

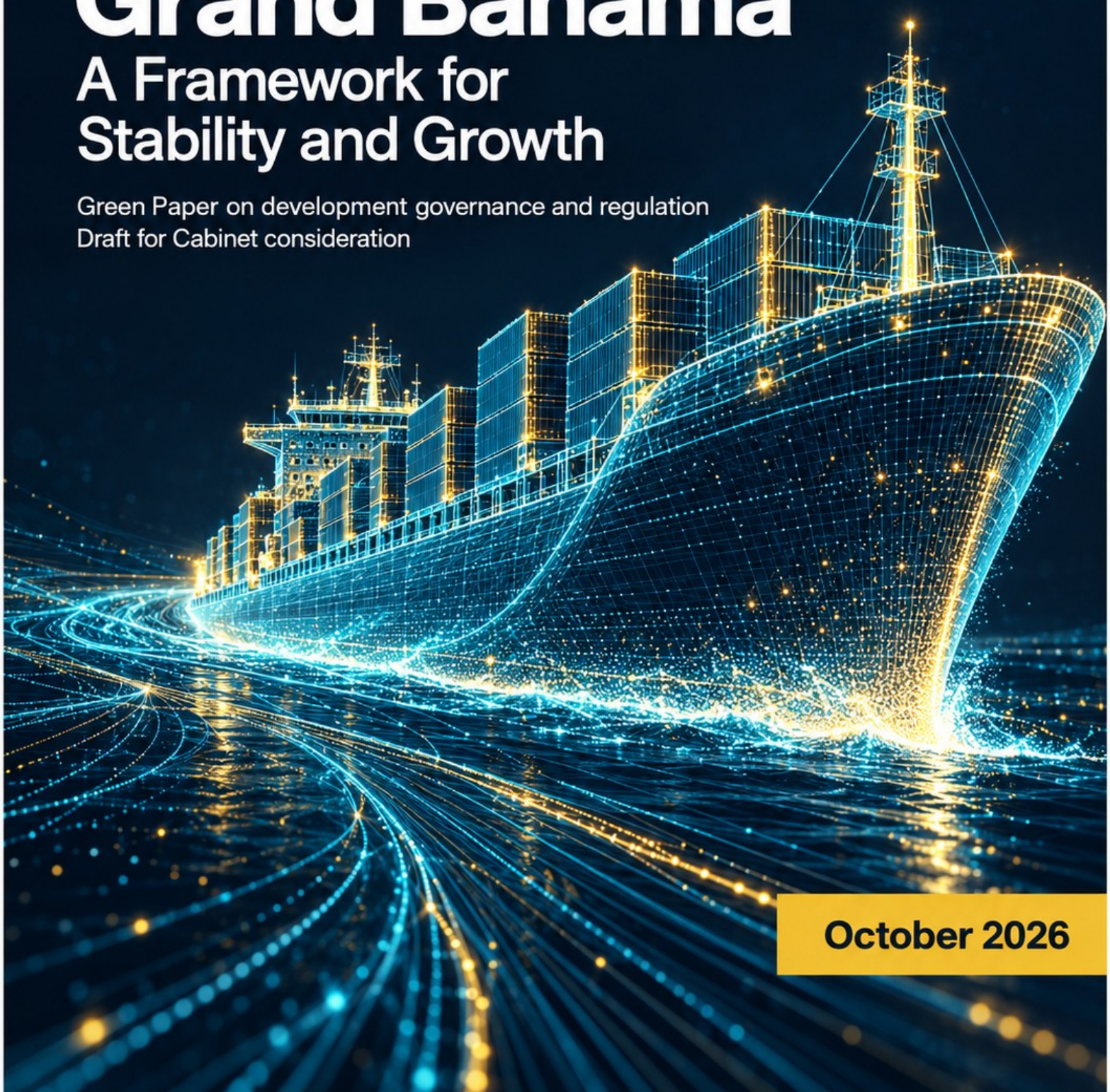


Government of the
Commonwealth of The Bahamas

Grand Bahama

A Framework for Stability and Growth

Green Paper on development governance and regulation
Draft for Cabinet consideration

A large cargo ship is depicted in a digital, wireframe style, composed of glowing blue and yellow lines. It is sailing on a sea of light trails and particles, creating a sense of motion and digital connectivity. The ship's structure, including its masts and cargo containers, is outlined in these glowing lines. The background is a deep blue with scattered light points, suggesting a vast digital space or a futuristic maritime environment.

