

Mangrove Cay, Andros
 Kemps Bay, Andros
 Northern Long Island
 Southern Long Island
 San Salvador

G.N. 227/1961
S.I. 55/1968
5 of 1987

BOAT REGISTRATION RULES

(SECTION 21)

[Commencement 18th November, 1961]

- Short title. **1.** These Rules may be cited as the Boat Registration Rules.
- Interpretation. **2.** In these Rules, unless the context otherwise requires —
- “Act” means the Boat Registration Act;
- “boat” means every description of vessel used in navigation however propelled;
- “certificate” means a certificate of registration issued under the provisions of section 13 of the Act;
- “licence” means a licence issued under the provisions of section 13 of the Act;
- “New Providence Port Authority” means the Port Authority for New Providence appointed under the Port Authorities Act;
- “Out Island authority” means the port authority for an Out Island or district and, where there is no port authority, the commissioner of the district.
- Ch. 269. **3.** (1) Every owner desirous of operating a boat for hire shall apply for registration of that boat to the New Providence Port Authority or an Out Island authority as the case may be and shall furnish all relevant particulars and make any relevant declaration specified in Form I of the Schedule to these Rules.
- (2) Every person desirous of acting as master of a boat for hire shall apply to the New Providence Port Authority or an Out Island authority as the case may be and shall furnish all relevant particulars and make any relevant declaration specified in Form II of the Schedule to these Rules.
- Application for registration of a boat and the grant of master’s licence.
 Form I.
- Form II.

(3) The New Providence Port Authority or an Out Island authority as the case may be may call for any documentary proof in support of an application under this rule.

(4) Any person giving false information under this rule shall be liable on summary conviction to a penalty not exceeding one hundred dollars. *S. 5 of 1987, s. 2.*

4. (1) Every certificate shall be as specified in Form III of the Schedule to these Rules and shall specify the class or classes of operation for which the boat is registered. *Form of certificate and licence. Form III.*

(2) Every licence shall be in the form set forth in Form IV of the Schedule to these Rules. *S.I. 55/1968. Form IV.*

5. The New Providence Port Authority may register a boat for all or any of the following classes of operation — *Classification of registration.*

A — for use in all the harbours and waters of The Bahamas;

B — for use only in a particular harbour:

C — for temporary use for a specific purpose; and

D — for use as a self-drive or self-sail boat, that is to say as a boat which is hired out by the owner for reward for the purpose of being driven or sailed and used by the hirer exclusively for his own purpose.

6. Without prejudice to section 12 of the Act, before registering a boat for hire the New Providence Port Authority shall be satisfied — *Requirements for obtaining registration of a boat.*

(a) with regard to the owner of the boat, that —

(i) he is a fit and proper person to operate a boat for hire; and

(ii) he is the owner of the boat in respect of which the application is made;

(b) with regard to the boat, that —

(i) the engines, sails, running gear and other equipment (in the case of self-drive boats, including a spare set of spark plugs and a tool kit), are in sound working condition;

(ii) the hull and underwater fittings are sound;

(iii) the boat is clean and well maintained;

- (iv) adequate fire-fighting and life-saving equipment is carried;
- (v) running lights are fitted as required by the International Regulations for prevention of Collisions at Sea;
- (vi) a whistle or horn is fitted;
- (vii) all electrical cable used is of a standard marine type and all unions are made by means of junction boxes;
- (viii) all batteries are firmly secured in a properly constructed casing;
- (ix) radio receivers and transmitters are in sound working condition;
- (x) compasses and charts are provided; and
- (xi) distress flares of a recognized marine brand are carried:

Provided that subparagraphs (ix) and (x) shall not apply to Class D boats.

Rejection of application for registration.

Form V.

7. In every case where a boat submitted for the inspection of the New Providence Port Authority has failed to satisfy the requirements necessary for registration the owner shall be given a rejection slip as specified in Form V of the Schedule to these Rules. This rejection slip shall be presented when the boat is next submitted for the inspection of the Authority.

Diseases and disabilities debarring persons from obtaining a master's licence.

