JUSTICES OF THE PEACE BILL, 2026

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JUSTICES OF THE PEACE BILL, 2026

A BILL FOR AN ACT TO PROVIDE FOR A GOVERNANCE FRAMEWORK FOR JUSTICES OF THE PEACE

Enacted by the Parliament of The Bahamas

PART I - PRELIMINARY

1. Short title.

This Act may be cited as the Justices of the Peace Act, 2026.

2. Interpretation.

In this Act, unless the context otherwise requires —

"adult" means a person who, in the opinion of the magistrate before whom he is brought, is eighteen years of age or upwards;

"civil proceedings" include all small causes as defined by this Act, and all proceedings in relation to the making of an order for —

(i) the payment of any sum of money declared to be a civil debt, recoverable summarily by any Act; or

(ii) the doing or the abstaining from the doing of any act or thing not enforceable by fine or imprisonment in the first instance;

"complaint" means a charge not made on oath, and whether or not reduced into writing, and includes information;

"conviction" means any summary conviction on a complaint or information and includes any order made by a magistrate on any matter brought before him on complaint or information;

and also any other order made under the provisions of this Act for the payment of any fine as defined by this Act, not being a judgment in civil proceedings;

"court" means the Supreme Court, and includes a circuit justice on circuit;

"district" in reference to New Providence, means New Providence and all islands and parts of islands and cays situate and being within five leagues of New Providence, or such other islands, parts of islands and cays adjacent thereto as the Governor-General by Order may from time to time declare and determine, and in reference to the Family Islands, means a district constituted under the provisions of the Local Government Act;

"fine" includes penalty, and also any pecuniary forfeiture or pecuniary compensation, or any sum of money or any costs payable under any decision of a magistrate not being a judgment in civil proceedings;

"imprisonment in the first instance" means imprisonment imposed at the time of the making of a conviction without the option of paying a fine;

"**indictable offence"** means any offence which is triable only at the sessions;

"information" means a charge made on oath and reduced into writing;

"judge" means a Justice of the Supreme Court;

"judgment" means a final decision in civil proceedings, and includes an interlocutory order;

"magisterial court" means a court presided over by a magistrate;

"offence" means any contravention of any law in force in The Bahamas which is punishable or enforceable on a verdict of a jury, a judge, or on summary conviction by fine or imprisonment;

"small cause" means —

(a) any action founded on contract where the debt or demand or value of the thing claimed or the rent in arrears is not more than five thousand dollars;

(b) any action founded on tort where the demand or damage claimed is not more than five thousand dollars;

(c) any action, suit or proceeding for the recovery of any amount not exceeding ten thousand dollars entered for

trial on the summary side of the Supreme Court save and except an action, suit or proceeding involving a question of title to land which a magisterial court has no jurisdiction to try, remitted for trial at a magisterial court by the Supreme Court under the provisions of this Act;

"warrant" includes search warrant, distress warrant and warrant of commitment.

PART II – GOVERNANCE FRAMEWORK FOR JUSTICES OF THE PEACE

ELIGIBILITY AND APPOINTMENT OF JUSTICE OF THE PEACE

3. Eligibility for appointment.

(1) A person is eligible to be appointed a Justice of the Peace if he has attained the age of thirty years and has not exceeded the age of seventy and —

(a) is a citizen of The Bahamas;

(b) is of sound mind;

(c) has been nominated by not less than three persons;

(d) is of good character, as supported by a written character reference from at least three nominees;

(e) speaks and writes fluently in English; and

(f) has no prior criminal convictions.

(2) A nominee referred to in paragraph (1)(c) must be —

(a) eligible to vote; and

(b) resident in the island for which the person seeks to be appointed a Justice of the Peace.

4. Application for appointment.

(1) A person who is eligible for appointment in accordance with section 3, may make application in the Form set out in the *First Schedule*.

(2) An application must be completed in full and submitted along with —

(a) copies of the relevant pages of a valid passport; and

(b) a police certificate, issued no longer than six months prior to the submission of the application.

5. Procedure for consideration of applications.

Upon receipt of an application, the Attorney-General shall —

(a) cause due diligence to be conducted to assess an applicant's eligibility for appointment;

(b) obtain a “no objection" to the appointment from the Chief Justice in writing; and

(c) obtain the approval of the Cabinet, in respect of the application.

6. Obligations prior to appointment.

Prior to a person being appointed a Justice of the Peace, he shall –

(a) participate in a training course organized by or under the endorsement of the Chief Justice, and accredited by the National Accreditation and Equivalency Council of The Bahamas; and

(b) consent in writing to —

(i) participate in such further training as the Chief Justice may direct from to time; and

(ii) abide by the Code of Conduct set out in the *Second Schedule.*

7. Appointment of justices of the peace.

The Governor-General, acting on the advice of the Attorney-General, may appoint by warrant under his hand and the Public Seal a person to be a Justice of the Peace for any specified period not exceeding five years either for —

(a) the whole of The Bahamas; or

(b) any specified island or district,

and the person so appointed shall at the time of his appointment, take —

(i) the oath of allegiance; and

(ii) the judicial oath.

