

1540 COMMITTEE MATRIX OF BAHAMAS

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:
First report

Bahamas
28 October 2004

Last revised
Date of Committee approval

February 2015

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 30 August 1976	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco 26 April 1977	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 21 May 2008	
5	2005 Amendment to the CPPNM			

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 30 November 2007	
7	Chemical Weapons Convention (CWC)	X	Deposit 21 April 2009	
8	Biological Weapons Convention (BWC)	X	Deposit 26 November 1986	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State Party to 12 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1997 Convention for the Suppression of Terrorist Bombings 5 May 2008 1999 Convention for the Suppression of Financing of Terrorism 1 November 2005 Partial Test Ban Treaty	
11	International Atomic Energy Agency (IAEA)	X	Since 2014	
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements			
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation			
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.	
17	Other ¹	X	Member of: Caribbean Community Caribbean Financial Action Task Force (CFATF) Egmont Group INTERPOL International Maritime Organisation Organization of Eastern Caribbean States (OECS) Organisation of American States	

			World Customs Organisation (SAFE Framework) World Health Organisation	
--	--	--	--	--

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework			Enforcement: civil/criminal penalties and others			Remarks	
		YES			if YES, source document of national implementation law	YES			
		N W	C W	B W		N W	C W		B W
1	manufacture/produce		X		NW: CW: Firearms Act, as amended, Section 30 BW:		X		NW: CW: Firearms Act, as amended Section 30
2	acquire		X		NW: CW: Firearms Act, as amended, Section 30 BW:		X		NW: CW: Firearms Act, as amended, Section 30 BW
3	possess		X		NW: CW: Firearms Act, as amended, Section 30 BW:		X		NW: CW: Firearms Act, as amended Section 30 BW
4	stockpile/store								
5	develop								
6	transport								
7	transfer		X		NW: CW: Firearms Act, as amended, Section 30 BW:		X		NW: CW: Firearms Act, as amended, Section 30 BW:

8	use	?	X	?	NW/CW/BW: Penal Code, Section 274, "uses any poison, or any explosive, corrosive, deadly, destructive or noxious means, or any instrument" commits an offense CW: Firearms Act, as amended, Section 30 BW:	?	X	?	NW/CW/BW: Penal Code, Section 274, "uses any poison, or any explosive, corrosive, deadly, destructive or noxious means, or any instrument" commits an offense CW Firearms Act, as amended, Section 30
9	participate as an accomplice in abovementioned activities	X	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, etc	?	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, etc.
10	assist in abovementioned activities	?	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, etc.	?	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, etc
11	finance abovementioned activities	?	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, and so forth Financial Intelligence Unit Act2000	?	X	?	NW/CW/BW: Penal Code, Sections 86-90 cover aiding and abetting, conspiracy, procuring, and so forth Suspect transactions are forwarded to the Financial Intelligence Unit (FIU) of The Bahamas
12	abovementioned activities related to means of delivery ²								
13	involvement of non-State actors in abovementioned activities	?	X	?	NW/CW/BW: Penal Code, Sections 253 and 274	?	X	?	NW/CW/BW: Penal Code, Sections 253 and 274
14	Other	X	X	X	NW/CW/BW: The International Obligations (Economic and Ancillary Measures) Act 1993 if implemented by an International Obligations (Economic and Ancillary Measures) Order	X	X	X	NW/CW/BW: Proceeds of Crime Act 2000 Mutual Legal Assistance (Criminal Matters) Act 1988 and the Criminal Justice (International Cooperation) Act 2000

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/544 12 September 1997 and SQP CW: BW:				NW: CW: BW:	
2	Measures to account for use	X			NW: INFCIRC/54412 September 1997 and SQP CW: BW:				NW: CW: BW:	
3	Measures to account for storage	X			NW: INFCIRC/544 12 September 1997 and SQP CW: BW:				NW: CW: BW:	
4	Measures to account for transport	?	?	?	NW/CW/BW: Merchant Shipping Act, Sections 185 and 207 for safety and carriage of dangerous goods	?	?	?	NW,CW,BW: Merchant Shipping Act, Sections 185 and 207 for safety and carriage of dangerous goods	
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use									
8	Measures to secure storage	?	?	?	NW/CW/BW: National Maritime Authority is the designated	?	?	?	NW/CW/BW: National Maritime Authority is the designated	

				contact for the carriage of dangerous goods for the IMO Compliant with ISPS Code				contact for the carriage of dangerous goods for the IMO Compliant with ISPS Code	
9	Measures to secure transport	?	?	?	NW/CW/BW: National Maritime Authority is the designated contact for the carriage of dangerous goods for the IMO Compliant with ISPS Code	?	?	?	NW/CW/BW: National Maritime Authority is the designated contact for the carriage of dangerous goods for the IMO Compliant with ISPS Code
10	Other measures for securing	?	?	?	NW/CW/BW: Defence and Security Purposes (Regulation) Act, 1989, Section 3	?	?	?	NW/CW/BW: Defence and Security Purposes (Regulation) Act, 1989, Section 3
11	Regulations for physical protection of facilities/materials/ transports								
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	?			NW: Ionising Radiations (Workers' Protection) Act requires prior notification for such undertakings CW: BW:	?			NW: Penalty for failure of proprietor to inform Minister of Public Health, Section 6, Ionising Radiations (Workers' Protection) Act CW: BW:
13	Reliability check of personnel								
14	Measures to account for/secure/ physically protect means of delivery								

