



Anguilla

A BILL FOR

**PORT NIMARA MARINA (ANGUILLA)
(BERTH SLIPS) ACT, 2025**

Published by Authority

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SCHEDULE 1:

SCHEDULE 2:

I Assent

Julia Crouch, OBE
Governor

Date

ANGUILLA

No. /2025

A BILL FOR

PORT NIMARA MARINA (ANGUILLA) (BERTH SLIPS) ACT, 2025

[Gazette Dated: , 2025] [Commencement: Assent under section 57 of the Constitution]

The purpose of this Act is to establish a legislative framework to provide for the registration of berth slips in Port Nimara Marina and to provide for related matters.

ENACTED by the Legislature of Anguilla

Interpretation

1. (1) In this Act—

“berth slip” means a designated space of property as described in Schedule 2 at Port Nimara Marina where boats may be docked or moored once the owner of the boat is registered as its owner or leasehold owner;

“common property” means those parts of Port Nimara Marina designated on the Port Nimara Marina Plan for shared access or use by berth slip proprietors, tenants or licensees including docks, walkways, utilities and facilities which shall remain vested in the owners of Port Nimara Marina;

“land” means land covered with water, other things permanently affixed to land and includes the area set out in Schedule 1;

“Port Nimara Marina” means those areas of land (including coastal land), foreshore, bed of the sea, and water-space, described in Schedule 1;

“Registrar” means the Registrar of Lands;

“property” includes—

(a) any structure—

- (i) above-water appurtenant to coastal land, or
- (ii) above submerged land; and

(b) berth slips.

(2) This Act shall be interpreted in accordance with the Registered Land Act and where an issue arises, the Registrar shall be guided by the provisions of the Registered Land Act and accompanying registry and land policies with the necessary adjustments being made to ensure workability for the registration of berth slips.

(3) To avoid doubt, a berth slip registered under this Act shall constitute immovable property within the meaning of the Registered Land Act and may be the subject of ownership, lease agreements, mortgages or charges in the same manner as a parcel of land.

(4) The Port Nimara Marina Plan shall be treated as a survey plan with the necessary adjustments being made.

(5) Nothing in this Act prevents the owner of a berth slip from engaging in renting their berth slip or from allowing their berth slip to be used temporarily by transient users.

Filing of Port Nimara Marina Plan

2. (1) The owner of Port Nimara Marina is prohibited from selling, leasing or renting any berth slip unless that slip forms a part of the Port Nimara Marina Plan that has been registered.

(2) In accordance with the terms and conditions directed by the Registrar, the owner of Port Nimara Marina shall file at the Registry the Port Nimara Marina Plan setting out the collective unit of berth slips that are available for sale.

(3) The Port Nimara Marina Plan shall include—

- (a) a brief description of the marina property with sufficient detail to identify it and its location;
- (b) the area of the plan that is demarcated for berth slips;
- (c) a reference number for each berth slip which is clearly demarcated;
- (d) the dimensions and size of each berth slip and the size boat it can accommodate;
- (e) an indication of where the common property is located; and
- (f) any other matter that the Registrar considers necessary to effect registration of the Port Nimara Marina Plan and each berth slip.

(4) Where the Port Nimara Marina Plan has been registered any subsequent amendments may be approved or rejected by the Registrar within 30 days from the date of filing.

(5) Where the Registrar has rejected any proposed amendments, the Registrar shall inform the owner of Port Nimara Marina in writing about their concerns with an indication of what needs to happen for the proposed amendments to be approved.

(6) Berth slip owners must comply with the terms and conditions of the Port Nimara Marina Berth Slips Master Declaration.

Port Nimara Marina Berth Slips Register

3. Where the Registrar is satisfied that the Port Nimara Marina Plan is in order, the Registrar shall open the Port Nimara Marina Berth Slips Register setting out—

- (a) a number which is allocated to each berth slip;
- (b) a brief description of each berth slip;
- (c) the name and address of the first proprietor of each berth slip;
- (d) a space to indicate the name and address of any subsequent owner;
- (e) any encumbrances, easements or restrictions on usage or sale as determined by the Registrar; and
- (f) any particulars that the Registrar considers should be noted in relation to the berth slips.

Berth Slips Master Declaration

4. (1) The owners of Port Nimara Marina must file a Port Nimara Marina Berth Slips Master Declaration before it divests itself of any berth slip.

