

The Natural Resources Conservation Authority Act (1991)

The Natural Resources Conservation Authority Act provides for the management, conservation and protection of the natural resources of Jamaica. The Act establishes the Natural Resources Conservation Authority, a body of persons appointed by the Minister of the Environment. The functions of the Authority include the taking of such steps that are necessary to ensure the effective management of the physical environment of Jamaica; and the management of marine parks and protected areas. Section 9 of the Act creates a Ministerial discretion to declare parts of or the entire island a 'prescribed area', in which specified activities require a permit, and for which activities an environmental impact assessment may be required. The Natural Resources (Prescribed Areas) (Prohibition of Categories of Enterprise, Construction and Development) Order, 1996 and the Permits & Licensing Regulations was passed pursuant to section 9 of the Natural Resources Conservation Authority Act, 1991. The Order provides that the entire island of Jamaica is a prescribed area and lists specified categories of enterprise, construction or development that require a permit. The Act also addresses Sewage and Trade Effluent discharges as well as air emissions. Regulations are being developed to specifically address these sources of pollution. Under the new regulations the polluter pays principle will be incorporated.

The Town and Country Planning Act

The Land Development and Utilization Act

The Beach Control Act (1956)

This is an old but novel piece of legislation that was passed to ensure the proper management of Jamaica's coastal and marine resources by a system of licencing of activities on the foreshore and the floor of the sea. The Act also addresses other issues such as access to the shoreline, and other rights associated with fishing and public recreation, as well as the establishment of marine protected areas. It is currently undergoing substantive review to address more contemporary legal and management issues including the expansion of the Judges discretion on sentencing, an increase in fines and the introduction of valuing natural resources based on defined criteria.

The Watersheds Protection Act (1963)

The purpose of this Act is to provide for the protection of watersheds and areas adjoining watersheds and promote the conservation of water resources. The entire island however is considered to be one watershed, but for management purposes is divided into smaller units. The Act makes provision for conservation

of watersheds through the implementation of provisional improvement schemes whereby soil conservation practices are carried out on land. A Watershed Policy is now under consideration with a view to taking watershed management to another level of greater effectiveness. This includes a review of the Act and the development of regulations.

The Wildlife Protection Act

This Act is primarily concerned with the protection of specified species of fauna. This Act has also undergone review particularly in the area of increased fines and the number of animals now enjoying protected status. Further amendments are being undertaken to address a variety of other issues relating to the management and conservation of these natural resources, and the inclusion of flora.