



ANGUILLA

A BILL FOR
SPORTS ACT, 2026

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SPORTS ACT, 2026

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I Assent

Julia Crouch, OBE
Governor

Date

ANGUILLA

No. /2026

A BILL FOR

SPORTS ACT, 2026

[Gazette Dated: , 2026] [Commencement: Assent under section 57 of the Constitution]

An Act to provide a framework for the governance, coordination and development of organised sport in Anguilla; to establish the Anguilla Sports Council; to declare boat racing as the national sport; to provide for the recognition of sports organisations and community sports contributors; to provide for authorised absence from work for employees selected to represent Anguilla in sport; to provide for matters relating to the Sports Fund; and for connected purposes.

ENACTED by the Legislature of Anguilla

PART 1

PRELIMINARY AND INTERPRETATION

Interpretation

1. In this Act, unless the context otherwise requires—

“athlete” means a person who participates, seeks to participate, or is selected to participate in organised sport, whether at recreational, amateur or competitive level;

“community sports contributor” means an individual recognised by the Council under section 16;

“Council” means the Anguilla Sports Council established under this Act;

“Department” means the Department of Sports;

“Minister” means the member of the Executive Council to whom responsibility for sport is assigned;

“minor” means a person under the age of 18 years;

“organised sport” means sport conducted under the authority of, or in affiliation with, a recognised sports organisation or provisionally recognised organisation, and includes sport conducted with the support of the Council under section 17(3);

“provisionally recognised organisation” means an organisation granted provisional recognition under section 24;

“publish” means to make available to the public in such manner as is appropriate to bring the matter to the attention of persons likely to be affected, which may include—

- (a) publication in a newspaper of general circulation in Anguilla;
- (b) announcement on a social media platform;
- (c) notice posted at the offices of the Department or at another public place;
- (d) circular or direct communication to recognised and provisionally recognised sports organisations; or
- (e) such other means as are appropriate in the circumstances;

and “published” and “publication” shall be construed accordingly;

“recognised sports organisation” means a body granted full recognition by the Council under Part 5;

“sport” means physical activity pursued for competition, recreation or physical development, and includes boat racing.

Application of Act

2. (1) This Act applies to—
- (a) organised sport carried on within Anguilla; and
 - (b) participation by persons representing Anguilla in regional or international sporting events, subject to any applicable international rules governing such participation.
- (2) Nothing in this Act limits the operation of any other enactment.

PART 2

OBJECTS AND GENERAL PRINCIPLES

Objects of the Act

3. The objects of this Act are—
- (a) to provide a clear and proportionate framework for the coordination, development and recognition of organised sport in Anguilla;

- (b) to promote inclusive participation in sport and physical activity at all levels, including community and recreational sport;
- (c) to support the development of athletes and sporting organisations in a manner consistent with the resources and priorities of Anguilla;
- (d) to promote integrity, fairness and respect for applicable sporting rules in organised sport;
- (e) to safeguard minors and other vulnerable persons participating in sport;
- (f) to facilitate participation in regional and international sporting events in accordance with applicable rules and arrangements governing Anguilla;
- (g) to recognise and support sport as a contributor to national development, social cohesion and wellbeing; and
- (h) to ensure that measures implemented under this Act are reasonable, proportionate and capable of effective implementation within the national context.

National Sport

4. (1) Boat Racing is declared to be the national sport of Anguilla.
- (2) The Minister, the Department and the Council shall, within available resources, take reasonable steps to promote, preserve and support boat racing as part of Anguilla's sporting and cultural heritage.
- (3) In carrying out subsection (2), regard shall be had to—
- (a) the cultural and historical significance of boat racing;
 - (b) the need to preserve traditional practices associated with the sport; and
 - (c) the promotion of safe and sustainable participation.
- (4) Nothing in this section creates a right to funding or financial support.

PART 3

MINISTERIAL RESPONSIBILITY FOR SPORT

Functions of the Minister

5. (1) The Minister is responsible for the general oversight of sport in Anguilla.
- (2) Without limiting subsection (1), the Minister may—
- (a) determine national policy relating to sport;
 - (b) appoint members of the Council in accordance with this Act;
 - (c) approve strategic plans submitted by the Council; and

- (d) perform such other functions as are conferred by this Act or any other enactment.

General policy directions

6. (1) The Minister may give the Council general policy directions consistent with this Act.

(2) A direction under subsection (1) shall be in writing.

(3) The Council shall have regard to any direction given under this section in the exercise of its functions.

(4) A direction shall not relate to the determination of a specific dispute, disciplinary matter or selection decision.

Delegation

7. (1) The Minister may, in writing, delegate to a public officer any function conferred on the Minister under this Act, other than the power to give general policy directions.

(2) A delegation under subsection (1) may be made subject to conditions.

(3) A delegation does not prevent the Minister from exercising the delegated function.

Role of the Department of Sports

8. (1) The Department is responsible for the operational delivery of sport in Anguilla on behalf of the Minister.

(2) The functions of the Department are to—

- (a) manage, maintain and develop public sporting facilities across Anguilla;
- (b) implement national sports programmes and initiatives approved by the Minister;
- (c) monitor and support compliance with this Act and regulations made under it;
- (d) manage the Government's budgetary allocations for sport and account to the Minister for their use;
- (e) maintain and develop relationships with regional and international sporting bodies on behalf of the Government;
- (f) provide administrative and logistical support to the Council as may be agreed between the Department and the Council; and
- (g) carry out such other functions as the Minister may direct.

(3) The relationship between the Department and the Council shall be collaborative and complementary—

- (a) the Council is responsible for the recognition, regulation and coordination of sports organisations, for recommending national sports programmes for funding, and for advising the Minister on sports policy;

- (b) the Department is responsible for the operational implementation of sports policy and Ministerial directions, the management and maintenance of public sports facilities, and the administration of Government budgetary allocations for sport; and
- (c) neither the Department nor the Council shall assume responsibility for a function that falls within the remit of the other without the agreement of the Minister.

(4) The Department and the Council shall, at least once in every calendar year, jointly review their respective work programmes and agree a schedule of cooperation for the following year, which shall be submitted to the Minister for information.

(5) Where a dispute arises between the Department and the Council about their respective functions or responsibilities, either party may refer the matter to the Minister for determination, and the Minister's determination shall be final.

Guide to roles and responsibilities

9. (1) For ease of reference, the following is a general guide to the roles of the key bodies under this Act—

- (a) the Minister is responsible for the overall direction of sports policy in Anguilla, appointing the Council, approving the Council's strategic plans, and giving general policy directions to the Council;
- (b) the Department is the Government's operational body for sport — it manages public sports facilities, implements Government sports programmes, administers the Government's sports budget, and supports compliance with this Act on the ground;
- (c) the Council is the independent statutory body for sport — it recognises and regulates sports organisations, sets standards for governance and safeguarding, recommends national sports programmes for funding to the Minister, and advises the Minister on sports matters; and
- (d) recognised sports organisations are the bodies responsible for organising and delivering their respective sports to the public, operating within the framework set by this Act and the Council.

(2) This section is a guide only and does not limit or affect the specific provisions of this Act relating to any of the bodies mentioned.

PART 4

ANGUILLA SPORTS COUNCIL

Establishment of Anguilla Sports Council

10. There is established a body to be known as the Anguilla Sports Council.

Status of Council

11. (1) The Council is a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name.

(2) The Council may acquire, hold and dispose of property and enter into contracts.

(3) The Council shall not borrow money or enter into any financial commitment exceeding such amount as the Minister may prescribe, without the prior written approval of the Minister of Finance.

Composition of Council

12. (1) The Council shall consist of not fewer than 5 and not more than 7 members appointed by the Minister.

(2) In appointing members of the Council, the Minister shall have regard to the desirability of appointing persons with knowledge or experience in—

- (a) sport administration;
- (b) finance or accounting;
- (c) law or governance;
- (d) medicine or athlete welfare; or
- (e) safeguarding of minors.

(3) The Minister shall, in appointing members of the Council, designate one member as Chairperson and one member as Deputy Chairperson.

(4) The Chairperson shall preside at meetings of the Council and shall perform such other functions as may be conferred by this Act or by the standing orders of the Council.

(5) In the absence of the Chairperson, the Deputy Chairperson shall perform the functions of the Chairperson.

(6) Where both the Chairperson and Deputy Chairperson are absent from a meeting, the members present shall elect one of their number to preside at that meeting.

Minimum membership and continuity

13. (1) Where the number of members of the Council falls below 5 by reason of resignation, death, removal or any other cause, the Minister shall, as soon as reasonably practicable and in any event within 60 days, appoint sufficient members to restore the Council to its minimum composition of 5 members.

(2) Pending the appointment of replacement members under subsection (1), the remaining members of the Council may continue to exercise the functions and powers of the Council, provided that a quorum is maintained in accordance with section 19(2).

(3) Where the number of remaining members is insufficient to form a quorum, the Minister may appoint one or more temporary members to serve until permanent appointments are made, and

a temporary member has the same powers and responsibilities as a permanent member during that period.

Appointment and tenure

14. (1) A member of the Council shall hold office for a term not exceeding 3 years and is eligible for reappointment.

(2) The Minister may revoke the appointment of a member for inability to perform the functions of office or for misbehaviour.

(3) A member may resign by notice in writing to the Minister.

Functions of Council

15. (1) The functions of the Council are to—

- (a) advise the Minister on matters relating to sport, including on the development and implementation of national sports policy;
- (b) recognise and maintain a register of sports organisations in accordance with this Act;
- (c) promote coordination and cooperation among sports organisations and relevant stakeholders;
- (d) support, facilitate and encourage participation in sport, including regional and international participation;
- (e) promote safeguarding, integrity and athlete welfare in sport;
- (f) recommend to the Minister the national sports programmes to be funded from the Sports Fund, in accordance with Part 12 and the Sports Fund Regulations;
- (g) promote Anguilla as a venue for regional and international sporting events, in collaboration with the Department and the tourism authority;
- (h) collaborate with the Department of Education and school authorities to support physical education and the development of sporting talent at school level;
- (i) work collaboratively with the Department in the delivery of sport and the use of public sporting facilities, in accordance with section 8;
- (j) facilitate access to technical, administrative or external support for sports development;
- (k) perform such other functions as may be conferred by this Act or any other enactment; and
- (l) recognise and celebrate the achievements of Anguillian athletes and persons who have made outstanding contributions to sport in Anguilla.

