

WATER SKIING AND MOTOR BOAT CONTROL (AMENDMENT) BILL, 2024

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WATER SKIING AND MOTOR BOAT CONTROL (AMENDMENT) BILL, 2024

A BILL FOR AN ACT TO AMEND THE WATER SKIING AND MOTOR BOAT CONTROL ACT

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act, which amends the Water Skiing and Motor Boat Control Act (*Ch. 278*) may be cited as the Water Skiing and Motor Boat Control (Amendment) Act, 2024.
- (2) This Act shall come into operation on 1st day of March, 2024.

2. Amendment of section 2 of the principal Act.

Section 2 of the principal Act is amended –

- (a) by the deletion of the definition of “motor boat” and the substitution of the following—

““motor boat” means every description of vessel being propelled by mechanical power, either for recreational use or licensed under the Fisheries Act to engage in commercial fishing, but does not include a sailing vessel fitted with an auxiliary engine rated at less than ten horse power;” and
- (b) by the deletion of the definition of “registered motor boat” and the substitution of the following—

““registered motor boat” means a motor boat registered in accordance with this Act;”.

3. Amendment of section 3 of the principal Act.

Subsection (3) of section 3 of the principal Act is amended by the deletion of the words “not exceeding one hundred and fifty dollars in the case of a first offence or to a fine not exceeding five hundred dollars in the case of a second or subsequent offence” and the substitution of the words “not less than one thousand dollars and not exceeding five thousand dollars”.

4. Amendment of section 4 of the principal Act.

Subsection (2) of section 4 of the principal Act is amended by the deletion of the words “not exceeding one hundred and fifty dollars in the case of a first offence or to a fine not exceeding five hundred dollars in the case of a second or subsequent offence” and the substitution of the words “not less than one thousand dollars and not exceeding five thousand dollars”.

5. Amendment of section 5 of the principal Act.

Subsection (3) of section 5 of the principal Act is amended by the deletion of the words “not exceeding one hundred and fifty dollars in the case of a first offence or to a fine not exceeding five hundred dollars in the case of a second or subsequent offence” and the substitution of the words “not less than one thousand dollars and not exceeding five thousand dollars”.

6. Amendment of section 6 of the principal Act.

Subsection (2) of section 6 of the principal Act is amended by the deletion of the words “seventy-five dollars” and the substitution of the words “one thousand dollars”.

7. Amendment of section 7 of the principal Act.

Subsection (2) of section 7 of the principal Act is amended by the deletion of the words “seventy-five dollars” and the substitution of the words “one thousand dollars.”

8. Amendment of section 8 of the principal Act.

Subsection (2) of section 8 of the principal Act is amended by the deletion of the words “seventy-five dollars” and the substitution of the words “one thousand dollars”.

9. Amendment of section 10 of the principal Act.

Subsection (4) of section 10 of the principal Act is amended by the deletion of the words “seventy-five dollars” and the substitution of the words “one thousand dollars”.

10. Insertion of new section 10A into the principal Act.

The principal Act is amended by the insertion, immediately after section 10 of the new section 10A as follows—

“10A. Certificate of Deletion.

- (1) The owner of a boat may request in writing the cancellation of the registration of the 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 Port Controller or the Commissioner.
- (2) The Port Controller or the Commissioner, upon being satisfied that the owner of the boat has complied with subsection (1), shall cancel the registration of the boat in the register and shall issue a Certificate of Deletion on payment of the prescribed fee.
- (3) The Certificate of Deletion shall be conclusive evidence of the cancellation of the boat's registration.”.

11. Amendment of section 11 of the principal Act.

Subsection (3) of Section 11 of the Principal Act is amended by the deletion of the words “seventy-five dollars” and the substitution of the words “one thousand dollars”.

12. Repeal and replacement of the Schedule to the principal Act.

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

“
SCHEDULE
(section 13)

Part I – Registration Fees for motor boats registered under this Act for recreational use only

A. First time registration of a motor boat –

19 feet and under	\$500.00
20 feet to 28 feet	\$1,000.00
29 feet to 39 feet	\$1,500.00
40 feet to 49 feet	\$3,500.00

50 feet to 59 feet	\$5,000.00
60 feet to 79 feet	\$7,000.00
80 feet to 99 feet	\$9,000.00
100 feet to 199 feet	\$12,500.00
200 feet and over	\$17,500.00

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

19 feet and under	\$100.00
20 feet to 28 feet	\$225.00
29 feet to 39 feet	\$350.00
40 feet to 49 feet	\$825.00
50 feet to 59 feet	\$1,150.00
60 feet to 79 feet	\$1,500.00
80 feet to 99 feet	\$1,900.00
100 feet to 199 feet	\$2,500.00
200 feet and over	\$4,000.00

For the purposes of this paragraph, the length of a motor 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 \$ 100.00

F. Inspection fees for boats

19 feet and under	\$25.00
20 feet to 28 feet	\$30.00
29 feet to 39 feet	\$38.00
40 feet to 49 feet	\$50.00
50 feet to 59 feet	\$63.00
60 feet to 79 feet	\$75.00
80 feet to 99 feet	\$88.00
100 feet to 199 feet	\$100.00
200 feet and over	\$113.00

Part II – Registration Fees for motor boats registered under this Act and licenced under the Fisheries Act to engage in commercial fishing

A. First time registration of a motor boat –

19 feet and under	\$250.00
20 feet to 28 feet	\$500.00
29 feet to 39 feet	\$750.00
40 feet to 49 feet	\$1,750.00
50 feet to 59 feet	\$2,500.00
60 feet to 79 feet	\$3,500.00
80 feet to 99 feet	\$4,500.00
100 feet to 199 feet	\$6,250.00
200 feet and over	\$8,750.00

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

B. Annual renewal of registration fees —

19 feet and under	\$50.00
20 feet to 28 feet	\$110.00
29 feet to 39 feet	\$175.00
40 feet to 49 feet	\$415.00
50 feet to 59 feet	\$575.00
60 feet to 79 feet	\$750.00

80 feet to 99 feet	\$950.00
100 feet to 199 feet	\$1,250.00
200 feet and over	\$2,000.00

For the purposes of this paragraph, the length of a motor 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 \$ 100.00

F. Inspection fees for motor boats

19 feet and under	\$13.00
20 feet to 28 feet	\$16.00
29 feet to 39 feet	\$19.00
40 feet to 49 feet	\$25.00
50 feet to 59 feet	\$31.00
60 feet to 79 feet	\$40.00
80 feet to 99 feet	\$44.00
100 feet to 199 feet	\$50.00
200 feet and over	\$56.00

OBJECTS AND REASONS

This Bill amends the Water Skiing and Motor Boat Control Act—

- (a) to amend the definitions for “motor boat” and “registered Motor boat”;
- (b) to increase the penalties throughout the Act;
- (c) to replace the Schedule which provides for new registration and inspection fees.