- (2) The Port Nimara Marina Berth Slips Master Declaration must set out the following—
 - (a) in a general manner, an indication of how Port Nimara Marina will be operated and how the marina will be operated in relation to berth slips;
 - (b) matters pertaining to the insurance of the property with particular emphasis placed on the insurance of berth slips and the insurance of common property;
 - (c) the rights and responsibilities of a berth slip owner in relation to a berth slip and common property;
 - (d) the rights and responsibilities of the owner of Port Nimara Marina in relation to a berth slip and common property;
 - (e) how disputes will be handled with particular emphasis placed on alternative dispute resolution procedures;
 - (f) how safety procedures will be handled particularly in relation to natural disasters (with special emphasis placed on hurricanes) and fire and rescue operations; and
 - (g) any other matter that the Registrar considers to be relevant.

(3) Where the Registrar holds the view that the Port Nimara Marina Berth Slips Master Declaration should not be registered, the Registrar must inform the owner of Port Nimara Marina in writing about their concerns with an indication of what needs to happen to effect registration.

(4) No amendment shall be made to the Port Nimara Marina Berth Slips Master Declaration unless that amendment was filed at the registry.

(5) Where the owner of Port Nimara Marina would like to amend the Port Nimara Marina Berth Slips Master Declaration, the owner must satisfy the Registrar that all persons that may be affected received adequate notification of any proposed changes.

Registration of a berth slip proprietor

5. Where the owner of Port Nimara Marina or any subsequent berth slip owner has entered into a sale or lease agreement, the Registrar may register the buyer of the berth slip as the proprietor with absolute or provisional title or as the proprietor of a lease if the Registrar is satisfied that—

- (a) where necessary, an aliens land holding licence was granted;
- (b) the stamp duties were paid;
- (c) the transferor and the transferee of the berth slip has obtained a certificate of good standing; and
- (d) the fees associated with the registration of berths have been paid.

Role of Superintendent of Ports

6. (1) The Superintendent of Ports under the Ports, Harbours and Piers Act shall have the right to access Port Nimara Marina at any time after providing reasonable notice.

(2) Notwithstanding subsection (1), where the Superintendent of Ports is of the view that notice cannot be provided, the Superintendent may enter Port Nimara Marina.

Regulations

7. (1) The Executive Council may make regulations to give effect to any of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Executive Council may make regulations—

- (a) prescribing matters required or permitted to be prescribed by this Act;
- (b) providing for matters as may be—
 - (i) contemplated by or necessary for giving full effect to this Act and for its administration, or
 - (ii) incidental to or consequential upon any provision of this Act; and
- (c) providing for penalties; and
- (d) providing for further technical specifications relating to the Port Nimara Marina Plan.

