scheme under this Act has become operative form the subject matter of a lease, either the lessor or the lessee may apply in writing to a Judge for an order under this section.

Power of Judge to determine lease where premises demolished.

(2) Upon any such application as aforesaid, the Judge, after giving to any sub-lessee an opportunity of being heard, may, if he thinks fit, make an order for the determination of the lease, or for the variation thereof, and, in either case, either unconditionally or subject to such terms and conditions (including conditions with respect to the payment of

money by any party to the proceedings to any other party thereto by way of compensation, damages, or otherwise) as the Judge may think just and equitable to impose, regard being had to the respective rights, obligations, and liabilities of the parties under the lease and all the other circumstances of the case.

(3) In this section the expression "lease" includes an under-lease and any tenancy or agreement for a lease, under-lease, or tenancy, whether any such be registered or not and the expressions "lessor", "lessee", and "sub-lessee" shall be construed accordingly and as including also a person deriving title under a lessor, lessee, or sub-lessee.

Extinguishment
of ways,
easements. etc.

31. (1) The Central Authority may, with the approval of the Minister by an order extinguish any public right of way over any land acquired by them in accordance with the provisions of this Act but notice of an order intended to be made under this section shall, prior to such approval, be published in the *Gazette* and in at least one local newspaper at least once in every week for a period of four weeks, and if any objection thereto is made to the Minister before the expiration of six weeks from the date of the first publication thereof, the Minister shall consider such objection before approving the order, and he may if he thinks fit cause a public inquiry into the matter to be held under the Commissions of Inquiry Act.

Cap. 91.

(2) Any such order when approved shall be published in the *Gazette* and shall take effect from the date of such publication or from the date specified in such order.

(3) Upon the completion by the Central Authority of the acquisition of them of any land in accordance with the provisions of this Act all private rights of way and all rights of laying down, erecting, continuing and maintaining any pipes, sewers, drains, wires or cables on, under or over that land (together with the property in those pipes, sewers, drains, wires or cables) and all other rights, servitudes or easements in or relating to that land shall, except so far as may be otherwise agreed by the Central Authority and the person or Local Authority entitled to the rights in question vest in the Central Authority and any persons who suffer loss by the vesting of any such rights or property as aforesaid shall be entitled

to be paid by the Central Authority compensation to be determined under and in accordance with the provisions of the Land Acquisition Act.

Cap. 233.

32. (1) The Central Authority may, for any purpose arising in relation to the making, enforcement, or carrying out of a scheme, by notice in writing, require the owner or occupier of any land or building in the area to which such a scheme relates or is intended to relate or any person receiving, whether for himself or for another, rent out of any such land or building, to state in writing to the Central Authority, within a specified time not less than twenty-one days after being so required, particulars of the estate, interest or right by virtue of which he owns or occupies such land or building or receives such rent (as the case may be) and the name and address, and the estate, interest, or right (so far as they are known to him) of every person who to his knowledge has any estate or interest in or right over or in respect of such land or building.

Power of Central Authority to require information as to ownership of premises.

(2) Every person who is required under this section to state in writing any matter or thing to the Central Authority and either neglects so to state such matter or thing within the time appointed under this section or when so stating any such matter or thing makes any statement in writing which is to his knowledge false or misleading in a material respect, shall be liable, on summary conviction to a penalty not exceeding one thousand dollars.

33. Any person authorized in writing stating the particular purpose or purposes for which the entry is authorized by the Central Authority or the Minister may at all reasonable times on giving 24 hours notice to the occupier and to the owner, if the owner is known, of his intention, enter any house, premises, or buildings for the purpose of inspecting the same and in particular—

Power of entry for inspection, etc.

(a) for the purpose of survey or valuation, in the case of houses, premises, or buildings which are authorized to be acquired compulsorily under this Act; and

(b) for the purpose of survey and examination, in the case of a house in respect of which a notice requiring

the execution of works has been served, or a demolition order, or a clearance order, has been made; or

(c) for the purpose of survey and examination, where it appears to the Central Authority or the Minister that survey or examination is necessary in order to determine whether any powers under this Act should be exercised in respect of the house, premises or building.

Penalty for obstructing execution of Act.