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	X	INFCIRC/544 12 September 1997 and SQP	X	INFCIRC/544 12 September 1997 and SQP	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Ministry of Foreign Affairs	X	Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial declarations	X	Initial declarations	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework						Enforcement: civil/criminal penalties, and measures of implementation, etc						Remarks
		YES			if YES, source document	YES			if YES, source document					
		N W	C W	B W		N W	C W	B W						
1	Border control	X	X	X	<p>NW: Customs Management Act, Section 45 and possibly 61 Immigration Act</p> <p>CW: Customs Management Act Immigration Act</p> <p>BW: Prohibition of the Import of Plants Orders and Plants Protection Orders prohibit or restrict imports from mostly neighbouring countries Animal Contagious Diseases (Prohibition of Import) Orders and the Animal Contagious Diseases (Import Control) Orders require a permit from the Director of Agriculture to import Customs Management Act 1976, as amended Immigration Act</p>	X	X	X	<p>NW: Bahamas Customs Department Royal Bahamas Police Force (RBPF), Port Authorities</p> <p>CW: Bahamas Customs Department Royal Bahamas Police Force (RBPF), Port Authorities</p> <p>BW: Bahamas Customs Department 2Royal Bahamas Police Force (RBPF), Port Authorities Customs Management Act 1976, as amended, sections 110-132</p>					
2	Technical support of border control measures													
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and													

	technology								
4	Enforcement agencies/authorities	X	X	X	<p>NW: Customs Management Act, Section 45 and possibly 61 Immigration Act</p> <p>CW: Customs Management Act Immigration Act</p> <p>BW: Prohibition of the Import of Plants Orders and Plants Protection Orders prohibit or restrict imports from mostly neighbouring countries Animal Contagious Diseases (Prohibition of Import) Orders and the Animal Contagious Diseases (Import Control) Orders require a permit from the Director of Agriculture to import Customs Management Act 1976, as amended Immigration Act</p>	X	X	X	<p>NW: Bahamas Customs Department Royal Bahamas Police Force (RBPF), Port Authorities</p> <p>CW: Bahamas Customs Department Royal Bahamas Police Force (RBPF), Port Authorities</p> <p>BW: Bahamas Customs Department Royal Bahamas Police Force (RBPF), Port Authorities</p>
5	Export control legislation in place	?	?	?	<p>NW/CW/BW: Export Control Regulations Act Export Control Regulations</p>	?	?	?	<p>NW/CW/BW: Export Control Regulations Act, Section 8 Export Control Regulations</p>
6	Licensing provisions								
7	Individual licensing								
8	General licensing								:
9	Exceptions from licensing								
10	Licensing of deemed export/visa								
11	National licensing authority								
12	Interagency review for licenses								

13	Control lists										
14	Updating of lists										
15	Inclusion of technologies										
16	Inclusion of means of delivery										
17	End-user controls										
18	Catch all clause										
19	Intangible transfers										
20	Transit control										
21	Trans-shipment control		?	?	NW/CW/BW: Export Control Regulations Act Export Control Regulations		?	?	?	NW/CW/BW: Export Control Regulations Act Export Control Regulations	
22	Re-export control										
23	Control of providing funds										
24	Control of providing transport services										
25	Control of importation		?	?	?	NW/CW: Import Control Regulations Act Import Control Regulations BW: Prohibition of the Import of Plants Orders and Plants Protection Orders prohibit or restrict imports from mostly neighbouring countries Animal Contagious Diseases (Prohibition of Import) Orders and the Animal Contagious Diseases (Import Control) Regulations require a permit from the Director of Agriculture to import Import Control Regulations Act Import Control Regulations		?	?	?	NW/CW: Firearms Act, as amended, Section 3, prohibits without permission from the Commissioner of Police Import Control Regulations Act, Section 8 BW: Prohibition of the Import of Plants Orders and Plants Protection Orders have small fines for offences Animal Contagious Diseases (Prohibition of Import) Order and the Animal Contagious Diseases (Import Control) Regulations have small fines for offenses Import Control Regulations Act Import Control Regulations

26	Extraterritorial applicability									
27	Other									

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	Customs Management Act 1976, as amended, First and Second Schedules	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Date of Request: 28 October 2004 Technical and financial assistance in the following areas: Training of police, defence force, customs, immigration, and airport authority security officers in detecting and investigating offences related to the proliferation and trafficking of WMD. Maintain effective physical protection measures as well as measures to account for, or secure nuclear, chemical, or biological weapons, their means of delivery and related materials Legislative drafting assistance for an effective legislative and regulatory infrastructure to deal with the proliferation and trafficking in WMD.	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.