PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES) (AMENDMENT) BILL, 2026

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PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES) (AMENDMENT) BILL, 2026

A BILL FOR AN ACT TO AMEND THE PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES) ACT

Enacted by the Parliament of The Bahamas

1. Short title.

This Act, which amends the Persons with Disabilities (Equal Opportunities) Act *(Ch. 230A),* may be cited as the Persons with Disabilities (Equal Opportunities) (Amendment) Act, 2026.

2. Amendment of section 2 of the principal Act.

Section 2 of the principal Act is amended —

(a) by the deletion of the following definitions and the substitution of the following —

" **"medical practitioner"** means a person registered or licensed as a medical practitioner under the Medical Act *(Ch. 221)*;

"organisations for persons with disabilities" means duly registered associations or societies formed for the purposes of rendering services to persons with disabilities;";

(b) by the insertion, in the appropriate alphabetical order, of the following new definitions —

"accessibility" includes the principle and practice of removing barriers to ensure equal access for persons with disabilities to goods and services, built environment, technology and communication, facilities and amenities;

"care provider" means any qualified, trained or [vested] person who provides ongoing assistance, care and support to a person with a disability;

"Service Animal" means an animal that is trained to do work or perform tasks for the benefit of a person with a disability;".

3. Amendment of section 10 of the principal Act.

Section 10(1) of the principal Act is amended, in paragraph (d)(iii), by the deletion of the words "to provide".

4. Amendment of section 14 of the principal Act.

Section 14 of the principal Act is amended —

(a) in subsection (1), by the deletion of the word "suitable";

(b) by the deletion of subsection (3) and the substitution of the following as a new subsection (3) —

"(3) Every employer shall employ not less than one qualified person with a disability for every fifty employees.";

(c) in subsection (4), by the insertion, immediately after the words "the Commission shall", of the words "in collaboration with the Department of Labour".

5. Amendment of section 16 of the principal Act.

Section 16 of the principal Act is amended —

(a) by renumbering paragraphs (3) to (7) as paragraphs (4) to (8);

(b) by the insertion, immediately after subsection (2), of the following as a new subsection (3) —

"(3) If a person acquires a disability while employed, and is unable to perform the job the person was hired to perform, the employer must reassign that person to another job in accordance with relevant laws;";

(c) in subsection (5), by the insertion, immediately after the word "fit", of the words "in accordance with this Act".

6. Repeal and replacement of section 17 of the principal Act.

Section 17 of the principal Act is repealed and replaced by the following —

"**17. Records for job placement.**

The Department of Labour, in conjunction with the Commission, shall establish and maintain a record of persons with disabilities

who are in possession of various levels of skill and training and shall update such records as prescribed for job placement.".

7. Insertion of new section 18A into the principal Act.

The principal Act is amended by the insertion, immediately after section 18, of the following as a new section 18A —

"**18A. Right to protection against abuse.**

(1) No person shall abuse a person with a disability.

(2) A person who contravenes subsection (1) commits an offence.

(3) For the purposes of this section —

"abuse" means any act or omission that causes or is likely to cause, physical, sexual, psychological, emotional or financial harm, suffering or distress to a person with a disability and includes exploitation, neglect and abandoment;

"physical abuse" means any act or threat of physical violence, harm or injury towards a person with a disability;

"sexual abuse" means any conduct that violates the sexual integrity of a person with a disability;

"psychological abuse" means —

(a) any pattern of degrading or humiliating conduct towards a person with a disability including repeated insults, ridicule or name calling;

(b) repeated threats to cause emotional pain;

(c) repeated invasion of privacy, liberty, integrity or security;

(d) exposure to circumstances that may cause physical or mental harm to a person with a disability;

"economic abuse" means the unreasonable deprivation of economic and financial resources which the person with a disability requires to ensure proper care and well-being.".

8. Insertion of new section 19A into the principal Act.

The principal Act is amended by the insertion, immediately after section 19, of the following as a new section 19A —

"**19A. Building plan.**

(1) No building plan for a public building shall be approved unless it complies with prescribed accessibility standards approved by the Commission.

(2) An occupancy certificate for a public building shall not be issued by the Ministry of Works[1] without proof of compliance of the accessibility standards.".

9. Amendment of section 20 of the principal Act.

Section 20 of the principal Act is amended by the insertion, immediately after the words "have access to", of the words "and be able to use".

10. Amendment of section 21 of the principal Act.

Section 21 of the principal Act is amended by the insertion, immediately after subsection (3), of the following as a new subsection (4) —

"(4) A person who parks in a space designated for persons with disabilities commits an offence and is liable on summary conviction to a fine of two hundred and fifty dollars.".

11. Amendment of section 23 of the principal Act.

Section 23 of the principal Act is amended —

(a) by renumbering section 23 as section 23(1);

(b) by the insertion, immediately after subsection (1), of the following as new subsections (2) and (3) —

"(2) A person with a disability who use a Service Animal must be permitted to use the animal —

(a) at public places and buildings;

(b) when using public service or facilities; or

(c) when occupying rented or leased residential properties.

