

# **GRENADA**



## **LEGAL & INSTITUTIONAL FRAMEWORK FOR STATE OF EMERGENCY, BUDGET APPROPRIATION, EXECUTION AND ACCOUNTABILITY**



# LEGAL FRAMEWORK

## Constitutional Authority

### ❑ Grenada Constitution Order 1973

Chapter I sect. 17 Governor General has authority to declare a state of emergency (SOE) by Proclamation (does not specify exercise is for natural or manmade disasters)

Recently applied: Statutory Rules and Orders No.24 of 2004 after Hurricane Ivan

# LEGAL FRAMEWORK cont'd

## Procedure for SOE

- ❑ Must be approved by resolution of both the Houses of Parliament
- ❑ In place for 6 months
- ❑ If longer – new resolution by Parliament
- ❑ Section 17(8) - Governor General to summon the Houses of Parliament to meet even if dissolved

# LEGAL FRAMEWORK cont'd

## Statutory Authority

### **Emergency Powers Act No. 17 of 1987**

- Vests Governor General (GG) with authority to declare SOE by Proclamation
- Defines “period of emergency” consistently with section 17 of Constitution (does not specify natural or manmade disasters)
- Declaration of emergency shall be revoked by the Governor General at any time.
- Governor General must act on the advice of Cabinet when exercising his powers

# LEGAL FRAMEWORK cont'd

## **National Disaster (Emergency Powers) Act Cap. 3 of The 1990 Revised Laws of Grenada**

- Vests Prime Minister with the power to declare and revoke declaration of national disaster
- Powers exercised for maintenance of supplies and services on the occurrence of a national disaster (water supplies, electricity and gas and food and liquor supplies and all other measures ) and to make associated regulations
- Defines national disaster to mean “hurricane, floods, earthquake, fire, outbreak of pestilence or of infectious disease or other calamity”.



This Guardian file photo shows the devastation of Grenada after Hurricane Ivan hit the island in September, 2004.

# ‘Grenada hurricane recovery on track’

# INSTITUTIONAL FRAMEWORK



- ❑ NADMA (National Disaster Management Agency)
- ❑ The NADMAC (National Disaster Management Advisory Council)
- ❑ All Government Agencies and Ministries
- ❑ Lead Agency: Office of the Prime Minister (Chairs National Disaster Management Council)

# Institutional Framework Cont'd

## □ ILLUSTRATION OF EMERGENCY RESPONSE CHAIN OF COMMAND (GRENADA)

- PRIME MINISTER (PRIME MINISTER'S OFFICE)
- EXECUTIVE NATIONAL DISASTER COORDINATOR
- DEPUTY DISASTER COORDINATOR
- TECHNICAL OFFICER
- TELECOMMUNICATIONS OFFICER
- COMMUNITY PROGRAMME OFFICER
- NATIONAL EMERGENCY COUNCIL
- MANAGEMENT COMMITTEES
- DISTRICT COMMITTEES
- VILLAGE/COMMUNITY COMMITTEES



# BUDGET APPROPRIATION & EXECUTION

- No legal or institutional provision for budget appropriation and execution
- No budget allocated for NADMA in the national annual estimates of revenue and expenditure
- All assistance through external flow of funds for pre and post disaster support (CDEMA, Red Cross, USAID, etc.)

# Budget Appropriation and Execution

## Cont'd

□	<b>Estimates of Revenue and Expenditure for the year 2010</b>	
□	<b>Vote 10- Prime Minister's Ministry</b>	
□	<b>NADMA</b>	
□	<b>Capital Requirement</b>	<b>Estimates 2010</b>
□	<b><u>Items</u></b>	
□	Supplies and Materials	5,000
□	Purchase of Equipment	5,000
□	Purchase of Furniture and Fixtures	10,000
□	<b><u>Projects</u></b>	
□	NADMA's Emergency Operations Center Repairs	50,000
□	Support for Disaster Management Coordination	20,000
□	NADMA Mitigation Programme	75,000
		<hr/>
		165,000

# SUMMARY & RECOMENDATIONS

## Legislative Gaps and Recommendations

- ❑ Amend Constitution to vest GG (in specified circumstances) with power to declare a state of emergency without Parliamentary approval.
- ❑ Enact regulations to specify instances when this power may be exercised
- ❑ Expand provisions in Constitution, the Emergency Powers Act and the National Disaster (Emergency Powers) Act to include natural and manmade disasters
- ❑ Establish NADMA in law as a statutory authority

# SUMMARY & RECOMMENDATIONS cont'd

## Budget Appropriation and Execution

- ❑ Establish comprehensive fund for disaster management
- ❑ Establish insurance fund coverage for recovery efforts.
- ❑ Maintain public awareness for disaster preparedness plan
- ❑ Strengthen relationship between stakeholders and national Committees
- ❑ Enhance overall capacity building for disasters

**Thank you!**

