

NATIONAL MARITIME INSTRUCTION AND TRAINING BILL, 2024

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NATIONAL MARITIME INSTRUCTION AND TRAINING BILL, 2024

**A BILL FOR AN ACT TO ESTABLISH A PUBLIC PRIVATE
PARTNERSHIP BETWEEN THE GOVERNMENT OF THE BAHAMAS
AND THE LJM MARITIME ACADEMY TO FACILITATE THE
PROGRESSION OF ECONOMIC GROWTH AND NATIONAL
DEVELOPMENT OF THE MARITIME SECTOR IN THE BAHAMAS**

Enacted by the Parliament of The Bahamas

WHEREAS the Government of the Commonwealth of The Bahamas is committed to expanding the maritime sector domestically and internationally in a rational and sustainable manner for the social and economic growth and development of The Bahamas;

AND WHEREAS the Government recognizes that skilled and trained technical manpower is essential for the advancement of the sector:

NOW THEREFOR, the Government seeks to partner with a duly accredited tertiary institution to confer the responsibility for the education and training of individuals in the maritime sector to perform at international standards for the advancement of the national maritime sector.

1. Short title.

This Act may be cited as the National Maritime Instruction and Training Act, 2024.

2. Interpretation.

In this Act —

“**Academy**” means the non-profit association licensed under section 14 of the Companies Act (*Ch. 308*) known as the LJM Maritime Academy;

“**Board**” means the Board of Directors of the Academy;

“**Minister**” means the Minister with responsibility for education;

“**National Maritime Policy**” means the The Bahamas National Maritime Policy published by the Ministry of Transport and Aviation.

3. Objectives of Act.

The objectives of this Act are —

- (a) to establish a public private partnership with the Academy to make instruction and training in maritime more accessible and affordable to young persons;
- (b) to promote the Academy globally as an institute in the region leading in maritime instruction and training;
- (c) to designate the Academy as the nationally recognized institute for maritime instruction and training in The Bahamas;
- (d) to advance the social and economic growth of The Bahamas by developing the maritime industry.

4. Minister to enter into partnership agreement with Academy.

- (1) The Minister shall enter into a partnership agreement with the Academy, which shall have responsibility for promoting and providing maritime instruction and training that meets international standards for the benefit of the social and economic growth of The Bahamas.
- (2) The Academy shall in carrying out the objectives of this Act, be guided by the National Maritime Policy.
- (3) An agreement entered into pursuant to subsection (1) shall specify —
 - (a) the functions of the Academy as specified in section 8;
 - (b) the financial arrangements agreed to between the parties;
 - (c) the number of students to be instructed and trained on an annual basis at no cost to the student;
 - (d) the number of faculty members to be funded out of funds received from the Government; and
 - (e) the academic programmes and certification offered by the Academy,

and may be amended as is considered necessary as the parties thereto may agree.

5. Minister may partner with other bodies or institutions.

- (1) Nothing in section 4 shall prohibit the Minister from entering into an agreement to partner with another body or institute to carry out one or more of the functions under this Act.
- (2) The Minister shall take steps to implement focused instruction and training at the secondary level to broaden the awareness and knowledge of the maritime sector in an effort to promote advanced maritime studies and thus to fulfil the objectives of this Act.

6. Autonomy of Academy.

Notwithstanding the agreement entered into pursuant to section 4, the Academy shall remain an autonomous body and the affairs and governance of the Academy shall vest in the Board of Directors of the Academy, constituted in accordance with its memorandum and articles of association.

7. Funding to Academy.

There shall be paid annually from the Government to the Academy to be placed in a special fund, such funds as are agreed to be utilized in accordance with the agreement.

8. Functions of Academy.

- (1) The instruction and training carried out by the Academy shall be designed —
 - (a) to qualify and equip persons with the knowledge and skills to be engaged in the maritime industry both domestically and globally;
 - (b) to provide training for persons employed in a shore-based shipping industry or in an industry similar thereto.
- (2) The Academy shall have responsibility for —
 - (a) establishing and maintaining campuses, departments, divisions, institutes, schools and other facilities necessary for carrying out its functions;
 - (b) appointing faculty, administrative and other staff as appears necessary, on such terms and conditions as the Academy may determine;
 - (c) determining and approving the programmes, courses of training and research to be undertaken by the Academy inclusive of, but not limited to, nautical science and marine engineering;

- (d) directing and regulating the administration of the Academy;
 - (e) continuing educational development and training in maritime;
 - (f) providing for the welfare of the students of the Academy.
- (3) The Academy shall also be the resource centre for the maritime industry.

