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(C)

BOAT REGISTRATION (AMENDMENT) ACT, 2023

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No. 35 of 2023

BOAT REGISTRATION (AMENDMENT) ACT, 2023

AN ACT TO AMEND THE BOAT REGISTRATION ACT

[Date of Assent - 30th June, 2023]

Enacted by the Parliament of The Bahamas

1. Short title.

- (1) This Act, which amends the Boat Registration Act (Ch. 277), may be cited as the Boat Registration (Amendment) Act, 2023.
- (2) This Act shall come into force on the 1st day of July, 2023.

2. Amendment of section 2 of the principal Act.

Section 2 of the principal Act is amended by the insertion of the following new definitions in the appropriate alphabetical order —

“**licence**” means a licence granted to a master under section 13;

“**register**” means either the register where the details of the registration of a boat for hire is recorded or the register where the details of the licence of a master is recorded under section 13;

“**registration**” means the process of the New Providence Port Authority registering a boat for hire in the waters of The Bahamas under section 13;”.

3. Amendment of section 3 of the principal Act.

Section 3 of the principal Act is amended by the deletion of the marginal note and the substitution of the following—

“Boats plying for hire to be registered.”.

4. Amendment of section 4 of the principal Act.

Section 4 of the principal Act is amended in subsection (1)—

- (a) in paragraph (b) by the deletion of the fullstop and substitution of the words “;or”;
- (b) by the insertion immediately after paragraph (b) of the following new paragraph—
 - “(c) any boat which is for the time being registered under the provisions of the Water Skiing and Motor Boat Control Act, for so long as it remains so registered.”.

5. Amendment of section 15 of the principal Act.

Section 15 of the principal Act is amended by the deletion of subsection (1) and the substitution of the following—

- “(1) Any of the following persons who are dissatisfied with a decision of the New Providence Port Authority shall have a right of appeal to the Supreme Court, and in such event the provisions relating to appeals from magistrates contained in the Magistrates Act shall apply mutatis mutandis to such appeal as if the decision of the Authority was that of a magistrate—
 - (a) an applicant for registration, renewal of the registration or transfer of the registration of a boat for hire;
 - (b) an applicant for a licence to act as master of a boat for hire;
 - (c) any person objecting to the registration, renewal of theregistration or transfer of the registration of a boat for hire;
 - (d) any person objecting to the grant of a licence to act as master of a boat for hire;
 - (e) any person whose registration or renewal of the registration has been cancelled or who has had conditions or restrictions or both imposed in respect of his registration or renewal of the registration;
 - (f) any person whose licence has been cancelled or who has had conditions or restrictions or both imposed on his licence.”.

6. Amendment of section 16 of the principal Act.

Section 16 of the principal Act is amended —

- (a) by the deletion of subsection (1) and the substitution of the following—
 - “(1) Every person being the owner of a boat —

- (a) required by this Act to be registered who shall omit to have such boat registered;
- (b) the registration or renewal of the registration which has been cancelled or has expired; or
- (c) which is not submitted for inspection pursuant to subsection (2) of section 6, or, as the case may be, section 11, of this Act,

who shall ply, offer or let the same for or to hire shall be guilty of an offence and shall be liable on conviction to a penalty not less than one thousand dollars and not exceeding five thousand dollars.”;

- (b) in subsection (2), by the deletion of the words “not exceeding one hundred dollars” and the substitution of the words “not less than thirty-five percent of the value of the boat”;
- (c) in subsection (3), by the deletion of the words “not exceeding one hundred dollars” and the substitution of the words “not less than one thousand dollars and not exceeding five thousand dollars”;
- (d) in subsection (4), by the deletion of the words “not exceeding one hundred dollars” and the substitution of the words “not less than one thousand dollars and not exceeding five thousand dollars”.

7. Repeal and replacement of the First Schedule to the principal Act.

The First Schedule to the principal Act is repealed and replaced as follows—

“ FIRST SCHEDULE
(section 8(4))

Boat Registration Fees

A. Initial registration fee for boat plying for hire in the waters of the Bahamas –

Under 19 feet	\$1,000.00
20 feet to 39 feet	\$3,000.00
40 feet to 49 feet	\$7,000.00
50 feet to 59 feet	\$10,000.00
60 feet to 79 feet	\$14,000.00
80 feet to 99 feet	\$18,000.00

100 feet to 199 feet \$25,000.00

For the purposes of this paragraph, the length of a vessel shall be taken to be the distance between perpendiculars at the stem and the stern.

B. Annual renewal of registration fees in respect of boats plying for hire in the waters of The Bahamas—

Under 19 feet	\$200.00
20 feet to 39 feet	\$700.00
40 feet to 49 feet	\$1,650.00
50 feet to 69 feet	\$2,300.00
60 feet to 79 feet	\$3,000.00
80 feet to 99 feet	\$3,800.00
100 feet to 199 feet	\$5,000.00
200 feet and over	\$8,000.00

For the purposes of this paragraph, the length of a vessel shall be taken to be the distance between perpendiculars at the stem and the stern.

C. Transfer of Registration Fee

For each transfer of registration \$50.00

D. Duplicate Certificate of Registration Fee

For every copy of a certificate \$60.00

E. Inspection fees for boats

Under 19 feet	\$50.00
20 feet to 39 feet	\$75.00
40 feet to 49 feet	\$100.00
50 feet to 69 feet	\$125.00
60 feet to 79 feet	\$150.00
80 feet to 99 feet	\$175.00

100 feet to 199 feet	\$200.00
200 feet and over	\$225.00”.

8. Repeal and replacement of the Second Schedule to the principal Act.

The Second Schedule to the principal Act is repealed and replaced as follows—

“ SECOND SCHEDULE

(section 8(4))

Master’s Licence Fees

(a) Annual Licence fee

A Class \$300.00

B Class \$150.00

(b) Duplicate Licence fee \$100.00

(c) Examination fee \$50.00”.