
CHAPTER 355
LOANS (INTER-AMERICAN DEVELOPMENT BANK)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Borrowing from the Inter-American Development Bank.
4. Loans to be charged on Consolidated Fund.
5. Power to issue and sign instruments.
6. Implementation of obligations under loan agreement.
7. Arbitration.

CHAPTER 355**LOANS (INTER-AMERICAN DEVELOPMENT
BANK)**

An Act to provide for the raising or guaranteeing of loans from the Inter-American Development Bank by the Government of The Bahamas for the purpose of financing development projects in The Bahamas and for connected purposes. *12 of 1977*

[Assent 6th June, 1977]

[Commencement 16th June, 1977]

1. This Act may be cited as the Loans (Inter-American Development Bank) Act. Short title.

2. In this Act — Interpretation.

“Bank” means the Inter-American Development Bank;

“guarantee agreement” means a guarantee agreement concluded under section 3(1);

“loan agreement” means a loan agreement concluded under section 3(1);

“Minister” means the Minister responsible for Finance.

3. (1) Subject to the provisions of this Act and section 17 of the Financial Administration and Audit Act, the Government may, in such manner and on such terms and subject to such conditions as may be agreed between the Government and the Bank, borrow or guarantee the borrowing of such sums as may be required for the purpose of financing or promoting economic and social development in The Bahamas from the Bank or from funds administered by the Bank. Borrowing from the Inter-American Development Bank. Ch. 359.

(2) For the purposes of subsection (1), the Government may fully guarantee the borrowing of sums from the Bank by agencies of the Government where the Government is satisfied that such borrowing will promote economic and social development in The Bahamas.

(3) Any sums borrowed or guaranteed under the authority of this Act shall be applied and are hereby appropriated to the purposes for which they are so borrowed or guaranteed as specified in the loan agreement or guarantee agreement in respect of such sums.

(4) Nothing in the provisions of this section shall affect or derogate from any other power to borrow or guarantee possessed by the Government.

(5) A copy of every loan agreement or guarantee agreement shall be laid before the House of Assembly within thirty days of the conclusion of such agreement or, if the House does not sit within that time, within thirty days after the commencement of its next sitting.

Loans to be charged on Consolidated Fund.

4. All amounts required for the payment of sums borrowed or guaranteed by the Government under the authority of this Act and for the payment of all interest and other charges on such sums shall be charged on and shall be payable out of the Consolidated Fund.

Power to issue and sign instruments.

5. (1) The Minister may issue such instruments including bonds, on such terms and conditions as may be necessary for the purposes of any loan agreement or guarantee agreement.

(2) Any bonds or other instruments issued under subsection (1) may be signed by the Minister or such person as the Minister may from time to time designate.

Implementation of obligations under loan agreement.

6. Notwithstanding any law in force in The Bahamas, a loan agreement or guarantee agreement and any instrument issued under section 5 shall be valid and enforceable and shall have full force and effect in accordance with its terms.

Arbitration.

7. Any dispute between the Government and the Bank and any claim by the one against the other arising under any loan agreement or guarantee agreement or any instrument issued under section 5 which is not determined by agreement between the parties shall be submitted to arbitration in a manner to be agreed between them.