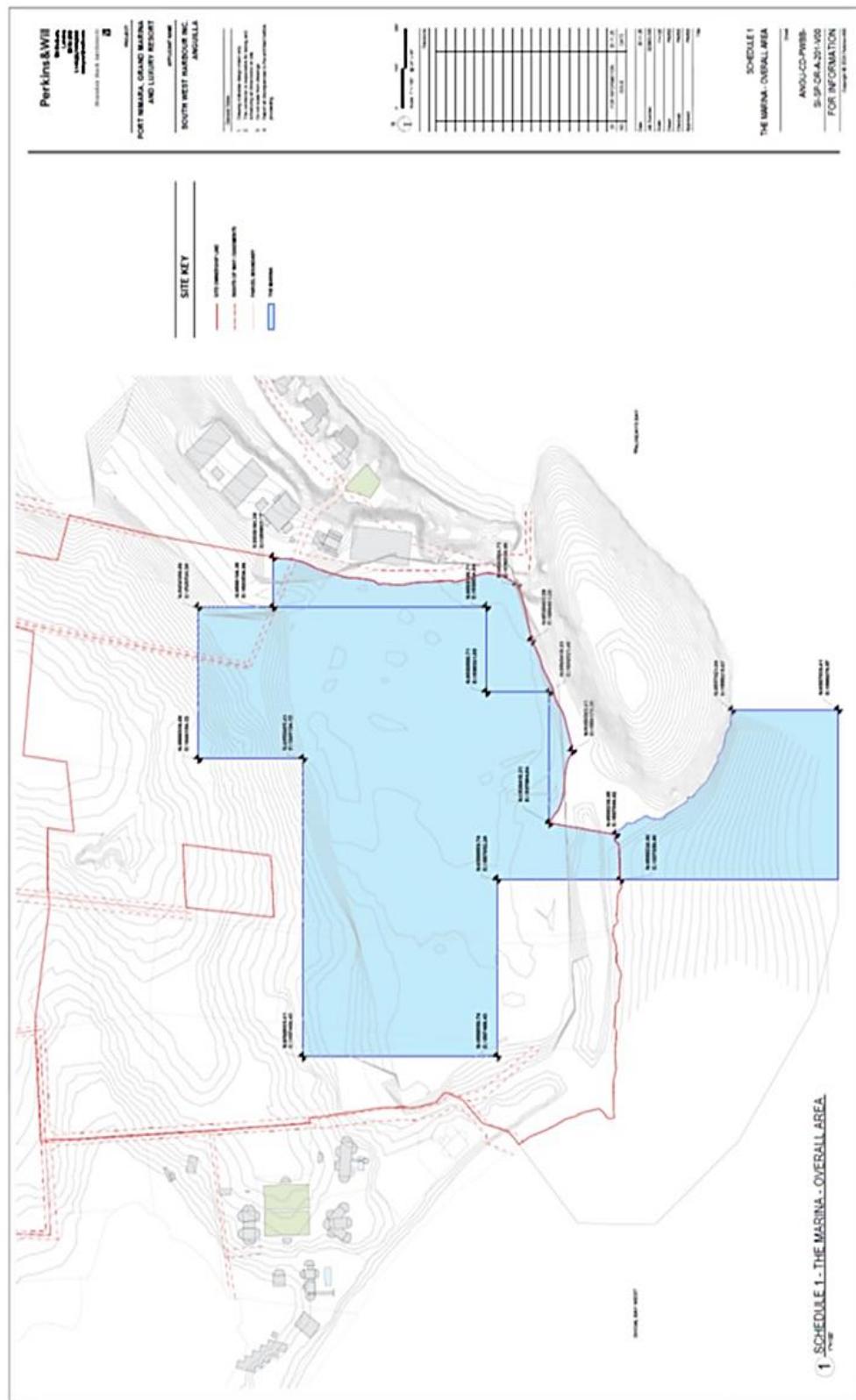
Consequential amendment

8. The Ports, Harbours and Piers Act is amended in section 3(a) by adding the following phrase at the end of the paragraph “and the private sector”.

