

BAHAMAS NATIONAL DEVELOPMENT PLANNING INSTITUTE BILL, 2025

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CONSTITUTION AND PROCEDURES OF THE NATIONAL DEVELOPMENT



BAHAMAS NATIONAL DEVELOPMENT PLANNING INSTITUTE BILL, 2025

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF
THE BAHAMAS NATIONAL DEVELOPMENT PLANNING
INSTITUTE AND ITS GOVERNING BOARD TO COORDINATE THE
GOVERNMENTS GOALS AND STRATEGIES FOR LONG TERM
DEVELOPMENT OF THE BAHAMAS; TO DEVELOP AND
IMPLEMENT THE BAHAMAS NATIONAL DEVELOPMENT PLAN
AND FOR CONNECTED PURPOSES**

Enacted by the Parliament of The Bahamas

PART I - PRELIMINARY

1. Short title and commencement.

- (1) This Act may be cited as The Bahamas National Development Planning Institute Act, 2025.
- (2) This Act shall come into force on such date as the Minister may appoint by notice published in the *Gazette*.

2. Interpretation.

In this Act —

“Bahamas National Development Plan” means the Bahamas National Development Plan specified under section 19;

“Board” means the Governing Board of The Bahamas National Development Planning Institute established under section 6;

“**Chairperson**” means the Chairperson of the Board;

“**Director**” means the Director of the Institute appointed under section 10;

“**financial year**” means any period of twelve months ending on the 30th day of June in any year;

“**Institute**” means The Bahamas National Development Planning Institute established under section 3;

“**member**” means a member of the Governing Board of The Bahamas National Development Planning Institute;

“**Minister**” means the Prime Minister of The Commonwealth of The Bahamas;

“**Plan**” means the National Development Plan specified under section 19;

“**public officer**” means the holder of any public office and includes any person appointed to act in any such office;

PART II – ESTABLISHMENT OF THE BAHAMAS NATIONAL DEVELOPMENT PLANNING INSTITUTE AND ITS BOARD

3. Establishment of the Institute.

- (1) There is hereby established a body to be called The Bahamas National Development Planning Institute.
- (2) The Institute shall be a body corporate with perpetual succession and a common seal, with power to enter into contracts and to sue and be sued.

4. Functions of the Institute.

The Functions of the Institute are to —

- (a) collect, analyse and disseminate data relating to national development planning with the approval of the Board;
- (b) research and implement climate change and mitigation measures or strategies;
- (c) conduct training exercises;
- (d) integrate disaster risk reduction into sustainable development policies;
- (e) prepare reports, the annual report, the plan and other documents for the Board;
- (f) conduct research on the practical application of accessibility to quality education for all stages of education;
- (g) monitor the implementation of the Plan;

- (h) undertake research;
- (i) organise training in development planning;
- (j) organise consultant activities for Government Ministries, agencies and statutory bodies;
- (k) maintain national socio-economic reference library;
- (l) manage technical co-operation agreements and programmes;
- (m) in the development of the Plan, consider international obligations entered into by The Bahamas; and
- (o) provide technical and expert assistance to the Board.

5. Common seal of the Institute.

The common seal of the Institute shall —

- (a) be kept in such custody as the Board directs and not used except as authorised by the Board;
- (b) be authenticated by the signatures of the Chairperson or any other member of the Board, authorised by the Board in that behalf, and of the Secretary; and
- (c) be judicially and officially noticed when affixed to any document and authenticated under this section, until the contrary is proved, any necessary order or authorisation of the Board shall be presumed to have been given.

6. Establishment of the Board.

- (1) It is hereby established a body to be known as the Bahamas National Development Planning Board.
- (2) The Board shall have the responsibility for the general control and direction of the Institute.
- (3) The *Schedule* shall give effect to the constitution and procedures of the Board.

7. Functions of the Board.

The functions of the Board are to —

- (a) initiate and co-ordinate governance planning for the development of The Bahamas;
- (b) monitor the implementation of the Plan;
- (c) oversee the general administration and financial obligations of the Institute;

- (d) ensure the preparation and publication of an annual report, audits and assessment of the Plan by the Institute for submission to the Minister and the Parliaments; and
- (e) perform any other function relating to national development, as may be assigned to it by the Minister.