8. A person suffering from the following diseases and/or disabilities —

- (a) epilepsy;
- (b) any form of mental disorder or mental defect as a result of which either the applicant is certified or duly ascertained as subject to be placed under statutory supervision, or the applicant's estate is in the hands of a committee;
- (c) liability to sudden attacks of disabling giddiness or fainting;
- (d) inability to read at a distance of 20 yards in good daylight (with the aid of glasses, if worn) a series of six letters and figures of the minimum and size and of the same arrangement as those prescribed for the registration mark of a boat,

shall not be granted a licence to act as master of a boat for hire.

9. Without prejudice to section 12 of the Act before granting an application for a licence to act as master of a boat for hire, the New Providence Port Authority shall be satisfied that —

Requirements for obtaining a licence.

- (a) the applicant is conversant with the International Rules and Regulations for Prevention of Collisions at Sea;
- (b) the applicant is capable of handling his boat in a safe and seamanlike manner;
- (c) in the event of no engineer being carried on the boat, the applicant is capable of carrying out running maintenance and minor repairs;
- (d) the applicant has a basic knowledge of first aid; and
- (e) in the case of an applicant who is desirous of acting as master of a boat registered to operate in all the harbours and waters of The Bahamas, and in any other case where the Authority shall deem it necessary, the applicant has an adequate knowledge of pilotage and navigation.

10. (1) Every boat registered for hire shall have the allocated registration number neatly affixed or painted on each side of the bow. The letters and figures shall be not less than four inches in height and one and one-half inches in width.

Registration marks.

(2) Every owner failing to comply with paragraph (1) of this rule shall be liable on summary conviction to a penalty not exceeding twenty-five dollars.

S.I. 55/1968.

11. Every person to whom a certificate has been issued or a licence granted shall forthwith sign the same in ink with his usual signature, and if he fails to do so, or if on production of the certificate or licence to any person entitled to demand production thereof such certificate or licence does not bear his usual signature in ink, he shall be liable on summary conviction to a penalty not exceeding twenty-five dollars.

Certificate and licence to be signed by owner and licensee respectively.

S.I. 55/1968.

12. (1) If the holder of a certificate or licence satisfies the New Providence Port Authority that such certificate or licence has been lost or defaced, the Authority shall, on payment of the appropriate fee prescribed in the Act issue

Lost or defaced certificates or licences.

to him a duplicate certificate or licence, and shall endorse thereon any particulars endorsed upon the original certificate or licence, and the duplicate so issued shall have the same effect as the original.

(2) If at any time after the issue of a duplicate certificate or licence and during the currency of such duplicate, the original certificate or licence shall be found, the person to whom the original was issued shall, if it is not in his possession, take all reasonable steps to obtain possession of it and shall return it as soon as may be to the New Providence Port Authority.

Fitness to act as master of a boat for hire.

13. (1) If it appears to the New Providence Port Authority that there is reason to believe that a person who holds a licence is suffering from a disease or disability likely to cause the acting as master by him of a boat for hire to be a source of danger to the public, and on inquiry into the matter the Authority is satisfied that he is suffering from such a disease or disability as aforesaid, then the Authority may require the licence holder to satisfy a qualified medical examiner to be specified by the Authority as to his physical fitness to continue to hold such a licence.

(2) If the licence holder shall fail to satisfy such examiner as to his fitness to continue to hold a licence, the New Providence Port Authority shall cause a notice to be served on him revoking the licence and he shall, on receipt of the notice, deliver the licence to the Authority for cancellation.

(3) Any licence holder who fails to deliver his licence to the New Providence Port Authority for cancellation within one week of receipt of notice so to do shall be liable on summary conviction to a penalty not exceeding seventy-five dollars.

S.I. 55/1968.

Procedure at sitting of New Providence and Out Island port authorities.

14. (1) At a sitting of the New Providence Port Authority for the purpose of receiving or hearing applications under section 7 of the Act, the procedure shall be as follows —

- (a) the applicant shall be heard either in person or by a representative in support of the application and may give evidence and produce witnesses in his behalf;

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- (b) when notice of an objection has been duly given under the provisions of section 10 of the Act, the objector either by himself or by a representative shall be heard after the applicant and may give evidence and produce witnesses in respect of any matter specified in his notice of objection;
- (c) the applicant either by himself or by a representative shall have a right of reply on the whole case.
- (2) All evidence taken at a sitting may be on oath or otherwise as the New Providence Port Authority shall determine.
- (3) The applicant and the objector or their representatives as the case may be, shall have the right to cross-examine each other and each other's witnesses.
- (4) No application shall be considered at a sitting unless the applicant appears in person or by a representative.
- (5) The provisions of this rule shall apply *mutatis mutandis* to a sitting of an Out Island Authority.

