

THE BAHAMAS

SUMMARY

The Bahamas is a parliamentary constitutional monarchy with two spheres of government: national and local. There is no constitutional provision for local government and the main empowering legislation is the Local Government Act 1996. Local government policy is overseen by the Ministry of Transport and Local Government. There are a total of 32 local government districts: 13 two-schedule districts, which are further sub-divided into 41 town areas, and 19 unitary districts. Local government is not empowered to raise revenue itself and funding for all local government expenditure is provided through transfers from national government. Following the 2017 election, 28.7% of councillors were women. Town committees are responsible for general health and sanitation while district councils are responsible for hospitals and clinics, supply of public potable water by standpipes, and the upkeep of public school buildings and other government-owned buildings together with parks, grounds, beaches, settlement roads and bridges.

1. NATIONAL GOVERNMENT

The Bahamas is a constitutional monarchy with a bicameral parliament.^{3.1a} Parliament comprises a directly elected 41-member house of assembly and a 16-member appointed senate. Both houses have five-year terms. Elections to the house of assembly are from single-member constituencies and are held by popular vote using the first-past-the-post system. There is universal suffrage at age 18. Following the 2017 national elections, 12.8% of elected representatives and 43.8% of senators were women.^{3.1b} The head of state is HM Queen Elizabeth II who appoints, and is represented by, a governor-general. The governor-general appoints the cabinet on the recommendation of the prime minister. All 16 senate members are appointed by the governor-general: nine on the advice of the prime minister, four on the advice of the leader of the opposition and three on the advice of the prime minister after consultation with the leader of the opposition.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions

There is no constitutional provision for local government.^{3.2a}

2.2 Main legislative texts

The main legislative texts are the Local Government Act 1996^{3.2b} and the Local Government Amendment Act 2014. Bahamian district councils are empowered under this legislation to regulate activities in their district through five statutory boards; and to act as first-line regulators, working in conjunction with national regulators, for infrastructure development. There are 26 further Acts and regulations that directly impact the work of councils.

2.3 Proposed legislative changes

The government is committed to introducing local government in the island of New Providence during the current parliament.

2.4 National Urban Policy

There is no national urban policy; however the national Vision 2040 plan includes the Sustainable Nassau Project^{3.2c} which is a plan for the management of an increasingly urbanised New Providence, home to 70% of the residents of the Bahamas and an urban centre. It covers a number of areas, including greenhouse gas emissions, urban growth and land use planning, natural hazards and risks, mobility and transportation, energy efficiency, use of 'smart' technology, solid waste management, water and sanitation, and municipal governance. The Sustainable Nassau Action Plan will support the National Development Plan of the Bahamas, which now serves as the implementing framework for the Sustainable Development Goals.

3. STRUCTURE OF LOCAL GOVERNMENT

The island of New Providence, where the capital Nassau is located, is administered directly by national government. The other inhabited islands of the Bahamas are administered through the local government system.

3.1 Local government within the state

There are two types of local council in the Bahamas: second-schedule and third-schedule district councils. These total 32 local government districts: 13 second-schedule districts, which are further sub-divided into 41 town areas, and 19 third-schedule districts, which are all unitary authorities. The second and third schedules together make up the first schedule.

3.2 Ministerial oversight

Local government policy falls under the Ministry of Transport and Local Government^{3.3b} (MTLG), which is also empowered to create new local government areas from time to time based on demographics. The administrative and financial management of local government is overseen by the ministry's permanent secretary and the district administrator.



KEY FACTS

POPULATION (2019 estimate):
389,000

AREA (UN 2006):
13,943 sq km

CAPITAL:
Nassau

CURRENCY:
Bahamian dollar (BBD)

HEAD OF STATE:
HM Queen Elizabeth II

GOVERNOR-GENERAL:
Cornelius A. Smith

HEAD OF GOVERNMENT:
Prime Minister Hubert Minnis

FORM OF GOVERNMENT:
constitutional monarchy

PARLIAMENTARY SYSTEM:
bicameral

STATE STRUCTURE:
unitary

LANGUAGES:
English (official)

NATIONAL ELECTIONS:
last: 2017, turnout: 88.3%; next: 2022

WOMEN IN PARLIAMENT (2017):
representatives 12.8%; senators 43.8%

LOCAL ELECTIONS:
last: June 2017, turnout: na; next: tba

WOMEN COUNCILLORS (2017):
28.7%

LOCAL GOVERNMENT EXPENDITURE as a percentage of total government expenditure 2017:
0.9%

