



COMMONWEALTH OF THE BAHAMAS

SPEECH FROM THE THRONE

DELIVERED AT
THE OPENING OF PARLIAMENT

by

Sir Orville Tumquest, GCMG, JP, LLB
GOVERNOR-GENERAL

Wednesday, 29th March, 2000

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Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

This is the third time my Government presents its Legislative Programme for the ensuing 12 months during this its second consecutive term in Office.

Faithfully adhering to its mandate to the citizens of our country, my Government reaffirms its commitment to shaping a Bahamas in which every Bahamian citizen is assured access to good education and training, quality health care, decent housing, business and employment opportunities, and a safe and healthy environment.

My Government reiterates its dedication to the deepening of our democracy; to the promotion and legislative protection of equal rights for all individuals regardless of race, sex, ethnic origin or religion; to the promotion of freedom of expression, and of respect for the rights of all individuals in our Commonwealth.

My Government restates its commitment to doing all that is necessary to make ours a less violent, safer society in which citizens are released, not only from the high incidence of crime, but also from the fear of crime which has for too long marred this special country - The Commonwealth of The Bahamas.

Toward achieving these ends, this new session of Parliament will be another busy legislative session. New legislation and amendments to existing legislation foreshadowed in previous Speeches from the Throne, but not yet placed before you, include:

- Amendments to The Bahamas Development Bank Act, Private Roads and Subdivisions Act and Building Regulations Act
- A Domestic Insurance Bill
- A Bill to govern the transfer of home mortgages between financial institutions
- A new Cooperatives Bill
- A Bureau of Standards Bill
- A Weights and Measures Bill
- A modern Fisheries Bill
- A Forestry Bill
- A Bill to regulate residential care, pre-school and day-care facilities
- A Bill to provide for the registration and regulation of professional engineers

These and other measures will be placed before you.

My Government will, in this session, unveil its social legislative agenda and further fine-tune law enforcement and financial services legislation so as to make more efficient and effective the implementation of the 'economic and development t over the past seven and policies enunciated by my Government a half years.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

Economic and social advancement are enhanced in a stable industrial relations environment; industrial instability creates hardship for every member of society. My Government is committed to fostering cooperation and respect between and among all social partners through the medium of dialogue. Five pieces of legislation relating to labour and workers will be placed before you. The Industrial Relations Act, 1970 and the Fair Labour Standards Act, 1970 will be repealed. In their stead a new Trade Union and Labour Relations Bill, a new Industrial Tribunal and Trade Disputes Bill, a new Health and Safety in the Work Place Bill, a new Conditions of Employment Bill, and a new Minimum Wages Bill will be placed before you. Additionally, legislation to provide for the prohibition of fingerprinting and other similar practices by employers will be placed before you.

Legislation will be laid before you for a Consumer Credit Act and a Borrowers Protection Act.

Legislation to regulate private Pensions will also be placed before you.

My Government will continue its policy of enforcement of the Immigration Laws of The Bahamas so as to reduce the presence of undocumented and other illegal immigrants in The Bahamas, to shrink the financial burden on the state created by unplanned demands for medical, social and education services; and further, to ensure that work permits, when approved, are issued only for key company personnel or for positions for which suitably qualified and experienced Bahamian labour is not available.

Legislation will be placed before you to amend existing Immigration Regulations so as to introduce transparency to the work permit process by eliminating anonymous advertisement for employment and further, to require the disclosure of basic terms and conditions for all advertised posts in respect of which work permits are sought.

Legislation will be placed before you to bring Bahamian Immigration Laws into full compliance with international conventions on the treatment of refugees. An amendment to the Immigration Act to provide for the grant of permits to engage in gainful occupation by persons granted political refugee status will be placed before you.

Legislation will be placed before you to amend the Nationality Act so as to permit individuals born to foreign parents in The Bahamas who have spent the entirety of their

lives in The Bahamas but who failed to make application for Bahamian citizenship prior to attaining the age of nineteen years, to apply for such status during a specified twenty-four month period, under terms applied to applications on behalf of minors under the age of nineteen years.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

My Government is keenly conscious of the threat which crime and particularly violent crime presents to the continued success and stability of our country. The solution to crime is multifaceted and demands the full cooperation of all citizens and residents.

My Government is satisfied that progress is being made. Education and training, socialization, good housing and community support are all essential ingredients - together with effective law enforcement, crime detection and prosecution - in the control of crime. Significant advance is being made in improving terms and conditions of service of police and prison officers including improved remuneration, increases in the strength of the police and prison services, improved pre-service and in-service training and equipment. The major restructuring and retooling of the Police Force now underway and the ongoing improvement to the physical plant and rehabilitative programmes at Her Majesty's Prison at Fox Hill will all impact positively upon criminal activity, punishment and rehabilitation.