SCHEDULE (Rule 3(1))

FORM I

APPLICATION FOR THE REGISTRATION OF A BOAT

Under

THE BOAT REGISTRATION ACT (Ch. 277)

1. Name of boat
2. Length Date last hauled
3. Description of boat
4. Class of registration applied for
5. Name(s) and address(es) of owner(s)
6. Age(s) of owner(s)
7. Nationality of owner(s)

- 8. Name and address of master
- 9. Name(s) of crew
- 10. Type and number of fire extinguishers fitted
- 11. Life saving equipment carried
- 12. Number of passengers to be carried
- 13. Make and H.P. of engines
- 14. List auxiliary machinery
- 15. Is radio receiver and transmitter fitted and in good working condition

NOTE: Items 8, 9, 14 and 15 do not apply to a boat applying for a Class D registration

.....
Signature of Owner or Agent.

Inspected and passed by

.....

Date

NOTE: The maximum penalty for making a Declaration which is to the knowledge of the declarant false or in any material respect misleading shall not exceed one hundred dollars.

FORM II (Rule 3(2))
APPLICATION FOR MASTER'S LICENCE
 Under
THE BOAT REGISTRATION ACT (Ch. 277)
THE BAHAMAS

1.	Full name of Applicant (Block letters)	
2.	Postal address of usual residence of Applicant.	
3.	Class of Registration of Boat of which Applicant desires to be Master	
4.	Age of Applicant.	
5.	Whether Applicant is the holder of a licence or has at any time previously been the holder of a licence.	
6.	Particulars of any licence which the Applicant holds or which he has previously held.	
7.	Nationality of Applicant.	
8.	Whether Applicant has ever (a) been refused licence (b) had licence cancelled.	

.....
Signature of Applicant.

I certify the Applicant to
 be a competent master and a fit and proper person to have a licence.

NOTE: The maximum penalty for making a Declaration which is to the knowledge of the declarant false or in any material respect misleading shall not exceed one hundred dollars

FORM III (Rule 4(1))

CERTIFICATE OF REGISTRATION

Under

THE BOAT REGISTRATION ACT (Ch. 277)

This Certificate permits the
 Registration No. to ply for hire in
 for the period from the day of
 until the day of
 19 The Vessel is registered
 under class(es) to carry a total number of passengers
 and crew not exceeding and respectively.
 Name of Owner
 Name of Master

.....
 Chairman
 New Providence Port Authority.

Date.....

NOTE: This Certificate is the property of the New Providence Port Authority and must not be defaced or altered in any way. This Certificate shall be prominently displayed on the Vessel.

FORM IV (Rule 4(2))

**THE BAHAMAS
BOAT MASTER’S LICENCE**

Under

THE BOAT REGISTRATION ACT (Ch. 277)

Licence No.....
 hereby licensed
 to act as master of a boat for hire under class(es) for
 the period from the day of
 until the day of 19

.....
 Chairman
 New Providence Port Authority.

FORM V (Rule 7)

REJECTION SLIP

Under

THE BOAT REGISTRATION ACT (Ch. 277)

To
Your boat named
has failed to pass inspection
for the following reasons
.....
.....
.....

Signed

Date

NOTE: This slip must be presented to the inspecting committee when the boat is next submitted for inspection.

BOAT REGISTRATION (YACHT) RULES, 1992

S.I. 2/1992

(SECTION 21)

[Commencement 2nd January, 1992]

1. These Rules may be cited as the Boat Registration (Yacht) Rules, 1992. Citation.

2. An applicant for a permit under section 4 of the Act shall submit to the New Providence Port Authority (hereinafter referred to as “the Authority”) an application in Form 1 of the First Schedule containing the requisite particulars required by that Form. Application for permit.

3. (1) Where the Authority is satisfied that the approval of the application would be of benefit to The Bahamas and that the operator is of good character the Authority may cause to be issued to the applicant an annual permit subject to such conditions as the Authority sees fit to impose in the public interest. Approval of permit.

(2) Subject to paragraph (3) a permit issued under paragraph (1) shall be in Form 2 of the First Schedule and shall expire on 31st December of the year in which it is issued unless sooner revoked.