(2) In performing its functions under this Act, the Council shall have regard to the available administrative and financial resources of the Ministry and the practical capacity of sports organisations.

Community sports contributors

16. (1) The Council may recognise an individual as a community sports contributor where the individual—

- (a) contributes meaningfully to sport at the community or school level in Anguilla on a voluntary basis;
- (b) is not acting in an employed or contracted capacity in relation to that contribution; and
- (c) is not affiliated to a fully or provisionally recognised organisation in relation to the activity for which recognition is sought.

(2) The Council shall, as a condition of recognition as a community sports contributor, require the individual to—

- (a) complete basic safeguarding awareness training approved by the Council before working with minors in their capacity as a community sports contributor, or within such period as the Council may allow where prior completion is not reasonably practicable;
- (b) comply with any safeguarding guidance issued by the Council applicable to community sports contributors;
- (c) declare in writing to the Council that they have no recorded conviction for an offence against a minor or any sexual offence in any jurisdiction; and
- (d) confirm in writing that they are aware that section 40(6) of this Act disqualifies any person with a recorded conviction for an offence against a minor or any sexual offence in any jurisdiction from holding a coaching, officiating or executive role in any team or club whose participants include minors.

(3) Without limiting subsection (1), examples of contributions that may qualify include coaching or training school-age children in any sport on a voluntary basis, organising and running community sports programmes for young people, and providing sustained voluntary sporting leadership within a community.

(4) Recognition as a community sports contributor entitles the individual to—

- (a) access public sporting facilities on the same basis as a recognised sports organisation, subject to availability;
- (b) access Council-supported training and coaching accreditation programmes at no or reduced cost; and
- (c) apply for a community sports grant under subsection (5).

(5) The Council may award a community sports grant to a recognised community sports contributor to support their contribution. A community sports grant may be used for sports equipment, entry fees or travel costs for participants, basic training costs, and other costs directly related to the contributor's sporting activities as approved by the Council.

(6) A community sports grant shall not exceed such amount as the Council may prescribe from time to time.

(7) A contributor who receives a community sports grant shall, within 60 days, submit to the Council a brief written account of how the grant was spent, the number of participants who benefited, and receipts or evidence of expenditure. Any unspent balance shall be returned to the Council unless it agrees otherwise in writing.

(8) Nothing in this section creates an entitlement to recognition or to a community sports grant.

(9) The Council shall maintain a record of community sports contributors and grants and shall include a summary in its annual report to the Minister.

(10) The Council shall determine and publish procedures and criteria for the award of community sports grants, including eligibility requirements, the basis for decisions, and the maximum amount payable, and the accountability requirements for recipients.

Powers of Council

17. (1) The Council may do all things reasonably necessary or incidental to the performance of its functions under this Act.

(2) Without limiting subsection (1), the Council may—

- (a) request information reasonably required for the performance of its functions;
- (b) issue guidance to recognised and provisionally recognised sports organisations consistent with this Act;
- (c) establish committees or utilise external persons to assist in the performance of its functions; and
- (d) collaborate with local, regional or international bodies in relation to sport.

(3) In furtherance of its functions under section 15, the Council may—

- (a) provide direct technical assistance to recognised, provisionally recognised, or other sports organisations and sports development entities operating in Anguilla, at any level of formality, including assistance with drafting constitutions, establishing financial management systems and developing safeguarding policies;
- (b) recruit, coordinate and deploy volunteers with relevant professional expertise, including members of the Anguillan diaspora and persons with qualifications or experience in accounting, law, governance or safeguarding, to provide technical assistance to sports organisations that do not have access to such services; and

- (c) establish and maintain a register of volunteer technical advisers willing to provide support under this section, and make that register publicly available in such manner as the Council considers appropriate.

(4) In furtherance of its functions, the Council shall develop and publish simple financial management templates, including income and expenditure statements and grant reporting forms, for use by sports organisations that do not have access to professional accounting support.

Secretary and staff of the Council

18. (1) The Council may appoint a secretary and such other staff as are necessary for the performance of its functions, on such terms and conditions as may be agreed, subject to any applicable employment legislation.

(2) Persons appointed by the Council under subsection (1) are employed by the Council and are not public officers.

(3) The Council may, with the agreement of the Minister and the relevant department head, arrange for a public officer to be seconded to the Council. A seconded public officer remains a public officer during the secondment and returns to their substantive post at the end of it.

(4) The secretary shall be responsible for the day-to-day administration of the Council's functions, the maintenance of the Council's records, and the preparation and custody of the minutes of the Council's meetings.

(5) Before the Council has appointed any staff, the Minister may make arrangements for the Department to provide administrative support to the Council on an interim basis.

Meetings and procedure

19. (1) The Council shall regulate its own procedure.

(2) The quorum for a meeting is a majority of members for the time being in office.

(3) Decisions of the Council shall be taken by a majority of members present and voting.

(4) Where a vote is tied, the person presiding at the meeting shall have a second and casting vote.

(5) The Council shall meet at least 4 times in every calendar year.

(6) The Council shall keep proper minutes of its meetings, which shall be made available to the Minister on request.

Committees

20. (1) The Council may establish committees to assist in the performance of its functions.

(2) A committee may include persons who are not members of the Council.

Disclosure of interest

21. (1) A member of the Council who has a direct or indirect interest in a matter before the Council shall disclose the nature of that interest.

(2) A member who has disclosed an interest shall not take part in any deliberation or decision on that matter.

PART 5

RECOGNITION AND REGULATION OF SPORTS ORGANISATIONS

Recognition of sports organisations

22. (1) The Council may recognise an organisation as a sports organisation for the purposes of this Act.

(2) Recognition under subsection (1) is at the discretion of the Council and subject to compliance with this Act.

(3) Nothing in this Act requires a sports organisation to apply for recognition, and the absence of recognition under this Act does not affect any right of an organisation to affiliate to an international sports federation or to participate in competitions governed by that federation's rules.

Criteria for recognition

23. (1) An organisation is eligible for recognition if it—

- (a) is constituted in accordance with law;
- (b) has a written constitution providing for democratic governance;
- (c) has appropriate arrangements for financial management and accountability;
- (d) has adopted safeguarding policies and basic complaints-handling procedures consistent with this Act; and
- (e) meets any other criteria prescribed by regulations.

(2) The Council may require an organisation applying for recognition to provide such information as is reasonably necessary to determine eligibility.

(3) Where the Council considers that an applicant does not yet meet the criteria for full recognition but may be eligible for provisional recognition under section 24, it shall inform the applicant and invite the applicant to consider applying for provisional recognition.

(4) The Council shall, before commencing the receipt of applications for recognition, publish guidance on the criteria for recognition which shall—

- (a) set out what the Council considers to constitute appropriate arrangements for financial management and accountability for organisations of different sizes and types;
- (b) explain the basis on which the Council will assess compliance with each criterion in subsection (1); and
- (c) indicate the documentation the Council expects applicants to provide.

(5) The Council shall take reasonable steps to bring the guidance published under subsection (4) to the attention of sports organisations and sports development entities operating in Anguilla, including by direct communication to organisations known to the Council.

(6) The Council shall review and update the guidance published under subsection (4) at least every 3 years.

Provisional recognition

24. (1) The Council may grant provisional recognition to a sports organisation that does not yet meet all the criteria for full recognition under section 23 but that—

- (a) is operating in good faith as a sports organisation in Anguilla;
- (b) has at least 10 members or regular participants, or such lesser number as the Council may determine is appropriate having regard to the nature of the sport or activity and the organisation's realistic potential for development;
- (c) has a named contact person responsible for the organisation's affairs; and
- (d) has a genuine intention to develop towards full recognition within the provisional period.

(2) In assessing an application for provisional recognition, the Council shall have regard to the organisation's history of operation, its standing in the sporting community, and the contribution it makes or has potential to make to sport in Anguilla.

(3) Provisional recognition may be granted for a period not exceeding 2 years.

(4) A provisionally recognised organisation—

- (a) shall be entered in a separate part of the register maintained under section 25;
- (b) is not eligible to receive grants from the Sports Fund on the same basis as a fully recognised organisation, but may be awarded a development grant by the Council to assist it in achieving full recognition;
- (c) may access Council guidance, technical support and capacity building assistance under section 17(3); and
- (d) may use public sporting facilities on the same basis as a recognised sports organisation, subject to availability.

(5) The Council shall determine and publish procedures and criteria for the award of development grants under subsection (4)(b), including—

- (a) the eligibility requirements and basis for decisions;
- (b) the purposes for which a development grant may be used, which shall be confined to costs directly related to building the organisation's capacity to meet the full recognition criteria;

- (c) the maximum amount payable, which shall be published in such manner as the Council considers appropriate, and reviewed annually; and
- (d) the accountability requirements for recipients, including the obligation to submit a brief written report describing how the grant was used, the number of persons who benefited, and receipts or evidence of expenditure, within 60 days of completing the funded activity, and to return any unspent balance to the Council unless the Council agrees in writing that it may be applied to a future activity.

(6) During the provisional period, the Council shall act as a development partner for the organisation, providing or arranging the technical assistance the organisation needs to achieve full recognition.

(7) Not less than 60 days before the expiry of the provisional period, the Council shall review the organisation's progress and may—

- (a) where the organisation has met all full recognition criteria, invite it to apply for full recognition;
- (b) where the organisation has made genuine progress but has not yet met all criteria, extend the provisional period by up to 12 months; or
- (c) where the organisation has not made genuine progress, allow the provisional recognition to lapse after giving the organisation written notice and an opportunity to make representations within 21 days.

(8) Where provisional recognition lapses, the organisation shall be removed from the register, but nothing prevents the organisation from applying for provisional or full recognition in the future.

(9) An organisation holding provisional recognition may apply for full recognition at any time during the provisional period if it considers it has met the full recognition criteria.

Register of recognised sports organisations

25. (1) The Council shall maintain a register of recognised sports organisations which shall have 3 sections—

- (a) Part A — fully recognised sports organisations;
- (b) Part B — provisionally recognised organisations; and
- (c) Part C — recognised community sports contributors.

