

- (c) to institute proceedings in the name of the Minister against owners or captains of boats, as the case may be, who refuse to pay dockage fees within seven days of the date such fees are payable;
- (d) to keep a proper account of all fees collected and hand them over to the Minister at least monthly;
- (e) to keep the dock in a clean condition at all times;
- (f) to answer to the Minister in all matters related to the dock.

6. All fees payable or recoverable under these Rules which do not exceed the maximum amount recoverable in a summary manner under the provisions of the Magistrates Act may be sued for, recovered and enforced summarily before the magistrate of the Harbour Island District.

Proceedings
before
magistrate.
Ch. 54.

7. The Minister may expend such moneys collected under these Rules for paying the dockmaster's fees and on repairs and maintenance to the dock and its facilities.

Use of fees.

8. The dockmaster shall be paid a monthly salary to be determined by the Minister, and such salary shall not exceed thirty per centum nor be less than ten per centum of the total fees collected in any one month.

Dockmaster's
salary.

MINISTRY OF WORKS (CONTROL OF ADVERTISEMENTS) RULES

(SECTION 6)

[Commencement 19th December, 1964]

*G.N. 331/1964
G.N. 53/1965
5 of 1987*

PART I PRELIMINARY

1. These Rules may be cited as the Ministry of Works (Control of Advertisements) Rules.

Citation.

2. In these Rules, unless the context otherwise requires —

Interpretation.

“advertisement” means any word, letter, model, sign, placard, board, notice or device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement, attraction or direction (excluding any such thing employed wholly as a memorial), and, without prejudice to the generality of the foregoing, includes any hoarding or similar structure used or adapted for use for the display of advertisements, and references to the display of advertisements shall be construed accordingly;

“illuminated advertisement” means an advertisement which is designed or adapted to be illuminated by artificial lighting, directly or by reflection, and which is so illuminated for the purposes of the advertisement, announcement or direction at any time after the date upon which these Rules come into force;

“building” includes any structure or erection and any part of a building so defined;

“land” includes buildings and land covered by water;

“Minister” means the Minister responsible for Public Works;

“Ministry” means the Ministry of Public Works.

Extent and
application.

3.(1) These Rules shall apply to the display of all advertisements on land, buildings, walls, trees, vehicles or on water car in the air in and around The Bahamas:

Provided that there shall be excepted from the provisions of this paragraph advertisements —

- (a) displayed on enclosed land, and not readily visible from land outside the enclosure wherein it is displayed or from any part of such enclosure over which there is a public right of way or to which there is a public right of access;
- (b) displayed within a building; and
- (c) displayed on or in a vehicle, provided that such advertisement is restricted to the name of the advertiser, the business which is carried on and the main agency of the business in neat and tasteful lettering and that there is no general

advertising of merchandise nor trademarks in excess of one square foot in area; for example A and B Company Limited, Hardware Supplies, Agents for X Airconditioners.

- (2) For the purposes of this rule —
 - (a) the expression “enclosed land” means any land which is wholly or for the most part enclosed within a hedge, fence, wall or similar screen or structure, but shall not include any public park, public garden or other land held for the use and enjoyment of the public;
 - (b) “vehicle” means a vehicle normally employed as a moving vehicle on any highway, a vessel normally employed as a moving vessel normally in the territorial waters of The Bahamas and any aircraft normally employed as a moving aircraft in the air over The Bahamas; and
 - (c) no advertisement shall be deemed to be displayed within a building unless there is access to the advertisement from inside the building.

PART II GENERAL APPLICATION

4. (1) The powers conferred by these Rules with respect to the grant or refusal of consent for the display of advertisements, and to the revocation or modification of such consent, shall be exercisable only in the interest of amenity and public safety.

Control in the interests of amenity and public safety.

- (2) When exercising such powers the Minister —
 - (a) shall in the interests of amenity, determine the suitability of the use of the site for the display of advertisements in the light of the general characteristics of the locality, including the presence therein of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of a locality the Minister may disregard any advertisements therein being displayed;
 - (b) shall, in the interests of public safety, have regard to the safety of persons who may use any road, waterway (including coastal waters), dock, harbour or airfield or landing place affected or likely

to be affected by any display of advertisements; and shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign or aid to navigation by water or air (but without prejudice to his power to have regard to any other material factor);

- (c) shall have regard to the effect on amenity of the content and design of the advertisement to be displayed; and
- (d) in any case may have regard to any material change in circumstances likely to occur within the period for which the consent is required or granted, or to any other material factor.

Consent required
for display of
advertisements.

5. Subject to the provisions of rule 6 of these Rules (relating to advertisements for which no consent is required) no advertisement may be displayed without written consent granted by the Minister on application being made in that behalf.

Advertisements
for which no
consent is
required.

6. (1) The display of advertisements of the following descriptions may be undertaken without consent —

- (a) any advertisement required or authorised by law;
- (b) any advertisement relating specifically to a parliamentary election in respect of which a writ of election has been issued;
- (c) any advertisement required to be displayed by any enactment for the time being in force, or by the Governor-General under any powers conferred upon him by virtue of the Constitution, or by standing orders of either the House of Assembly or the Senate including an advertisement the display of which is required as a condition of the valid exercise of any other power or proper performance of any function given or imposed by any enactment;
- (d) advertisements in the nature of traffic signs employed wholly for the control, guidance or safety of traffic and displayed in accordance with an authorisation given by the Minister for Road Traffic either by way of Regulations made under the provisions of section 92 of the Road Traffic Act, or otherwise;

Ch. 220.

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- (e) advertisements for the purpose of identification, direction or warning with respect to the land or building on which they are displayed and do not exceed two square feet in area;
 - (f) advertisements relating to any person, partnership or company separately carrying on a profession, business or trade at the premises where any such advertisement is displayed; limited to one advertisement not exceeding two square feet in area in respect of each such person, partnership or company;
 - (g) advertisements relating to any church or any institution of a religious, educational, cultural, recreational or medical or similar character, or to any residential hotel, block of flats, club, boarding house or hostel situate on land on which any such advertisement is displayed; limited to one advertisement not exceeding four square feet in area in respect of each such premises, or in the case of premises with entrances upon different road frontages, to two such advertisements displayed on different road frontages of the premises;
 - (h) advertisements of a purely temporary nature —
 - (i) relating to the sale or letting of land on which it is displayed; limited to one advertisement consisting of a board (whether or not attached to a building) not exceeding twenty square feet in area, no such advertisement when displayed on a building to project more than three feet from the face of the building;
 - (ii) relating to the sale of goods or livestock or the carrying out of building or similar work on the land on which they are displayed, not being land normally used whether at regular intervals or otherwise, for the purpose of holding sales or carrying out such work; limited to one advertisement not exceeding twelve square feet in area in respect of each such sale or work;