October 2026

Government of the Commonwealth of The Bahamas

Grand Bahama: A Framework for Stability and Growth

Green Paper on Development, Governance and Regulation

Draft for Cabinet consideration | October 2026

The Government's considered approach to transparent and equal governance and regulation throughout Grand Bahama, with proposals for institutional and legislative reform and island-wide economic development.

Proposed consultation period: 1 November 2026 to 30 April 2027

This draft is submitted for consideration before publication. The foreword and consultation arrangements are proposed wording. The Green Paper sets out policy proposals and does not itself amend existing law or confer a new entitlement.

Publication details and submission arrangements will be confirmed for the consultation launch.

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Figures and tables are numbered within their chapters. The complete consultation questions appear in Annex E. Source notes and publication links appear in Annex D.

Draft foreword for the Prime Minister



Grand Bahama is one island with one economy. Freeport, East Grand Bahama and West Grand Bahama depend on one another for jobs, services and opportunity. For more than seventy years, however, the Port Area has been administered under arrangements that apply nowhere else in The Bahamas. This Green Paper sets out how the Government will bring the whole island under one transparent and equal framework of governance and regulation. That is our primary objective. It is as much a governance reform as an economic one. Every resident and every business on Grand Bahama should know who holds authority, how decisions are made and how to obtain an answer or a remedy.

The Hawksbill Creek Agreement played an important part in the creation of Freeport, and that history deserves recognition. But it is an antiquated, colonial, pre-independence mechanism. The Government considers that it has outlived its utility and has created an economic imbalance on Grand Bahama. The island's future cannot be determined through a selectively privileged governance framework for Freeport, or by the commercial priorities of private family interests alone. National economic policy for Grand Bahama must be set by the elected Government of The Bahamas. No institution responsible principally for the Port Area should hold an effective veto over the development of the island as a whole.

Freeport remains the commercial, maritime and industrial centre of the island. Our objective is not to diminish Freeport. It is to ensure that Freeport's success contributes to the prosperity of Grand Bahama as a whole. Reform will be deliberate, consultative and lawful. Legitimate property, contractual and investment rights will be respected, and there will be no retrospective interference with them. Any change to the law will be made through the proper legal process, with clear transition arrangements and continuity of essential services.

This Green Paper proposes three connected reforms: a Grand Bahama Development Council; a structured review of the Hawksbill Creek Agreement, with options for amendment, repeal or replacement; and a Grand Bahama Development Act. The Act will include consideration of concessions for investment throughout Grand Bahama, with possible enhanced concessions outside Freeport, so that economic stability reaches the rest of the island sooner. The three proposals must work together. A new institution cannot cure an unclear allocation of legal powers, and a new law must say who does what.

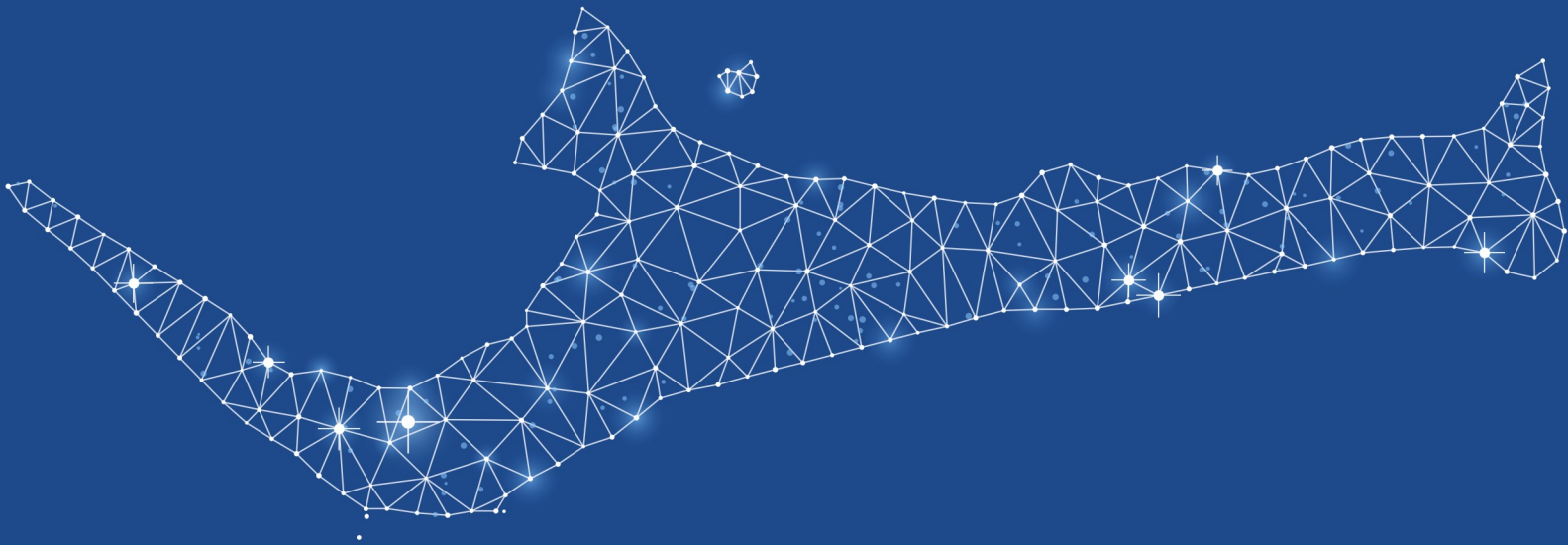
We want to hear from everyone with a stake in the island's future: residents, workers, businesses, licensees, the Grand Bahama Port Authority, local government and community organisations. The consultation will run for six months, from 1 November 2026 to 30 April 2027. A temporary Consultation Steering Committee is proposed to organise the engagement and prepare the record for Cabinet. The Government intends to publish a White Paper on 1 July 2027 setting out its decisions and the reasons for them. We intend to have the legislation ready by 31 December 2027, for passage in the first quarter of 2028, so that the new framework can be properly budgeted for in the 2028/2029 fiscal year.