9. Powers of Academy.

For the purposes of carrying out of the functions of the Academy as specified in this Act, the Academy shall have power to without prejudice to the generality of the foregoing —

- (a) to hold examinations and to grant or award certificates, diplomas, degrees, and other awards and honours to persons who have pursued and satisfied such requirements for a course of study approved by the Board;
- (b) to control and superintend the property and policies of the Academy;
- (c) to accept, deposit or act as trustees or managers of any property of the Academy or any legacy, endowment, bequest, or gift to the Academy for the purpose of training or otherwise in furtherance of the work of the Academy and to invest any funds representing such property, legacy, endowment, bequest or gift, if not immediately required, in such security as the Academy deems fit;
- (d) to charge fees in connection with the provision of training courses and for any services rendered;
- (e) to determine and prescribe fees for the use of facilities and the reduction, waiving or refund of fees and charges so prescribed, generally or in any particular case or class of cases;
- (f) to direct and regulate the conduct, discipline and other matters affecting students of the Academy, the employment of faculty and other staff of the Academy; and
- (g) to do such other act or thing that may be necessary for the purposes of carrying out the functions of this Act.

10. Academy may collaborate with other agencies, institutions, etc.

- (1) In carrying out its functions under this Act, the Academy may —
 - (a) permit any programme or part thereof to be conducted virtually or off site in conjunction with any other governmental agency, institution or body;

- (b) enter into an arrangement with one or more entities to facilitate practical training for student;
 - (c) participate in any exchange programme with any other institution or body;
 - (d) partner with other academic institutions or bodies to strengthen its academic programmes and intellectual capacity.
- (2) The Academy shall, collaborate and cooperate with secondary level institutions, to broaden the awareness and knowledge of the maritime sector in an effort to promote advanced maritime studies and thus to fulfil the objectives of this Act.
- (3) The Academy may collaborate with and enter into an arrangement with the Bahamas Maritime Authority or such other similar bodies to facilitate internships for graduates and students of the Academy.

11. Minister may give directions as to policy.

- (1) The Minister may, after consultation with the Minister responsible for maritime affairs, give directions to the Board as to the National Maritime Policy, as may appear to the Minister to be required for the instruction and training to be carried out by the Academy.
- (2) Notwithstanding subsection (1), the directions given by the Minister shall not apply to —
- (a) the appointment, termination of appointment, promotion or discipline of any instructor, administration or other staff of the Academy; and
 - (b) the admission of any particular student to the Academy or the evaluation, discipline, academic promotion, certification, or issue of awards to students of the Academy.

12. Reporting by Academy.

- (1) The Academy shall keep proper accounts and other records in relation thereto, and shall prepare in respect of each financial year a report detailing the financial records of the special fund.
- (2) The Academy shall cause to be provided to the Minister a copy of the report prepared pursuant to subsection (1).

13. Annual report.

- (1) The Academy shall cause to be provided to the Minister, an annual report no later than three months after the end of the financial year.

- (2) The Academy shall forward a copy of the report to the Financial Secretary.
- (3) A report prepared pursuant to subsection (1) shall provide details on, but not limited to —
 - (a) the financial status of the Academy;
 - (b) any collaboration carried out with industry and other similar institutions;
 - (c) the academic programs and certification offered by the Academy.
- (4) The Minister shall cause a copy of every report submitted pursuant to this section, to be laid before both chambers of Parliament.

OBJECTS AND REASONS

This Bill seeks to establish a public private partnership between the Government of the Commonwealth of The Bahamas and the LJM Maritime Academy —

- (a) to make instruction and training in maritime more accessible and affordable to young persons; and
- (b) to facilitate the progression of economic growth and national development of the maritime sector in The Bahamas.