
CHAPTER 34A**DISASTER PREPAREDNESS AND RESPONSE**

LIST OF AUTHORISED PAGES

1 – 48 LRO 1/2008

ARRANGEMENT OF SECTIONS

SECTION

PART I - PRELIMINARY

1. Short title.
2. Interpretation.

**PART II - DIRECTOR OF THE NATIONAL
EMERGENCY MANAGEMENT AGENCY**

3. Director of the National Emergency Management Agency.
4. Functions of Director.
5. Ministerial directions to Director.

**PART III - ADVISORY COMMITTEE, POLICY
REVIEW AND PLAN**

6. National Emergency Management Advisory Committee.
7. Disaster preparedness and response policy review.
8. National disaster response plan.

**PART IV - EMERGENCY OPERATIONS CENTRES
AND SHELTERS**

9. Emergency operations centres.
10. Shelters.

**PART V - OBLIGATIONS OF OTHER PUBLIC
OFFICERS**

11. Liaison officers.
12. Director to establish a liaison with the private sector.
13. Director to be consulted.
14. Environmental impact assessments.

PART VI - SPECIALLY VULNERABLE AREAS

15. Delimitation of specially vulnerable areas.
16. Special area precautionary plans for specially vulnerable areas.
17. Draft special area precautionary plan.
18. Public enquiry on draft special area precautionary plan.
19. Revision of draft special area precautionary plan.
20. Approval or referring back of draft special area precautionary plan.
21. Special area precautionary plan.
22. Authorities to have regard to special area precautionary plan.
23. Amendment of Order delimiting the specially vulnerable area.
24. Amendment of special area precautionary plan.
25. Regulations for special area plans.
26. Judicial review.

PART VII - DISASTER ALERTS AND EMERGENCIES

27. Periods of emergency.

PART VIII - MISCELLANEOUS

28. Visits by hazard inspectors.
29. Steps to abate danger.
30. Regulations.
31. Repugnancy with other enactments and duration of regulations.
32. Assaulting or obstructing the Director or a hazard inspector.
33. Penalties.
34. Funding of NEMA.
35. Application of Act to other events of disaster.
36. Provisions of Caribbean Disaster Agency Agreement to have force of law.
37. Act binds the Crown.
38. Exemption from civil liability.

FIRST SCHEDULE (Section 27) — DISASTER ALERT ADVANCE SCHEDULES

SECOND SCHEDULE (Section 36) — AGREEMENT ESTABLISHING THE CARIBBEAN DISASTER EMERGENCY RESPONSE AGENCY

CHAPTER 34A

DISASTER PREPAREDNESS AND RESPONSE

An Act to provide for a more effective organisation of the mitigation of, preparedness for, response to and recovery from emergencies and disasters. *4 of 2006*

[Assent 6th February, 2006]

[Commencement 1st March, 2006] *S.I. 5/2006.*

PART I - PRELIMINARY

1. This Act may be cited as the Disaster Preparedness and Response Act. *Short title.*

2. In this Act — *Interpretation.*

“Advisory Committee” means the Advisory Committee established under section 6(1);

“Agency Agreement” means the Agreement establishing the Caribbean Disaster Emergency Response Agency the text of which is set out in the Second Schedule;

“Director” means the Director of the Department of NEMA appointed pursuant to section 3;

“disaster emergency” means an emergency declared by Order of the Prime Minister under section 27 on account of the threat or occurrence of a disaster;

“emergency operations centres” means emergency operations centres established under section 9;

“hazard inspector” means a hazard inspector appointed or designated under section 3;

“listed premises” means premises listed in the shelters list;

“local government unit” means an area constituted under the Local Government Act; *Cap. 37*

“National Preparedness Plan” means the National Preparedness and Response Plan referred to in section 8;

“Policy Review” means the Disaster Preparedness and Response Policy Review under section 7(1);

“public body” includes a public corporation, local government unit and any company whose majority shareholding is held by the government;

“shelter manager” means a shelter manager appointed or designated under section 3;

“shelter officer” means a shelter officer appointed or designated under section 3;

“shelter list” means the list of premises established under section 10(1);

“special area precautionary plan” means a special area precautionary plan under section 16;

PART II - DIRECTOR OF THE NATIONAL EMERGENCY MANAGEMENT AGENCY

Director of the
National
Emergency
Management
Agency.

3. (1) There shall be a Department of Government (hereinafter referred to as “NEMA”) which shall be the governmental agency charged with responsibility for disaster relief management and at the head of which there shall be a public officer holding the office of Director.

(2) The Director shall be assisted by such number of public officers as may be appointed or assigned to NEMA and other persons whose services have been engaged by, or who have volunteered their services to, NEMA.

(3) The Prime Minister may by notice in the Gazette designate any person referred to in subsection (2) to be, and to discharge the functions of, a hazard inspector or shelter manager.

(4) An office or post of NEMA shall be respectively located on a Family Island which the Prime Minister considers would be readily accessible to two or more neighbouring Family Islands and the respective Administrator of the Island shall, subject to the directions of the Director, be responsible for the carrying out of the functions of NEMA in the Island.

(5) The location of public officers appointed or assigned to NEMA shall be approved by the Prime Minister who shall have due regard to the need to have NEMA present and functioning within the Family Islands.

(6) The Prime Minister after consultation with the Director and each Administrator on a respective Family Island shall appoint a disaster Consultative Committee consisting of not less than five residents of each settlement or town area or district, as the case may be, on a Family Island of whom one shall be designated Chairman, though at any meeting of the Committee when the Administrator is present, the latter shall act as Chairman of the meeting.

(7) The Committee shall have the responsibility of assisting the Director and the Administrator in formulating the disaster preparedness measures and in discharging the functions of NEMA in respect of a settlement or town area or district, as the case may be on the Island by the preparation of a draft plan relating to an area represented by the Committee.

(8) Where in respect of a Family Island there are produced by the Committees on that Island more than one draft plan, the Administrators and Committees shall liaise with each other with the intent of submitting to NEMA one draft plan reflecting the disaster preparedness measures and responses that are recommended to be put in place in respect of the Island or any part thereof.

(9) It shall be the duty of the Director to carry out a review with each Consultative Committee by the 1st June in every year of the procedures and measures that are to be taken in response to the occurrence of a disaster or disaster alert involving the area represented by the Committee.

(10) The Director in discharging his functions under subsection (9) shall have regard to any draft plan prepared under subsection (8) and in consultation with the respective Administrator and Committee adopt a plan with or without modifications.

(11) Where the respective Administrator is absent from the Island, the Chairman of the Committee shall be regarded during a disaster emergency as the representative of the Administrator in respect of the area represented by the Committee.

(12) Where a school is listed as premises available and suitable for use as a shelter pursuant to section 10 the shelter manager for that school shall be a person designated under the hand of the Director and notice thereof published in the Gazette.