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**THE BAHAMAS CONSTITUTION (AMENDMENT)
(NO. 4) BILL, 2014**

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**THE BAHAMAS CONSTITUTION (AMENDMENT)
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**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 26 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 the 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 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 have approved the Bill:

AND WHEREAS it is expedient that Article 26 of he 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 Bahamas Constitution (Amendment) (No. 4) 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 for a Bill to alter Article 26 is published in the Gazette and showing that the majority of electors voting at that referendum have approved that Bill which promulgates this Act.

2. Replacement of Article 26 of the Constitution.

Article 26 of the Constitution is amended by the deletion of the words “or creed” appearing in paragraphs (3) and (5), respectively, and by the substitution thereof of the words “, creed or sex”.

3. Approval of alteration to Article 26 of the Constitution.

Do you approve of this Bill, The Bahamas Constitution (Amendment)(No. 4) Bill, 2014 which seeks to alter paragraphs (3) and (5) of Article 26 of the Constitution by inserting the word “sex” in the definition of the expression “discriminatory”so as to make it unconstitutional to discriminate on the basis of sex but subject to the existing exceptions mentioned in paragraph (4) of Article 26?

YES []

NO []

OBJECTS AND REASONS

Clause 2 of this Bill seeks to amend paragraphs (3) and (5) of Article 26 of the Constitution to include the word “sex” in the definition of the expression “discriminatory” thereby making it unconstitutional for any law or any person acting thereunder or in the performance of any public office to discriminate on the basis of sex, subject nevertheless to the existing exceptions mentioned in Article 26(4) which are preserved.