(3) For the purposes of this section, an entity that has a "no pets" policy must modify the policy to allow Service Animals in their facility.".

12. Amendment of section 24 of the principal Act.

Section 24 of the principal Act is amended, in the Chapeau, by the insertion, immediately after the words "in community", of the words "civic and other".

[1]Requires policy decision

13. Amendment of section 27 of the principal Act.

Section 27 of the principal Act is amended —

(a) in subsection (1)(b), by the insertion, immediately after the words "services or amenities", of the words "including transportation"; and

(b) in subsection (2)(a)(i), by the insertion, immediately after the words "services or amenities", of the words "including transportation".

14. Amendment of section 29 of the principal Act.

Section 29(2) of the principal Act is amended —

(a) by the deletion of the word "five", immediately after the words "fine not exceeding" and the substitution of the word "ten"; and

(b) by the deletion of the word "three", immediately after the words "term not exceeding" and the substitution of the word "twelve".

15. Amendment of section 30 of the principal Act.

Section 30 of the principal Act is amended —

(a) by the deletion of the word "programme" immediately after the words "National Education" and the substitution of the words "plan or policy"; and

(b) by the deletion of the words "is made a", immediately after the words "special education" and the substitution of the words "and inclusive education are made".

16. Amendment of section 32 of the principal Act.

Section 32(a) of the principal Act is amended by the insertion, immediately after the word "promote", of the words "and ensure".

17. Amendment of section 34 of the principal Act.

Section 34 of the principal Act is amended by the deletion of the words "within two years of the coming into operation of this Act", immediately after the words "all television stations shall".

18. Amendment of section 38 of the principal Act.

Section 38 of the principal Act is amended —

(a) by the insertion, immediately after the words "customs duties", of the words "Value Added Tax"[2];

[2]Requires policy decision and MOF approval. Also, the Value Added Tax Act must be amended to reflect the change.

(b) by the deletion of the words "said donations", immediately after the words "cost of the" and the substitution of the words "donations and imports".

19. Amendment of section 40 of the principal Act.

Section 40 of the principal Act is amended —

(a) in subsection (1)(c) —

(i) by the deletion of the full stop at the end of the sentence and the substitution of a semi-colon; and

(ii) by the insertion, immediately after paragraph (c), of the following as a new paragraph (d) —

"(d) exemptions from Value Added Tax[3] on the items referred to under paragraphs (a), (b) and (c).";

(b) in subsection (2) —

(i) by the insertion, immediately after the words "custom duty", of the words "and Value Added Tax;[4]"; and

(ii) by the insertion, immediately after the word "vehicles", of the words "and parts thereof".

20. Repeal and replacement of section 41 of the principal Act.

Section 41 of the principal Act is repealed and replaced by the following —

"**41. Telecommunication services.**

A person who provides telecommunication services to the public shall as far as possible ensure that telecommunication devices, units or services are available, accessible and [affordable] to persons with disabilities.".

21. Amendment of section 43 of the principal Act.

Section 43 (4) of the principal Act is amended by the insertion, immediately after the words "the Commission", of the words "in accordance with the Data Protection Act.".

22. Amendment of section 45 of the principal Act.

Section 45(2) of the principal Act is amended by the deletion of the words "five thousand dollars", immediately after the words "not exceeding" and the substitution of the words "ten thousand dollars or to imprisonment for a term not exceeding twelve months or to both.".

[3]ibid
[4]ibid

23. Amendment of section 47 of the principal Act.

Section 47(2) of the principal Act is amended by the deletion of the word "remedy", immediately after the words "any other" and the substitution of the word "action".

24. Repeal and replacement of section 48 of the principal Act.

Section 48 of the principal Act is repealed and replaced by the following —

"48. Concealment etc. of persons with disabilities.

(1) No parent, guardian or next of kin shall conceal, prohibit, prevent or deny a person with a disability the protection, opportunities and services available under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars or a term of imprisonment not exceeding twelve months or to both.".

25. Amendment of section 49 of the principal Act.

Section 49 of the principal act is amended —

(a) in paragraph (b), by the deletion of the words "and fees", immediately after the word "forms" and the substitution of the words "fees and penalties"; and

(b) in paragraph (c), by the insertion, immediately after the words "the nature of", of the words ", and remedies for,".

26. Amendment of section 50 of the principal Act.

Section 50(2) of the principal Act is amended —

(a) by the deletion of the words "of one", immediately after the words "to a fine" and the substitution of the words "not exceeding two"; and

(b) by the deletion of the word "one", immediately after the words "imprisonment for" and the substitution of the words "a term not exceeding six".