(2) The register shall be available for inspection in such manner as the Council determines.

Conditions of recognition

26. (1) The Council may impose conditions on the recognition of a sports organisation.

(2) Conditions under subsection (1) may relate to—

- (a) governance and administration;

- (b) safeguarding and welfare;
- (c) financial accountability;
- (d) reporting requirements;
- (e) compliance with codes of conduct; or
- (f) for provisionally recognised organisations, the development milestones to be achieved during the provisional period.

Suspension or revocation of recognition

27. (1) The Council may suspend or revoke the recognition of a sports organisation if the organisation—

- (a) no longer meets the criteria for recognition;
 - (b) breaches a condition of recognition; or
 - (c) acts in a manner inconsistent with the objects of this Act.
- (2) Before suspending or revoking recognition, the Council shall give the organisation—
- (a) notice of the proposed action and reasons; and
 - (b) an opportunity to make representations.
- (3) The Council shall notify its decision in writing with reasons.

Consequences of loss of recognition

28. (1) An organisation whose recognition is suspended or revoked—

- (a) is not eligible for benefits or support under this Act; and
- (b) shall not represent Anguilla in organised sport in competitions to which section 29(1) applies.

(2) For the avoidance of doubt, nothing in this section affects participation governed by the rules of an international or regional sporting body.

PART 6

REPRESENTATION AND PARTICIPATION IN SPORT

Representation of Anguilla in sport

29. (1) Representation of Anguilla in organised sport shall ordinarily be conducted through recognised sports organisations in accordance with this Act.

(2) Subsection (1) does not apply where participation in a competition or event is governed by the rules of an international or regional sporting body, and in such cases the applicable rules of that body govern who may represent Anguilla.

(3) Recognition under this Act is not a condition of participation in competitions governed by the rules of an international or regional sporting body.

(4) The Council may recognise a sports organisation for the purpose of representing Anguilla in a particular sport, subject to such conditions as are reasonable and consistent with this Act.

(5) A recognised sports organisation shall be responsible for the selection and management of teams representing Anguilla in competitions to which this Act applies, in accordance with its rules and this Act.

(6) The Council shall not interfere in the technical selection of athletes except as expressly provided under this Act.

(7) Where no recognised or provisionally recognised sports organisation exists for a particular sport, the Department may, with the approval of the Minister, select athletes and facilitate their participation in regional or international competitions on behalf of Anguilla, and any such participation shall be treated as representation of Anguilla for the purposes of this Act.

Participation in regional and international competitions

30. (1) A recognised sports organisation may organise or participate in regional sporting competition on behalf of Anguilla.

(2) Participation in international sporting competition shall be subject to—

- (a) the rules of the relevant international federation; and
- (b) any constitutional, legal or international arrangements applicable to Anguilla.

(3) Nothing in this Act shall be construed as requiring the Government to fund participation in any competition.

Compliance with sporting rules

31. (1) An athlete, coach, official or recognised sports organisation shall comply with the applicable rules governing a competition in which they participate.

(2) Where a rule of an international federation applies to participation, that rule shall have effect for the purposes of that participation.

(3) Compliance with sporting rules under this section does not displace the operation of any enactment.

No entitlement to independent international representation

32. (1) Nothing in this Act confers a right on any person or organisation to represent Anguilla independently in international sport.

- (2) Participation in international sporting events shall occur only in accordance with—
- (a) the applicable rules of the relevant international body; and
 - (b) any constitutional or international arrangements binding on Anguilla.

PART 7

ATHLETES, SELECTION AND DISPUTE REVIEW

Application of Part 7

33. (1) This Part applies where a recognised or provisionally recognised sports organisation selects an athlete to represent Anguilla in a sporting competition or event.

(2) This Part does not apply to—

- (a) competitions or events where participation is determined by open entry rather than selection;
- (b) internal club activities or local community events not involving the representation of Anguilla in competition against another territory, association or country; or
- (c) selection processes conducted under the rules of an international or regional sporting body where those rules make provision for selection and dispute resolution procedures.

(3) Nothing in this Part limits or affects the application of the rules of any international or regional sporting body to a selection process governed by those rules.

(4) For the avoidance of doubt, the selection of athletes to participate in competitions governed by the rules of an international or regional sporting body, including FIFA, CONCACAF, World Athletics, and any equivalent body, is not subject to review by the Council under this Part, and any challenge to such selection shall be made through the applicable dispute resolution procedures of the relevant body.

Selection of athletes

34. Athletes shall be selected to represent Anguilla in sporting competitions and events in accordance with transparent and objective criteria.

Selection criteria

35. (1) A recognised or provisionally recognised sports organisation that selects athletes to represent Anguilla in a sporting competition or event shall establish and publish selection criteria for that purpose.

(2) Selection criteria shall be applied fairly and consistently and, so far as reasonably practicable, published in sufficient time before the relevant competition or event.

Internal review of decisions

36. (1) A recognised or provisionally recognised sports organisation shall establish procedures for the internal review of—

- (a) selection decisions made under section 34; and
- (b) disciplinary decisions affecting athletes or officials.

(2) Internal review procedures shall provide for—

- (a) written notice of the decision and reasons;
- (b) an opportunity for the affected person to be heard within a reasonable time; and
- (c) a written determination within a reasonable time.

(3) Internal review shall be conducted by a person or body that was not directly involved in the original decision.

Review by the Council

37. (1) A person who has exhausted the internal review procedures of a recognised or provisionally recognised sports organisation may, within 14 days of the final internal decision or within such longer period as the Council may permit for good reason, apply to the Council for a review of the decision.

(2) The Council may review a decision only on the grounds that—

- (a) the procedure was not followed;
- (b) the decision was affected by bias or a conflict of interest; or
- (c) the decision was unreasonable having regard to the information available.

(3) In conducting a review, the Council shall—

- (a) act in a manner that is fair and proportionate; and
- (b) avoid substituting its own technical judgment for that of the sports organisation, except where necessary to address a matter under subsection (2).

(4) Following a review, the Council may—

- (a) affirm the decision;
- (b) set aside the decision and require reconsideration; or
- (c) make such directions as are reasonably necessary to address procedural unfairness.

PART 8

SAFEGUARDING, WELFARE AND CONDUCT

Safeguarding of minors

38. (1) A recognised or provisionally recognised sports organisation shall take reasonable measures to safeguard minors and vulnerable persons participating in organised sport.

(2) Without limiting subsection (1), a recognised or provisionally recognised sports organisation shall designate a person responsible for receiving safeguarding concerns and coordinating appropriate action.

(3) Where a recognised or provisionally recognised organisation demonstrates to the Council's satisfaction that it cannot designate a safeguarding officer who is independent of all other roles within the organisation by reason of its size or the limited number of available persons, the Council may—

- (a) designate a person external to the organisation to perform the safeguarding officer function on the organisation's behalf; or
- (b) make arrangements for the Council itself to receive safeguarding concerns relating to that organisation directly;

and shall notify the organisation's members, participants and parents or guardians of minors accordingly, in such manner as the Council considers appropriate.

(4) Measures taken under this section shall be appropriate to the nature, size and capacity of the organisation.

(5) In implementing safeguarding measures, a recognised or provisionally recognised sports organisation shall have regard to any enactment relating to the protection of children.

(6) A recognised community sports contributor who works with minors may at any time report safeguarding concerns directly to the Council, and the Council shall maintain and publish a contact route for that purpose.

(7) This section applies, to the extent of the duty in subsection (1), to any person or organisation organising, managing or conducting sporting activity involving minors in Anguilla, whether or not that person or organisation is recognised under this Act.

(8) A person or organisation to whom subsection (7) applies shall take reasonable measures appropriate to the nature and scale of the activity to safeguard minors participating in that activity.

(9) In this section, "vulnerable person" means a person who, by reason of age, disability or other circumstance, may be at risk of harm or exploitation.

Safeguarding policies and procedures

39. (1) A recognised or provisionally recognised sports organisation shall adopt and implement safeguarding policies and procedures so far as is reasonably practicable.

(2) Safeguarding policies shall include—

- (a) procedures for the prevention, reporting and management of harm;
- (b) clear roles and responsibilities for persons involved in organised sport; and
- (c) procedures for referral to the appropriate statutory authority where a minor or vulnerable person may be at risk of significant harm.

(3) The Council may issue guidance on safeguarding policies and procedures for the purposes of this section.

Background checks and suitability

40. (1) A recognised or provisionally recognised sports organisation shall take reasonable steps to ensure that persons who—

- (a) work with minors; or
- (b) occupy positions of trust or authority;

are suitable to perform those roles.

(2) Steps taken under subsection (1) may include background checks, periodic self-declarations, reference checks or other reasonable measures in accordance with applicable law.

(3) Compliance with this section shall be assessed having regard to what is reasonably practicable in the circumstances.

(4) Where a recognised or provisionally recognised sports organisation engages a person who has not been ordinarily resident in Anguilla for the preceding 3 years to work with minors or to occupy a position of trust or authority, the organisation shall, as far as is reasonably practicable, require that person to provide—

- (a) a police certificate of good conduct or equivalent criminal record check from each country in which the person has been ordinarily resident during the preceding five years; and
- (b) at least two references from persons able to speak to the individual's suitability to work with minors in a sporting context.

(5) Where a police certificate or criminal record check from a country of previous residence is not reasonably obtainable, the organisation shall document the steps taken to obtain it and shall implement additional safeguards appropriate to the circumstances, including enhanced supervision during the initial period of engagement.

(6) A person with a recorded conviction for an offence against a minor or any sexual offence in any jurisdiction shall not hold a coaching, officiating or executive role in any team or club whose participants include minors.

Athlete welfare

41. (1) A recognised or provisionally recognised sports organisation shall take reasonable steps to protect the welfare and safety of athletes participating in organised sport.

(2) A recognised or provisionally recognised sports organisation may require medical clearance for participation in sporting activities where appropriate to the nature and risk of the activity.

(3) Athletes shall be informed of material risks associated with participation in sport, including, where relevant, concussion, heat-related illness, emergency procedures and return-to-play requirements.

