
CHAPTER 280**LIGHT DUES****ARRANGEMENT OF SECTIONS**

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CHAPTER 280

LIGHT DUES

An Act to levy light dues upon certain ships and for matters incidental thereto or connected therewith. *5 of 1976*

[Commencement 5th July, 1976]

1. This Act may be cited as the Light Dues Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.
 - “Comptroller” means the Comptroller of Customs or any other public officer acting on his behalf or under his authority;
 - “exempted ship” means any ship specified in the First Schedule as exempted from payment of light dues; First Schedule.
 - “foreign Government” means a Government other than the Government of The Bahamas;
 - “Government” means the Government of The Bahamas;
 - “master” includes every person (except a pilot) having command or charge of any ship;
 - “Minister” means the Minister responsible for Maritime Affairs;
 - “port” includes any port appointed as a port of entry under section 4 of the Customs Management Act or section 4 of the Immigration Act, and also includes any point within the waters of The Bahamas from which passengers are embarked or disembarked and cargo, supplies, ballast or fuel loaded or unloaded; Ch. 293.
Ch. 191.
 - “ship” includes every description of vessel used in navigation;
 - “ton” means the net registered tonnage of a ship;
 - “waters of The Bahamas” means the waters within the jurisdiction of The Bahamas.

Light dues payable in respect of certain ships.

3. Light dues shall be payable in respect of all ships whatever passing through the waters of The Bahamas, except ships belonging to the Government and exempted ships.

Amount of light dues.
Second Schedule.

4. (1) Light dues payable under section 3 shall be calculated in accordance with the provisions of the Second Schedule.

(2) Tables of all light dues shall be posted up at the Department of Customs and at such other places as the Comptroller may direct.

Light dues to be paid into the Consolidated Fund.

5. (1) All light dues collected under this Act shall be paid into the Consolidated Fund.

(2) The Comptroller shall be responsible for the collection of all light dues and the payment of the same into the Consolidated Fund.

Recovery of light dues.

6. The following persons shall be liable to pay light dues for any ship in respect of which light dues are payable, namely —

- (a) the owner or master; or
- (b) the agent,

and those dues may be recovered summarily as a civil debt.

Receipt for light dues.

7. A receipt for light dues shall be given by the Comptroller to every person paying the same and no ship shall be granted a clearance until all light dues are paid.

Distress on ship and goods for light dues.

8. (1) If the owner, master or agent of any ship fails on demand of the Comptroller to pay the light dues due in respect thereof, the Comptroller may, in addition to any other remedy which he is entitled to use, enter upon such ship and distrain the goods, guns, tackle or any other things of or belonging to or on board such ship, and detain such distress until the said dues are paid.

(2) If payment of the light dues is not made within the three days next ensuing such distress, the Comptroller may, at any time during the continuance of such non-payment, cause the distress to be appraised by two sufficient persons and thereupon sell the same and apply the proceeds in payment of the dues unpaid, together with all reasonable expenses incurred by him under this section, paying the surplus, if any, on demand to the said owner, master or agent.

9. In order to ascertain the burden of any ship liable to pay light dues under this Act, the Comptroller may require the owner or master to produce the register of such ship for inspection, and on the refusal or neglect of such owner or master to produce such register or to satisfy the Comptroller as to what is the true burden of the ship he may cause such ship to be measured, and any expenses incurred in such measurement shall be recoverable from the owner or master of such ship summarily as a civil debt.

Burden of ship.

10. The master of any ship who —

Offences.

- (a) departs from any port leaving unpaid the dues required to be paid under this Act; or
- (b) refuses to have his ship measured to ascertain the burden in tons; or
- (c) obstructs any person in the exercise of his functions under this Act,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

11. The Governor-General may by order amend, or revoke and replace any of the provisions of the First and Second Schedules.

Amendment of Schedules.

FIRST SCHEDULE (Sections 2, 11)

SHIPS EXEMPTED FROM PAYMENT OF LIGHT DUES

- (a) Ships owned and operated by a foreign Government for public purposes provided that such ships are not carrying cargo or passengers for reward;
- (b) Boats registered under the Boat Registration Act (Chapter 277);
- (c) Private pleasure yachts owned by citizens of The Bahamas;
- (d) Private pleasure yachts owned by persons who are not citizens of The Bahamas, of 20 tons or less;
- (e) Ships which enter any port because of any emergency;
- (f) Oil tankers transporting crude oil to The Bahamas for the purposes of trans-shipping the same from The Bahamas. in accordance with the Trans-shipment Facility Agreement entered into between The Bahamas Industrial Company Limited and Burmah Oil Tankers Limited;
- (g) Ships of 100 tons or less.

SECOND SCHEDULE (Sections 4(1) and 11)**SCALE OF LIGHT DUES**

<i>Class of Ship</i>	<i>Rate at which light dues are calculated</i>
(a) Cruise ships	1c per ton per voyage for the first twelve voyages per annum and free thereafter.
(b) Oil Tankers	4c per ton per voyage for the first twelve voyages per annum and free thereafter.
(c) Ships exceeding 100 tons but not exceeding 500 tons arriving from outside The Bahamas	2c per ton per voyage for the first twelve voyages per annum and free thereafter.
(d) Ships exceeding 500 tons arriving from any port outside The Bahamas	4c per ton per voyage for the first twelve voyages per annum and free thereafter.
(e) Private pleasure yachts owned by persons who are not citizens of The Bahamas exceeding 20 tons arriving from any port outside The Bahamas	\$5.00 per voyage for the first twelve voyages per annum and free thereafter.