34. Any person who obstructs a medical officer, sanitary officer, or any officer of the Central Authority, or any person authorized to enter houses, premises or buildings in pursuance of this Act in the performance of anything which such officer, Central Authority, or person is by this Act required or authorized to do, shall be liable, on summary conviction, to a fine not exceeding one thousand dollars.

Conditions to be observed by Central Authority in letting houses.

35. The Central Authority shall, in relation to the letting of houses observe the requirements specified in the following provisions of this section—

(a) The Central Authority shall secure that in the selection of their tenants a reasonable preference is given to persons of the working class who are occupying insanitary or overcrowded houses, have large families or are living under unsatisfactory housing conditions except so far as the demand for housing accommodation in any district on the part of such persons can be satisfied without such reservation.

(b) In fixing rents the Central Authority shall take into consideration the rents ordinarily payable by persons of the working class in the locality, but may grant to any tenant such rebates from rent, subject to such terms or conditions, as they may think fit.

(c) The Central Authority shall from time to time review rents and make such changes, either of rents generally or of particular rents, and rebates (if any) as circumstances may require.

(d) The Central Authority shall make it a term of every letting that the tenant shall not assign, sub-let or otherwise part with the possession of the premises, or any part thereof except with the consent in writing of

the Central Authority, and shall not give such consent unless it is shown to their satisfaction that no payment other than a rent which is in their opinion a reasonable rent has been, or is to be, received by the tenant in consideration of the assignment, sub-letting or other transaction.

PART VIII

FINANCIAL

36. (1) All moneys of the Central Authority accruing from its operations under this Act shall be paid into some bank or banks appointed by resolution of the Central Authority, and such moneys shall, as far as practicable, be paid into the bank from day to day, except such sum as the accountant of the Central Authority may be authorized by rules made under section 37 to retain in his hands to meet petty disbursements for immediate payments. Cash deposits
and payments.

(2) All payments out of the funds of the Central Authority except petty disbursements not exceeding a sum to be fixed by rules made under section 37, shall be made by the accountant of the Central Authority or on his behalf by any other officer appointed by the Central Authority, in accordance with any such rules.

(3) Cheques against any banking account required to be kept or withdrawals from any savings bank account shall be signed by the accountant of the Central Authority and countersigned by the secretary or any member of the Central Authority or any officer of the Central Authority appointed by resolution of the Central Authority for the purpose, and any such resolution shall be certified by the chairman and forwarded to the banks concerned.

37. The Central Authority shall by resolution make Rules. rules in respect of the following matters—

(a) the manner in which and the officers by whom payments are to be approved;

(b) the bank or banks into which the moneys of the Central Authority are to be paid, the title of any account with any such bank, and the transfer of one fund from one account to another;

(c) the appointment of a member of the Central Authority or officer of the Central Authority to counter-sign cheques on behalf of the secretary or in the absence of the secretary;

(d) the sum to be retained by the accountant of the Central Authority to meet petty disbursements and immediate payments and the maximum sum that may be so disbursed for any one payment;

(e) the method to be adopted in making payments out of the funds of the Central Authority;

(f) generally as to all matters necessary for the proper keeping and control of the accounts and books and the control of the finance of the Central Authority.

Power to borrow.

38. (1) The Central Authority may from time to time, with the approval of the Minister responsible for finance, borrow, secure or raise money by the issue of debentures or debenture stock, or other security, for all or any of the following purposes:—

(a) the provision of working capital;

(b) the fulfilling of the functions of Central Authority under this Act;

(c) the provision of capital for the expansion of, and addition to, its fixed assets;

(d) the redemption of any debenture or debenture stock or other security that the Central Authority is required or entitled to redeem;

(e) any other expenditure properly chargeable to capital account.

(2) The Central Authority may, from time to time, borrow by way of overdraft or otherwise such sums as the Central Authority may require for meeting its obligations and discharging its functions under this Act.

Accounts to be kept.

39. The Central Authority shall keep such accounts of receipts and expenses as may be prescribed by the Director of Audit or such other auditor as may be approved by the Minister.

40. All accounts kept by the Central Authority shall be audited annually by the Director of Audit or such other auditor as may be approved by the Minister, who shall have the right of inspection thereof at all reasonable times.

Accounts open to inspection and audit.

