

MINISTRY OF FOREIGN AFFAIRS BILL, 2024

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MINISTRY OF FOREIGN AFFAIRS BILL, 2024

A BILL FOR AN ACT TO PROVIDE FOR THE REPEAL AND REPLACEMENT OF THE MINISTRY OF FOREIGN AFFAIRS ACT (CH. 24) AND FOR CONNECTED MATTERS.

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act shall be cited as the Ministry of Foreign Affairs Act, 2024.
- (2) This Act shall come into operation on such date as the Minister may appoint by notice in the *Gazette*.

2. Interpretation.

“**Minister**” means the Minister responsible for Foreign Affairs;

“**Ministry**” means the Ministry of Foreign Affairs continued under section 3;

3. Continuation of the Ministry of Foreign Affairs.

- (1) There is continued under this Act the Ministry of the Government of The Bahamas called the Ministry of Foreign Affairs established under section 3(1) of the Ministry of Foreign Affairs Act, 1975 and continued under section 3 of the repealed Act.
- (2) The Ministry continues under the general direction and control of the Minister and the Minister may give general and specific directions to an officer or employee of the Ministry pursuant to this Act.
- (3) A reference to the Ministry of External Affairs or the Minister of External Affairs in any written agreement, instrument, or law in force or having effect on or after the commencement of this Act, shall be construed as a

reference to the Ministry of Foreign Affairs and the Minister of Foreign Affairs respectively as continued under this Act.

4. Powers, duties and functions of the Minister of Foreign Affairs.

- (1) The Minister of Foreign Affairs is responsible for —
 - (a) the conduct of all official communications between the Government of The Bahamas and the Government of any other country and between the Government of The Bahamas and any international organisation;
 - (b) the conduct and management of international negotiations so far as they may appertain to the Government of The Bahamas;
 - (c) foster the development of international law and its application in The Bahamas' external relations; and
 - (d) the developing and carrying out programs relating to the minister's powers duties and functions for the promotion of The Bahamas' interests abroad, including—
 - (i) fostering expansion of international trade and commerce; and
 - (ii) fostering sustainable international development.
- (2) The Minister is, in addition to the duties referred to in subsection (1), charged with such other duties, powers and functions in relation to the responsibility for any business of the Government of The Bahamas including the administration of any Department of Government as the Governor-General, acting in accordance with the advice of the Prime Minister, may allocate to the Minister pursuant to Article 77 of the Constitution.

5. Continuation of Minister as a corporation sole.

- (1) The Minister of Foreign Affairs continues under this Act as a corporation sole with power to —
 - (a) acquire, hold, lease and dispose of property of any description;
 - (b) enter into contracts; and
 - (c) sue and be sued.
- (2) All property transferred to or held by the Minister under or pursuant to the repealed Act or any other Act, or which is otherwise vested in or hereafter becomes vested in the Minister, is held by the Minister in trust for Her Majesty in right of Her Government of The Bahamas.

6. Minister may make regulations.

The Minister may make regulations —

- (a) establishing, codifying and regulating the issuance and terms and conditions of visas for the entry of persons who are not citizens or permanent residents of The Bahamas; and
- (b) imposing fees to be charged for services rendered by the Ministry; and
- (c) for any matter which may be required to effectively and efficiently perform the functions of the Ministry.

7. Savings and transitional.

- (1) Every visa or other document granted or issued under the repealed Act and in force immediately before the coming into force of this Act continues in force after this Act comes into force on the same conditions and with the same effect as if this Act had not come into force.
- (2) An appointment made under the repealed Act continues and is valid until that appointment is rescinded, amended or another appointment is made in its stead.

8. Repeal.

The Ministry of Foreign Affairs Act (*Ch. 24*) is hereby repealed and replaced.

OBJECTS AND REASONS

This Bill seeks to repeal and replace the Ministry of Foreign Affairs Act (Ch. 24) to reorganise the Ministry of Foreign Affairs.