

JAMAICA

No. 5-2000

I Assent,

[L.S.]

H. F. COOKE,  
*Governor-General.*

17th day of March, 2000.

AN ACT to Validate the collection of fees charged by the Natural Resources Conservation Authority pursuant to regulations made under the Beach Control Act and to indemnify persons from liability in respect of such collection.

WHEREAS section 18 (1) (b) of the Beach Control Act authorizes the Natural Resources Conservation Authority (hereinafter referred to as the Authority) with the approval of the Minister, to make regulations providing for the imposition of fees and charges in such cases as may be determined by the Authority for services rendered by the Authority, their servants or agents in carrying out the provisions of the Act:

AND WHEREAS in exercise of that power, regulations were made by the Authority and published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations on the 1st day of June, 1956:

AND WHEREAS the Minister, acting in good faith, sought to increase the fees payable under the Act by regulations made under that section published as aforesaid as Legal Notices No. 17A dated Friday, March 19, 1993 and No. 123 dated Friday, September 29, 1995:

AND WHEREAS those Regulations were not made in accordance with the required statutory procedures:

AND WHEREAS the Authority, with the approval of the Minister, acting in good faith, by regulations made under that section published as aforesaid as Legal Notice No. 12H dated Monday, February 5, 1996, sought further to increase the fees:

AND WHEREAS the Authority, acting in good faith, has been collecting the said fees on the basis of the provisions of these Regulations:

AND WHEREAS it is desirable to validate the collection of fees done in good faith by the Authority during the period April 1, 1993 to the date of commencement of this Act:

[ 17th March, 2000 ]

NOW, THEREFORE, BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the Authority of the same, as follows:—

Short title.

1. This Act may be cited as the Beach Control (Licence Fees) (Validation) Act, 2000.

Validation of collection of fees and indemnity from suit.

2. Notwithstanding anything to the contrary in any enactment, all fees collected in good faith by the Authority between April 1, 1993 to the date of commencement of this Act, on the basis of regulations published in the *Gazette* as Legal Notices No. 17A dated Friday, March 19, 1993; No. 123 dated Friday, September 29, 1995 and No. 12H dated Monday, February 5, 1996, are hereby declared to have been lawfully collected and the Authority and every person acting on behalf of the Authority in the collection of such

fees and liable to be proceeded against legally on the ground that such collection was made without proper authority are hereby freed, acquitted, discharged and indemnified as well against the Queen's Most Gracious Majesty, Her Heirs and Successors as well against all other persons whatever, from all legal proceedings of any kind in respect of or consequent on such collection.