

**LITTER ACT**  
**CHAPTER 40:61**

**Act**  
**4 of 1990**  
Amended by  
6 of 1991

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**Note  
on  
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

**CHAPTER 40:61****LITTER ACT****ARRANGEMENT OF SECTIONS****SECTION**

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**SCHEDULE.**

## CHAPTER 40:61

## LITTER ACT

4 of 1990.

**AN ACT to make provision for the abatement of nuisances caused by the littering of premises and public places and for purposes connected therewith or incidental thereto.**

Commencement.

[22nd March 1990]

Short title.

**1.** This Act may be cited as the –

**LITTER ACT.**

Interpretation.

**2. (1)** In this Act –

“authorised officer” means any person appointed under section 6 of the Act and includes any police officer and any contractor or carrier authorised by the Minister for the removal of litter;

“Court” means a court of summary jurisdiction;

“derelict vehicle” means a vehicle which, by reason of its condition, appears to an authorised officer to have been abandoned;

“litter” means anything whatsoever including rubbish, oddments, leavings, coconut shells, wastepaper, cigarette ends, bottles (whether empty or not), derelict vehicles and any dead animal or carrion;

“local authority” means the Roseau City Council established under the Roseau City Council Act, the Portsmouth Town Council established under the Portsmouth Town Council Act, the Carib Reserve Council established under the Carib Reserve Act, the Canefield Urban Council established under the Canefield Urban Council Act, or any village council established under the Villages Councils Ordinance;

“Minister” means the Minister responsible for Health;

“person” includes a body corporate, an unincorporated association and a partnership;

Ch. 25:01.

Ch. 25:10.

Ch. 25:90.

Ch. 25:30.

Cap. 190.

“premises” means land, other than any buildings thereon, whether vested in the State or not and includes natural water courses and drains, whether boundary or interlot drains in any private lay-out or otherwise;

“public place” means any place in which members of the public are allowed with or without payment and includes any street, road, highway, by-way, market, beach, park or garden and any place designated by the Minister a public place in accordance with section 14(b).

(2) For the purposes of the definition of the expression “derelict vehicle”, the opinion of an authorised officer shall be conclusive for all purposes, and in forming the said opinion he may take into account –

- (a) that the wheels of the vehicle or any of them or the engine or any other parts including the seats have been removed;
- (b) any other factors taken together with the fact that the vehicle is not currently or has not been licensed for the past six months.

3. (1) Any person who throws down, drops or otherwise deposits or leaves any litter in, into or upon any public place in such circumstances as to cause, contribute to or tend to lead to the defacement of any public place by such litter is guilty of an offence and liable on summary conviction to a fine of one hundred and fifty dollars and imprisonment for one month.

Offence and penalty for littering public and other places; and for aiding and abetting.

(2) Any person who throws down, drops or otherwise deposits or leaves any litter in or upon any premises owned or occupied by another person without the consent of that person, the proof whereof shall lie on the person charged, is guilty of an offence and liable on summary conviction to a fine of one hundred and fifty dollars and imprisonment for one month.

(3) A person who purposely aids, instigates or encourages another person to contravene any of the provisions of this section is guilty of an offence and liable on summary conviction to a fine of one hundred and fifty dollars and imprisonment for one month.

(4) In the case of a second or subsequent offence against any of the provisions of this section a person is liable on summary conviction to a fine of two hundred and fifty dollars and imprisonment for three months.