8. Powers of the Board.

In the exercise of its functions, the powers of the Board shall be to —

- (a) advise the Government on major issues relating to governance, the economy, social policy and the environment of The Bahamas;
- (b) create the Plan for the most effective use of The Bahamas's resources by assessing existing and projected social, economic and manpower resources;
- (c) prepare governance, economic, social policy and environmental models for the guidance of policy-makers, investors and other planners;
- (d) interpret decisions on governance, the economy, social policy and the environment and integrate them into the national development programmes;
- (e) appoint such committees as the Board deems necessary;
- (f) supervise and co-ordinate the work of committees appointed by the Board and to determine all matters and disputes referred to the Board by the committees;
- (g) facilitate the consistent and efficient implementation of projects and programmes by co-ordinating sectoral, national and regional development planning;
- (h) determine the economic, financial, technical, social and environmental feasibility of new development projects and monitor projects in progress;
- (i) secure public co-operation and participation in achieving planned objectives;
- (j) collect, compile, analyse and monitor special and economic performance data; and
- (k) maintain a database of information and resources from government agencies that are collected or compiled for the development of the Plan.

9. Power to delegate.

- (1) The Board may, in writing, delegate to the Director, or in his absence, the Deputy-Director or a contractor a function as the Board may determine.

- (2) A delegation under subsection (1) shall be revocable at will and shall not preclude the Board from performing the functions so delegated.

10. Appointment of Director, Deputy Director and other staff.

- (1) The Board shall appoint and employ a suitably qualified person, known as a Director, at such remuneration and on such terms and conditions as the Institute thinks fit, who shall be responsible for the day to day management of the Institute.
- (2) The Board shall appoint and employ at such remuneration and on such terms and conditions as it thinks fit a Deputy Director.
- (3) If the Director is absent from The Bahamas or is for any reason unable to exercise the powers conferred or perform the duties of his office, the Deputy Director shall exercise those powers and perform those duties.
- (4) The Director of the Institute may appoint and employ such other officers and employees as he thinks fit.

11. Resignation and Removal of the Director and Deputy Director.

- (1) The Director or Deputy Director may at any time resign his office by notice in writing to the Minister, through the Chairman, with not less than three months notice.
- (2) The Minister may terminate the appointment of a person as Director or Deputy Director if such person —
 - (a) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health; or
 - (b) is convicted and sentenced to a term of imprisonment.

12. Committees.

- (1) The Board may establish committees and sub-committees.
- (2) The Board shall —
 - (a) appoint a chairperson of the committee who shall be a member of the Board;
 - (b) committee members, who may be members, officers, employees or agents of the Board; and
 - (c) determine the remit of each committee.
- (3) A committee of the Board may itself establish sub-committees whose members may be members, officers, employees, agents of the Board or other experts as deemed necessary by the Board.

13. Cooperation with Government departments.

The Board shall consult with departments and agencies of the Government having similar duties or aims.

PART III – FINANCIAL PROVISIONS**14. Bank account.**

The Board shall —

- (a) open and maintain a bank account;
- (b) assign, as signatories on the bank account —
 - (i) the Chairperson;
 - (ii) the Secretary; and
 - (iii) by delegated authority, the Director, or in his absence, the Deputy Director.¹

15. Funds and resources of the Institute.

The funds and resources of the Institute shall consist of —

- (a) such sums as may be appropriated by Parliament;
- (b) sums arising from gifts, grants or donations from persons, including national and international bodies; and
- (c) all other sums which may in any manner become payable to the Board in respect of any matter incidental to its functions.

16. Accounts and Audit.

- (1) The Board shall keep proper records in relation to the accounts, and shall prepare in respect of each financial year, a statement of accounts statements.
- (2) The accounts of the Board for each financial year shall be audited annually by auditors appointed by the Board from among members of The Bahamas Institute of Chartered Accountants.²
- (3) The Board shall, three months after the end of each financial year, submit a copy of the audited accounts to the Minister, together with a copy of the report made by the auditor.