PART IX

GENERAL

41. For the purposes of co-operating with the Central Authority in the preparation or the carrying into effect of a scheme, any public department or Local Authority may, subject to the approval of the Minister, enter into agreements for securing that any land which is under their control, or which is in their occupation or vested in them for public purposes or for the public service, shall, so far as may be provided by any such agreement, be laid out and used in conformity with the general objects of the scheme, and any agreement so made may contain such consequential and incidental provisions, including provisions of a financial character, as appear to be necessary or desirable having regard to the contents or proposed contents of the scheme.

Power of public departments, etc. to make agreements in connection with schemes.

42. Where any person is willing to agree with the Central Authority that his land, or any part thereof, shall, so far as his interest in the land enables him to bind it, be made subject either permanently or for a specified period, to conditions restricting the planning, development, or use thereof in any manner, the Central Authority may, if they think fit, enter into an agreement with him to that effect.

Power of Central Authority and owners to enter into agreements restricting use of land.

43. (1) Any notice, summons, writ or other proceeding at law or otherwise required to be served on the Central Authority for any of the purposes of this Act may be served upon them by delivering it to their secretary, or by leaving it at their office with some person employed there, or by sending it by post in a registered letter addressed to the Central Authority or their secretary at their office.

Service of notices, etc., on Central Authority.

(2) Subject to the provisions of subsection (1) any notice, order, or other document required or authorized to be served under this Act may be served either—

(a) by delivering it to the person on whom it is to be served: or

(b) by leaving it at the usual or last known place of abode of that person; or

(c) by sending it in a prepaid letter addressed to that person at his usual or last known place of abode; or

(d) in the case of an incorporated company or body by delivering it to the secretary or clerk of the company or body at their registered or principal office or sending it in a prepaid letter addressed to the secretary or clerk of the company or body at that office; or

(e) if it is not practicable after reasonable inquiry to ascertain the name or address of any person on whom it should be served, by addressing it to him by the description of "owner" or "lessee" or "occupier" (or as the case may be) of the premises (naming them) to which it relates, and by delivering it to some person on the premises or if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

Summary procedure.

44. (1) Where any application is made under this Act to a Judge, the Judge may summon the parties to appear before him at a time and place to be named in the summons and upon the appearance of such parties, or in the absence of any of them, upon proof of the due service of the summons, may hear and determine the question at issue and the amount of any compensation, and for that purpose examine such parties or any of them and their witnesses upon oath, and the costs of every such inquiry shall be at his discretion and he shall settle the amount thereof.

(2) There shall be a right of appeal to a Judge in Chambers from any decision of a Magistrate:

Provided the appeal is entered within fifteen days of the date of such decision.

Regulations.

45. (1) The Central Authority, with the approval of the Minister may make regulations relating to the following matters—

(a) fixing and from time to time varying the number of persons who may occupy a dwelling house which is let by the Central Authority;

(b) the use of the dwellings let by the Central Authority with a view to the prevention of nuisances and sanitary defects;

(c) the inspection of houses and land vested in the Central Authority;

(d) the time, place and manner for the payment of moneys payable under this Act;

(e) the books and accounts to be kept by the Central Authority;

(f) prescribing the forms of mortgages, charges, discharge of mortgage, leases and other instruments;

(g) prescribing the time when and the manner in which objections or representations to a scheme may be made by a Local Authority; and

(h) generally, for regulating the administration of the Central Authority and for the purpose of carrying out the provisions of this Act.

(2) Regulations made under this section shall have no force or effect until they have been approved by the House of Representatives.

SCHEDULE

S. 29(1).

The Slum Clearance and Housing Act

In 'the Magistrate's Court, District.....
To the Bailiff of the Magistrate's Court District.....
WHEREAS (set forth the complaint).....

I,.....Magistrate of the
said District in Antigua and Barbuda do authorise and command
you, on any day within.....days from the
date hereof (except on Sunday or any public holiday) between the
hours of eight in the forenoon and five in the afternoon, to enter
(by force, if needful) with or without the aid of any other person or
persons whom you may think requisite to call to your assistance into
and upon the said premises and to eject thereout any person, and
of the said premises full and peaceable possession to deliver to the
Central Housing and Planning Authority.

Given under my hand this.....day of.....
19.....

Magistrate.

District