

OBJECTS AND REASONS

This Bill would amend the *Cruise Ships (Opening of Facilities) Act, 2012* in order to

- (a) facilitate the opening of a facility on a cruise ship while the ship is berthed in a Port in the island of Barbados;
- (b) reduce the application period for a cruise ship to obtain permission to open a facility while berthed in a Port in the island of Barbados;
- (c) provide for an authorised public officer to close an open facility where circumstances arise which make the closure of that facility necessary;
and
- (d) provide for related matters

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Act 2012-20
3. Amendment of section 3 of Act 2012-20
4. Repeal of section 6 of Act 2012-20
5. Repeal and replacement of section 7 of Act 2012-20
6. Amendment of section 8 of Act 2012-20
7. Repeal and replacement of section 10 of Act 2012-20
8. Amendment of section 11 of Act 2012-20
9. Amendment of section 13 of Act 2012-20
10. Amendment of section 14 of Act 2012-20
11. Repeal and replacement of section 16 of Act 2012-20
12. Amendment of Act 2012-20
13. Amendment of the enactment in the Schedule

SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Cruise Ships (Opening of Facilities) Act*, Act 2012-20.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Cruise Ships (Opening of Facilities) (Amendment) Act, 2015*.

Amendment of section 2 of Act 2012-20

2. *Section 2 of the Cruise Ships (Opening of Facilities) Act, Act 2012-20, in this Act referred to as the principal Act, is amended by deleting the definitions of “facility”, “licensed facility” and “licensee” and substituting the following definitions in the appropriate alphabetical order:*

“facility” means a casino or cruise ship shop which is located on board a cruise ship, and which operates for the benefit of a person on board a cruise ship;

“licensed facility” means a facility licensed under section 4 or 5; and

“licensee” means a person who has been granted a license under section 4 or 5.

Amendment of section 3 of Act 2012-20

3. *Section 3 of the principal Act is amended*

(a) in subsection (2) by deleting the words “2 months” and substituting the words “one month”; and

(b) by inserting immediately after subsection (3) the following:

*“(4) Notwithstanding subsection (2), in a case of *force majeure*, an application under this Act may be filed at any time prior to the date of the intended operation of a facility.”*

Repeal of section 6 of Act 2012-20

4. *Section 6 of the principal Act is repealed.*

Repeal and replacement of section 7 of Act 2012-20

5. *Section 7 of the principal Act is deleted and the following is substituted:*

“Period of licence and renewal of licence

7. A licence granted under sections 4 or 5 shall be issued for a period not exceeding 2 years and is renewable.”.

Amendment of section 8 of Act 2012-20

6. *Section 8 of the principal Act is amended by deleting the words “section 4, 5 or 6” and substituting the words “sections 4 or 5”.*

Repeal and replacement of section 10 of Act 2012-20

7. *Section 10 of the principal Act is deleted and the following is substituted:*

“Licence to be made available on demand

10. A licence granted under sections 4 or 5 shall be made available for inspection on demand by an authorized public officer.”.

Amendment of section 11 of Act 2012-20

8. *Section 11 of the principal Act is amended by deleting subsection (2) and substituting the following:*

“(2) No person, other than a registered passenger of a cruise ship berthed in the Port, shall be allowed access to a licensed facility or bar on that cruise ship”.

Amendment of section 13 of Act 2012-20

9. *Section 13 of the principal Act is amended by deleting the following words “if that cruise line has obtained a licence under section 5 or 6 in respect of the cruise ship”.*

Amendment of section 14 of Act 2012-20

10. *Section 14 of the principal Act is amended by inserting immediately after subsection (2) the following:*

“(3) Where an authorized public officer considers that any provision of this Act or any regulations made under this Act has been contravened, that authorised public officer may order that a facility operating on a cruise ship berthed in the Port be closed.”.

Repeal and replacement of section 16 of Act 2012-20

11. *Section 16 of the principal Act is deleted and the following is substituted:*

“Amendment of Schedule

16. The Minister may by Order amend the *First, Second, Third or Fourth Schedule.*”.

Amendment of Act 2012-20

12. *The principal Act is amended*

(a) *in the First Schedule by*

(i) *deleting the word “annual” appearing in paragraph 12; and*

- (ii) *deleting the words “3 years” appearing in paragraph 12 and substituting the words “18 months”;*
- (b) *in the Third Schedule by*
 - (i) *deleting the word “annual” appearing in paragraph 12; and*
 - (ii) *deleting the words “3 years” appearing in paragraph 12 and substituting the words “18 months”; and*
- (c) *by repealing the Fifth Schedule and Sixth Schedule.*

Amendment of the enactment in the Schedule

13. *The enactment set out in the first column of the Schedule is amended to the extent set out in the second column opposite thereto.*

SCHEDULE

(Section 13)

Column 1

Enactment

Public Holidays Act, Cap. 352

Column 2

Amendment

In the *Second Schedule*, by deleting paragraph 34 and substituting the following:

“34. Bars and licensed facilities under the *Cruise Ships (Opening of Facilities) Act, Act 2012-20.*”.

Read three times and passed the House of Assembly this day of _____, 2015.

Speaker

Read three times and passed the Senate this _____ day of _____, 2015.

President