¹Is it the intention for three signatories on the bank account? Must all always three sign, can any two sign or can the Chairperson sign with any other person?

²Note the request to remove Minister removal, however other legislation requires approval of the Minister.

- (4) The Minister shall cause a copy of the annual financial statement of account before each House of Parliament, together with a copy of the auditor's report.

17. Budget estimates and annual budget.

- (1) The Board shall prepare for each financial year an annual budget of revenue and expenditure.
[On behalf of the Board, the Institute shall prepare for each financial year an annual budget of revenue and expenditure, to be approved by the Board.]³
- (2) The annual budget referred to under subsection (1), shall be submitted to the Minister ~~six~~ months before the beginning of the financial year.
- (3) The Board shall, ~~six~~ months after the end of each financial year, submit to the Minister a report of its activities, accompanied by a statement of its expenditure and revenue.
- (4) The Minister shall cause a copy of the report of the Board to be laid before both chambers of Parliament.

18. Annual Report.

- (1) The Board shall, as soon as possible after the expiration of each financial year, and any event, not later than the thirtieth day of September in any year submit to the Minister a report about the work of the Institute during the preceding financial year.
- (2) The Minister shall lay or cause to be laid a copy of every report on the table of both Houses of Parliament.

PART IV - THE NATIONAL DEVELOPMENT PLAN

19. The National Development Plan.

- (1) The Minister, in consultation with the Board, may cause the Plan to be revised within one year of the commencement of this Act, setting out the strategic aims of the Government for meeting the national development policy's objectives.
- (2) The Minister shall cause the Plan to be laid before both chambers of Parliament.
- (3) The Plan and every revision of the Plan must be published in the *Gazette* and on the official website.

³Kindly reflect again on this, having regard to the functions section 7(c) functions of the Board.

- (4) The Minister shall at least **three** months prior to the expiration of any plan, formulate and publish a draft of the revised plan for public consultation that may be conducted by the Institute in accordance with the provisions of this Act.

PART V – MISCELLANEOUS

20. Minister may give directions to the Board.

- (1) The Minister may give to the Board directions of a general nature as to the policy to be followed by the Board in the carrying out or in pursuit of its functions as appear to the Minister requisite in the public interest and the Board shall give effect to any such directions.
- (2) Notwithstanding subsection (1), the Minister shall not give directions relating to the appointment, termination of appointment, promotion or disciplining of any employee of the Institute.

21. Regulations.

The Minister, after consultation with the Board, may make regulations generally for giving effect to this Act.

SCHEDULE

(section 6)

CONSTITUTION AND PROCEDURES OF THE NATIONAL DEVELOPMENT PLANNING BOARD

1. Composition of the Board.

- (1) The Board shall be appointed by the Minister in writing and consist of such members not exceeding nineteen including —
 - (a) Chairperson;
 - (b) Vice Chairperson;
 - (c) the Director of the Institute *ex officio*;
 - (d) a representative of the University of The Bahamas;
 - (e) a representative of The Bahamas Chamber of Commerce and Employers Confederation;
 - (f) a representative from the National Congress of Trade Unions Bahamas and Commonwealth of The Bahamas Trade Union Congress;
 - (g) Counsel and Attorney of at least 10 years call;
 - (h) a representative of the umbrella organisation of Civil Society;
 - (i) a representative from The Bahamas National Trust;
 - (j) a representative from each political party which acquired not less than five percent of the votes at the last General Election;
 - (k) a representative of the Governor of the Central Bank of The Bahamas or his designate;
 - (l) a representative of the Ministry of Finance; and
 - (m) other members who are deemed experts in their respective field.
- (2) The Board shall comprise equal representation of male and female members.

2. Tenure of office.

- (1) A member of the Board, other than the Director, may hold office for two years.
- (2) A member may be eligible for reappointment for a further two year periods.

3. Appointment of Chairperson and Vice Chairperson.

- (1) The Minister shall appoint a Chairperson and a Vice Chairperson from among the members of the Board.
- (2) In the case of the Chairperson's absence or inability to act, the Vice-Chairperson shall perform the function of the Chairperson.

