

National Address on a Referendum to ascertain Bahamian support for the regulation and taxation of Web Shop Gaming and the establishment of a National Lottery

The Hon. Dr. Bernard J. Nottage MP

Minister of National Security

2nd January 2013

My Fellow Bahamians, Good Evening;

In its **Charter for Governance** the Progressive Liberal Party committed that within its first 100 days in government it would provide details for a referendum on a National Lottery and gambling in The Bahamas.

In keeping with that commitment, the Prime Minister in a communication to Parliament on the 8th of August, confirmed the intention of the government to proceed with a referendum on the issue of a National Lottery and or Web Cafes as soon as practicable following the North Abaco Bye Election.

He indicated then that the referendum would seek to ascertain the will of the Bahamian electorate as to whether a National Lottery should be instituted and whether Web Shops should be regulated, licensed and taxed.

In a further communication to Parliament on November 1st

2012, the Prime Minister announced that a Referendum would be held on the 3rd of December 2012. At the time he noted that it would deal only with Web Shop Gaming. This was based on advice from the government's consultants that a National Lottery was not considered to be commercially viable at this time.

On November 14th 2012, the Prime Minister indicated to Parliament that as a result of evolving public discourse, it became clear that more time was needed before the Bahamian people should be called upon to vote and that the government had decided to bring the question of a National Lottery within the scope of the referendum. He indicated that the proposed new date for the referendum would be the 28th of January 2013.

Subsequently the Constitutional Referendum (Amendment) Act, 2012 was passed by Parliament on 7th December, 2012 and the Referendum Regulations, 2012 were gazetted on 31st December, 2012 setting out the general parameters for the conduct of a Referendum. These pieces of legislation are to ensure that Referenda in The Bahamas are conducted based on tried and true electoral processes. The Government is committed to fairness, transparency and propriety in the conduct of Referenda and we are satisfied that the requisite legislative regime is now in place.

Section 32 of the Referendum Regulations requires that “the Governor General shall on the advice of the Minister by Order appoint the day on which the referendum shall be held and there shall be not less than twenty-one nor more than twenty-six days between the publication of the Order and the return of the results.”

In accordance with this, His Excellency the Governor-General has today, Wednesday 2nd of January, 2013 issued an Order for a Referendum to be held on Monday 28th January, 2013.

As stipulated by that order, Bahamians will be presented with two questions:

The first question reads as follows:

Do you support the regulation and taxation of Web Shop gaming?

The second question reads as follows:

Do you support the establishment of a National Lottery?

Pursuant to section 59 of the Referendum Regulations, 2012 the voter is instructed to place one cross only, in the space opposite the word ‘yes’, if he supports the question, or in the space opposite the word ‘no’, if he does not support the question.

Fellow Bahamians,

The procedures to be followed in the conduct of this national Referendum for the most part mirror those that are followed in voting at General Elections for members of the House of Assembly. However, in the case of a Referendum there are no political candidates. Instead, as indicated there are questions to which the voter is to answer either "yes" or "no". A "Yes" vote means you support the question and "No" vote means you do not.

The result of the poll will be determined by a simple majority of the number of "Yes" versus the number of "No" votes.

There will be no election agents in this referendum. The regulations however empower the Minister to appoint a maximum of three Local Observers per polling station with a view to ensuring the fairness of the process including at least two persons representing the views of those members of the public interested in the "yes" and "no" vote. The appointment of the Local Observers shall be made in writing and signed by the Minister.

The Parliamentary Commissioner will hold a briefing session with Local Observers to advise them of their role in the referendum prior to the advanced poll.

I wish to draw to the public's attention that Bahamians who were eligible to vote in the May 7th 2012 General Election can vote in the Referendum. Persons who reached the age of eighteen (18) after May 7th and all other eligible Bahamians who have not yet registered may still do so. The voters register will close on the 10th January 2012. Anyone not registered by then will not be eligible to vote.

Section 80 of the Referendum Regulations, 2012 provides for all election disputes to be heard by a Referendum Tribunal, chaired by the Chief Justice and a Justice of the Supreme Court named by the Chief Justice.

These are some of the salient regulations governing the upcoming Referendum.

The Parliamentary Commissioner will engage in a process of public education surrounding the regulations governing this Referendum in order to ensure that the general public is fully informed.

In summary I wish to draw to the public's attention the following dates as they relate to activities pertaining to the Referendum:

The Order of Referendum was signed by the Governor General today, the 2nd January 2013.

The Parliamentary Commissioner will publish notification of Referendum on Friday, the 4th January 2013.

On Thursday 10th January the Voter Register will close.

On Saturday 19th of January the Voter Register will be certified by the Parliamentary Commissioner.

On Monday 21st January, 2013 an advanced poll, inclusive of overseas voting, will take place. Qualified persons who are desirous of voting in the advance poll either as an overseas voter or a special voter have until Thursday 10th January, 2013 to submit the relevant completed application form to the Parliamentary Commissioner. For those persons who reside overseas, a completed **Form J** must be submitted. Special voters, namely election officials, those who on referendum day are likely to be hospitalized, undergoing medical attention etc., must complete **Form K**.

Finally, the 28th January 2013 is the date of the Referendum vote.

My Fellow Bahamians,

This Referendum is an opportunity for you to be heard on the issue of whether you support the regulation and taxation of Web Shop Gaming and whether you support

the establishment of a National Lottery.

Let me remind you, that while for the purposes of the efficient management of the Referendum you will be voting within your constituency, the results of the Referendum will be determined by a simple majority of the total number of votes cast nationally for each question.

My fellow Bahamians,

The Government is committed to participatory democracy and believes in the timeless tenet that public policy should consistently reflect the collective will, desires, aspirations and sensibilities of you the Bahamian people. We pledge to be guided by this fundamental ethical and democratic principle through all of our deliberations on your behalf.

The Government of The Bahamas encourages all Bahamians to exercise their right, to express their views freely, to conduct themselves peacefully and to be tolerant of the views of others.

I take this opportunity to wish each and every one of you a safe and prosperous New Year and may Almighty God continue to bless the Commonwealth of The Bahamas.

Thank you for tuning in and good night.