



**THE STATUTE LAW
OF
THE BAHAMAS
1799–2016
IN FORCE ON THE
31st December, 2016**

REVISED EDITION OF 2000

Prepared under the authority of the Law Reform and Revision Act (Ch. 3)
by the Law Reform and Revision Commission.

IN EIGHT VOLUMES AND A SUPPLEMENTARY VOLUME

VOLUME I

Containing Chapters 1 to 57

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The Bahamas

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PREFACE TO THE LRO 1/2017 UPDATE OF 2000 REVISED EDITION

This is the fifth update to the 2000 Revised Edition of the Laws of The Bahamas which includes the statute and subsidiary legislation. This update has been prepared under the authority of section 6A of the Law Reform and Revision Act (Ch. 3), and in accordance with that section comprises statutes enacted during the period 1st January, 2010 to 31st December, 2016 and in force as at 31st December, 2016, and comprises the following:

- (i) a table of statutes;
- (ii) an alphabetical list of statutes;
- (iii) a chronological table of statutes; and
- (iv) a table of contents, revised and updated to 31st December, 2016.

This 2017 update exercise has given rise to the printing of more than 8212 replacement and new pages. The opportunity has also been taken in the course of the exercise to address some of the clerical errors observed in the current print.

The reference “*LRO 1/2017*” that appears on each of the new pages to be included in the Revised Edition signifies that the inclusion of the pages so inscribed is authorised by the Law Revision (LRO 1/2017) Order, 2019, in strict compliance with section 6A of the Law Reform and Revision Act.

The responsibility of organizing and planning the work involved in this update devolved upon the staff of the Law Reform and Revision Commission and in this regard, I express my appreciation to them for their professionalism, meticulousness and diligence.

Acknowledgments would be incomplete without also recording my appreciation to the Attorney-General, Senator Carl Bethel, Q.C. and to The Regional Law Revision Centre Inc. for their tireless efforts in this revision process.

Dame Anita Allen (Retired Justice)
Law Reform Commissioner.

EXPLANATORY NOTE

The information contained in this Note as to the scheme and system of presentation of the laws is intended to facilitate the public in the use of the new Edition.

Statutory Authority for Publication of Laws

The Revised Edition of the Statute Law and Subsidiary Legislation of The Bahamas (the Laws) is published under the authority of the Law Reform and Revision Act (Ch. 3). The Edition will be periodically updated by the issue of Updates.

Leaflet entitled “Update Key”

A leaflet entitled “Update Key” will be issued with each Update containing information relevant to the Update and to the use of the Laws generally. This leaflet will be of vital importance to any person using the Revised Edition and its Updates. Among other things, it will contain a table of Current Title Pages (referred to below in the section headed “Determining authenticity of page of Laws”) and instructions for the incorporation of the Update of the Laws.

Table of Contents

A general picture of the scheme and content of the Revised Edition may be obtained from the Table of Contents and reference may be made to the Table in order to ascertain the location of any accessory item of the Laws (such as the Explanatory Note, Classified Table of Chapters, List of Omitted Acts, Chronological Table, etc.). For the location of particular Chapters the reader should refer to the Classified Table of Chapters (where the Acts are classified according to subject matter) or to the Alphabetical List of Published Acts.

Scheme of the Revised Edition

The Edition consists of —

- (a) the preliminary items specified in the Table of Contents;
- (b) the Constitution — as the supreme law of the land, it is published first among the substantive laws of the Edition, and not allotted a Chapter number;
- (c) the ordinary laws of the country (Acts and subsidiary legislation) set out in numbered Chapters classified according to their subject matter.

Determining authenticity of page of Laws

For a loose-leaf edition to be practical, it is essential to have a method whereby the reader may ascertain quickly and easily the authenticity of any given page appearing in the edition. The method used in this Edition is based on the following factors:

- (a) the original pages of this Edition will be printed with the words “[Original Service 2001]”;

- (b) by virtue of section 6A of the Law Reform and Revision Act (Ch. 3), every subsequent page of the Laws must be authorised by a Law Revision Order and a notation of that Order will appear at the bottom of every page;
- (c) the table of Current Authorised Pages printed on the title page of every Chapter or other item of the Laws set out with respect to each page of the Chapter or item of the most up-to-date Law Revision Order authorising the inclusion of that page in the Laws.

Thus, to determine whether any given page of the Laws is the page of that number currently authorised to appear in a particular Chapter or item of the Laws, one need only ascertain whether the Law Revision Order noted on that page is the Law Revision Order specified in the table of Current Authorised Pages in respect of that page.

