

BOAT REGISTRATION (AMENDMENT) BILL, 2024

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BOAT REGISTRATION (AMENDMENT) BILL, 2024

A BILL FOR AN ACT TO AMEND THE BOAT REGISTRATION ACT

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act, which amends the Boat Registration Act (*Ch. 277*), may be cited as the Boat Registration (Amendment) Act, 2024.
- (2) This Act shall come into operation on 1st March, 2024.

2. Amendment of section 6 of the principal Act.

Section 6 of the principal Act is amended by the deletion of subsection (1) and the substitution of the following –

- “(1) Subject to subsection (3), every boat, before being registered under this Act, shall, together with the machinery, sail, gear, fixtures, equipment, apparel, and appurtenances used therewith, be submitted for the inspection of the New Providence Port Authority, and that Authority shall decide whether such boat is fit and proper to be registered.
- (1A) When a boat is being submitted for inspection under subsection (1) every owner of a boat shall provide to the New Providence Port Authority the following —
 - (a) record of valid crew training;
 - (b) surveys conducted in the last twelve months;
 - (c) history of dry docking; and
 - (d) boat maintenance records.
- (1B) After the initial registration, an inspection, in accordance with subsections (1) and (1A), of the boat shall take place annually.”

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

The principal Act is amended by the insertion immediately after section 8 of a new section 8A as follows—

“8A. Insurance.

Every owner or operator of a boat registered under this Act that is used to ply, offer or let for hire in the waters of The Bahamas shall procure and maintain a comprehensive insurance policy from a company licensed under the Insurance Act to carry on insurance business in The Bahamas.”.

4. Insertion of new section 13A into the principal Act.

The principal Act is amended by the insertion immediately after section 13 of a new section 13A as follows—

“13A. Certificate of Deletion.

- (1) The owner of a boat may request in writing the cancellation of the registration of a boat and the request shall be accompanied by—
 - (a) the certificate of registration of the boat;
 - (b) a document confirming the identity of the owner; and
 - (c) any other documents required by the New Providence Port Authority.
- (2) The Authority, upon being satisfied that the owner of the boat has complied with subsection (1), shall cancel the registration of the boat in the special register and shall issue a Certificate of Deletion on payment of the prescribed fee.
- (3) The Certificate of Deletion shall be deemed conclusive evidence of the cancellation of the boat's registration.”

5. Repeal and replacement of section 16 of the principal Act.

Section 16 of the principal Act is repealed and replaced as follows –

“16. Offences.

- (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) where registration or renewal of the registration whereof has been cancelled or has expired;
 - (c) which is not submitted for inspection pursuant to section 6 or section 11, of this Act; or,

- (d) which shall fail to submit a valid insurance policy pursuant to section 8A 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 five thousand dollars and not exceeding ten thousand dollars.
- (2) Any person who acts as master of a boat for hire or employs any other person so to do without first obtaining a licence under this Act 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.
- (3) Every owner or master of a boat who by himself or a servant shall refuse or fail to admit on his boat any person or persons authorized under section 19 to board and enter and remain on such boat shall be guilty of an offence and shall on conviction be liable to a penalty not less than one thousand dollars and not exceeding five thousand dollars.
- (4) Every person who fails to comply with the provisions of this Act for which no specific penalty has been provided shall be liable on conviction to a penalty not less than one thousand dollars and not exceeding ten thousand dollars.”

6. 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 a boat plying for hire in the waters of The Bahamas –

19 feet and under	\$700.00
20 feet to 28 feet	\$2,100.00
29 feet to 39 feet	\$3,500.00
40 feet to 49 feet	\$4,900.00
50 feet to 59 feet	\$7,000.00
60 feet to 69 feet	\$8,500.00
70 feet to 79 feet	\$9,800.00
80 feet to 89 feet	\$11,000.00

90 feet to 99 feet	\$12,600.00
100 feet and over	\$17,500.00

For the purposes of this paragraph, the length of a boat 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—

19 feet and under	\$140.00
20 feet to 28 feet	\$490.00
29 feet to 39 feet	\$860.00
40 feet to 49 feet	\$1,155.00
50 feet to 59 feet	\$1,610.00
60 feet to 69 feet	\$2,100.00
70 feet to 79 feet	\$2,350.00
80 feet to 89 feet	\$2,660.00
90 feet to 99 feet	\$3,000.00
100 feet to 199 feet	\$3,500.00
200 feet and over	\$5,600.00

For the purposes of this paragraph, the length of a boat 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. Certificate of Deletion Fee

For each deletion of a registration \$ 300.00

F. Inspection fees for boats

19 feet and under	\$35.00
20 feet to 28 feet	\$53.00

29 feet to 39 feet	\$65.00
40 feet to 49 feet	\$70.00
50 feet to 59 feet	\$88.00
60 feet to 69 feet	\$105.00
70 feet to 79 feet	\$113.00
80 feet to 89 feet	\$123.00
90 feet to 99 feet	\$130.00
100 feet to 199 feet	\$140.00
200 feet and over	\$158.00”.

7. Repeal and Replacement of Second Schedule of 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”.

OBJECTS AND REASONS

This Bill amends the Boat Registration Act—

- (a) to provide for additional inspection requirements and insurance;
- (b) to replace and strengthen the offences provision and increase the penalties;
- (c) to replace the Schedule and provide for new registration and inspection fees.