4. Appointment of Secretary.

There shall be a Secretary of the Board who shall be appointed by the Board, perform such functions at such remuneration and upon such terms and conditions as the Board may determine and who shall not be entitled to have any right to vote.

5. Vacancies.

If any vacancy occurs in the membership of the Board, such vacancy, shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, and such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.

6. Resignation.

- (1) A member of the Board, other than the Director, may at any time resign his office, by Board Charter, addressed to the Minister and transmitted through the Chairperson, and from the date of the receipt by the Minister of such instrument, such member shall cease to be a member of the Board.
- (2) The Director may at any time resign his office in writing, on giving to the Minister not less than three months notice.

7. Removal.

The Minister may terminate the appointment of any person as a Board member if such person —

- (a) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health;
- (b) is convicted and sentenced to a term of imprisonment;
- (c) fails without reasonable excuse to carry out any of the functions conferred or imposed on him under this Act; or

- (d) engages in such activities as are reasonably considered pre-judicial to the interest of the Board.

8. Publication.

The appointment, removal or resignation of any member of the Institute shall be published in the *Gazette*.

9. Remuneration.

There shall be paid from the funds of the Institute to the Board such remuneration, if any, whether by way of honorarium, salary and such allowances, if any, as the Minister may determine.

10. Procedure and Meetings.

- (1) The Board shall meet at least once each month or at such times as may be necessary for the transaction of its business, and such meetings shall be held at such places and times as the Board may determine.
- (2) The Chairman may at any time call a special meeting of the Board within seven days of the receipt of a written request for that purpose addressed to the Chairman, by any two members of the Board.
- (3) The Chairperson shall preside at meetings of the Board, and if the Chairperson and the Vice Chairperson are absent from a meeting, the members of the Board present shall elect one of their members to preside at the meeting.
- (4) The quorum of the Board shall be ten of its members.
- (5) The decisions of the Board shall be by a simple majority of votes and in addition to an original vote, the Chairperson or other person presiding at a meeting shall have a casting vote in any case in which the voting is equal.
- (6) Subject to this Schedule, the Board may regulate its own proceedings.
- (7) Minutes in proper form of each meeting of the Board shall be kept by the Secretary and the minutes shall be submitted to the Minister within seven days after the meeting.

11. Power of the Board to invite persons to attend meetings.

- (1) The Board may invite a person who, in the opinion of the Board has expert knowledge concerning any of the functions of the Board which is likely to be of assistance, to attend any meeting of the Board and to take part in the proceedings.

- (2) A person attending a meeting under this paragraph may, if invited, take part in any discussion at the meeting but shall not have any voting rights.

12. Disclosure of Interest.

A Director or a member of the Board who is directly or indirectly interested in any matter which is being dealt with by the Board shall —

- (a) disclose the nature of his interest at a meeting of the Board; and
- (b) not take part in any deliberation or decision of the Board with respect to that matter.

13. Protection of Director or any other member.

- (1) Subject to subparagraph (2), no action, prosecution or other proceedings shall be brought or instituted personally against the Director, Deputy Director, Chairman or any member of the Board or committee in respect of any act done in good faith in pursuance or execution or intended execution of this Act.
- (2) If the Director, Deputy Director, Chairman or any member of the Board or committee is exempt from liability by reason only of subparagraph (1), the Board shall be liable to the extent that it would be if the Director, Deputy Director, Chairman or member were a servant or agent of the Board.

OBJECTS AND REASONS

In 2017, the Economic Development Planning Unit (“the Unit”) within the Ministry of Finance was charged with the duty to create and develop a National Development Plan for The Bahamas. A Commission was created within the Unit and eventually became the National Development Secretariat and Council who developed the National Development Plan Vision 2040. The government wishes to establish the National Planning Institute to provide for the government's goals and strategy for long-term development of The Bahamas. The work of creation and implementation of the National Development Plan shall be that of the body corporate the Institute. The Institute will carry out the necessary functions and be possessed of the requisite powers.