Before using a table of Current Authorised Pages printed on a particular title page, one will have to ensure that the title page is the currently authorised title page. Thus an up-to-date table of Current Authorised Title Pages will be regularly issued in the leaflet entitled “Update Key” referred to above. This Key will list the title pages (identified by their L.R.O. notations) currently authorised to appear in the Edition.

Date of Commencement of Acts

The date of commencement of the principal Act of each Chapter is shown at the beginning of the Act. Generally, this is the date of the publication in the Gazette. Where the Act has been brought into force by Notice, a marginal reference to the Statutory Instrument number is inserted.

Notation of Amendments

A list of the amendments to every Act is set out on the title page of the Chapter of that Act.

Where a section, regulation, etc., has been amended by any written law, a reference to the amending law appears immediately below the marginal note to the section, regulation, etc. The format of the references will be as follows:

“17 of 1991” means Act No. 17 of 1991; and

“37/1999” means Statutory Instrument No. 37 of 1999.

Acts omitted from publication

As is normal in such publications, a number of Acts are omitted from publication in the Laws. The grounds for omission are practical ones. Generally, Acts are omitted because they have been repealed or have expired or have become spent. The authority for such omission is to be found in section 7 of the Law Reform and Revision Act (Ch. 3). That section authorises the omission of Appropriation Acts, Supplementary

Appropriation Acts and any Act of a temporary nature. Section 9 provides for the omission of any other Acts on the authority of an Order of the Minister or any Act containing only special provision in relation to the pension of a person named therein. A list of the Acts omitted under the authority of such an Order of the Minister is published in the List of Omitted Acts. Thus, either the Classified Table of Chapters or the Alphabetical List of Published Acts together with this List of Omitted Acts will constitute a complete list of the Acts in force in The Bahamas on the relevant Revision Date.

It will be noted that only published Acts are given Chapter numbers and placed in the Classified Table of Chapters. The reference number of an Omitted Act must continue to be its original number as published in the Gazette (its allotted number in the annual series of Acts e.g. 21 of 1999).

Where Omitted laws may be found

All Acts and all Subsidiary Legislation of The Bahamas are required by law to be published in the Gazette (Interpretation and General Clauses Act (Ch. 2), section 18). Persons wishing to refer to the text of a law omitted from the Revised Edition will find them in the Gazette which is on sale to the public at Government Publications.

Mode of Updating

There is a standard method of updating a loose-leaf Edition. The updating is done by inserting pages of new matter, by removing pages of repealed matter, and by removing pages affected by amendments and replacing them with pages containing the law as amended. Under this system, the process of revision is designed primarily to keep the public supplied with up-to-date versions of the law. This is the method which will be used to update the Laws.

Insertion of new Acts and new Statutory Instruments

A new Act forming part of an Update will be allotted a Chapter number (based on its classification in the Classified Table of Chapters) and the new Chapter will be inserted in its appropriate numerical order among the existing Chapters of the Laws. New statutory instruments will necessarily be inserted among existing statutory instruments, and the insertion of a new instrument in its appropriate place will be based on the Chapter number under which it is made. The system of pagination adopted will remain basically a simple and precise one to which subscribers will readily become accustomed e.g. pages inserted between pages 18 and 19 will be numbered 18A, 18B, 18C, etc.

As amendments and insertions with respect to a particular Chapter accumulate, a decision may be taken on practical grounds of convenience to consolidate the whole Chapter. This will in effect constitute a new revision of the Chapter and will present a fully updated version of the law.

Incorporation of Update pages in the Laws

The Update pages are issued in batches. Instructions for their incorporation in the Laws will be given in the Update Key described at page 1 of this Explanatory Note. Users are advised to incorporate the update pages promptly on their receipt. Pages ordered to be removed from the Laws, though no longer forming part of the law of the country, should not be thrown away. It is recommended that they be filed away systematically in folders so that the history of the laws may be easily traced.

Use of Volume Numbers

The Chapters and other items of the Laws are presented in the order shown in the Table of Contents and the Classified Table of Chapters. All references to laws will be expressed in terms of their Chapter numbers and not of the Volumes in which they appear.

In a loose-leaf Edition it is not possible to fix permanently the distribution of Chapters among Volumes as (with the insertion and removal of Chapters and other pages incidental to updating) this distribution must necessarily change from time to time.

Additional Binders

As one would expect, the number of leaves to be accommodated in the binders will increase and at some time it may be necessary to make available additional binders so that users of the laws will be able to accommodate new material.

Correspondence with Commission

The Commission would be grateful for suggestions as to the improvement of the Laws and for information as to any errors or omissions discovered in the Laws.

All correspondence with respect to the Laws should be addressed to —

The Commissioner
Law Reform and Revision Commission
P.O. Box N-3007
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British American Financial Centre Building
Nassau, The Bahamas

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