Following upon a comprehensive review of the Penal and Criminal Procedure Codes, legislation to modernize these Acts will be placed before you.

Legislation will be placed before you to repeal the Police Act of 1965 and to replace it with an Act providing for a modern Police Force.

Legislation will be placed before you for a new Magistrates Court Act and a Coroner's Court Act.

A new Dangerous Drugs Bill will be placed before you. When enacted the legislation will consolidate and make more effective provisions to combat the continuing nefarious trade in, and abuse of, illicit drugs.

The Children and Young Persons (Administration of Justice) Act will be repealed and new legislation to provide for parenting orders, rehabilitation and reintegration into society of youth and non-violent offenders will be placed before you.

Legislation to provide for the establishment of a scheme for compensation for criminal injuries will be placed before you.

Legislation will be placed before you for a new Contempt of Court Act and for a new Defamation Act.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

Legislation to enact a Foreign Service Act and Regulations will be placed before you.- The legislation, when enacted, will professionalize the Foreign Service, making it an entity separate from but in close working relations to the Public Service and permitting for movement between the two branches of Government Service.

Previously agreed salary increases for civil servants will come into effect in July of this year.

A Commission will be established to consider and make recommendations with respect to salaries, benefits and terms and conditions of employment of Justices and other Members of the Judicial and Legal Service.

A Commission will also be established to consider and make recommendations with respect to salaries, benefits and terms and conditions of service of parliamentarians.

My Government remains committed to the further advancement of health sector reform strategies. On July 1, 1999 the three Government operated hospitals devolved from the Ministry of Health to the Public Hospitals Authority. Already a functional design for the phased infrastructural replacement and expansion of the Princess Margaret Hospital on the existing site has been completed. A consultancy has been granted- to review the physical infrastructure of the Rand Memorial Hospital and the Sandilands Rehabilitation Centre for their long-term redevelopment. Additionally, a study will be undertaken to assess the feasibility of in-patient care in clinics on Abaco, Eleutherq and Exuma.

Regulations under the Health Facilities Act and the Health Care Professionals Act will enter into force on the 1 May, 2000.

My Government recognizes that it cannot alone meet all the needs of society; hence my Government's redoubled efforts to strengthen its people-centred - framework for social development including policies and programmes conducive to the creation of partnerships for responding to the needs of individuals in distress.

My Government reaffirms its commitment to provide affordable low and middle income housing through its government guaranteed mortgage loan programme and the sale of lots. My Government will continue to enlist the assistance of the private sector in what must be a two-pronged public/private sector response to inadequate and substandard housing.

My Government will continue its all-encompassing urban renewal programme for Over-the-Hill communities in New Providence. Some \$10 million has been earmarked for this street-by-street" programme to remove waste and debris, demolish derelict buildings, repair homes, construct new homes where necessary and to provide sidewalks, street lighting, signage and parks.

My Government will continue its programme of construction of sturdy, picturesque wooden houses in traditional neighbourhoods for low-income families and accelerate its programme of low and medium income housing developments in New Providence, Grand Bahama and the Family Islands. In this regard, my Government commends the efforts of private developers and encourages greater involvement in the sector.

My Government will continue its programme of orderly distribution of Crown Lands for residential and commercial development, particularly in the Family Islands. In New Providence, efforts to identify suitable industrial/commercial land for the transfer of unsuitably situated businesses such as solid waste disposal, car repair and mechanic shops, and heavy equipment enterprises, away from residential communities and/or from proximity to educational and recreational institutions, will continue.

Legislation for a new Landlords and Tenants Act will be placed before you.

Legislation for a new Town Planning Act will be placed before you. The new Act will provide for the preparation and adoption of a land-use plan for New Providence, facilitate public participation in planning and land-use matters, formalize the types of projects requiring Environmental Impact Studies, extend the boundary of Historic Nassau District and name Historic Districts in Family Islands, and also include stronger provisions for prosecutions and increased fines for those guilty of illegal land-use and unauthorized building activities.

The Town Planning Regulations will set standards for land-use, building heights, setbacks, density and parking among other things for New Providence and the Family Islands.

Legislation for a, new Condominiums Act will be laid before you.

A resolution will be placed before you to authorize the reconveyance to Nassoak Limited of some 208 acres of land in close proximity to Clifton Pier in southwestern New Providence, acquired by the Government in 1989 for the development of a commercial shipping facility. The development of the Port did not proceed and the Supreme Court of The Bahamas has ruled that Nassoak is the sole legitimate owner of the land, the title for which had been in dispute prior to its acquisition by Government.