Table 3.1a Distribution of councils and population

Island	Second-schedule	Third-schedule	Town	Population 2010 Census	Population 2019 estimate	% rural 2016
New Providence	0	0	-	248,948	na	na
Abaco Islands	3	3	9	16,692	na	na
Acklins	0	1	-	560	na	na
Andros and Berry Islands	3	2	10	8,184	na	na
Bimini	1	0	-	2,008	na	na
Cat Island	0	1	2	1,503	na	na
Crooked Island	0	1	-	323	na	na
Grand Bahama	2	2	6	51,756	na	na
Eleuthera (Harbour Island, Spanish Wells)	2	3	10	11,065	na	na
Exuma Cays and Ragged Island	1	2	2	7,384	na	na
Inagua	0	1	-	911	na	na
Long Island	1	0	2	3,024	na	na
Mayaguana	0	1	-	271	na	na
San Salvador and Rum Cay	0	2	-	1,029	na	na
Total	13	19	41	353,658	389,000	-83

3.3 Council types

There are two types of councils: second-schedule councils that have town committees within their jurisdiction, and unitary third-schedule councils. Councils and town committees have discretionary powers to decide on the award and duration of local public procurement contracts and the appointment of boards and committees.

3.3.1 Second-schedule districts have the following statutory boards and committees: road traffic licensing authority; port and harbour authority; hotel licensing board; town planning committee.

3.3.2 Town committees are sub-structures of the second-schedule district councils, but are also corporate bodies themselves. They share responsibility with the second-schedule district councils for a number of scheduled local government functions. They have statutory responsibility for local regulation and licensing within their jurisdiction.

3.3.3 Third-schedule districts combine the responsibilities of the second-schedule districts and of the town committees. Both second- and third-schedule district councils carry out a building control function. The City of Freeport Council can appoint various statutory boards, with the exception of town planning and port authority boards.

of elections are overseen by the Parliamentary Registration Department^{3,4} under the provisions of the Bahamas Parliamentary Elections Act.

4.1 Recent local elections

The most recent local elections were held in 2017, but no information is available on the turnout. The next elections are 2020.

4.2 Voting system

Both councillors of third-schedule district councils and members of town committees are directly elected, while members of second-schedule councils are indirectly elected from the membership of the town committees.

Elections are held every three years using the first-past-the-post system. Third-

Source: Bahamas Department of Statistics^{3,5a}

schedule district councils have between five and nine members, whereas the size of councils in both second-schedule and town councils varies according to population size.

4.3 Elected representatives

For both types of district council the chief councillors and their deputies are indirectly elected from amongst the elected officials.

They serve for the lifetime of the council and the minister determines their stipend. Second-schedule district councils' statutory boards also elect chairpersons and their deputies from amongst their members. By-elections are held whenever the need arises, and a councillor is deemed to have resigned if they are absent for three consecutive meetings.

Table 3.1b Women councillors following the last five local elections

Election	2009		2011		2014		2017		2020	
	#	%	#	%	#	%	#	%	#	%
Councillors										
Female councillors	92	na	45	na	na	na	66	28.7	na	na
Male councillors	na	na	na	na	na	na	164	71.3	na	na
Total councillors	na	100.0	na	100.0	na	100.0	230	100.0	na	100.0
Chief councillors										
Female chief councillors	na	na	na	na	2	6.3	3	9.4	na	na
Male chief councillors	na	na	na	na	30	93.7	29	90.6	na	na
Total chief councillors	na	100.0	na	100.0	32	100.0	32	100.0	na	100.0

Source: MTLG correspondence with CLGF

4. ELECTIONS

The registration of voters and conduct

4.4 Women's representation

Following the 2017 local elections 28.7% (66/164) of councillors were women, up from 45 in 2011 down from 92 in 2009. Following the 2017 elections 9.4% (3/32) of chief councillors were women, up from 6.3% (2/32) after the 2014 elections.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement

The Local Government Act 1996 makes provision for community involvement at various stages of the local decision-making process. The Act further stipulates that at least once a year a public meeting must be held where authorities must discuss their plans and budgets with the local community.

5.2 Implementation

The public meeting criteria referred to in 5.1 above are entrenched at the town committee and council levels. Town committees and councils must further meet once per month, and meetings must be held in a public place. District councils are also empowered to appoint statutory boards to regulate local activities such as licensing, town planning, port operation etc. Members of the local community are appointed to these groups. They are also empowered to sit in on public meetings before decisions are made.

