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**THE BAHAMAS CONSTITUTION (AMENDMENT)
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* Articles 8 and 9 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 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 Articles 8 and 9 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 Bahamas Constitution (Amendment) 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 *inter alia* Articles 8 and 9 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. Amendment to Article 8 of the Constitution.

Article 8 of the Constitution is repealed and replaced by the following —

“8. A person born outside The Bahamas shall become a citizen at the date of his birth if at that date his father or mother is a citizen of The Bahamas otherwise than by virtue of this Article or Article 3(2) or Article 10 of the Constitution.”.

3. Repeal of Article 9 of the Constitution.

Article 9 of the Constitution is repealed.

4. Approval of alteration to Articles 8 and 9 of the Constitution.

Do you approve of this Bill, The Bahamas Constitution (Amendment) Bill, 2014 which seeks to —

- (a) alter Article 8 of the Constitution to enable a child born outside The Bahamas to a Bahamian mother who was born in the Bahamas to automatically become a citizen of The Bahamas at birth just as a child would be if born outside of The Bahamas to a Bahamian father; and
- (b) repeal Article 9 consequentially.

YES []

NO []

OBJECTS AND REASONS

This Bill seeks in accordance with Article 54 to repeal and replace Article 8 and make a consequential repeal of Article 9 of the Constitution.

Article 8, as presently framed, enables a child born outside of the Bahamas to a Bahamian father (who is a Bahamian by birth) to automatically become a citizen at birth but not if the father is non-Bahamian and the mother is Bahamian.

In the latter case the child can make an application under Article 9, upon attaining the age of eighteen (18) and before attaining the age of twenty-one (21), to be registered as a Bahamian citizen.

This Bill seeks to institute gender equality in the foregoing regard by enabling a child born outside of The Bahamas to automatically become a Bahamian citizen at birth if either of his parents is a Bahamian citizen by birth.

Such an alteration would eliminate the need for Article 9 which is therefore repealed.