My Government is in advanced discussions with The Bahamas National Trust on plans to develop a Marine Park at Clifton Bay. The park, to include a no-take

replenishment zone, will not interfere with existing use of the area by local, boaters, divers, or snorkelers, or with traditional sports and line-fishing now undertaken in the proposed park area.

Another Marine Park is also proposed for Walker's Cay in the Abacos which, like Clifton Bay, has received Bahamian and international acclaim for deep sea diving.

My Government will continue, in close cooperation with The Bahamas National Trust and other conservation and environmental associations and organizations, to pursue the safeguard of the natural heritage of The Bahamas.

My Government is pleased with the progress being achieved in enlarging The Bahamas national park system, in expanding and enhancing community parks, particularly in New Providence and Grand Bahama, and in protecting the marine and physical environment of The Bahamas.

The Bahamas National Trust will continue to manage the 20,500 acres of pine forest in the Abacos, the home and breeding ground of the Bahama Parrot, long-leased to the Trust in 1994 by my Government.

By enacting, in 1997, the Conservation and Protection of the Physical Landscape Act which created a list of protected trees and provided for improved regulation of the cutting or excavation of hills for fill and/or the indiscriminate land clearing of virgin vegetation for development, my Government established a new standard of conservation in The Bahamas.

In 1998 my Government acquired for use as a public park, two parcels of land at South Ocean Beach, the site of important primeval forests. The land, which is adjacent to additional lots of primeval forest acquired by The Bahamas National Trust, is proposed for lease to the National Trust for incorporation into the national park system.

The land area under the management and control of the Bahamas National Trust within the Exuma Land and Sea Park is to be expanded by the long-lease to the Trust by my Government of the two remaining Crown cays which lie within the Park's boundaries, namely, O'Brien's Cay and Pasture Cay. I

My Government will develop, in cooperation with the Trust, new National Parks surrounding Wilson and Harrold Ponds in the vicinity of the Milo Butler Highway and Fire Trail Road where commercial encroachment already threatens the integrity of the ponds and of the natural vegetation.

My Government has also commenced action to acquire Green Cay, off the coast of Andros, from its private owner as the Cay is an important breeding ground for the endangered and protected White Crown Pigeon; Halls Pond Cay, in the Exuma Park,

which has been subjected to environmental degradation and which, when restored, will be added to the inventory of publicly-owned Cays in the Park; and Finley Cay off the coast of New Providence, on which a light house is located and which has recently been offered for sale by its private owners.

Last year my Government created an initial five "no-take" fishing zones throughout the archipelago to serve as buffers to over fishing in the Commonwealth. As much as 20% of the shallow water habitats of Bahamian marine resources will be included in such "no-take" zones.

This year, my Government undertook a major replanting and beautification programme following the devastation of Hurricane Floyd, considerably enhancing playgrounds at government-operated schools and neighbourhood Parks including those at Arawak Cay and the Western Esplanade, Montagu Beach, AF Adderley - at Harrold Road and Yellow Elder Gardens - Flamingo Gardens, R.M. Bailey, the Elizabeth Gardens, Christie and Windsor Parks. My Government has also commenced development of new parks at Quarry Mission and Nassau Street and at Perpall Tract and West Bay Street, the latter on 12 acres of land acquired from the American Government for that purpose.

Upon the imminent relocation of the solid waste vehicle depot from Balliou Hill Road to the new waste disposal site at Harrold Road, my Government will develop the vacated property into a new community park at Big Pond, one of New Providence's most densely populated suburbs.

My Government has given priority attention to the need to secure for all the people of The Bahamas, access to the sea for recreational purposes, and further, to develop other open and green spaces for the enjoyment of families. This need is most notably urgent on the island of New Providence where, until recent times, inadequate attention has been given to land-use and sustainable development.

Following upon the successful development of a sea-side park at Goodman's Bay, my Government has commenced action to acquire private property opposite Saunders Beach and at Sea Beach Estates -between Delaporte Village and Rock Point and just east of the Caves - to create safe parking facilities and access to the waterfront at those locations. Further, in conjunction with the owners of the Caves Development and with property owners along Orange Hill, my Government is ensuring continued traditional access by the public to those beaches and to the caves.

Additional areas in New Providence to which MY Government is pursuing public access to the sea include Adelaide, Clifton Bay (beach and cliffs), Coral Harbour, Bonefish Pond, Malcolm Creek, Yamacraw Beach and Culbert's Bay.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

My Government is mindful of the special challenges which confront persons with disabilities, the disabled and children-at-risk. Legislation to end **de jure** and **de facto** discrimination against persons with disabilities will be placed before you.