(4) The Council shall, within available resources, explore arrangements for group or collective medical insurance cover for athletes on national sporting duty, and shall report to the Minister on the feasibility and cost of such arrangements within 18 months of this Act coming into force.

(5) Nothing in subsection (4) obliges the Government to provide or fund medical insurance cover.

Codes of conduct

42. (1) The Council may approve codes of conduct applicable to athletes, coaches, officials and administrators, including standards relating to online communications, travel, accommodation and conflicts of interest.

(2) A recognised or provisionally recognised sports organisation shall adopt and enforce applicable codes of conduct.

(3) A code of conduct approved under this section applies, to the extent that it relates to safeguarding, welfare or the protection of participants, to any person or organisation organising or conducting sporting activity involving minors in Anguilla, whether or not that person or organisation is recognised under this Act.

(4) For the purposes of subsection (3), a code of conduct may specify the provisions that apply to persons or organisations not recognised under this Act, consistent with the safeguarding duty under section 38.

PART 9

ANTI-DOPING AND SPORTING INTEGRITY

Application of anti-doping requirements

43. (1) Anti-doping requirements under this Act apply only in relation to—

(a) participation in regional sporting competitions where anti-doping rules are imposed by the governing sporting body; and

(b) participation in international sporting competitions.

(2) Anti-doping requirements do not apply to local sporting competitions conducted solely within Anguilla.

Compliance with applicable anti-doping rules

44. (1) An athlete, coach or official participating in a competition to which section 43 applies shall comply with the applicable anti-doping rules governing that competition.

(2) Applicable anti-doping rules include rules adopted by—

- (a) an international sporting body;
- (b) a regional sporting body; or
- (c) any body recognised by such organisations for anti-doping purposes.

Anti-doping testing and enforcement

45. (1) Nothing in this Act requires the establishment of a local anti-doping testing or enforcement authority.

(2) Anti-doping testing, investigations and sanctions in relation to competitions to which this Part applies may be carried out by external bodies in accordance with the applicable rules.

(3) The Council may facilitate cooperation with external anti-doping bodies where required for athlete participation.

(4) The Council shall, within available resources, promote education and awareness in relation to anti-doping and sporting integrity among athletes, coaches and officials.

Effect of anti-doping violations

46. (1) An anti-doping violation determined in accordance with applicable rules may be recognised for the purposes of this Act.

(2) Recognition under subsection (1) may include—

- (a) ineligibility for selection or representation in competitions to which this Part applies; or
- (b) suspension from participation in organised sport under this Act to the extent required by the applicable rules.

Sporting integrity

47. (1) A person involved in organised sport shall not—

- (a) manipulate or attempt to manipulate the outcome of a sporting event;
- (b) misuse inside information relating to a sporting event; or
- (c) engage in conduct that undermines the integrity of sport.

(2) Subsection (1) applies to athletes, coaches, officials, administrators and other persons involved in organised sport, whether at local, regional or international level.

Integrity measures and referral

48. (1) The Council may issue guidelines or approve codes of conduct relating to sporting integrity.

(2) Where the Council becomes aware of conduct that may constitute a criminal offence or a serious breach of sporting integrity, the Council may refer the matter to the appropriate authority.

Limitation of responsibility

49. Nothing in this Part shall be construed as—

- (a) imposing on the Government, the Minister or the Council responsibility for anti-doping testing or enforcement;
- (b) applying anti-doping requirements to local sporting competitions; or
- (c) creating a right to participate in any competition or event.

PART 10

INFORMATION AND CONFIDENTIALITY

Information for administrative purposes

50. (1) The Minister, the Council, a recognised sports organisation, a provisionally recognised organisation and a recognised community sports contributor may collect such information as is reasonably required for the purposes of—

- (a) the administration of this Act;
- (b) the organisation and regulation of sport;
- (c) the selection, participation or eligibility of athletes;
- (d) safeguarding and welfare obligations; or
- (e) compliance with the requirements of a regional or international sporting body.

(2) Information under this section may only be collected from persons who participate in, administer or seek recognition in connection with organised sport.

(3) Information collected under subsection (1) shall be limited to information necessary for the relevant purpose.

(4) Information collected under this Act shall not be retained longer than is reasonably necessary for the purpose for which it was collected.

Use of information

51. Information collected under this Act shall be used only for purposes connected with the administration of sport under this Act, and shall not be used for any unrelated purpose.

Disclosure of information

- 52.** (1) Information collected under this Act shall not be disclosed except—
- (a) with the consent of the person to whom the information relates, or, in the case of a minor, the consent of a parent or guardian;
 - (b) for the purpose of safeguarding a minor or protecting the welfare of an athlete;
 - (c) for medical or emergency purposes;
 - (d) to comply with the rules or requirements of a sporting body governing participation in a competition or event;
 - (e) where disclosure is required by or under any enactment; or
 - (f) where required by law or by order of a court.

(2) A disclosure under subsection (1) shall be limited to information necessary for the relevant purpose.

Protection of sensitive information

- 53.** (1) Particular care shall be taken in relation to—
- (a) medical information; and
 - (b) information relating to minors.

(2) Sensitive information shall be accessed or disclosed only by persons authorised for the relevant purpose.

Duty of confidentiality

- 54.** (1) A person who, in the performance of functions or the exercise of powers under this Act, obtains information relating to any person shall treat that information as confidential.
- (2) Subsection (1) applies to—
- (a) members of the Council;
 - (b) employees or agents of the Council;
 - (c) officers of recognised sports organisations; and
 - (d) any person acting under the authority of this Act.

(3) Subsection (1) does not apply where disclosure is permitted under section 52.

Unauthorised disclosure

- 55.** (1) A person who knowingly discloses information in contravention of this Part commits an offence.

(2) A person convicted of an offence under subsection (1) is liable on summary conviction to a fine not exceeding \$5,000.

No general data protection regime

56. Nothing in this Part shall be construed as establishing a general regime for the protection of personal data.

PART 11

NATIONAL SPORTS DUTY

Authorised absence for sporting duty

57. (1) An employer shall, subject to this Part and any other written law, permit an employee to be absent from work for the purpose of participating in a sporting event where—

- (a) the employee has been selected to represent Anguilla in organised sport by a recognised or provisionally recognised sports organisation and the participation has been certified in writing by that organisation; or
- (b) the employee has been selected to represent Anguilla in a sporting competition or event by the Department, and the participation has been certified in writing by the Department.

(2) The employee shall give the employer reasonable notice of the intended absence and provide such supporting information as the employer may reasonably require.

(3) For the purposes of this Part, the Minister may by regulations prescribe categories of competition or event that constitute approved sporting events, including regional and local competitions.

Status of absence

58. (1) Absence from work under section 57—

- (a) shall not constitute a breach of the contract of employment; and
- (b) shall not be treated as misconduct or a ground for disciplinary action.

(2) Unless otherwise agreed between the employer and employee, or provided under any other written law, an absence under section 57 shall be treated as unpaid leave.

(3) Nothing in this Part requires an employer to continue remuneration during a period of absence.

Protection from dismissal or penalty

59. (1) An employer shall not dismiss, penalise or otherwise disadvantage an employee solely by reason of an absence authorised under this Part.

(2) Subsection (1) does not apply where the employer demonstrates that—

- (a) the absence would cause undue hardship to the business; or

- (b) the employee has failed to comply with the requirements of this Part.

Conditions and limitations

60. (1) The Minister shall, within 12 months of the commencement of this Act, issue guidelines in relation to—

- (a) the certification of sporting duty, including the form and content of a selection certificate issued by a recognised or provisionally recognised sports organisation or by the Department;
- (b) the duration and frequency of absences that may reasonably be authorised under this Part;
- (c) the factors to be taken into account in assessing whether an employer has demonstrated undue hardship under section 59(2)(a), including the size of the employer's workforce, the nature of the work, the period of the absence, and the availability of cover; and
- (d) the application of this Part in particular sectors, including hospitality, construction and retail.

(2) This Part shall be applied in a manner that is reasonable and proportionate, having regard to—

- (a) the size and nature of the employer's operations; and
- (b) the resources and labour conditions within Anguilla.

(3) Nothing in this Part limits the operation of any other enactment relating to employment or labour relations.

PART 12

FINANCIAL PROVISIONS FOR SPORT

Sports Fund

61. (1) There shall be a fund to be known as the Sports Fund, established under section 45 of the Financial Administration and Audit Act, and administered in accordance with the Sports Fund Regulations made under that Act.

(2) The Fund shall be credited with—

- (a) moneys appropriated by the House of Assembly for the purposes of sport;
- (b) grants and donations made to the Fund by any person, body or organisation under section 63;
- (c) interest earned on investments of the Fund; and
- (d) any other sums lawfully credited to the Fund.

- (3) The moneys in the Fund shall be applied to—
- (a) national sports programmes approved by the Council and the Minister;
 - (b) construction, upgrade or maintenance of sports facilities;
 - (c) athlete development, coaching, technical training and high-performance support;
 - (d) support for Anguillan athletes pursuing athletic scholarships or high-performance development programmes, including assistance with training costs, equipment, travel and participation in competitions; and
 - (e) sports tourism and sports industry development.

(4) The Council shall, in respect of each financial year, recommend to the Minister the national sports programmes to be funded from the Fund and the estimated cost of each programme.

(5) The Minister shall, after approving the recommendations of the Council, submit the approved programmes to the Minister of Finance for inclusion in the estimates of expenditure from the Fund in accordance with the Sports Fund Regulations.

(6) No moneys shall be applied from the Fund to a national sports programme that has not been recommended by the Council and approved by the Minister in accordance with this section.

(7) In recommending and approving national sports programmes for funding, the Council and the Minister shall have regard to whether the organisation responsible for the programme is in compliance with the requirements of this Act and any regulations made under it.

Application of Financial Administration and Audit Act

62. The Fund is subject to the Financial Administration and Audit Act and to the Sports Fund Regulations made under that Act and nothing in this Part shall be construed as limiting the application of that Act or those Regulations to the Fund.

Grants and sponsorship

63. (1) The Council may, with the approval of the Minister, seek and receive grants and sponsorship from private sector organisations, national or international bodies, or any other lawful source for the purposes of sport in Anguilla.

