

Annex 9:

Legal Due Diligence

Project/Programme title:	Resilience to hurricanes in the building sector in Antigua and Barbuda
Country(ies):	Antigua and Barbuda
Accredited Entity:	Department of Environment, Antigua and Barbuda



9. Legal Due Diligence

Regulation

This project will comply with all laws of Antigua and Barbuda. Key pieces of legislation and policy relating to the permission requirements for implementation of this project include:

- *Physical Planning Act 2007*
- *Public Works and Road Act 1871*
- *Public Utilities Act 1973*
- *Disaster Management Act 2002*
- *Antigua and Barbuda National Building Code*

This project will need: (a) clearance from the Public Works Department, and a development permit from the Development Control Authority to proceed with construction of the climate proofing interventions for critical public service and community buildings; (b) permission from Antigua and Barbuda Public Utilities Authority for any utilities works and renewable energy installations; and (c) designation of shelters and specially vulnerable areas by the National Office of Disaster Services.

Taxation

In relation to taxes, the Department of Environment of Antigua and Barbuda sign a Privileges and Immunities Agreement with the GCF on the 26th July 2016. Article 11 of this Agreement clearly exempts the following from taxes, duties, and levies:

- GCF and 'its assets, property, income and its operations and transactions;
- Salaries and emoluments for the GCF's Board member and alternates, their advisers, the Executive Director, officers and employees; and
- GCF's securities.

With regards to foreign exchange regulations for our local currency (i.e. Eastern Caribbean dollar), it is pegged to the United States dollar.

Insurance

Any insurance for construction and works will be borne by the contractor and included in the estimated costs.