27. Amendment of section 51 of the principal Act.

Section 51 of the principal Act is amended —

(a) by the deletion of the words "of five", immediately after the words "to a fine" and the substitution of the words "not exceeding ten"; and

(b) by the deletion of the word “three”, immediately after the words “term not exceeding” and the substitution of the word “twelve”.

28. Amendment of section 55 of the principal Act.

Section 55 of the principal act is amended by the deletion of the word “Government” wherever that word appears and the substitution of the word “Crown”.

29. Amendment of Schedule to the principal Act.

The Schedule to the principal Act is amended, in paragraph 5 —

(a) by the deletion of the words “and at such time”, immediately after the words “such date” and the substitution of the words, “time and place”; and

(b) by the deletion of the words “and at a time”, immediately after the words “a date” and the substitution of the words, “time and place”.

OBJECTS AND REASONS

This Bill seeks to amend the Persons with Disabilities (Equal Opportunities Act) *(Ch. 230A)* to strengthen and modernise the legal framework for the protection, inclusion, and equalisation of opportunities for persons with disabilities.

Clause 1 of this Bill sets out the short title.

Clause 2 updates and expands the definitions in the Act. It clarifies terms such as "organisations for persons with disabilities" and introduces new definitions for "accessibility", "care provider", and "service animal". This ensures the Act reflects contemporary concepts and practices, particularly in relation to accessibility and support for persons with disabilities.

Clause 3 makes a minor textual amendment to section 10(1)(d)(iii).

Clause 4 of this Bill amends section 14 of the Act to strengthen employment rights for persons with disabilities. It requires every employer to employ at least one qualified person with a disability for every fifty employees and mandates collaboration between the Commission and the Department of Labour. This promotes inclusion and equal opportunity in the workplace.

Clause 5 of this Bill amends section 16 of the Act to ensure that if an employee acquires a disability and cannot perform their original job, the employer must reassign them to another suitable position, in accordance with relevant laws. This protects the employment security of persons who become disabled while employed.

Clause 6 of this Bill repeals and replaces section 17 of the Act requiring the Department of Labour, in conjunction with the Commission, to maintain up-to-date records of persons with disabilities and their skills for job placement. This facilitates better employment matching and opportunities.

Clause 7 of this Bill provides for the protection of persons with disabilities from abuse, including physical, sexual, psychological, emotional, and economic abuse. It defines these forms of abuse.

Clause 8 of this Bill mandates that public building plans comply with accessibility standards approved by the Commission, and occupancy certificates will only be issued upon proof of compliance. This ensures physical accessibility in public infrastructure.

Clause 9 of this Bill clarifies that persons with disabilities must not only have access to, but also be able to effectively use, services and facilities.

Clause 10 of this Bill introduces a penalty for parking in spaces designated for persons with disabilities, imposing a fine of two hundred and fifty dollars to reinforce respect for accessible parking.

Clause 11 of this Bill amends section 23 of the Act to ensure that persons with disabilities who use Service Animals are permitted to do so in public places, public services, and rented or leased properties. It also requires entities with "no pets" policies to accommodate Service Animals.

Clause 16 amends section 32 of the Act, which requires not only the promotion

but also the assurance of rights and opportunities for persons with disabilities.

Clause 17 amends section 34 of the Act to remove the two-year implementation deadline for television stations to comply, making the requirement ongoing.

Clause 18 amends section 38 to extend tax exemptions for donations and imports to include Value Added Tax (VAT).

Clause 19 amends section 40 of the Act to further clarifies and expands VAT exemptions for goods and vehicles for persons with disabilities.

Clause 20 repeals and replaces section 41 of the Act to require that telecommunication services be available, accessible, and affordable to persons with disabilities, reflecting technological advancements.

Clause 21 amends section 43 of the Act to align the Commission's actions with the Data Protection Act, ensuring privacy and data security for persons with disabilities.

Clause 22 amends section 45 of the Act to increase the penalties for discrimination in insurance, raising the maximum fine to ten thousand dollars and the maximum imprisonment to twelve months.

Clause 23 amends section 47 of the Act to clarify that the Commission may take "action" rather than just provide a "remedy" for violations, broadening its powers.

Clause 24 prohibits parents, guardians, or next of kin from concealing or denying persons with disabilities the protections and services of the Act, with increased penalties for violations.

Clause 25 amends section 49 of the Act to clarify that regulations may address forms, fees, penalties, and remedies for violations under the Act.

Clause 26 amends section 50 of the Act to increase the penalties for providing false information to the Commission, raising the fine to two thousand dollars and imprisonment to six months.

Clause 27 amends section 51 of the Act to increase the general penalty for offences.

Clause 28 updates the language of section 55 of the Act to state that the Act binds the Crown, aligning with legal terminology.

Clause 29 amends the Schedule of the Act to clarify that meetings of the Commission may be held at such date, time, and place as determined by the Commission or its Chairman, providing flexibility in scheduling.