5.3 ICT use in citizen engagement

The National Development Plan has recommended the creation of a robust ICT strategy and infrastructure across the nation through the development and implementation of the SMART Bahamas masterplan. The plan will increase the use and interconnection of networks, systems, smart applications, databases and data analytics by public and private agencies in planning, forecasting, design, operation and activities. It will also provide real-time information to all stakeholders (citizens, business, and national and local government) to strengthen decision-making, ensure transparency and increase awareness.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association

The Bahamas Association of Local Government Authorities³⁶ (BALGA) is a

Table 3.2a Income and expenditure for local government 2015/16

Income	2015/16 BS\$m	Expenditure	2015/16 BS\$m
Centre-local transfers		Administration	
Restricted	na	Staff	18,000
Unrestricted	na	Other administrative costs	3,664
Locally raised revenue		Services	
Property taxes	na	Roads	na
Licences and fees	na	Water	na
Other income	na	Other	na
TOTAL INCOME	na	TOTAL EXPENDITURE	21,664

Source: MTLG correspondence with CLGF

national, voluntary organisation. Its aim is to foster the growth and development of local government and enable members to exchange views, opinions and experiences. BALGA is not recognised in law or by the constitution, is funded by membership contributions. However it is affiliated with international organisations via the Caribbean Association of Local Government Authorities.

7. INTERGOVERNMENTAL RELATIONS

The Bahamas is an archipelagic state, which means that intra-government interaction is crucial to successful governance. In each of the 32 local government jurisdictions, government agencies consult with local authorities on all matters that will have a direct impact on citizens and their way of life. The local government administrator (see section 9.5 below) is the principal link between the two spheres of government, serving as the chief representative of the national government in the district. Local authorities have the capacity to engage the services of, or to create agency arrangements with, any national government authority in the execution of any project. The Family (Outer) Islands administrator facilitates this process. Where national government is executing any major project in a particular district, the relevant investment authority will seek input from the local authority before final decisions are made. Non-governmental agencies, technical organisations and statutory national environmental groups also liaise with local authorities on matters affecting

their districts. These groups also offer their technical services to authorities when projects are under consideration.

8. MONITORING SYSTEMS

The Local Government Act 1996 mandates that the budgetary processes of councils and town committees be monitored by the minister with responsibility for local government. The minister is required by law to meet with councils in budget defence meetings before submission of budgets to the Ministry of Finance. In January 2009 a monitoring unit was established within the military to oversee the financial and administrative processes of local districts. The accounts of all districts are monitored for compliance with standard financial practices; additionally administrative systems are reviewed and recommendations made for improvement in practices. The national government has two agencies with monitoring oversight over local government: the Public Treasury and the Office of the Auditor General. Each agency has specific responsibility regarding the financial management of districts under the Local Government Act 1996. The minister with responsibility for local government may also appoint independent auditors to provide financial and management audits.

Table 3.2b Local government expenditure as a percentage of total government expenditure 2015-2017

	2015 BB\$m (actual)	2016 BB\$m (actual)	2017 BB\$m (estimated)	2019/20 (estimate)
Total government expenditure	2,610.2	na	2,562.8	2,687.6
Total local government expenditure	21.7	22.2	23.6	26.3
Local government expenditure as a percentage of total government expenditure	0.8%	na	0.9%	1.0%

Source: National budget statement 2017³⁹

9. FINANCE, STAFFING AND RESOURCES

9.1 Local government expenditure

In 2017, local government expenditure was 0.9% of total budgeted government expenditure, up from 0.8% in 2015.

9.2 Locally raised revenue

No local government body is presently empowered to engage in revenue-generating schemes, although revenue is collected in local government districts for deposit into the national government's consolidated fund account.

9.3 Transfers

Funding for all local government expenditure is provided by national government via transfer payments, which are based on a proportional distribution system managed by the Ministry of Finance. The Local Government Act 1996 ensures a percentage of taxes and fees levied by national government within the district is passed on to local authorities by means of transfer.

9.4 Loans

No information is available.

9.5 Local authority staff

The appointed local government administrator is the executive secretary and financial officer for all local government bodies, the financial officer for all national government agencies in the district where there is no public treasury department, and coordinator of all governmental official functions in the district. He or she also carries out other functions including magisterial duties. Notably, some administrators may be at times responsible for more than one district.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

10.1 Overview of local government service delivery responsibility

Town committees' responsibilities under the Local Government Act 1996 are: to provide for general health and sanitation, including street cleaning, verges, drains and ditches; the collection and removal of all refuse from any private or public place; to provide for the upkeep and maintenance of public wells, water tanks, road signs and markings; and to manage the naming and renaming of streets.

District councils' responsibilities under the same Act are: maintenance and upkeep of public buildings, government-owned airports and terminal buildings, and hospitals, clinics and their environs; boat registration; supply of public potable water by standpipes; and upkeep of public school buildings and other government-owned buildings, parks, grounds, beaches, settlement roads and bridges. District councils also hold joint responsibility with the relevant authority for Crown land regulations, tourism, the regulation of building construction, town planning, road traffic, self-drive franchises, and hotel and business licensing. Councils also hear appeals concerning decisions made by statutory boards.

10.2 ICT use in service delivery

No information is available.