During this Legislative Session the long-awaited Administration of Estates and Wills Legislation will be placed before you. And, my Government will move to implement within the Public Service, its announced policy of "flexi-time" particularly for parents of young children.

The Constitutional Commission will commence its work **in** the near future.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

My Government is acutely aware of the dangers to economic and political stability posed by reckless and imprudent budgetary policies; also, the Bahamian people have fully endorsed my Government's commitment to eliminate the recurrent fiscal deficit by the year 2001. The 1999/2000 Budget is now on target to achieve this goal with a surplus on recurrent account projected for the, first time since 1986. The full realization of my Government's objective of eliminating the overall fiscal deficit is therefore within its grasp in the 2000-2001- Budget.

My Government is convinced that the Bahamian people endorse the Government's position that any form of income taxation or the usual forms of capital taxation are not conducive to the continuing economic and social development of The Bahamas. Accordingly, within the parameters of the fiscal responsibility constraints of maintaining balance in the Recurrent Budget and overall balance in the fiscal accounts, my Government will continue to study means to modernize, simplify and rationalize the structure of taxation. In this regard, Government will continue to seek, in negotiations on international trade arrangements, to maintain our existing system of indirect taxation.

A Bill for a new fiscal responsibility in management act will be placed before you to codify the progress made by my Government in implementing sound fiscal principles and set clear legal limits on Government deficits and Government debt.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

The economy of The Bahamas continues to thrive on the foundation of service based industries - tourism and financial services - developed in the years following the Second World War.

So as to maintain the viability of our tourism sector in well known destinations such as Nassau/Paradise Island, and so as to engender improved accessibility to newer destinations in our Family Islands, my Government is placing further emphasis on better maintenance, increased efficiency and improved accessibility at all ports of entry, at all tourist destinations in our archipelago, through a programme of improved infrastructure.

Throughout the length and breadth of our Commonwealth a massive reconstruction and improvement programme is being undertaken to repair damage to docks, roadways, sea walls and bridges incurred by the high winds and raging seas which accompanied Hurricane Floyd as it traversed our archipelago in September of last-year. A Coastal Zone Management Study will also be undertaken for the preparation of a Coastal Zone Management Plan to be implemented throughout The Bahamas.

In order to enhance the existing contingency planning arrangements for dealing with disasters, legislation will be placed before you to establish a Disaster Reconstruction Corporation. The legislation will provide for a Disaster Contingency Fund which can be speedily disbursed to deal with damage to infrastructure caused by future disasters such as hurricanes.

In New Providence, plans for an extensive roads improvement project are well advanced and construction is expected to commence within the second half of the year 2000 with an anticipated completion date in 2002. These works entail construction of nine new roads and improvements to fourteen existing roads. The selected contractor will be required to keep traffic disruption to a minimum.

Further, new legislation to complement the improved thoroughfares will be placed before you. When enacted, Drivers Education and the Highway Code will be improved: full third party vehicle insurance coverage will be required; driving school instructors will be regulated; the police will be empowered to require road traffic offenders to submit to tests to determine alcohol and/or drug presence in their systems; left turns on red signals at specified intersections will be permitted; the use of car seats for infants and children, and the use of seatbelts by all passengers in private vehicles will be made mandatory; and the dark tinting of vehicle windows will be prohibited.

In New Providence, the entry into force of the Airports Authority Act has set in train a planned programme of improvement in the operation, management and maintenance of the Nassau International Airport. And, in Freeport, in a move which complements the action of my Government, the owners of the private Freeport International Airport have scheduled a \$17.5 million upgrade and expansion of that facility together with a \$10.5 million development of a cruise ship facility at the Freeport Harbour.

My Government is committed to the enhancement of the Port of Nassau. Legislation for the creation of a Port Authority with responsibility for the management of the Port of Nassau will be placed before you. The incorporation of the Port of

Nassau is expected to improve its competitiveness in attracting a larger share of the cruise and merchant shipping market. Amendments to the Merchant Shipping Act to bring it in line with modern practices and international conventions will be placed before you.

Legislation to provide for the regulation of 'jet-ski operations will also be placed before you.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

The second pillar of The Bahamas' service-based economy is financial services. Regulated by the Central Bank of The Bahamas, the Bahamian international financial services sector is recognized internationally as a clean, well-regulated jurisdiction, hostile to money laundering and/or any other financial crime. In support of this position, my Government is committed to an ongoing review of financial services legislation and vehicles, so as to prevent slippage in this important area.