(2) Any monetary grant or donation received for the purposes of sport may be directed by the donor or grantor to the Sports Fund, and shall be administered in accordance with the Sports Fund Regulations.

(3) The Council shall ensure that all grants and sponsorship arrangements are transparent, properly documented and reported in the Council's annual report.

Directions to Council regarding Fund

64. (1) The Minister may give the Council written directions regarding priorities for expenditure from the Fund, consistent with section 61(3) and the Sports Fund Regulations.

(2) The Council shall have regard to any such directions in preparing its recommendations under section 61(4).

(3) The Minister shall not give a direction under subsection (1) that would require expenditure on a programme inconsistent with the purposes set out in section 61(3).

PART 13
MISCELLANEOUS

Regulation of events, recording and broadcasting

65. (1) The Council, a recognised sports organisation or a provisionally recognised organisation may impose reasonable conditions on—

- (a) the recording, filming or photographing of sporting events organised or sanctioned under this Act; and
- (b) the transmission or commercial use of such recordings.

(2) Conditions imposed under this section shall be published or otherwise clearly communicated to participants and spectators before or at the event.

(3) A person who fails to comply with conditions imposed under this section may be removed from the sporting event by an authorised officer or organiser.

(4) Nothing in this section—

- (a) confers proprietary rights in respect of any image, recording or broadcast; or
- (b) affects any rights arising under any other law.

Use of public sporting facilities

66. (1) The use of public sporting facilities shall be subject to such conditions as may be prescribed or determined by the relevant authority responsible for those facilities.

(2) The Council may issue guidelines relating to the fair and orderly use of public sporting facilities.

(3) Nothing in this Act confers an exclusive right to use any public sporting facility.

Offences and penalties

67. (1) A person commits an offence if the person—

- (a) knowingly obstructs the Council or a public officer acting in the lawful performance of functions under this Act;
- (b) knowingly provides false or misleading information for the purposes of this Act; or

- (c) organises, manages or conducts sporting activity involving minors in Anguilla and—
 - (i) fails, without reasonable excuse, to comply with the duty under section 38 to take reasonable safeguarding measures in relation to those minors; or
 - (ii) fails, without reasonable excuse, to comply with an applicable code of conduct relating to safeguarding, welfare or the protection of participants.

(2) A person convicted of an offence under subsection (1)(a) or (b) is liable on summary conviction to a fine not exceeding \$10,000.

(3) A person convicted of an offence under subsection (1)(c) is liable on summary conviction to a fine not exceeding \$5,000.

(4) No offence under this Act is punishable by imprisonment.

Regulations

- 68.** (1) The Minister may make regulations for the purpose of giving effect to this Act.
- (2) Without limiting subsection (1), regulations may provide for—
- (a) procedures for the recognition of sports organisations;
 - (b) safeguarding standards and reporting procedures, including minimum standards for safeguarding officers, training requirements, record-keeping and referral to appropriate statutory authorities;
 - (c) categories of competition or event constituting approved sporting events for the purposes of national sporting duty;
 - (d) minimum standards for the governance, financial accountability and administration of recognised sports organisations;
 - (e) the criteria, procedures and conditions applicable to provisional recognition and community sports contributors;
 - (f) the collection, storage and handling of information under Part 10; and
 - (g) administrative matters necessary for the operation of this Act.

Savings and transitional provisions

69. (1) A sports organisation that was formally recognised by the Minister before the commencement of this Act shall be deemed to be a recognised sports organisation for the purposes of this Act from the date of commencement, and shall have a period of 12 months from that date, or such longer period as the Minister may in writing approve, to comply with any requirement of this Act that was not previously applicable to it.

(2) A sports organisation that was operating in good standing in Anguilla before the commencement of this Act but had not been formally recognised by the Minister may, within 12 months of the date on which the Council first publishes its application procedures under subsection (3)—

- (a) apply to the Council for full recognition under section 23, where it considers it meets the full recognition criteria; or
- (b) apply to the Council for provisional recognition under section 24, where it does not yet meet all the full recognition criteria but is operating in good faith and wishes to work towards full recognition.

(3) The Council shall, as soon as reasonably practicable after it is first constituted and in any event within 3 months of the date of its first meeting, publish its procedures for applying for recognition and provisional recognition, including the information and documentation required from applicants, the process for submitting applications, and the timelines for decisions.

(4) In determining an application under subsection (2), the Council may take into account the organisation's history of operation and standing in the sporting community, and may grant recognition subject to conditions allowing a further reasonable period to meet any outstanding requirements.

(5) Any decision, direction or determination lawfully made before the commencement of this Act in relation to organised sport continues in force as if made under this Act, to the extent that it is consistent with this Act.

Citation

70. This Act may be cited as the Sports Act, 2026.

Tara K. Carter
Speaker

Passed by the House of Assembly this day of , 2026

Lenox J. Proctor
Clerk of the House of Assembly

OBJECTS AND REASONS

(The objects and reasons do not form part of this Bill)

The purpose of this Act is to establish a clear and proportionate legal framework for the governance, coordination and development of organised sport in Anguilla. Sport plays an important role in Anguillian life. It supports community connection, contributes to health and wellbeing, provides opportunities for young people, and enables Anguilla to participate with pride in regional and international competition.

Sport in Anguilla has developed through a combination of committed volunteers, community organisations and internationally affiliated bodies. This Act builds on that foundation by introducing a consistent legal structure to support good governance, safeguarding and financial accountability, while recognising the practical realities of a small island with limited resources.

The framework is intended to be workable and proportionate. It creates a pathway that supports organisations at different stages of development, provides access to guidance and technical assistance, and encourages the gradual strengthening of governance standards over time.

The Act gives effect to the objectives of the National Sports Policy 2017, including the establishment of a statutory framework for sport. It also recognises Anguilla's status as a British Overseas Territory and the role of regional and international sporting bodies in governing participation in sport.

OBJECTS OF THE BILL

The Bill has the following main purposes:

1. **To establish a clear institutional framework for sport**, including defining the respective roles of the Minister, the Department of Sports and the Anguilla Sports Council, and ensuring that policy, regulation and operational functions are properly distinguished.
2. **To establish the Anguilla Sports Council as an independent statutory body** responsible for recognising and regulating sports organisations, setting standards for governance and safeguarding, and recommending national sports programmes for funding.
3. **To introduce a three-track recognition framework** that reflects the diversity of sport in Anguilla, providing for full recognition of established organisations, provisional recognition for developing organisations, and recognition of community sports contributors.
4. **To declare boat racing as the national sport of Anguilla**, recognising its cultural and historical significance.
5. **To strengthen safeguarding and welfare protections** for children and vulnerable persons participating in sport, including in relation to visiting or overseas coaches and personnel.
6. **To provide for national sporting duty**, including protection for employees selected to represent Anguilla in sport.
7. **To support the use of the Sports Fund as a dedicated mechanism for supporting sport**, with a clear and accountable framework for the allocation and use of funds.

PART 1 — PRELIMINARY AND INTERPRETATION

Clause 1 — Interpretation

This clause defines the principal terms used throughout the Act.

Clause 2 — Application of Act

This clause provides that the Act applies both to organised sport carried on within Anguilla and to participation by persons representing Anguilla in regional or international sporting events. Subsection (2) confirms that the Act does not limit the operation of any other enactment. Other legislation, including child protection and employment legislation, continues to apply alongside this Act.

PART 2 — OBJECTS AND GENERAL PRINCIPLES

Clause 3 — Objects of the Act

This clause sets out the objects of the Act. The stated objects include the establishment of a proportionate and workable governance framework, the promotion of inclusive participation at all levels, support for athletes and sporting organisations consistent with available resources, the promotion of integrity and fairness, the safeguarding of children and vulnerable persons, the facilitation of regional and international participation, and the recognition of sport as a contributor to national development and wellbeing.

The clause serves both as a statement of legislative purpose and as an interpretive guide. Where a provision is ambiguous, it should be interpreted in a manner that advances the objects of the Act.

Clause 4 — National Sport

This clause declares boat racing to be the national sport of Anguilla. The declaration gives formal recognition to a long-established sporting and cultural tradition.

The Minister, the Department and the Council are required, within available resources, to take reasonable steps to promote, preserve and support boat racing as part of Anguilla's sporting and cultural heritage. In doing so, they are to have regard to its cultural and historical significance, the preservation of traditional practices, and the promotion of safe and sustainable participation. The clause makes clear that the declaration does not create any enforceable right to government funding.

PART 3 — MINISTERIAL RESPONSIBILITY FOR SPORT

Clause 5 — Functions of the Minister

The Minister may give the Council written general policy directions — for example, directing it to prioritise youth sport or community programmes. These directions must be consistent with the Act and must not relate to specific disputes, disciplinary matters or selection decisions.

Clause 6 — General policy directions

This clause provides that the Minister may give the Council written general policy directions that are consistent with the Act. The power is intended to enable the Minister to set overall policy priorities without becoming involved in individual operational decisions.

Subsection (4) makes clear that this power may not be used in relation to specific disputes, disciplinary matters or selection decisions. This preserves the autonomy of the Council and of sports organisations in those areas.

Clause 7 — Delegation

The Minister may delegate functions to a public officer, subject to conditions. The power to give general policy directions cannot be delegated — that must remain with the Minister personally. A delegation does not prevent the Minister from continuing to exercise the delegated function directly if needed.

Clause 8 — Role of the Department of Sports

This clause outlines the role of the Department in Sport. It identifies the Department as the Government’s operational body for sport.

The Department’s functions include the management and development of public sporting facilities, the implementation of national sports programmes and initiatives approved by the Minister, support for compliance with the Act, administration of the Government’s sports budget, maintenance of relationships with regional and international sporting bodies on behalf of Government, and the provision of agreed administrative and logistical support to the Council.

Subsection (3) distinguishes the respective roles of the Department and the Council. The Council is responsible for recognition, regulation, coordination, funding recommendations and advice on policy. The Department is responsible for operational implementation, facilities management and administration of Government budgetary allocations for sport. Neither body may assume the functions of the other without ministerial agreement.

Subsection (4) requires the Department and the Council to review their respective work programmes at least annually and to agree a schedule of cooperation for the following year. Subsection (5) provides a mechanism for either body to refer any dispute about their respective responsibilities to the Minister for determination.