10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)

The National Development Plan, Vision 2040, is the vehicle through which the Bahamas will achieve the 2030 Global Agenda for Sustainable Development.^{3,10} The plan comprises 16 goals, accompanying strategies and action steps necessary for the sustainable development of the Bahamas under the four pillars of governance, human capital, economy, and infrastructure and environment. Each of the strategies is aligned to the 17 SDGs. The Economic Development and Planning Unit will be consulting local government among other stakeholders as it designs a SDG roadmap. It is anticipated that this roadmap will include recommendations on: awareness-raising; inclusion of the SDGs in all national and local development plans; identification of areas for public participation; designing a monitoring and evaluation framework to monitor implementation; and sharing experience and best practice between all stakeholders.

REFERENCES AND USEFUL WEBSITES

- 3.1a Government of Bahamas portal <http://bahamas.gov.bs>
- 3.1b Women in national parliaments. Inter-Parliamentary Union www.ipu.org/wmn-e/classif.htm
- 3.2a Constitution of the Bahamas www.bahamas.gov.bs/wps/portal/public/gov/government/SubmitCustomerService?1dmy&urile=wcm%3Apath%3A/MOF_Content/internet/The+Government/Government/About+The+Bahamas/Constitution
- 3.2b Local Government Act 1996 <http://faolex.fao.org/docs/pdf/bha93781.pdf>
- 3.2c Vision 2040 - National Development Plan www.vision2040bahamas.org/media/uploads/National_Development_Plan_Data_Presentation.pdf
- 3.3a Bahamas Census 2010 <http://statistics.bahamas.gov.bs/download/095485600.pdf>
- 3.3b Ministry of Transport and Local Government www.bahamas.gov.bs/wps/portal/public/gov/government/contacts/agencies/government_ministries/ministry_of_transport_and_local_government
- 3.4 Parliamentary Registration Department. www.elections.gov.bs
- 3.5 No reference for this section
- 3.6 Bahamas Association of Local Government Authorities (BALGA) <http://calga.org/balga>
- 3.7 No reference for this section
- 3.8 No reference for this section
- 3.9 National budget statement 2017 www.bahamas.gov.bs/wps/portal/public/National%20Budget/Budget%20Documents
- 3.10a The Bahamas National Development Plan: Vision 2040 www.vision2040bahamas.org
- 3.11a World Population Prospects 2019 https://population.un.org/wpp/Publications/Files/WPP2019_DataBooklet.pdf
- 3.11b UN 2012 statistics surface area <http://unstats.un.org/unsd/demographic/products/dyb/dyb2006/Table03.pdf>
- 3.11bc Commonwealth Local Government Knowledge Hub www.clgf.org.uk/resource-centre/knowledge-hub
- 3.11d Commonwealth of the Bahamas Public Administration Country Profile 2006 <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan023302.pdf>
- 3.11e UNDP HDR The Bahamas country profile <http://hdr.undp.org/en/countries/profiles/BHS>



Annex 3a Summary of service provision in different spheres of government in the Bahamas

Services	Delivering authority				Remarks
	National government	Second- schedule district councils	Town committees	Third-schedule district councils	
GENERAL ADMINISTRATION					
Police	■				
Fire protection	■	■			
Civil protection	■	■			
Criminal justice	■				
Civil status register	■	■	■	■	
Statistical office	■				
Electoral register	■				
EDUCATION					
Pre-school (kindergarten and nursery)		■			
Primary	■				
Secondary	■				
Vocational and technical	■	■			
Higher education	■				
Adult education	■	■			
SOCIAL WELFARE					
Family welfare services	■				
Welfare homes	■				
Social security	■				
PUBLIC HEALTH					
Primary care	■	■			
Hospitals	■	■			
Health protection	■				
HOUSING AND TOWN PLANNING					
Housing	■			■	
Town planning	■	■	■	■	
Regional planning	■	■			
TRANSPORT					
Roads	■	■	■	■	
Transport	■	■			
Urban roads	■		■	■	
Urban rail					
Ports	■	■	■	■	
Airports	■	■		■	
ENVIRONMENT AND PUBLIC SANITATION					
Water and sanitation	■		■	■	
Refuse collection and disposal	■		■	■	
Cemeteries and crematoria	■		■	■	
Slaughterhouses	■				
Environmental protection	■	■			
Consumer protection	■	■			
CULTURE, LEISURE AND SPORTS					
Theatres and concerts	■	■			
Museums and libraries	■	■			
Parks and open spaces	■		■	■	
Sports and leisure facilities	■		■	■	
Religious facilities	■	■			
UTILITIES					
Gas services	■	■			
District heating					
Water supply	■	■	■	■	
Electricity	■	■		■	
ECONOMIC					
Agriculture, forests and fisheries	■				
Local economic development/promotion	■				
Trade and industry	■	■		■	
Tourism	■	■		■	

■ sole responsibility service ■ joint responsibility service ■ discretionary service