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23/7/14.

**THE BAHAMAS CONSTITUTION (AMENDMENT)
(NO. 3) BILL, 2014**

Arrangement of Sections

Section

- | | | |
|----|---|---|
| 1. | Short title and commencement..... | 3 |
| 2. | Amendment to Article 14 of the Constitution..... | 3 |
| 3. | Approval of alteration to Article 14 of the Constitution..... | 3 |

OBJECTS AND REASONS

4



**THE BAHAMAS CONSTITUTION (AMENDMENT)
(NO. 3) BILL, 2014**

**A BILL FOR AN ACT TO AMEND THE CONSTITUTION OF THE
BAHAMAS**

Enacted by the Parliament of The Bahamas

WHEREAS it is provided *inter alia* by Article 54(1) of the Constitution that subject to the provisions of Article 54, Parliament may by an Act of Parliament passed by both Houses, alter any of the provisions of the Constitution:

AND WHEREAS it is further provided by Article 54(3) of the Constitution that in so far as an Act alters *inter alia* Article 14 of the Constitution a Bill for an Act of Parliament under the said Article 54 shall not be passed by Parliament unless —

- (i) at the final voting thereon in each House it is supported by the votes of not less than three-quarters of all members of each House; and
- (ii) the Bill after its passage through both Houses has been submitted to the electors qualified to vote for the election of members of the House of Assembly and, on a vote taken in such manner as Parliament may prescribe, the majority of electors voting have approved the Bill:

AND WEHREAS it is expedient that Article 14 of the Constitution should be altered:

ENACTED by the Parliament of The Bahamas in accordance with the provisions of Article 54 of the Constitution.

1. Short title and commencement.

- (1) This Act may be cited as the Constitution of The Bahamas (Amendment) (No. 3) Act, 2014.
- (2) This Act shall have effect for the purpose of the alteration of the Constitution.
- (3) This Act shall come into operation on the day the result of the referendum, held in accordance with Article 54 of the Constitution for a Bill to alter Article 14, is published in the Gazette showing that the majority of the electors voting at that referendum have approved that Bill which promulgates this Act.

2. Amendment to Article 14 of the Constitution.

Article 14 of the Constitution is amended in the following manner —

- (a) by the deletion of paragraph (1) and the substitution therefor of the following —
 - (i) “father” in relation to a child born out of wedlock means a person who is proved in a manner recognized in law to be the father of that child;
- (b) by the replacement of paragraph (3) by the following —

“(3) Any reference in this Chapter to the national status of the parent of a person at the time of that person's birth shall, in relation to a person born after the death of his parent, be construed as a reference to the national status of the parent at the time of the parent's death.”.

3. Approval of alteration to Article 14 of the Constitution.

Do you approve of this Bill, The Bahamas Constitution (Amendment)(No. 3) Bill, 2014, which seeks to alter Article 14 of the Constitution to enable the Bahamian father of a child born outside of marriage to pass his citizenship to that child just as an unmarried Bahamian woman can presently do but subject to proof of paternity.

YES []

NO []

OBJECTS AND REASONS

This Bill seeks in accordance with Article 54 to amend Article 14 to remove the specification that a reference in the citizenship provisions contained in Chapter II of the Constitution to the father of a person born out of wedlock is to be construed only as a reference to the mother. The removal of such a reference would enable a Bahamian male who is proven to be the natural father of that person to pass on his citizenship to that person just as the natural Bahamian mother presently does under the Constitution.