
**IMMIGRATION (VESSELS RESTRICTION)
REGULATIONS**

(SECTION 45)

[Commencement 12th November, 1980]

1. These Regulations may be cited as the Immigration (Vessels Restriction) Regulations. Citation.

2. In these Regulations — Interpretation.

“Bahamian” in relation to a specified vessel means a vessel wholly owned by persons or authorities who are —

- (a) citizens of The Bahamas; or
- (b) bodies corporate established under the laws of The Bahamas, and having their principal place of business in The Bahamas, of which the beneficial ownership belongs wholly to citizens of The Bahamas;

“from any port or place in Haiti”, in relation to any vessel entering or arriving in The Bahamas, means any vessel which enters or arrives in The Bahamas from a port or place in Haiti whether that vessel has come from Haiti directly or indirectly;

“pleasure vessel” in relation to a specified vessel means any launch, yacht, inflatable vessel or any other vessel which —

- (a) has an engine in or carried on it whereby the vessel is capable of being propelled by mechanical means;
- (b) is used exclusively for pleasure purposes; and
- (c) is not let for hire or reward other than under the terms of a charter agreement or hire-purchase agreement;

“specified vessel” means any vessel of or below one hundred net tons and includes a pleasure vessel.

Restrictions on specified vessels entering The Bahamas.

3. (1) No specified vessel shall enter The Bahamas from any port in Haiti except at the port of Matthew Town, Inagua.

(2) The master of every specified vessel shall at the time the vessel arrives at Matthew Town from any port or place in Haiti be in possession of the following documents —

- (a) a customs clearance issued by the Government of Haiti;
- (b) a manifest fully describing the cargo carried on board such specified vessel and signed by a responsible officer of the Government of Haiti;
- (c) a list of the stores held aboard the specified vessel for the use of the passengers and crew;
- (d) a manifest listing all members of the crew of the specified vessel; and
- (e) a manifest listing all passengers carried aboard the specified vessel.

(3) The master of every specified vessel whether laden or in ballast arriving at Matthew Town from any port or place in Haiti shall immediately and before bulk is broken make report of the vessel in accordance with the Customs Management Act.

Ch. 293.

(4) Subject to regulation 7, no specified vessel which arrives from any port or place in Haiti shall proceed from Matthew Town to any other port or place within The Bahamas.

(5) Where a specified vessel proceeds from Matthew Town to any other port or place in The Bahamas in contravention of paragraph (4), the owner, master or agent or the vessel is each guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars.

Limited stay in port.

4. (1) A specified vessel, other than a specified vessel referred to in regulation 7, arriving at Matthew Town from any port or place in Haiti shall discharge its passengers and cargo at Matthew Town and depart therefrom within forty-eight hours of such arrival, or within such further time thereafter as the immigration officer at Inagua may in any particular case allow.

(2) Where any specified vessel fails to depart from Matthew Town within the time specified in paragraph (1) or within such further time as the immigration officer allows under that paragraph, the owner, master or agent of

that vessel is each guilty of an offence and liable on summary conviction to a fine of three hundred dollars for every day or part thereof during which the offence continues:

Provided that the total fine shall not exceed three thousand dollars.

5. (1) The master, officers and crew of a specified vessel entering The Bahamas from any port or place in Haiti shall not exceed six in aggregate.

Number and requirements of crew.

(2) Subject to the provisions of any existing agreement between the Government and the government of any country relative to visa requirements, the master, officers and crew of a specified vessel shall each be in possession of —

- (a) a passport, or seaman's card or a satisfactory substitute therefor, valid for travel to The Bahamas;
- (b) a visa issued by a diplomatic or consular representative of the Government or by a diplomatic or consular representative of any country which by arrangement with the Government has undertaken to represent the Government's interest in Haiti or by any other person authorised in that behalf by the Government;
- (c) a health certificate issued and signed by a medical practitioner whose signature shall be authenticated by any of the persons specified in subparagraph (b).

(3) Subparagraphs (b) and (c) of paragraph 2 shall not apply to citizens of The Bahamas or to persons whom an immigration officer is authorised, under the Immigration Act, to treat as entitled to land in The Bahamas.

(4) If a specified vessel enters The Bahamas from any port or place in Haiti in contravention of paragraph (1), the owner, master or agent of the vessel is each guilty of an offence and liable on summary conviction to a fine not exceeding three hundred dollars in respect of every person over the specified limit of six:

Provided that the total fine shall not exceed three thousand dollars.

(5) If a person contravenes paragraph (2), he is guilty of an offence and liable on summary conviction to a fine not exceeding three hundred dollars.

Passenger's documents.

6. (1) Subject to the provisions of any existing agreement between the Government and the government of any country relative to visa requirements, the master of every specified vessel entering The Bahamas from any port or place in Haiti shall ensure that each passenger travelling in his vessel is in possession of —

- (a) a passport valid for travel to The Bahamas;
- (b) a visa issued by a diplomatic or consular representative of any country which by arrangement with the Government has undertaken to represent the Government's interest in Haiti or by any other person authorised in that behalf by the Government;
- (c) a health certificate issued and signed by a medical practitioner whose signature shall be authenticated by any of the persons specified in subparagraph (b);
- (d) sufficient money to provide for his maintenance during the period of his stay in The Bahamas;
- (e) return or onward ticket to some other country to which he has a right of entry.

(2) Subparagraphs (b), (c), (d) and (e) of paragraph (1) shall not apply to passengers who are citizens of The Bahamas or persons whom an immigration officer is authorised, under the Immigration Act, to treat as entitled to land in The Bahamas.

(3) If a passenger on board a specified vessel is not in possession of the documents and money specified in paragraph (1), that person and also the master of the vessel is each guilty of an offence and liable on summary conviction to a fine not exceeding three hundred dollars.

Regulations 3(4) and 4 not to apply to Bahamian specified vessel or pleasure vessels.

7. (1) Paragraph (4) of regulation 3 and regulation 4 shall not apply to a Bahamian specified vessel or to a pleasure vessel.

(2) No Bahamian specified vessel or a pleasure vessel having arrived from a port or place in Haiti shall proceed from Matthew Town to any port or place in The Bahamas until —

- (a) such vessel has been duly entered and duties of customs paid on all dutiable goods;
- (b) the immigration officer in charge is satisfied that the provisions of the Immigration Act, and these Regulations have been complied with; and
- (c) the master of the vessel has obtained a transire under the Customs Management Act.

(3) The master of a Bahamian specified vessel or a pleasure vessel shall not call at any port or place other than at the ports or places specified on his transire.

8. (1) A Bahamian specified vessel or a pleasure vessel leaving The Bahamas and bound for any port or place in Haiti shall clear outwards from The Bahamas at the port of Nassau. Restriction upon specified vessel.

(2) Every transire issued under the Customs Management Act at Matthew Town to the master of a Bahamian specified vessel or a pleasure vessel arriving from any port or place in Haiti shall specify as the last permitted port of call within The Bahamas the port of Nassau.