

CHAPTER 279
SALE OF MERCHANDISE FROM VESSELS (PROHIBITION)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Offence to sell merchandise in or from certain vessels.

CHAPTER 279

SALE OF MERCHANDISE FROM VESSELS (PROHIBITION)

An Act to prohibit the sale of merchandise in certain vessels for delivery in The Bahamas from such vessels.

45 of 1962

43 of 1964

18 of 1973

5 of 1987

[Commencement 23rd May, 1962]

1. This Act may be cited as the Sale of Merchandise from Vessels (Prohibition) Act. Short title.

2. In this Act, unless the context otherwise requires — Interpretation.
 “imported merchandise” means merchandise which has not been manufactured, produced, grown or bred in The Bahamas.

“local vessel” means a vessel —

- (a) owned wholly by a person who is a permanent resident; or
- (b) owned wholly by persons who are permanent residents; or
- (c) owned wholly by a company incorporated under the laws of and carrying on business within The Bahamas of which over fifty per centum of the value of the stock is beneficially owned by a permanent resident or by permanent residents;

“merchandise” includes goods of every description, live stock and agricultural products;

“permanent resident” means —

*18 of 1973, s. 22
and Fourth Sch.*

- (a) a citizen of The Bahamas;
- (b) a permanent resident within the meaning of the Immigration Act; and
- (c) any other person who has been ordinarily resident in The Bahamas for a period of more than five years and who is in possession of a valid permit permitting him to engage in gainful occupation issued under the Immigration Act;

*5 of 1987, Sch.
Ch. 191.*

“vessel” means ship, boat, lighter, barge or other craft used in navigation whether of the same kind as those enumerated or not, however propelled.

Offence to sell
merchandise in
or from certain
vessels.

3. (1) It shall be an offence for any person in any vessel, other than a local vessel, while such vessel is in The Bahamas to sell any imported merchandise —

- (a) to any person over the side of such vessel; or
- (b) to any person in such vessel for the purpose of such merchandise being taken from such vessel, while in The Bahamas, by such person or any other person, unless the seller of such merchandise proves that he did not know, or that he could not with reasonable care have known, that the purchaser of such merchandise, or any other person, intended to take such merchandise from such vessel within The Bahamas.

Penalties.

5 of 1987, s. 2.

(2) Every person who commits, attempts to commit or aids or abets the commission of an offence under the provisions of subsection (1) of this section shall be liable on summary conviction for such offence to a fine not exceeding four hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.