8. Publication of oath in *Gazette*.

Every appointment made pursuant to this section shall be —

(a) published in the *Gazette;* and

(b) entered on the roll of Justices of the Peace kept and maintained pursuant to section 16.

9. Renewal of appointment.

A person whose term of appointment has expired, may subject to section 3 - 6 and upon application and approval, be reappointed by the Governor-General acting on the advice of the Attorney-General for a further specified period not exceeding five years.

RESIGNATION, SUSPENSION AND REMOVAL OF JUSTICES OF THE PEACE

10. Resignation.

A Justice of the Peace may resign at any time by notice in writing addressed to the Attorney-General.

11. Suspension.

Where a Justice of the Peace is charged with a serious offence that —

(a) carries a penalty of imprisonment; or

(b) may bring the office into disrepute,

the appointment may be suspended by the Governor-General, on the recommendation of the Attorney-General, pending the outcome of the proceedings.

12. Removal.

The Governor-General may direct that a Justice of the Peace be removed from the Roll of Justices of the Peace for —

(a) inability to discharge the function of the office whether arising from infirmity of body or mind or any similar cause;

(b) misconduct;

(c) conviction for an offence that carries a penalty of imprisonment or an offence that may bring the office into disrepute;

(d) being adjudged a bankrupt;

(e) providing Justice of the Peace services while suspended; or

(f) contravention of the Code of Conduct.

13. Publication of resignation, suspension or removal.

The Attorney-General shall cause to be published in the Gazette the resignation, suspension or removal of a Justice of the Peace.

DUTIES AND POWERS OF JUSTICES OF THE PEACE

14. General duties and powers of Justices of the Peace.

(1) Every justice of the peace shall, within the limits of the area or district in respect of which he is appointed, have the power —

(a) to issue search warrants and warrants for the apprehension and commitment for safe custody of persons charged with offences;

(b) to issue summonses;

(c) to take recognisances for persons granted bail by any court;

(d) to administer oaths and witness affidavits, declarations, affirmations or bonds;

(e) to certify the identity of any person personally known to him or whose identity is supported by the production of a government issued identification document;

(f) to certify a document to be a true and accurate copy of an original document, provided that the original document is produced at the time;

(g) to attest to a written statement given by an accused person, provided that he is satisfied that the statement was given voluntarily;

(h) to preserve the peace, suppress riots and affrays, and to disperse all disorderly unlawful and tumultuous assemblies; and for any of these purposes to call in the assistance of the police and all persons who shall be bound to obey all such lawful commands.

(2) For the avoidance of doubt a Justice of the Peace shall have no power —

(a) to try and determine any charge or complaint or to hold any preliminary enquiry;

(b) to perform a ceremony of marriage, unless the Justice of the Peace is also a registered marriage officer in accordance with the Marriage Act (*Ch. 120*).

15. Prohibition against giving legal advice.

A Justice of the Peace shall not offer or provide legal advice in his capacity as a Justice of the Peace.

PART III - MISCELLANEOUS PROVISIONS

16. Roll of Justices of the Peace.

The Attorney-General shall cause to be kept and maintained a Roll of Justices of the Peace containing in respect of each Justice of the Peace appointed —

(a) the name and address;

(b) the specified area for which the Justice of the Peace is authorised to perform duties; and

(c) the date of appointment and the expiration thereof.

17. Record keeping.

(1) A Justice of the Peace shall keep a written record of any duty or power exercised by him pursuant to this Act, and the record shall include —

(a) the specific duty or power exercised;

(b) the date the duty or power was exercised; and

(c) the name and address of the person on behalf of whom the duty or power was exercised.

(2) Where a Justice of the Peach has refused to perform any function on behalf of anyone, he shall include in the record his reasons for so doing.

(3) Any person who fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.

18. Complaints.

(1) A complaint regarding the conduct of a Justice of the Peace shall be made in writing to the Attorney-General.

(2) The Attorney-General may request such information, documents, or record from a Justice of the Peace, in order to investigate any complaint made against him.

(3) For the purposes of paragraph (2), a “record” includes a record kept in accordance with section 17.

