



*EXTRAORDINARY*

**OFFICIAL GAZETTE**

**THE BAHAMAS**

PUBLISHED BY AUTHORITY

---

NASSAU

6<sup>th</sup> May, 2014

---

# **CHILD PROTECTION (AMENDMENT) ACT, 2014**

## **Arrangement of Sections**

---

### **Section**

1. Short title and commencement.....2
2. Insertion of new section 20A into the principal Act.....2
3. Insertion of new Part XIII A into the principal Act. ....3



No. 12 of 2014

## **CHILD PROTECTION (AMENDMENT) ACT, 2014**

### **AN ACT TO AMEND THE CHILD PROTECTION ACT**

[Date of Assent-6<sup>th</sup> May, 2014]

**Enacted by the Parliament of The Bahamas**

#### **1. Short title and commencement.**

- (1) This Act, which amends the Child Protection Act (*Ch. 132*) may be cited as the Child Protection (Amendment) Act, 2014.
- (2) This Act shall come into operation on such day as the Minister may, by notice published in the Gazette, appoint.

#### **2. Insertion of new section 20A into the principal Act.**

The principal Act is amended by the insertion immediately after section 20 in Part II of the following new section —

##### **“20A. General power of court as to guardianship.**

- (1) The court may appoint a person as a guardian of a child, either in addition to any other guardian or as sole guardian, either —
  - (a) on an application, for the purpose by any person;
  - (b) on its own initiative, on making an order removing a testamentary or any guardian appointed or acting by virtue of this Act.
- (2) The court may appoint the guardian as a guardian of the child —
  - (a) either for a specific purpose or generally;
  - (b) either for a specified period or not.”.

**3. Insertion of new Part XIII A into the principal Act.**

The principal Act is amended by the insertion immediately after Part XIII of the following new Part XIII A —

**“PART XIII A – ESTABLISHMENT OF GUIDELINES FOR MANDATORY ACTION RESCUING CHILDREN OPERATION**

**148A. Missing children alert.**

- (1) When —
  - (a) a child is reported missing; and
  - (b) the Commissioner of Police is satisfied that the child is at risk of harm or death,he shall without delay cause mandatory action for rescuing the child to be issued which shall be referred to as a “MARCO ALERT”.
- (2) Upon the issuance of an alert pursuant to subsection (1), the Commissioner of Police shall cause an alert to be broadcast via —
  - (a) commercial radio stations;
  - (b) television broadcasts;
  - (c) teletext communications;
  - (d) electronic network systems;
  - (e) the erection of billboards; or
  - (f) such other means as the Minister responsible for national security may deem appropriate.
- (3) For the purposes of this section, “harm” includes the commission of a sexual offence against the child contrary to the provisions of the Sexual Offences Act (*Ch. 99*), whether wilfully or otherwise.

**148B. Minister to establish protocols for alerts.**

- (1) The Minister responsible for national security may make regulations providing for the protocols to be observed prior to and when an alert is issued.
- (2) The Minister responsible for national security shall collaborate with relevant agencies to coordinate the support of such agencies in partnering with law enforcement with the goal of recovering missing children.
- (3) Any person who —
  - (a) causes an alert to be issued contrary to the provisions of this Act; or
  - (b) falsely reports a child to be missing,

commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to a term of imprisonment of six months or to both that fine and imprisonment.”.