

CHAPTER 212

DEFENCE AND SECURITY PURPOSES (REGULATION)

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CHAPTER 212

DEFENCE AND SECURITY PURPOSES (REGULATION)

An Act to regulate the use of the waters of The Bahamas, harbours, airfields, airports and other areas for purposes of defence and security. *13 of 1989*

[Commencement 31st July, 1989]

1. This Act may be cited as the Defence and Security Purposes (Regulation) Act, 1989. Short title

2. In this Act — Interpretation

“airfield” has the meaning assigned thereto by the Airports Act,

“airport” has the meaning assigned thereto by the Airports Act,

“area” means any area of land, sea or tidal water including any shore, canal, lake, inland water, harbour, airfield or airport in The Bahamas;

“defence purpose” means any purpose of the Royal Bahamas Defence Force in relation to the billeting or housing of, or the carrying out of military manoeuvres by, members of the Royal Bahamas Defence Force;

“public interest” includes the interest of defence, public safety and public order.

3. (1) Where any area is used or to be used for any defence purpose or where it appears to the Governor-General that it is necessary or expedient that he make provision for regulating the use of any area in the public interest, he may make regulations for regulating the use of the area for such defence purpose or for securing the public interest. Power of Governor-General to make regulations

(2) Without prejudice to the generality of subsection (1), any regulations made under that subsection may prohibit intrusion into such area and all obstruction of or

interference with such use notwithstanding that the regulations injuriously affect or obstruct the exercise of any public or private right and such regulations may, in particular, provide for —

- (a) arrest and detention;
- (b) control of such areas and the movement of vessels, vehicles and aircraft;
- (c) authorizing the entry and search of premises;
- (d) empowering the making of orders and rules and the issuing of notices, licences, permits, certificates or other documents for the purposes of the regulations.

(3) If any regulation made under the provisions of this section injuriously affects or obstructs the exercise of any private right by any person in or over any such area, that person shall be entitled to compensation and that compensation shall in case of difference be ascertained in the manner and to the extent prescribed by the Acquisition of Land Act with respect to compensation for land taken otherwise than by agreement.

(4) Any person who contravenes the provisions of any regulations made under subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding four thousand dollars or to imprisonment for a term not exceeding nine months.

4. The Governor-General may by Order extend the application of the Act to members of the armed forces of any other country present in The Bahamas in pursuance of an agreement between the Government of that country and the Government of The Bahamas.

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Governor-
General may
extend
application of
Act