Legislation will be placed before you to amend the Money Laundering (Proceeds of Crime) Act so as to fully satisfy the Caribbean Financial Action Task Force recommendations; and to require a currency declaration by individuals, upon entering or leaving The Bahamas, with respect to sums in excess of \$ 10,000.

Following upon consultation with the international financial services community, legislation to amend the International Business Companies Act will be placed before you.

Complementary to these legislative actions, my Government will establish and staff a Financial Intelligence Unit for the effective and timely investigation of allegations of financial crime.

Further, legislation will be placed before you to repeal the 1856 Foreign Tribunals Evidence Act of the United Kingdom as it applies to The Bahamas and to replace it with legislation to simplify and make more efficient The Bahamas' cooperation with foreign Jurisdictions in legal proceedings.

The opening of the Bahamas International Stock Exchange is now imminent following the most rigorous and meticulous planning of the regulatory and business environment involving the Securities Commission and Stock Exchange. My Government will, in consultation with the Central Bank of The Bahamas, the Securities Commission and the Exchange, facilitate the expansion of the Stock Exchange by careful consideration of the development of Government financing instruments for trading through the Exchange.

My Government is convinced that the establishment of The Bahamas as a prime site for e-commerce offers enormous potential for high quality employment for significant numbers of qualified Bahamians. Accordingly, my Government is developing, in consultation with the private sector, and as a matter of the greatest urgency, a policy position on e-commerce. During this session, legislation to facilitate e-commerce will be laid before you.

The privatization of the national telecommunications corporation - BATELCO - is a critical element in the strategy to develop e-commerce in The Bahamas. My Government remains convinced that privatization will bring to BATELCO the needed technology, expertise and international associations which only a choice strategic partner can effect. During this session legislation to facilitate the sale, to a strategic partner, of a minority interest in BATELCO will be laid before you. My Government will subsequently make available for purchase, by Bahamian citizens, shares in the privatized BATELCO. Already, the Public Utilities Commission Act has been promulgated. With the coming into force of the Telecommunications Act, 1999, on Saturday past, the Commission assumed responsibility for the licence and regulation of BATELCO, as well as for the licence and regulation of all public utilities and providers of Internet services in The Bahamas.

Already steps are in progress to implement e-government which is the supportive and complementary role of Government as facilitator.

As a part of its efforts to improve the delivery of service to the financial and other national and international services sectors, the Registrar General's Department has entered into a contract for the automation of its Companies Registry. Further, an on-line "name reservation" service is to be put in place. It is now planned that all deeds and documents, lodged for record, will be stored in digital format on CD Roms rather than on microfilm.

The Customs Department and the Business Licence Section will implement measures to further computerize their operations to facilitate business and to expand the range of e-government.

Legislation will be placed before you to combat the introduction of plant pests and diseases, to protect the plant genetic resources of The Bahamas and to facilitate the export of plant and animal products from The Bahamas.

Legislation will be placed before you to provide for the regulation of the use of pesticides in The Bahamas.

Legislation will be placed before you for the protection of all marine mammals and to regulate the holding of dolphins under human care.

The Department of Commerce and Industry of the Ministry of Commerce, Agriculture and Industry is being developed to provide a one-stop-shop for Bahamians in, or entering into, business so as to ensure easy access to information on concessions and incentives available in support of business development; and to expose small and medium size businesses to means of achieving greater productivity, thereby making them more competitive in both the local and global markets.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

As a part of the continued thrust in education and training, legislation to establish the Technical and Vocational Institute will also be laid before you.

Legislation will be placed before you for the establishment of a National Library and Information Service and for its organization, maintenance and control.

My Government will continue to give high priority to the development of our youth. In this regard, my Government will fully implement during this Parliamentary session its National Policy in support of the economic enfranchisement of Bahamian youth; provide support systems for stakeholders in youth development; promote youth participation in decision-making; and empower young people to take initiatives which foster their well-being and that of their communities. My Government will launch a National Youth Resource Centre to collect comprehensive data on the status of youth and provide information on youth through a variety of media.

Amendments to the Local Government Act will be placed before you.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

A new millennium is a significant milestone in any country. In our country, at this early date in the new century, my Government reaffirms its dedication to good governance: to respect for human rights, answerability to the people and transparency in the decision making process.

As my Government furthers its Economic and Social Agenda for this new century it remains ever conscious of its sacred responsibility to govern on behalf of all the Bahamian people forthrightly, ethically and compassionately, and will, with God's guidance, continue to discharge its obligations to the people with integrity.

Mr. President and Honourable Senators,
Madam Speaker and Members of the Honourable House of Assembly,

I pray the blessings of Almighty God may rest upon your counsels.