This Bill seeks to provide for —

- (a) the establishment of the National Planning Institute of The Bahamas, as the lead-coordinator of planning for the government of The Bahamas;
- (b) the development of the National Development Plan, hereinafter known as “the Plan”, as the primary long-term vision for the future growth and prosperity of The Bahamas;
- (c) implementation of the Plan across all government ministries, agencies and departments;
- (d) the provision of accountability measures and related interventions;
- (e) aligning local government planning to the strategic direction of the Plan; and
- (f) mandating the periodic review and assessment of the Plan.

Clause 1 of the Bill seeks to provide for the short title and commencement.

Clause 2 of the Bill seeks to provide for the interpretation section of the Bill.

Clause 3 of the Bill seeks to establish the National Development Planning Institute and providing that the *Schedule* contains the constitution of the Institute.

Clause 4 of the Bill seeks to outline the functions of the Institute which includes but is not limited to —

- (a) collect, analyse and disseminate data relating to national development planning with the approval of the Board;
- (b) research and implement climate change and mitigation measures or strategies;

- (c) conduct training exercises;
- (d) integrate disaster risk reduction into sustainable development policies;
- (e) prepare reports, the annual report, the plan and other documents for the Board;
- (f) conduct research on the practical application of accessibility to quality education for all stages of education;
- (g) monitor the implementation of the Plan;
- (h) undertake research;
- (i) organise training in development planning;
- (j) organise consultant activities for government ministries, agencies and statutory bodies;
- (k) maintain national socio-economic reference library;
- (l) manage technical co-operation agreements and programmes;
- (m) in the development of the Plan, consider international obligations entered into by The Bahamas; and
- (o) provide technical and expert assistance to the Board.

Clause 5 of the Bill seeks to provide for the common seal of the Institute and the parameters of the use of the seal.

Clause 6-8 of the Bill seeks to provide for the establishment, functions and powers of the Board which include to —

- (a) advise the Government on major issues relating to governance, the economy, social policy and the environment of The Bahamas;
- (b) create the Plan for the most effective use of The Bahamas's resources by assessing existing and projected social, economic and manpower resources;
- (c) prepare governance, economic, social policy and environmental models for the guidance of policy-makers, investors and other planners;
- (d) interpret decisions on governance, the economy, social policy and the environment and integrate them into the national development programmes;
- (e) appoint such committees as the Board deems necessary;
- (f) supervise and co-ordinate the work of committees appointed by the Board and to determine all matters and disputes referred to the Board by the committees;

- (g) facilitate the consistent and efficient implementation of projects and programmes by co-ordinating sectoral, national and regional development planning;
- (h) determine the economic, financial, technical, social and environmental feasibility of new development projects and monitor projects in progress;
- (i) secure public co-operation and participation in achieving planned objectives;
- (j) collect, compile, analyse and monitor special and economic performance data; and
- (k) maintain a database of information and resources from government agencies that are collected or compiled for the development of the Plan.

Clause 9 of the Bill seeks to provides for delegation of a function by the Institute.

Clause 10 of the Bill seeks to provides for the requirements for resignation and removal of the Director and Deputy Director.

Clause 11 of the Bill seeks to provide of the Bill seeks to provide for the appointment of a Director and Deputy Director and staff by the Institute. The clause also provides a provision permitting the Deputy-Director to perform, on behalf of the Director if he is unable, to exercise the powers conferred or perform the duties of his office.

Clause 12 of the Bill seeks to provide for a provision permitting the appointment of committees within the Institute.

Clause 13 of the Bill seeks to provide for cooperation between the Board and departments and agencies of the Government.

Clause 14-18 of the Bill seeks to provide for provisions relating to the funding of the Institute including —

- (a) Funds and resources of the Institute;
- (b) Annual budget;
- (c) Accounts and audits; and
- (d) Annual Report.

Clause 19 of the Bill seeks to provide for provision for the Institute to develop and maintain the existing National Development Plan which may be approved by a Resolution of both Houses of Parliament. The Plan is to be laid before both chambers of Parliament and published in the *Gazette* along with the official website of the Institute.

Clause 20 of the Bill seeks to provide a provision that the Minister may give directions of a general nature as to the policy to be followed by the Institute in the carrying out or in pursuit of its functions.

Clause 21 of the Bill provides the power for the Minister to make regulations generally for the Act.