

CHAPTER 286

**GRANTLEY ADAMS INTERNATIONAL AIRPORT
(TRANSFER OF MANAGEMENT AND
VESTING OF ASSETS)**

ARRANGEMENT OF SECTIONS

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CHAPTER 286

**GRANTLEY ADAMS INTERNATIONAL AIRPORT
(TRANSFER OF MANAGEMENT AND
VESTING OF ASSETS)**

An Act to make provision

2003-3.
2004/90.

- (a) *for the Grantley Adams International Airport to be managed by the Grantley Adams International Airport Inc., a limited liability company incorporated for the purpose of managing the Airport;*
- (b) *for the effective management of the Airport by the Grantley Adams International Airport Inc.;*
- (c) *for the transfer of the commercial assets and liabilities of the Government respecting the Grantley Adams International Airport to the Grantley Adams International Airport Inc.; and*
- (d) *for related matters.*

[22nd December, 2003] Commence-
ment.
2003/162.

1. This Act may be cited as the *Grantley Adams International Airport (Transfer of Management and Vesting of Assets) Act*. Short title.

2. In this Act,

Interpreta-
tion.

"Airport" means the Grantley Adams International Airport;

"Airport charge" means

- (a) an amount levied on passengers in connection with their arrival at or departure from the Airport by means of an aircraft; or
- (b) an amount levied on an entity carrying on business within the Airport;

Cap. 308. "Company" means the Grantley Adams International Airport Inc., a company incorporated under the *Companies Act*;

"fuel charge" means a charge paid on the gross revenue earned on the supply of fuel to an aircraft by a dealer in petroleum products;

"landing fee" means an amount levied on an operator of an aircraft in connection with the landing or parking of the aircraft at the Airport;

"parking charge" means an amount levied on the driver of a motor vehicle in connection with the parking of the vehicle at the Airport.

Management of Airport. **3.** Subject to this Act, the Company is hereby authorised to manage and maintain the Airport.

Lease of lands of Airport. First Schedule. **4.** For the purposes of this Act, the lands of the Airport which are described in the *First Schedule* shall be leased to the Company by the Government for such period as the Government determines.

Transfer of assets etc. **5.** (1) Subject to section 4, the

Second Schedule. (a) assets in relation to the Airport that are identified in the manner described in the *Second Schedule* and were owned by the Government immediately before 22nd December, 2003;

(b) commercial liabilities that were incurred by or on behalf of the Government and were subsisting immediately before 22nd December, 2003; and

(c) rights to set, collect and retain Airport charges, landing fees, fuel charges, parking charges or any other commercial charge or fee in connection with the provision and use of Airport facilities and services

are transferred to and vested in the Company, and by virtue of this Act and without further assurance, transfer or other formality are to be held with effect from 22nd December, 2003 by the Company to the same extent and interest and in the same manner as they were vested in or held by the Government.

(2) All contracts entered into by or on behalf of the Government in respect of the Airport before 22nd December, 2003 shall, as from that date, be deemed to have been entered into by or on behalf of the Company.

(3) In respect of the commercial operation of the Airport,

(a) all rights, privileges, duties or obligations conferred or imposed upon the Government; and

(b) all powers and remedies as to the taking and resisting of legal proceedings for the ascertaining, perfecting or enforcing of all rights or liabilities vested in the Government

immediately before 22nd December, 2003 shall be deemed to be conferred or imposed on the Company.

6. (1) The Company shall within 3 months of the end of each financial year submit to the Minister the report, the audited financial statements, and the auditor's report referred to in subsection (2). Annual report and financial statements.

(2) The Minister shall as soon as possible after the end of each financial year and not later than 6 months after the end of that year lay in Parliament

(a) a report of the operations of the Company during the preceding year, including a comparison of the performance of the Company with the corresponding business plan; and

(b) audited financial statements for the preceding year consisting of

(i) statements of profit, loss and cash flow;

- (ii) such other statements as may be necessary to show the financial position of the Company and the financial results of the Company's operations during that financial year, including any contingent liabilities of the Company; and
- (iii) an auditor's report on the financial statements.

Airport
master plan.

7. (1) The Company shall once in every 10 years submit an Airport master plan to the Minister for approval.

(2) The Airport master plan referred to in subsection (1) shall contain

- (a) the details of the objectives, strategies and policies of the Company;
- (b) a marketing plan;
- (c) a land use and environmental plan; and
- (d) any other relevant information which may be required by the Minister.

Business
plan.

8. (1) The Company shall no later than 6 months after the end of each financial year submit to the Minister a business plan in respect of the ensuing financial year and for each of the subsequent 4 financial years.

(2) The business plan referred to in subsection (1) shall contain provisions for the implementation of the Airport master plan and any other information that the Minister may require.

