

S.I. 74/1968

HAWKSBILL CREEK, GRAND BAHAMA (DEEP WATER HARBOUR AND INDUSTRIAL AREA) PORT AREA ORDER, 1968

(Order made under clause 2(19) of the Agreement)

[Commencement 5th December, 1968]

WHEREAS by the provisions of subclause (19) of clause 2 of the Agreement dated the 4th August 1955 made under the Authority of the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Act (hereinafter referred to as the Principal Agreement as amended by subclause (13) of clause 2 of the Agreement dated the 11th July, 1960 made under the authority of the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) (Amendment of Agreement) Act (hereinafter referred to as the Supplement Agreement) the Government covenanted that upon The Grand Bahama Port Authority, Limited from time to time submitting to the Colonial Secretary proper survey plans of any additional land purchased either from the Crown or from private owners adjoining any part of the Port Area and lying North or South of that part of the existing Port Area bounded Westwardly by a line drawn across the said Island on a bearing North 21°49' East at a distance of three and a half (3½) miles Westward of the West Bank of Hawksbill Creek and Eastwardly of a line drawn across the said island North and South at a point five hundred (500) feet Eastward of the East Bank of Gold Rock Creek where it joins the Sea on the South side of the said Island the Government would forthwith declare such additional land to be a part of the Port Area within the meaning of the Principal Agreement by Order in Council published in the *Official Gazette*:

AND WHEREAS by the provisions of clause 14 of an Agreement dated the 1st March, 1966 made under the Authority of the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) (Amendment of Agreement) Act, 1965 it was agreed that any reference contained in the Principal Agreement or the Supplemental Agreement to “The Governor in Council”, or an “Order in Council” or “The Colonial Secretary” should be read and construed as a reference to “the Governor” an “Order by the Governor” or “the Secretary to the Cabinet” as the case may be:

AND WHEREAS by section 3 of the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Interpretation of Agreement Act, 1965 it was declared that for the purposes of any Declaration by the Government made (whether theretofore or thereafter) in accordance with the provisions of the said subclause (19) of clause 2 (as amended) such Declaration should take effect in accordance with the Principal Agreement as amended by the said Agreement dated the 11th July, 1960 (and should be deemed always so to have taken effect) if the land the subject thereof was at the time of such Declaration owned in fee simple by The Grand Bahama Port Authority, Limited or although not then so owned, had at any time prior thereto been so owned:

AND WHEREAS pursuant to the provisions of subclause (13) of clause 2 of the said Agreement dated the 11th July, 1960 The Grand Bahama Port Authority, Limited on the 13th May, 1968 submitted to the Secretary to the Cabinet proper survey plans (hereinafter referred to) of additional land purchased either from the Crown or from private owners adjoining the Port Area as aforesaid such additional land being the following areas that is to say:

1. A tract of 6.55 acres originally granted by the Crown to The Grand Bahama Port Authority, Limited and shown delineated (together with the tract of 20 acres immediately hereinafter referred to) on those parts which are coloured Yellow on Drawing No. 190B dated the 3rd May, 1968, being one of the aforesaid plans hereinbefore referred to and submitted to the Secretary to the Cabinet;

2. A tract of 20 acres originally granted by the Crown to Dundee Brown and shown delineated (together with the said tract of 6.55 acres immediately hereinbefore referred to) on those parts which are coloured Yellow on the said Drawing No. 190B dated the 3rd May, 1968;

3. A tract of 20.49 acres shown delineated (together with a tract of 10.06 acres immediately hereinafter referred to) on those parts which are coloured Yellow on Drawing No. 746 dated the 3rd May, 1968, being one of the aforesaid plans hereinbefore referred to and submitted to the Secretary to the Cabinet;

4. A tract of 10.06 acres shown delineated (together with the tract of 20.49 acres immediately hereinbefore referred to) on those parts which are coloured Yellow on the said Drawing No. 746 dated the 3rd May, 1968;

5. A tract of 47.74 acres originally granted to Benjamin Russell and marked (8) and shown delineated (together with the tracts referred to in paragraphs 6, 7 and 8 hereof) on those parts which are coloured Yellow on Drawing No. 743A dated the 30th April, 1968, being one of the aforesaid plans hereinbefore referred to and submitted to the Secretary to the Cabinet;

6. A tract of 84.24 acres originally granted to G. I. Edgcombe and marked (9) and shown delineated (together with the tracts referred to in paragraphs 5, 7 and 8 hereof) on those parts which are coloured Yellow on the said Drawing No. 743A dated the 30th April, 1968;

7. A tract of 152.20 acres originally granted to Benjamin Russell and marked (10) and shown delineated (together with the tracts referred to in paragraphs 5, 6 and 8 hereof) on those parts which are coloured Yellow on the said Drawing No. 743A dated the 30th April, 1968.

8. A tract of 100.12 acres being a portion of a larger tract originally granted to Benjamin Russell and marked (11) and shown delineated (together with the tracts referred to in paragraphs 5, 6 and 7 hereof) on those parts which are coloured Yellow on the said Drawing No. 743A dated the 30th April, 1968.

9. A tract of 91.98 acres purchased from private owners as shown on Drawing No. 792A which said Drawing relates to survey plan No. 93A of the Port Area submitted to the Honourable the Colonial Secretary on 28th February, 1963 and is attached to the Colonial Secretary's Minute Paper No. 151360, being land adjoining the part of the Port Area already declared as such and within the westward and eastward limits hereinbefore referred to:

NOW THEREFORE pursuant to the provisions of the said subclause (19) of clause 2 of the Principal Agreement and of the said subclause 13 of clause 2 of the Agreement dated the 11th July, 1960, the Governor hereby makes the following Order:

Title. **1.** This Order shall be cited as the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Port Area Order, 1968.

Declaration. **2.** The additional land delineated upon the survey plans hereinbefore referred to is hereby declared to be a part of the Port Area within the meaning of the Principal Agreement.