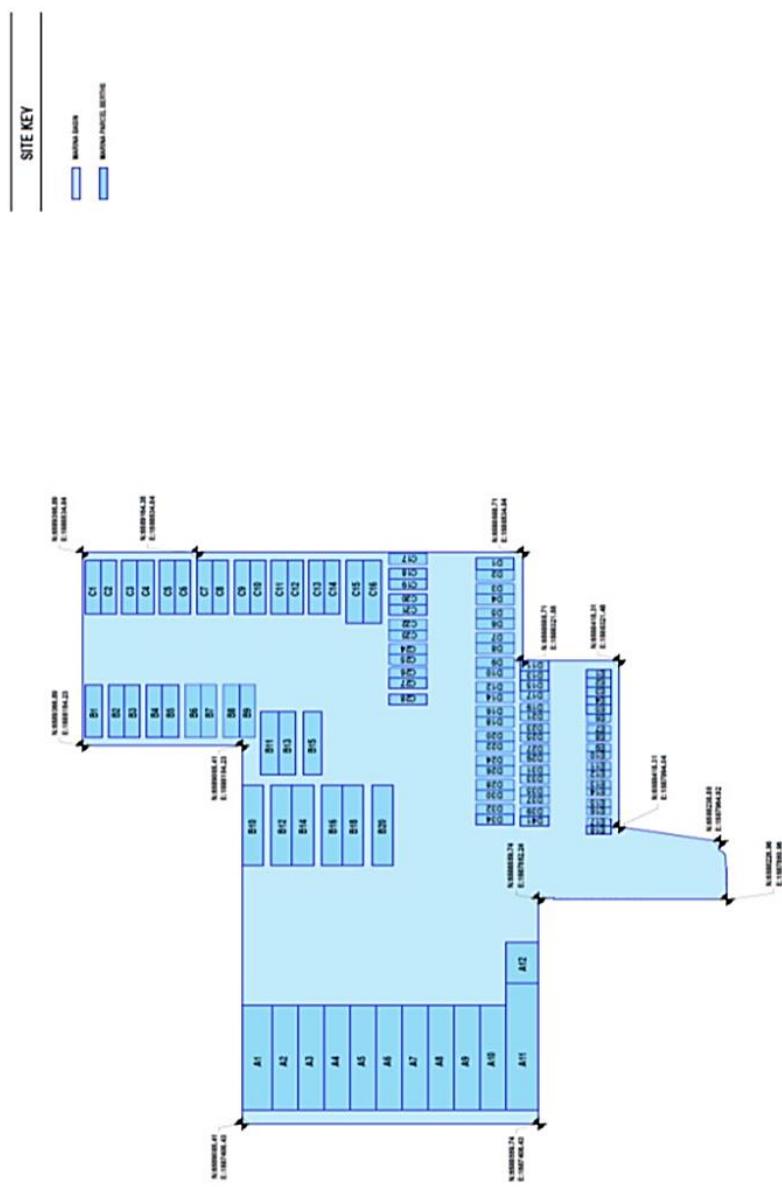
Citation

9. This Act may be cited as the Port Nimara Marina (Anguilla) (Berth Slips) Act, 2025.

SCHEDULE 1
(Section 1)
PORT NIMARA MARINA



SCHEDULE 2
(Section 1)
PORT NIMARA MARINA BERTH SLIPS



Port Nimara Marina		Parcel Berth Description (Imperial Units)				5-Dec-25			
Block	Parcel Number	Berth Number	Unique Number	Identifier	Parcel Area (ft2)	Width (ft, decimal)	Length (ft, decimal)	Parcel Width (ft, text)	Parcel Length (ft, text)
17809 B	377	A1	17809 B 377 BS A1		10,886	52.67	206.69	52'-8"	206'-8 1/4"
17809 B	377	A2	17809 B 377 BS A2		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A3	17809 B 377 BS A3		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A4	17809 B 377 BS A4		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A5	17809 B 377 BS A5		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A6	17809 B 377 BS A6		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A7	17809 B 377 BS A7		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A8	17809 B 377 BS A8		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A9	17809 B 377 BS A9		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A10	17809 B 377 BS A10		9,508	46.00	206.69	46'-0"	206'-8 1/4"
17809 B	377	A11	17809 B 377 BS A11		14,750	59.00	250.00	59'-0"	250'-0"
17809 B	377	A12	17809 B 377 BS A12		4,720	59.00	80.00	59'-0"	80'-0"
17809 B	377	B1	17809 B 377 BS B1		3,080	29.52	104.33	29'-6 1/4"	104'-4"
17809 B	377	B2	17809 B 377 BS B2		2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B3	17809 B 377 BS B3		2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B4	17809 B 377 BS B4		2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B5	17809 B 377 BS B5		2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B6	17809 B 377 BS B6		2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B7	17809 B 377 BS B7		2,887	27.67	104.33	27'-8"	104'-4"

17809 B	377	B8	17809 B 377 BS B8	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B9	17809 B 377 BS B9	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	B10	17809 B 377 BS B10	5,942	37.73	157.48	37'-8 3/4"	157'-5 3/4"
17809 B	377	B11	17809 B 377 BS B11	3,841	30.81	124.67	30'-9 3/4"	124'-8"
17809 B	377	B12	17809 B 377 BS B12	5,814	36.92	157.48	36'-11"	157'-5 3/4"
17809 B	377	B13	17809 B 377 BS B13	3,841	30.81	124.67	30'-9 3/4"	124'-8"
17809 B	377	B14	17809 B 377 BS B14	5,814	36.92	157.48	36'-11"	157'-5 3/4"
17809 B	377	B15	17809 B 377 BS B15	3,841	30.81	124.67	30'-9 3/4"	124'-8"
17809 B	377	B16	17809 B 377 BS B16	5,814	36.92	157.48	36'-11"	157'-5 3/4"
17809 B	377	B18	17809 B 377 BS B18	5,814	36.92	157.48	36'-11"	157'-5 3/4"
17809 B	377	B20	17809 B 377 BS B20	5,942	37.73	157.48	37'-8 3/4"	157'-5 3/4"
17809 B	377	C1	17809 B 377 BS C1	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C2	17809 B 377 BS C28	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C3	17809 B 377 BS C3	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C4	17809 B 377 BS C4	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C5	17809 B 377 BS C5	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C6	17809 B 377 BS C6	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C7	17809 B 377 BS C7	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C8	17809 B 377 BS C8	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C9	17809 B 377 BS C9	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C10	17809 B 377 BS C10	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C11	17809 B 377 BS C11	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C12	17809 B 377 BS C12	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C13	17809 B 377 BS C13	2,887	27.67	104.33	27'-8"	104'-4"