Pension
plan.
Cap. 25.

9. (1) Any public officer who was employed in a pensionable office within the meaning of the *Pensions Act* and who accepts employment with the Company shall retain all rights in respect of pension, gratuity or other like benefit accruing to that public officer immediately before 22nd December, 2003, and those rights shall be preserved.

(2) The Company shall within a period of 3 years from 22nd December, 2003 provide for the establishment and maintenance of a pension fund for the benefit of the employees of the Company.

(3) The Company shall, for the purposes of computing pensions and other retirement benefits to be paid out of the pension fund referred to in subsection (2), use the date of hire of an employee by the Company as the date for computing such pensions and benefits.

10. As from 22nd December 2003, the Company is subject to the provisions of

Applic-
ability of
Cap. 288A
and
Cap. 285A.

(a) the *Civil Aviation Act*, except section 10; and

(b) the *Airports Act*, except section 4.

11. Nothing in this Act or in any regulations shall be deemed to be in derogation of any functions conferred or imposed by any other law on customs officers, immigration officers, fire officers, members of the Police Force or duly authorised persons of the Ministry of Health or the Ministry of Agriculture.

Savings.

12. The Minister may by order amend the Schedules.

Amendment
of
Schedules.

FIRST SCHEDULE

(Section 4)

**LANDS LEASED TO THE GRANTLEY ADAMS INTERNATIONAL
AIRPORT INC.**

PART I

ALL THAT land the property of the Crown situate at the Grantley Adams International Airport in the parish of Christ Church and the parish of Saint Philip containing by admeasurement 7.09 hectares or thereabouts Abutting and Bounding on Charnocks Tenantry Road on lands now or late of Phyllis Barrow on Highway 7 on the Tom Adams Highway on lands now or late of sundry owners or however else the same may abut and bound as shown and delineated as the plot bordered green on a plan certified on the 17th day of September, 2001 by Andrew P. Weekes, Land Surveyor and recorded in the Lands and Surveys Department on the 27th day of September, 2001 as Plan No. 947/2001.

PART II

ALL THAT land the property of the Crown situate at the Grantley Adams International Airport in the parish of Christ Church and the parish of Saint Philip containing by admeasurement 0.55 hectares or thereabouts Abutting and Bounding on the Tom Adams Highway on Highway 7 and on lands of St. Bartholomew's Rectory or however else the same may abut and bound as shown and delineated as the plot bordered green on a plan certified on the 17th day of September, 2001 by Andrew P. Weekes, Land Surveyor and recorded in the Lands and Surveys Department on the 27th day of September, 2001 as Plan No. 947/2001.

PART III

2004/90.

ALL THAT land the property of the Crown situate at the Grantley Adams International Airport in the parish of Christ Church and the parish of Saint Philip containing by admeasurement 395.54 hectares or thereabouts Abutting and Bounding on lands now or late of the National Housing Corporation on lands now or late of McDonald Ramsay deceased on lands now or late of Rufus Best on lands now or late of Princess Yarde on lands now or late of George Best on lands now or late of Albert Best on lands now or late of Evelyn Best on lands now or late of Garrett Perkins on lands now or late of Lance Newton on lands now or late of Adelina Goddard on a public road leading to Pilgrim Place on lands now or late of Frank Newton on lands now or late of Larrier Enterprises Ltd. on lands now or late of Alwyn Tull on lands now or late of the Barbados Agricultural Development Management Company on a road on lands now or late of the Barbados Flight Kitchen

Limited on a road on lands now or late of Saint Bartholomew's Church on Highway 7 on lands now or late of Richard Williams and Co. Ltd. on 3 sides on lands now or late of the Barbados Government on lands now or late of Seawell Resorts Ltd. on a public road on lands now or late of Walter Beckles on lands of the Crown on lands now or late of Lionel Pilgrim on lands now or late of Leslie Bynoe on lands now or late of Samuel Layne on lands now or late of Gwendolyn Phillips on lands now or late of Norma Nurse on lands now or late of Utarine Perkins on lands now or late Gloria Spencer on lands now or late of Kamau Brathwaite on lands now or late of Ezra Mosely and on a public road or however else the same may abut and bound as shown and delineated as the plot bordered green and identified as Parcel 'C' on a plan certified on the 23rd day of March, 2004 by Andrew P. Weekes, Land Surveyor and recorded in the Lands and Surveys Department on the 5th day of April, 2004 as Plan No. 379/2004.

SECOND SCHEDULE

(Section 5(1)(a))

ASSETS TRANSFERRED TO AND VESTED IN THE COMPANY

All assets listed in the Inventory of Office Equipment and Furnishings prepared by the Airport Manager and signed by the Airport Manager and the Managing Director of the Company to reflect the assets owned by the Government immediately before the commencement of the Act.