

CIVIL AVIATION (AMENDMENT) BILL, 2024

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CIVIL AVIATION (AMENDMENT) BILL, 2024

A BILL FOR AN ACT TO AMEND THE CIVIL AVIATION ACT

Enacted by the Parliament of The Bahamas

1. Short title.

- (1) This Act which amends the Civil Aviation Act, 2021 (*No. 1 of 2021*), may be cited as the Civil Aviation (Amendment) Act, 2024.
- (2) This Act shall come into operation on a date to be appointed by the Minister by notice to be published in the *Gazette*.

2. Amendment of section 2 of the principal Act.

Section 2 is amended by the deletion of the definition of “aviation document” and the substitution of the following —

“aviation document” means a licence, permit, certificate or other document issued under section 20 in respect of any classes of persons or services or things specified therein; and includes any licence, permit, certificate or other document which has been validated and converted.”

3. Amendment of section 18 of the principal Act.

Paragraph (a) of section 18 is amended by the insertion immediately after the word “equal” of the words “or better than”.

4. Amendment of section 41 of the principal Act.

Paragraph (a) of subsection 41(1) is amended —

- (a) in the chapeau, by the deletion of the word “reasonable”;
- (b) in subparagraph (vi), by the deletion of the word “and” where it appears at the end of the subparagraph;

- (c) in subparagraph (vii) by the insertion immediately after the words “may land;” of the word “and”; and
- (d) by the insertion immediately after subparagraph (vii), of the following new subparagraph —
 - “(viii) to inspect air operators personnel, aircraft, operations facilities, and associated records for the purpose of certification and continued surveillance and the resolution of safety concerns.”.

5. Amendment of section 58 of the principal Act.

Section 58 is deleted and substituted as follows —

- “(1) Notwithstanding the provisions of section 17 of the Civil Aviation Authority Bahamas Act, 2021 the Minister may in consultation with the Authority, make regulations other than operating regulations, not limited to —
 - (a) agreements to be entered into by the government which require regulations;
 - (b) environmental issues concerning aircraft noise;
 - (c) spaceflight or sub-orbital flight;
 - (d) public health issues concerning aviation;
 - (e) any convention or protocol that The Bahamas has ratified, or may ratify;
 - (f) any other matter required for the administration of this Act.
- (2) Any regulations made pursuant to subsection (1) shall not have any material or adverse effect on operating regulations issued under section 17 of the Civil Aviation Authority Bahamas Act, 2021.”

OBJECTS AND REASONS

Clause 1 sets of the short title and commencement of the Bill.

Clause 2 sets out the amendment of the of the definition of aviation document to include documents which have been validated and converted.

Clause 3 provides for the express recognition of certificates and licences that are not just equal to but better than specified standards.

Clause 4 provides for complete and uninterrupted access to air operators personnel, aircraft, operations facilities, and associated records for certification, ongoing surveillance and the resolution of safety concerns.

Clause 5 provides the general regulation making powers of the Minister shall have no material or adverse effect on operating regulations issued by the Director General under the Civil Aviation Authority Bahamas Act.