Clause 9 — Guide to roles and responsibilities

This clause provides a plain language guide to who does what under the Act. It is intended to assist sports administrators, coaches, officials, athletes and members of the public in understanding the overall structure of the framework.

The guide explains in simple terms the respective roles of the Minister, the Department, the Council and recognised sports organisations. The clause expressly states it is a guide only and does not override the operative provisions of the Act.

PART 4 — ANGUILLA SPORTS COUNCIL

Clause 10 — Establishment of Anguilla Sports Council

This clause establishes the Anguilla Sports Council as the principal statutory body for sport governance in Anguilla. It is the body that recognises sports associations, supports athletes and organisations, recommends funding priorities to the Minister, and advises on sports policy.

Clause 11 — Status of Council

This clause establishes the Council as a body corporate with legal personality. It may own property, enter into contracts, and sue or be sued in its own name.

To protect public funds, subsection (3) provides that the Council may not borrow money or enter into financial commitments above a prescribed threshold without the prior written approval of the Minister of Finance.

Clause 12 — Composition of Council

This clause provides for a Council of between 5 and 7 members appointed by the Minister. The size of the Council is intended to remain manageable in the context of a small jurisdiction.

The Minister must have regard to the desirability of appointing persons with relevant expertise, including sport administration, finance or accounting, law or governance, medicine or athlete welfare, and safeguarding of minors.

The clause also provides for the designation of a Chairperson and Deputy Chairperson and clarifies the arrangements for presiding at meetings of the Council.

Clause 13 — Minimum membership and continuity of Council

This clause provides that the Council can continue to function if its membership falls below the minimum number through resignation, death, removal or other cause. It requires the Minister to restore the Council's minimum membership within a stated period and provides a temporary mechanism to maintain continuity where the number of remaining members is insufficient to form a quorum.

Clause 14 — Appointment and tenure

This clause provides that members hold office for terms of up to 3 years and may be reappointed. It also provides for resignation and for removal on stated grounds, namely inability to perform the functions of office or misbehaviour.

Clause 15 — Functions of Council

This clause sets out the functions of the Council. These include advising the Minister on sport and on the development and implementation of national sports policy, recognising and maintaining a register of sports organisations, promoting coordination among sports bodies, supporting participation at all levels, promoting safeguarding, integrity and athlete welfare, recommending national sports programmes for funding, promoting Anguilla as a venue for sporting events, collaborating with the Department of Education and school authorities on school sport, working collaboratively with the Department, facilitating access to technical and external support, and performing any other functions conferred by law.

Subsection (2) requires the Council to have regard to the available administrative and financial resources of the Ministry and the practical capacity of sports organisations. This is intended to ensure that the Council's approach remains proportionate and workable.

Clause 16 — Community sports contributors

This clause introduces a mechanism for recognising and supporting individuals who contribute meaningfully to sport at community or school level on a voluntary basis, without affiliation to a recognised or provisionally recognised sports organisation. It gives formal recognition to volunteer coaches, community sports organisers and individuals who train school-age children without payment or institutional backing — persons who play a longstanding and important role in the development of sport in Anguilla.

Recognition as a community sports contributor gives access to public sporting facilities on the same basis as a recognised sports organisation, access to Council-supported training and coaching accreditation at no or reduced cost, and eligibility to apply for a community sports grant. The grant may be used for equipment, participant travel and entry fees, basic training costs, and related approved costs.

The clause also establishes basic safeguarding conditions for recognition. A community sports contributor must complete approved safeguarding awareness training, comply with applicable safeguarding guidance, and provide written declarations confirming that they have no recorded conviction for an offence against a minor or any sexual offence and that they are aware of the statutory disqualification applicable to such offences. These requirements are designed to be proportionate while ensuring a minimum level of protection for minors.

The accountability requirements for such grants are deliberately light. A recipient must submit a brief written account of expenditure, participant numbers, and receipts or other evidence of expenditure, and return any unspent balance unless the Council agrees otherwise.

The clause makes clear that there is no entitlement to recognition or to a grant. The Council is required to maintain a record of recognised community sports contributors and grants and to include a summary in its annual report. It must also determine and publish procedures and criteria for the award of community sports grants.

Clause 17 — Powers of Council

This clause confers on the Council the powers necessary to perform its functions. The general power in subsection (1) extends to all things reasonably necessary or incidental to the performance of those functions.

Subsection (2) includes specific examples, such as requesting information, issuing guidance, establishing committees, engaging external persons, and collaborating with local, regional and international bodies.

Subsection (3) allows the Council to provide technical assistance to recognised, provisionally recognised, and other sports organisations and sports development entities operating in Anguilla, regardless of their level of formality. This includes assistance with constitutions, financial management systems and safeguarding policies. It also allows the Council to recruit and coordinate volunteers with relevant expertise, including members of the Anguillian diaspora, in order to support organisations that cannot readily access professional services.

Subsection (4) requires the Council to develop and publish simple financial management templates for use by organisations without access to professional accounting support.

Clause 18 — Secretary and staff of the Council

This clause gives the Council express authority to appoint a secretary and such other staff as are necessary for the performance of its functions. It clarifies that persons appointed by the Council are employed by the Council and are not public officers, while also allowing secondment of public officers and interim administrative support by the Department before the Council has appointed its own staff.

Clause 19 — Meetings and procedure

This clause provides that the Council regulates its own procedure. It sets the quorum as a majority of members for the time being in office and provides that decisions are taken by a majority of members present and voting. The Council must also keep proper minutes, which are to be made available to the Minister on request.

The clause further provides for a casting vote where votes are tied and requires the Council to meet at least 4 times in each calendar year.

Clause 20 — Committees

This clause permits the Council to establish committees and to include on those committees persons who are not members of the Council. This allows the Council to draw on expertise beyond its formal membership.

Clause 21 — Disclosure of interest

This clause requires Council members who have a direct or indirect interest in a matter before the Council to disclose that interest and not take part in any deliberation or decision on the matter.

PART 5 — RECOGNITION AND REGULATION OF SPORTS ORGANISATIONS**Clause 22 — Recognition of sports organisations**

This clause provides that the Council may recognise an organisation as a sports organisation for the purposes of the Act. Recognition provides the basis for access to support under the Act, including eligibility for government support, the Sports Fund, and participation in the domestic arrangements for representing Anguilla in sport.

Subsection (3) makes clear that nothing in the Act requires an organisation to seek recognition. It also provides that absence of recognition under the Act does not affect any right an organisation may have to affiliate to an international sports federation or participate in competitions governed by that federation's rules. This means that a body like the Anguilla Football Association, which operates under FIFA's rules and governance framework, is entirely free to continue doing so without seeking recognition under this Act.

Clause 23 — Criteria for recognition

This clause sets out the criteria for full recognition. An organisation must be properly constituted and have transparent, accountable and participatory governance arrangements, have appropriate financial management and accountability arrangements, have adopted safeguarding policies and basic complaints-handling procedures consistent with the Act, and meet any other criteria prescribed by regulations.

The Council may request information necessary to assess eligibility. Where an applicant may be suitable for provisional recognition rather than full recognition, the Council must inform the applicant accordingly.

The clause also requires the Council, before commencing the receipt of applications, to publish guidance explaining how it will assess the recognition criteria, what it regards as appropriate financial management and accountability arrangements for organisations of different sizes and types, and what documentation applicants are expected to provide. The guidance must be kept under review.

Clause 24 — Provisional recognition

This clause establishes the provisional recognition regime. It is intended to accommodate organisations that are operating in good faith but are not yet able to satisfy all of the criteria for full recognition.

The threshold requirements for provisional recognition are deliberately light. An organisation must be operating in good faith as a sports organisation in Anguilla, have at least 10 members or regular participants, have a named contact person, and show a genuine intention to develop towards full recognition.

Provisional recognition lasts for up to 2 years. During that period, the Council is required to act as a development partner by providing or arranging the technical assistance needed to help the organisation work towards full recognition. A provisionally recognised organisation may access Council guidance and support, may use public sporting facilities on the same basis as a recognised sports organisation, and may receive a development grant to assist it in meeting the full recognition criteria. It is not, however, eligible to receive grants from the Sports Fund on the same basis as a fully recognised organisation.

The clause also requires the Council to determine and publish procedures and criteria for the award of development grants, including the basis for decisions, eligible purposes, maximum amounts and accountability requirements.

Before the expiry of the provisional period, the Council must review progress. It may invite the organisation to apply for full recognition, extend the provisional period where genuine progress has been made, or allow provisional recognition to lapse where there has been no genuine progress, after giving written notice and an opportunity to make representations. An organisation may also apply for full recognition at any time during the provisional period if it considers that it has met the full criteria.

Clause 25 — Register of sports organisations

This clause requires the Council to maintain a register containing three parts: fully recognised sports organisations, provisionally recognised organisations, and recognised community sports contributors. The register must be available for public inspection.

Clause 26 — Conditions of recognition

This clause enables the Council to attach conditions to recognition. Conditions may relate to governance and administration, safeguarding and welfare, financial accountability, reporting requirements, compliance with codes of conduct, and, in the case of provisionally recognised organisations, development milestones to be achieved during the provisional period.

Clause 27 — Suspension or revocation of recognition

This clause allows the Council to suspend or revoke recognition where an organisation no longer meets the recognition criteria, breaches a condition of recognition, or acts inconsistently with the objects of the Act.

Before taking such action, the Council must provide notice of the proposed action and reasons and give the organisation an opportunity to make representations. The Council must then notify its decision in writing with reasons.

Clause 28 — Consequences of loss of recognition

This clause sets out what happens when an organisation loses its recognition. The consequences are straightforward — the organisation loses access to the benefits and support the Act provides, including eligibility for Sports Fund grants and Council technical assistance.

The clause does not bar the organisation from sporting activity generally. An organisation that loses recognition under this Act retains whatever rights it has under the rules of any international or regional sporting federation to which it is affiliated, and those rights are entirely unaffected by anything this Act does. The Act's consequences operate within the domestic framework only.

For example, loss of recognition under this Act would not affect the Anguilla Football Association's membership of FIFA or its ability to participate in FIFA-sanctioned competitions.

