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No. 28 of 2011
SPORTS ACT, 2011

AN ACT TO REPEAL AND REPLACE THE SPORTS ACT

(Date of Assent – 27th July, 2011)

Enacted by the Parliament of The Bahamas

1. Short title.

This Act may be cited as the Sports Act, 2011.

2. Interpretation.

In this Act —

“**Elite Athletes Subvention Programme**” means the programme designed by the Government of The Bahamas to assist qualified athletes with meeting their training and competition expenses;

“**Minister**” means the Minister responsible for Sports and Recreation;

“**National Sports Policy**” means the written policy document approved by the Government of The Bahamas on sports and recreation.

3. Minister corporation sole.

For the purpose of acquiring land and any other property in pursuance of this Act, the Minister for the time being shall continue to be a corporation sole by the name of the Minister for Sport, or such other style and title as the Governor-General may from time to time assign to him, and all property transferred to him by this Act or which otherwise becomes vested in him shall be held by him in trust for Her Majesty in right of Her Government of The Bahamas for the purposes of this Act.

4. Transfer of benefits.

Upon and by virtue of the appointment of any person to be the Minister having the responsibility for the administration of this Act, the benefit of all deeds, contracts, bonds, securities and things in action vested in his predecessor at the time of his predecessor ceasing to hold office shall be transferred to and vested in and enure for the benefit of the person so appointed in the same manner as if he had been contracted with instead of his predecessor and as if his name had been inserted in all such deeds, contracts, bonds or securities instead of the name of his predecessor.

5. Duties and power of Minister.

- (1) It shall be the duty of the Minister —
 - (a) to advise the government on matters related to affording as a natural right the opportunity of all Bahamians to pursue sport and physical recreation;
 - (b) to partner with recognized sporting groups and educational institutions to encourage and support the national development of world class standards in local sports;
 - (c) to develop property vested in him as a means of furthering national sports development; and
 - (d) to facilitate national compliance with the rules and regulations of all legitimate national and international authorities.
- (2) The Minister may designate in accordance with the National Sports Policy a specific sport as a core sport when such sport meet a specific criteria, and if in the opinion of the Minister such sport no longer meets the requisite criteria, the Minister shall withdraw the designation of that sport as a core sport.

6. Department of Sports.

There shall be a Department of Sports which shall assist the Minister in the execution of his duties and be responsible for—

- (a) the application and enforcement of the National Sports Policy;
- (b) complementing and facilitating the efforts of the National Sports Authority;
- (c) the administration of the National Endowment for Sports Fund;
- (d) liaising with national federations and associations, sports councils and commissions;
- (e) providing technical and financial support to the Bahamas Anti-doping Commission;

- (f) the administration of the Elite Athletes Subvention Programme and all matters relating thereto;
- (g) recommending candidates for induction into the National Hall of Fame;
- (h) encouraging the promotion, development and co-ordination of competitive sport and the achievement of excellence in competitive sport;
- (i) any other duties relevant to national sports development as determined by the Minister.

7. Finance.

The Minister shall be responsible for disbursing such sums as may be appropriated from time to time by Parliament for the purposes of this Act and, in addition, may receive donations and raise funds by such lawful means as he sees fit.

8. Recognition of federations.

- (1) Subject to the provisions of subsection (2) of this section, the Minister may by instrument in writing recognise any entity as being the entity officially representative of the interests of persons practising any particular sport in The Bahamas.
- (2) Before recognising any entity under subsection (1) of this section, the Minister shall, in accordance with the National Sports Authority, satisfy himself that the entity —
 - (a) by virtue of its membership may properly be considered to be representative of the majority of clubs engaging in the particular sport;
 - (b) is officially recognized by the international governing body for that sport;
 - (c) where applicable, is recognized by the Bahamas Olympic Committee; and
 - (d) by its constitution —
 - (i) has as its primary object the encouragement and fostering of the sport;
 - (ii) has as its members only clubs, represented by their nominees, practising the sport, and requires no other qualification for membership; and
 - (iii) is controlled by a governing body, the members of which are elected in the prescribed manner, at such intervals as the Minister may approve, from among the members of the association.

- (3) The Minister may at any time cancel any instrument made under subsection (1) of this section by virtue of which any association is granted recognition if it appears to him that the association no longer satisfies any requirement of paragraph (a) or (b) of subsection (2).
- (4) The Minister shall, as he thinks fit, consult with the associations recognised by him under this section in the exercise of his functions from time to time under this Act.

9. Power to commemorate persons.

The Minister shall have power to name different parts of any immovable property vested in him as developed from time to time in honour of persons who have made donations or who have made special contribution by time and effort to such development either generally or in some particular respect or who are outstanding Bahamian sportsmen or sportswomen.

10. Annual Report.

The Minister shall lay upon the Table of each House of Parliament before the end of March, or as soon as practicable thereafter, in every year a report dealing with —

- (a) the discharge of his responsibilities and duties under this Act; and
- (b) a description of immovable property vested in him and its condition.

11. Compensation for risk.

- (1) The Minister may by Order published in the *Gazette* direct that any sporting organization or class of sporting organizations mentioned by him in such order, shall insure or provide compensation by way of indemnity for any player or class or description of players who participate in any sport locally or internationally on behalf of that organization against the risk of any accidental injuries or death likely to occur to such player in the course of participation in national team practice or competition locally or abroad.
- (2) Any insurance referred to in subsection (1) shall provide for the payment of compensation—
 - (a) to such player for any bodily hurt or injury suffered by him; or
 - (b) to the dependants of the player in the event of death resulting to him from such participation.

12. Regulations.

- (1) The Minister may make regulations —
 - (a) prescribing anything required to be prescribed under this Act;

- (b) providing for the rental to sports associations (whether at nominal or commercial rents) of land or other property vested in the Minister for sporting purposes, and regulating the terms and conditions on which any such land or property may be so rented;
 - (c) generally, for the better carrying out of the provisions of this Act.
- (2) The Minister shall, before making any regulations under section 1(b), consult with the recognised association, if any, for that sport.

13. Savings.

Nothing in this Act shall affect —

- (a) any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed;
- (b) any thing done under any written law so repealed prior to the coming into force of this Act unless the contrary intention appears.

14. Repeal.

The Sports Act (*Ch. 385*) is hereby repealed.

SPORTS AUTHORITY ACT, 2011

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