19. Regulations.

The Attorney-General may make regulations generally for the purpose of better carrying out the provisions of this Act and such regulations may provide for but not be limited to —

(a) governing the handling of affidavits, witness statements, and other legal documents;

(b) provisions governing disciplinary measures and mechanisms for complaints or appeals;

(c) provisions preventing Justices of the Peace from dealing with matters here they have personal or financial interests;

(d) regulations enabling Justices of the Peace to verify documents electronically;

(e) provisions ensuring ethical conduct and reinforcing impartiality, confidentiality, and professional integrity in duties;

(f) provisions mandating evaluations to ensure Justices of the Peace are fulfilling their roles effectively;

(g) governing how Justices of the Peace interact with courts, law enforcement, and government agencies.

20. Transitional provision.

(1) A person who, immediately before the commencement of this Act, was appointed as a Justice of the Peace, shall continue to be so appointed under this Act for a period of three years from the date of commencement of this Act.

(2) A person who, at the expiration of the period referred to in subsection (1), is desirous of being reappointed as a Justice of the Peace, shall make application in accordance with the provisions of this Act.

FIRST SCHEDULE

(section 4)

APPLICATION FORM FOR JUSTICE OF THE PEACE

Date of Application: _____

Name of Nominees: 1._____

2._____

3._____

A. GENERAL DETAILS OF APPLICANT:

Name of Applicant: _____

Nationality: _____ Place of Birth: _____

Date of Birth: (D/M/Y) _____ Marital Status[1]: _____

Street Address: _____ P. O. Box: _____

Telephone Nos. _____ (h) _____(w) _____ (cell)

E-mail Address: _____

Religion: _____ Denomination (*if any*): _____

B. EDUCATIONAL BACKGROUND:

Name of High School/College/University:

Name	Year Started	Year Completed	Certificates awarded
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. EMPLOYMENT DETAILS:

Indicate the details of your employment to date:

Place:_____ From _____ to _____

Occupation/duties:_____

Place:_____ From _____ to _____

Occupation/duties:_____

Place:_____ From _____ to _____

Occupation/duties:_____

Note: (*Include additional details on a separate sheet of paper if necessary)*

D. DESIRED AREA OF INTEREST:

1. Indicate the area in which you wish to act as a Justice of the Peace:

The Entire Bahamas [ ] New Providence [ ]

Grand Bahama [ ] Other Island/District [ ]_____[*Specify*]

2. State why you want to be appointed a Justice of the Peace?

_____

_____

[1] *Indicate whether single/married/divorced or widowed*

E. OTHER DETAILS:

1. Outline any special circumstances (community service) that may assist in determining your application to become a Justice of the Peace:

_____

_____

_____

2. Did you submit a previous application to become a Justice of the Peace?

Yes [ ] No:[ ] If yes, provide the approximate date: _____

F. Have you ever taken a Justice of the Peace training course?

Yes [ ] No [ ] If yes, state date and details:_ _____

G. REQUISITE SUPPORTING DOCUMENTS:

The following supporting documents must be submitted along with this application:

(a) Birth Certificate or the first three pages of a valid passport
(b) Police Record (*not older than six (6) months from*)
(c) Certificate of naturalization (*if applicable*)
(d) Resume or a short biography

For further information, contact the Office of the Attorney-General and Ministry of Legal Affairs Paul L. Adderley Building, John F. Kennedy Drive, P. 0. Box N-3007, Nassau, N. P., The Bahamas Telephone: 242-502-0400.

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FOR OFFICIAL USE ONLY

Chief Justice: No objection received Yes [ ] No: [ ] Date:_____

Cabinet Conclusion No: ICC: _____ Date:_____
Approved ( ) Deferred ( )

National Security Vetting Report Completed? Yes [ ] No [ ] Date: _____

SECOND SCHEDULE

(section 6)

CODE OF CONDUCT

Every Justice of the Peace shall act within the powers specified by this Act and uphold integrity, fairness, and impartiality in their duties. In so doing, a Justice of the Peace shall —

(a) promote and protect the rights of individuals and help to give justice to persons within the community in which they are authorised to perform duties;

(b) not divulge confidential information that comes to his attention in performing any duties in accordance with the Act;

(c) not act where there exists a conflict of interest;

(d) treat all persons seeking services with courtesy, dignity, and respect;

(e) deal with requests for services in a timely manner;

(f) not criticize or comment on a person's choice of taking an oath or making an affirmation.

OBJECTS AND REASONS

This Bill seeks to provide the governance framework for Justices of the Peace.

Part I of the Bill provides for the preliminary provisions.

Part II of the Bill provides for the eligibility, appointment, powers and removal of Justices of the Peace.

Part III of the Bill provides for certain miscellaneous provisions. Clause 16 provides for the maintenance of a Roll of Justices of the Peace. Clause 17 of the Bill provides for record keeping by Justices and clause 18 of the Bill provides for the making of complaints.

Clause 20 of the Bill provides for the transitional period of persons currently appointed as Justices of the Peace and for the expiration of such appointment to take effect after a period of three years from the date of the commencement of the Act.