PART 6 — REPRESENTATION AND PARTICIPATION IN SPORT

Clause 29 — Representation of Anguilla in sport

This clause governs the representation of Anguilla in organised sport.

Subsection (1) provides that in the ordinary case representation shall be conducted through recognised sports organisations. Subsection (2) provides that this rule does not apply where participation in a competition or event is governed by the rules of an international or regional sporting body — in those cases the applicable external rules determine who may represent Anguilla. Subsection (3) makes clear that recognition under this Act is not a condition of participation in competitions governed by those external rules.

Subsections (4) to (6) address the domestic framework. The Council may recognise a sports organisation for the purpose of representing Anguilla in a particular sport. Recognised sports organisations are responsible for the selection and management of teams in competitions to which the Act applies, and the Council shall not interfere in technical selection decisions except where the Act expressly permits it.

Subsection (7) addresses the practical reality that in some sports no recognised or provisionally recognised organisation yet exists. In those circumstances the Department may, with the Minister's approval, select athletes and facilitate their participation in regional or international competitions on behalf of Anguilla. This allows athletes to participate where no recognised or provisionally recognised organisation exists. Any such participation is treated as representation of Anguilla for the purposes of this Act.

Clause 30 — Participation in regional and international competitions

This clause provides that recognised sports organisations may organise or participate in regional competitions on behalf of Anguilla. Participation in international competition remains subject to the rules of the relevant international federation and any constitutional, legal or international arrangements applicable to Anguilla as a British Overseas Territory. The clause also makes clear that the Government is not obliged to fund participation in any competition.

Clause 31 — Compliance with sporting rules

This clause requires athletes, coaches, officials and recognised sports organisations to comply with the rules governing the competitions in which they participate. Where the rules of an international federation apply, those rules are given effect for the purposes of that participation.

Subsection (3) clarifies that compliance with such rules does not displace or override the operation of Anguilla's domestic law. Persons participating in organised sport remain subject to all applicable enactments, including employment, child protection and criminal law, as well as the provisions of this Act.

Compliance with the rules of a competition is not a defence to non-compliance with domestic legal obligations.

Clause 32 — No entitlement to independent international representation

This clause makes clear that nothing in the Act confers a right on any person or organisation to represent Anguilla independently in international sport. Participation in international sporting events remains subject to the applicable international rules and constitutional arrangements that bind Anguilla. This reflects Anguilla's status as a British Overseas Territory and the arrangements governing international sporting participation that flow from that status.

PART 7 — ATHLETES, SELECTION AND DISPUTE REVIEW

Clause 33 — Application of Part 7

This clause defines the scope of Part 7. It applies to selection decisions by recognised or provisionally recognised sports organisations where an athlete is selected to represent Anguilla in a sporting competition or event. It does not apply to open-entry events, internal club or community activities that do not involve representation of Anguilla, or selection processes governed by the rules of an international or regional sporting body that provides its own procedures. The clause also makes clear that selections governed by those external rules are not subject to review by the Council under this Part.

Clause 34 — Selection of athletes

This clause requires that athletes be selected to represent Anguilla in sporting competitions and events in accordance with transparent and objective criteria.

Clause 35 — Selection criteria

This clause requires recognised and provisionally recognised sports organisations that select athletes to represent Anguilla to establish and publish selection criteria for that purpose. The obligation applies to both categories of organisation, as each may be responsible for selection decisions in competitions to which this Act applies.

The criteria must be applied fairly and consistently and, so far as reasonably practicable, published in sufficient time before the relevant competition or event. This requirement provides that the criteria are made available early enough to be meaningful to athletes seeking to understand the basis on which selection decisions will be made.

Clause 36 — Internal review of decisions

This clause requires recognised and provisionally recognised sports organisations to establish procedures for the internal review of selection decisions made under section 35 and disciplinary decisions affecting athletes or officials.

The procedures must provide for written notice of the decision and reasons, a fair opportunity for the affected person to be heard within a reasonable time, and a written determination within a reasonable time. The requirement for a written determination clarifies that the process is to produce a clear outcome and is not left unresolved. The review must be conducted by a person or body not directly involved in the original decision, providing a basic level of independence within the organisation's own processes.

The clause establishes a minimum standard of procedural fairness for the handling of disputes by sports organisations, without creating external mechanisms that would be disproportionate in the context of a small jurisdiction.

Clause 37 — Review by the Council

This clause provides for a limited review by the Council for persons who have exhausted the internal review procedures of a recognised or provisionally recognised sports organisation. An application must be made within 14 days of the final internal decision, unless the Council permits a longer period for good reason. The time limit promotes finality and prevents disputes from being raised after an undue delay.

The Council's role is to check that the process was fair, not to re-make the decision. Its review is confined to whether the required procedure was followed, whether the decision was affected by

bias or a conflict of interest, and whether the decision was unreasonable having regard to the information available. The Council does not reconsider the merits of the selection or disciplinary decision and does not substitute its own sporting judgment for that of the organisation.

Where a ground of review is established, the Council may affirm the decision, set it aside and require reconsideration by the organisation, or give directions to address any procedural unfairness. The clause preserves the responsibility of sports organisations for selection and discipline, while ensuring that those processes are conducted fairly.

PART 8 — SAFEGUARDING, WELFARE AND CONDUCT

Clause 38 — Safeguarding of minors

This clause imposes a general duty on recognised and provisionally recognised sports organisations to take reasonable measures to safeguard minors and vulnerable persons participating in organised sport. Those measures must be appropriate to the nature, size and capacity of the organisation.

The clause also requires each recognised or provisionally recognised sports organisation to designate a person responsible for receiving safeguarding concerns and coordinating appropriate action. This is intended to ensure that there is a clear point of contact for safeguarding matters within each recognised or provisionally recognised organisation.

The section further extends the core safeguarding duty, in limited form, to any person or organisation organising or conducting sporting activity involving minors in Anguilla. This makes clear that safeguarding protections are not dependent solely on formal recognition under the Act and that all organised sporting activity involving minors is subject to a baseline duty of care.

Provision is made for flexibility in small or volunteer-run organisations, including arrangements for external safeguarding support where internal capacity is limited.

Clause 39 — Safeguarding policies and procedures

This clause requires recognised and provisionally recognised sports organisations to adopt and implement safeguarding policies and procedures, so far as is reasonably practicable. Those policies must include procedures for the prevention, reporting and management of harm, clear roles and responsibilities, and procedures for referral to the appropriate statutory authority where a minor or vulnerable person may be at risk of significant harm.

The Council may issue guidance to assist organisations in developing and implementing compliant safeguarding policies.

Clause 40 — Background checks and suitability

This clause requires recognised and provisionally recognised sports organisations to take reasonable steps to ensure that persons who work with minors or hold positions of trust or authority are suitable for those roles. Reasonable steps may include background checks, periodic self-declarations, reference checks, or other appropriate measures in accordance with applicable law.

Subsections (4) to (6) address the position of coaches and personnel from outside Anguilla. Where a person has not been ordinarily resident in Anguilla for the preceding three years and is to work with minors or in a position of trust or authority, the organisation must, so far as reasonably practicable, obtain police certificates or equivalent criminal record checks from relevant countries of previous residence, together with at least two references from persons able to speak to the individual's suitability.

Where such a certificate cannot reasonably be obtained, the organisation must record the steps taken and implement additional safeguards, including enhanced supervision during the initial period of engagement. The clause also provides that a person with a recorded conviction for an offence against a minor or any sexual offence in any jurisdiction may not hold a coaching, officiating or executive role in any team or club whose participants include minors.

Clause 41 — Athlete welfare

This clause requires recognised and provisionally recognised sports organisations to take reasonable steps to protect the welfare and safety of athletes. Medical clearance may be required where appropriate to the nature and risk of the sporting activity.

Athletes must be informed of material risks associated with participation, including, where relevant, concussion, heat-related illness, emergency procedures and return-to-play requirements.

The clause also requires the Council, within available resources, to investigate the feasibility and cost of group or collective medical insurance cover for athletes on national sporting duty and to report to the Minister within 18 months of commencement. It does not require the Government to provide or fund such insurance.

Clause 42 — Codes of conduct

This clause allows the Council to approve codes of conduct for athletes, coaches, officials and administrators, including standards relating to online communications, travel, accommodation and conflicts of interest.

Recognised and provisionally recognised sports organisations must adopt and enforce applicable codes of conduct. The section also provides for the limited application of safeguarding and welfare-related provisions of such codes to persons or organisations conducting sporting activity involving minors, whether or not they are formally recognised under the Act. This clarifies that essential standards of conduct apply wherever minors are engaged in organised sport.

PART 9 — ANTI-DOPING AND SPORTING INTEGRITY

Clause 43 — Application of anti-doping requirements

This clause provides that anti-doping requirements under the Act apply only in relation to regional competitions where such rules are imposed by the governing sporting body and to international competitions. They do not apply to purely local competitions within Anguilla. Anguilla does not have the resources to run its own testing programme, and anti-doping requirements at local level would be unenforceable in practice.

Clause 44 — Compliance with applicable anti-doping rules

This clause requires athletes, coaches and officials participating in relevant competitions to comply with the applicable anti-doping rules, whether adopted by an international sporting body, a regional sporting body, or another body recognised for that purpose.

Clause 45 — Anti-doping testing and enforcement

This clause makes clear that the Act does not require the establishment of a local anti-doping testing or enforcement authority. Testing, investigations and sanctions in relation to relevant competitions may be carried out by external bodies in accordance with applicable rules.

The Council may facilitate cooperation with such external bodies and is required, within available resources, to promote education and awareness in relation to anti-doping and sporting integrity among athletes, coaches and officials.

Clause 46 — Effect of anti-doping violations

This clause provides that an anti-doping violation determined under applicable rules may be recognised for the purposes of the Act. That may include ineligibility for selection or representation, or suspension from participation in organised sport, to the extent required by those rules.

Clause 47 — Sporting integrity

This clause prohibits manipulation of sporting events, misuse of inside information, and other conduct that undermines the integrity of sport. It applies to athletes, coaches, officials, administrators and other persons involved in organised sport at all levels.

Clause 48 — Integrity measures and referral

This clause empowers the Council to issue integrity guidelines and approve relevant codes of conduct. Where the Council becomes aware of conduct that may constitute a criminal offence or a serious breach of sporting integrity, it may refer the matter to the appropriate authority.

