

CHAPTER 299**EXPORT CONTROL REGULATIONS****EXPORT CONTROL REGULATIONS***G.N. 198/1957
5 of 1987***(SECTION 3)***[Commencement 10th December, 1957]*

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| 1. These Regulations may be cited as the Export Control Regulations. | Title. |
| 2. In these Regulations, unless the context otherwise requires —

“competent authority” means such person or body of persons as the Minister by notice in the <i>Gazette</i> may appoint. | Interpretation. |
| 3. (1) The competent authority may make such Orders and give such directions and instructions as may in his opinion be necessary for supplementing the provisions of these Regulations.

(2) The competent authority may appoint all such agents, servants, employees and other persons as may be necessary for the efficient carrying out of the competent authority’s duties under these Regulations.

(3) Without prejudice to the generality of the powers conferred upon him by this regulation, the competent authority may delegate to his agent the powers conferred upon him by these Regulations in respect of the grant of or refusal to grant any licence, certificate, permit or other authorisation required by these Regulations. | Competent authority may supplement these Regulations. |
| 4. Subject to the provisions of these Regulations or any Order made thereunder, no goods or articles whatsoever may be exported from The Bahamas except upon a licence issued in accordance with the provisions of these Regulations. | No goods or articles to be exported except under licence. |
| 5. Application for a licence under these Regulations shall be made to the competent authority and shall be accompanied by a declaration signed by the applicant stating the ultimate destination of such goods or articles. | Application for licence and declaration required. |

Proceedings
where
declaration
suspected untrue.

5 of 1987, s. 2.

6. Where a person about to export any kind of goods or articles, whatsoever, from The Bahamas, and, in the course of making an export entry thereof before shipment, makes a declaration as to the ultimate destination of such goods or articles and the competent authority has reason to suspect that the declaration is untrue in any material particular, the goods or articles may be detained by the competent authority who shall, where the value of the goods does not exceed four hundred dollars, forthwith make application to the Stipendiary and Circuit Magistrate in New Providence to have the goods forfeited and where the value of the goods exceeds four hundred dollars make application to the Supreme Court to have the goods forfeited and if satisfied that the declaration is untrue in any material particular, the Stipendiary and Circuit Magistrate or the Supreme Court, as the case may be, may order the goods or articles so seized to be forfeited and such goods or articles shall be sold or otherwise disposed of, in such manner as may be directed.

Penalties for
contravention of
Regulations.
5 of 1987, s. 2.

7. Any person who exports or attempts to export any goods or articles from The Bahamas in contravention of these Regulations shall be liable —

- (a) on summary conviction to imprisonment for six months or to a fine of four hundred dollars or both such imprisonment and fine; or
- (b) on conviction by the Supreme Court to imprisonment for two years or to a fine of two thousand dollars or both such imprisonment and fine.

Power of search.

8. The competent authority or any person duly authorised by him may —

- (a) open and search any package or receptacle containing goods intended for export in order to ascertain whether such package or receptacle contains any articles not mentioned in a declaration made in respect thereof under regulation 5 of these Regulations or in order to ascertain whether or not the articles contained therein are exempt from the provisions of these Regulations;
- (b) search the person of any passenger or other person leaving The Bahamas to ascertain whether such person has in his possession any

article in respect of which no licence under these Regulations has been issued or which is not exempt from the provisions thereof, provided that females shall only be searched by a female searcher authorised by the competent authority.

9. (1) The competent authority or any person duly authorised by him may seize any property in respect of which he has reasonable grounds for believing that an offence under these Regulations has been committed.

Seizure and disposal of certain articles.

(2) Whenever any property is seized under the provisions of these Regulations such property shall be forfeited and may be sold or otherwise disposed of in such manner as the Minister may direct, unless the person from whom such property is seized or the owner thereof or some person authorised by him shall within one month from the day such property was seized give notice in writing to the person seizing the same that he claims such property or intends to claim it.

(3) If such property at the time of seizure is not in the possession of the owner thereof, or is not seized in his presence, the officer seizing the same shall give notice in writing of such seizure and of the grounds thereof to the owner, if known, either by delivering the notice to him personally or by letter addressed to him and transmitted by post to or delivered at his last known place of abode.

(4) Upon the reception of a notice referred to in paragraph (2) of this regulation, proceedings shall be taken to prove the offence committed in respect of the property so seized, and if the offence is proved the court may order the property to be forfeited and such property shall be sold or otherwise disposed of in such manner as the court may direct.

(5) Where any person charged with an offence under the provisions of these Regulations is out of the jurisdiction of the courts of The Bahamas, the court may order that a summons issued against such person in connection with the offence be served in such manner as the court may direct and upon proof of the service of any such summons, the court may hear and determine the charge for the purpose of deciding whether any property seized in connection therewith shall be forfeited notwithstanding that the person so charged has not obeyed the summons.

Avertment by
competent
authority
sufficient proof.

10. In any proceedings under these Regulations an averment in the information that the competent authority is not satisfied as to any matter shall be sufficient evidence that he has not been satisfied until the contrary is proved.

Powers of
Minister to make
orders.

11. (1) The Minister may by Order make such provisions as he thinks expedient for prohibiting or regulating, in all cases or any specified classes of cases, and subject to such exception, if any, as may be made by or under the Order, the exportation from The Bahamas, or the carriage coastwise or the shipment as ship's stores of all goods and articles.

(2) The Minister may by Order exempt any goods or class of goods from the provisions of these Regulations.

G.N. 5/1965

EXPORT CONTROL (No. 1) REGULATIONS

(SECTION 3)

[Commencement 5th January, 1965]

Short title.

1. These Regulations may be cited as the Export Control (No. 1) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“Act” means the Export Control Regulations Act;

“competent authority” means the competent authority appointed under section 4 of the Act;

Schedule.

“specified goods” means the goods listed in the Schedule to these Regulations.

Written licence.

3. Except under and in accordance with a written licence from the competent authority, no person shall either —

(a) export any specified goods from The Bahamas to any place outside; or

(b) tranship any specified goods within The Bahamas which are consigned to a place outside The Bahamas.

Notify delivery of
specified goods.

4. It shall be the duty of any person having in his possession or under his control any specified goods forthwith to notify the competent authority whenever such