17809 B	377	C14	17809 B 377 BS C14	2,887	27.67	104.33	27'-8"	104'-4"
17809 B	377	C15	17809 B 377 BS C15	3,841	30.81	124.67	30'-9 3/4"	124'-8"
17809 B	377	C16	17809 B 377 BS C16	3,841	30.81	124.67	30'-9 3/4"	124'-8"
17809 B	377	C17	17809 B 377 BS C17	1,516	22.54	67.25	22'-6 1/2"	67'-3"
17809 B	377	C18	17809 B 377 BS C18	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C19	17809 B 377 BS C19	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C20	17809 B 377 BS C20	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C21	17809 B 377 BS C21	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C22	17809 B 377 BS C22	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C23	17809 B 377 BS C23	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C24	17809 B 377 BS C24	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C25	17809 B 377 BS C25	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C26	17809 B 377 BS C26	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C27	17809 B 377 BS C27	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	C28	17809 B 377 BS C28	1,516	22.54	67.25	22'-6 1/2"	67'-3"
17809 B	377	D1	17809 B 377 BS D1	1,516	22.54	67.25	22'-6 1/2"	67'-3"
17809 B	377	D2	17809 B 377 BS D2	1,516	22.54	67.25	22'-6 1/2"	67'-3"
17809 B	377	D3	17809 B 377 BS D3	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D4	17809 B 377 BS D4	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D5	17809 B 377 BS D5	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D6	17809 B 377 BS D6	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D7	17809 B 377 BS D7	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D8	17809 B 377 BS D8	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D9	17809 B 377 BS D9	1,404	20.88	67.25	20'-10 1/2"	67'-3"

17809 B	377	D10	17809 B 377 BS D10	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D11	17809 B 377 BS D11	1,011	19.63	51.50	19'-7 1/2"	51'-6"
17809 B	377	D12	17809 B 377 BS D12	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D13	17809 B 377 BS D13	1,011	19.63	51.50	19'-7 1/2"	51'-6"
17809 B	377	D14	17809 B 377 BS D14	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D15	17809 B 377 BS D15	1,011	19.63	51.50	19'-7 1/2"	51'-6"
17809 B	377	D16	17809 B 377 BS D16	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D17	17809 B 377 BS D17	1,011	19.63	51.50	19'-7 1/2"	51'-6"
17809 B	377	D18	17809 B 377 BS D18	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D19	17809 B 377 BS D19	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D20	17809 B 377 BS D20	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D21	17809 B 377 BS D21	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D22	17809 B 377 BS D22	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D23	17809 B 377 BS D23	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D24	17809 B 377 BS D24	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D25	17809 B 377 BS D25	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D26	17809 B 377 BS D26	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D27	17809 B 377 BS D27	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D28	17809 B 377 BS D28	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D29	17809 B 377 BS D29	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D30	17809 B 377 BS D30	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D31	17809 B 377 BS D31	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D32	17809 B 377 BS D32	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D33	17809 B 377 BS D33	925	17.96	51.50	17'-11 1/2"	51'-6"

17809 B	377	D34	17809 B 377 BS D34	1,404	20.88	67.25	20'-10 1/2"	67'-3"
17809 B	377	D35	17809 B 377 BS D35	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D37	17809 B 377 BS D37	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D39	17809 B 377 BS D39	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	D41	17809 B 377 BS D41	925	17.96	51.50	17'-11 1/2"	51'-6"
17809 B	377	E1	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E2	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E3	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E4	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E5	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E6	17809 B 377 BS E1	736	17.52	42.00	17'-6 1/4"	42'-0"
17809 B	377	E7	17809 B 377 BS E1	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E8	17809 B 377 BS E1	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E9	17809 B 377 BS E1	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E10	17809 B 377 BS E10	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E11	17809 B 377 BS E11	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E12	17809 B 377 BS E12	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E13	17809 B 377 BS E13	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E14	17809 B 377 BS E14	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E15	17809 B 377 BS E15	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E16	17809 B 377 BS E16	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E17	17809 B 377 BS E17	667	15.88	42.00	15'-10 1/2"	42'-0"
17809 B	377	E18	17809 B 377 BS E18	667	15.88	42.00	15'-10 1/2"	42'-0"

Tara K. Carter
Speaker

Lenox J. Vanterpool
Clerk of the House of Assembly