Clause 49 — Limitation of responsibility

This clause provides that nothing in Part 9 imposes on the Government, the Minister or the Council responsibility for anti-doping testing or enforcement, applies anti-doping requirements to local competitions, or creates a right to participate in any competition or event.

PART 10 — INFORMATION AND CONFIDENTIALITY

Clause 50 — Information for administrative purposes

This clause permits the Minister, the Council, recognised and provisionally recognised sports organisations and community sports contributors to collect information reasonably required for the administration of the Act, the organisation and regulation of sport, athlete selection and eligibility, safeguarding and welfare, and compliance with regional or international sporting requirements.

The information may only be collected from persons who participate in, administer or seek recognition in connection with organised sport and must be limited to what is necessary for the relevant purpose. It must not be retained longer than is reasonably necessary.

Clause 51 — Use of information

This clause provides that information collected under the Act may be used only for purposes connected with the administration of sport under the Act and not for unrelated purposes.

Clause 52 — Disclosure of information

This clause limits disclosure of information collected under the Act to defined circumstances, including consent, safeguarding or welfare purposes, medical or emergency purposes, compliance with sporting body requirements, legal requirements, and court order. Any disclosure must be limited to what is necessary for the relevant purpose.

Clause 53 — Protection of sensitive information

This clause provides additional protection for medical information and information relating to minors. Such information may only be accessed or disclosed by persons authorised for the relevant purpose.

Clause 54 — Duty of confidentiality

This clause imposes a duty of confidentiality on all persons who obtain information about any individual in the course of exercising functions or powers under the Act. The duty applies to Council members, employees or agents of the Council, officers of recognised and provisionally recognised sports organisations, recognised community sports contributors, and any other person acting under the authority of the Act.

The duty does not apply where disclosure is permitted under clause 52.

Clause 55 — Unauthorised disclosure

This clause makes it an offence knowingly to disclose information in contravention of Part 10. The offence is punishable on summary conviction by a fine.

Clause 56 — No general data protection regime

This clause clarifies that Part 10 does not establish a general data protection regime but instead provides a limited framework for the handling of information collected and used in connection with organised sport under the Act.

PART 11 — NATIONAL SPORTS DUTY**Clause 57 — Authorised absence for sporting duty**

This clause provides that an employer must permit an employee to be absent from work to participate in a sporting event in either of two circumstances.

The first is where the employee has been selected to represent Anguilla in organised sport by a recognised or provisionally recognised sports organisation and that participation has been certified in writing by that organisation. The second is where the employee has been selected to represent Anguilla by the Department of Sports and that participation has been certified in writing by the Department.

The second route allows athletes selected and supported by the Department to access authorised absence where no recognised or provisionally recognised organisation exists in a particular sport.

In both cases, the employee must give the employer reasonable notice of the intended absence and provide such supporting information as the employer may reasonably require.

The Minister may by regulations prescribe categories of competition or event that constitute approved sporting events for the purposes of this Part.

Clause 58 — Status of absence

This clause provides that authorised sporting absence does not constitute a breach of contract and may not be treated as misconduct or a ground for disciplinary action. Unless otherwise agreed or otherwise provided by law, the absence is to be treated as unpaid leave. The clause makes clear that an employer is not obliged to continue remuneration during the absence.

Clause 59 — Protection from dismissal or penalty

This clause prohibits an employer from dismissing, penalising or otherwise disadvantaging an employee solely because of an authorised absence under the Part. The protection does not apply where the employer demonstrates undue hardship to the business or where the employee has failed to comply with the requirements of the Part.

Clause 60 — Conditions and limitations

This clause requires the Minister to issue guidelines within 12 months of the commencement of the Act addressing four matters.

First, the certification of sporting duty, including the form and content of a selection certificate issued by a recognised or provisionally recognised sports organisation or by the Department.

Second, the duration and frequency of absences that may reasonably be authorised under this Part.

Third, the factors to be taken into account in determining whether an employer has demonstrated undue hardship under section 59(2)(a), including the size of the employer's workforce, the nature of the work, the period of the absence and the availability of alternative cover. Fourth, the application of this Part in particular sectors.

The requirement for guidelines on undue hardship provides clarity as to the scope of the exception in section 59(2)(a), particularly in the context of small businesses. The 12-month timeframe provides for the early issuance of guidance.

The clause also requires that this Part be applied reasonably and proportionately, having regard to the size and nature of the employer's operations and to local labour conditions. It preserves the operation of any other employment or labour legislation that provides more favourable rights.

PART 12 — FINANCIAL PROVISIONS FOR SPORT**Clause 61 — Sports Fund**

This clause sets out the principal provisions relating to the Sports Fund. The Fund itself is established under the Financial Administration and Audit Act through the Sports Fund Regulations, but this clause sets out in primary legislation the purposes of the Fund and the decision-making structure for its use.

The Fund may receive money appropriated by the House of Assembly, grants and donations directed to it, interest earned on investments, and other sums lawfully credited to it. It may be used for approved national sports programmes, sports facilities, athlete development, coaching, technical training and high-performance support, sports tourism and sports industry development, and related purposes.

The decision-making structure is as follows— The Council recommends which national sports programmes are to be funded and at what estimated cost. The Minister approves those recommendations. The Minister of Finance then authorises the payment through the public finance framework. No money may be applied to a national sports programme unless it has passed through that process.

Clause 62 — Application of Financial Administration and Audit Act

This clause provides that the Sports Fund remains fully subject to the Financial Administration and Audit Act and the Sports Fund Regulations made under that Act. Nothing in Part 12 limits those financial controls.

Clause 63 — Grants and sponsorship

This clause allows the Council, with the approval of the Minister, to seek and receive grants and sponsorship from lawful sources for the purposes of sport in Anguilla. Monetary grants or donations may be directed into the Sports Fund and are then administered in accordance with the Sports Fund Regulations. The clause also requires transparency, proper documentation and reporting of grants and sponsorship arrangements in the Council's annual report.

Clause 64 — Directions to Council regarding Fund

This clause enables the Minister to give the Council written directions regarding priorities for expenditure from the Fund. The Council must have regard to those directions when preparing its recommendations. The Minister may not direct expenditure on matters outside the purposes set out in clause 61(3).

PART 13 — MISCELLANEOUS

Clause 65 — Regulation of events, recording and broadcasting

This clause allows the Council, recognised sports organisations and provisionally recognised organisations to impose reasonable conditions on the recording, filming, photographing or commercial use of recordings of sporting events organised or sanctioned under the Act. Conditions must be clearly communicated, and a person who fails to comply may be removed from the event. The clause does not create proprietary rights in recordings and does not affect rights arising under any other law.

Clause 66 — Use of public sporting facilities

This clause provides that public sporting facilities may be used subject to conditions prescribed or determined by the authority responsible for those facilities. The Council may issue guidelines on their fair and orderly use. The clause makes clear that no person has an exclusive right to use any public sporting facility.

Clause 67 — Offences and penalties

This clause establishes a limited set of offences to support the administration of the Act. It includes offences for knowingly obstructing the Council or a public officer acting in the lawful performance of functions under the Act and for knowingly providing false or misleading information for the purposes of the Act.

The clause also provides for an offence where a person organising, managing or conducting sporting activity involving minors fails, without reasonable excuse, to take reasonable safeguarding measures or fails, without reasonable excuse, to comply with applicable safeguarding or welfare-related codes of conduct. This gives effect to the safeguarding framework established under Part 8 by providing an enforceable baseline standard applicable to persons conducting sporting activity involving minors, whether or not they are formally recognised under the Act.

Offences relating to obstruction and the provision of false or misleading information are punishable on summary conviction by a fine not exceeding \$10,000. The safeguarding-related offence is punishable on summary conviction by a fine not exceeding \$5,000, reflecting the different nature of the conduct.

No offence under the Act is punishable by imprisonment. Serious misconduct involving harm to minors remains subject to applicable criminal law and child protection legislation.

A separate offence relating to the unauthorised disclosure of confidential information is created in clause 57.

Clause 68 — Regulations

This clause gives the Minister power to make regulations for the purpose of giving effect to the Act. The regulation-making power is broad, but subsection (2) identifies seven specific areas where regulations are anticipated.

Procedures for the recognition of sports organisations — regulations prescribing the application process, required documentation, decision timelines, compliance requirements, the register and any applicable fees.

Safeguarding standards and reporting procedures, including minimum standards for safeguarding officers, training requirements, record-keeping and referral to appropriate statutory authorities — regulations providing detailed content to the safeguarding obligations in Part 8.

Categories of competition or event constituting approved sporting events for national sports duty — regulations defining which competitions trigger the employment protection provisions in Part 11.

Minimum standards for governance, financial accountability and administration of recognised sports organisations — regulations prescribing constitutional requirements, election procedures, financial management standards and disciplinary processes.

Criteria, procedures and conditions applicable to provisional recognition and community sports contributors — these matters may be addressed in recognition regulations or in separate instruments as required.

The collection, storage and handling of information under Part 10 — regulations providing additional detail where necessary to support the operation of the information framework.

Administrative matters necessary for the operation of the Act — a general power to make regulations on matters not expressly addressed in the preceding paragraphs.

Clause 69 — Savings and transitional provisions

This clause governs the transition to the new statutory framework. It has 5 elements.

First, sports organisations formally recognised before commencement are treated as fully recognised sports organisations under the Act from the date of commencement. They have 12 months, or such longer period as the Minister may approve, to comply with any requirement of the Act that was not previously applicable.

Second, organisations operating in good standing before commencement but not previously formally recognised have a 12-month period, beginning on the date the Council first publishes its application procedures, within which to apply for recognition.

Third, within that period such organisations may apply for full recognition where they meet the applicable criteria, or for provisional recognition where they do not yet meet all requirements.

Fourth, in determining such applications, the Council may take into account the organisation's prior operation and standing and may grant recognition subject to conditions allowing a reasonable period to meet any outstanding requirements.

Fifth, decisions, directions and determinations made before commencement in relation to organised sport continue in force to the extent that they are consistent with the Act.

Clause 70 — Citation

This clause provides that the Act may be cited as the Sports Act, 2026.