The Hon. Philip Davis KC MP | Prime Minister

GRAND BAHAMA:

EXECUTIVE SUMMARY

A Framework for Stability and Growth



The considered approach of the Government

The Government's primary policy objective is transparent and equal governance and regulation across Grand Bahama. It considers the HCA to be an antiquated, colonial, pre-independence mechanism which has outlived its utility and has created an economic imbalance on the island. This assessment is a core basis for reform. Freeport, East Grand Bahama and West Grand Bahama will be treated as connected parts of one economy, within a framework that makes public responsibility, regulatory authority and accountability clear throughout the island. Equal governance can accommodate different service arrangements and incentives where there is a stated public purpose. The consultation concerns the institutional, legislative and administrative mechanisms through which that objective will be implemented, including the legal treatment of existing interests and the continuity of services. The Government will consider the practical operation of the present arrangements before determining which functions require clearer coordination, different procedures or a revised legal allocation.

Freeport remains the commercial, maritime and industrial centre of the island, and the objective is not to diminish it. Reform will be deliberate, consultative and lawful. Legitimate property, contractual and investment rights will be respected and there will be no retrospective interference with them. Any change will take effect only through the proper legal process, with clear transition arrangements.

Institutional and legislative proposals

The Government proposes a Grand Bahama Development Council, a structured review of the HCA and a Grand Bahama Development Act. The Council's initial advisory remit, membership, accountability and possible continuing functions are questions for consultation. The HCA review will consider amendment, repeal or replacement, including combinations of measures where different instruments or functions require different treatment. The proposed Act will give legislative expression to the selected framework and include consideration of concessions for investment throughout Grand Bahama, with possible enhanced concessions outside Freeport to accelerate economic stability elsewhere on the island. The design of eligibility, conditions, administration and the relationship with existing lawful entitlements will be examined before those provisions are settled. The proposals are complementary: the institutional body must have a necessary function, the legal changes must specify their effect, and the development provisions must be capable of administration within an accountable public framework.

A separate Consultation Steering Committee is proposed to administer the six-month exercise. It will coordinate engagement, organise the receipt and analysis of evidence and prepare recommendations for submission through the responsible Minister. Cabinet will determine its terms of reference, appointments, reporting arrangements and completion of its mandate. The Committee will not grant concessions, vary the HCA, determine individual permissions or acquire a permanent regulatory or delivery role. Its establishment will not settle the Development Council proposal or make the Committee's membership the assumed model for a future institution. Technical advice will remain attributable to the competent authority supplying it, and Cabinet will retain the policy decisions to be taken after consultation. Chapter 9 and Annex F set out the proposed administrative arrangements, including the Secretariat, access to participation, the treatment of representations and handover of the consultation record.

Economic and governance analysis

The paper examines the enabling framework for maritime services, logistics, manufacturing, tourism, aviation, technology and the blue economy, together with infrastructure, public services and Bahamian participation. The Government will not use the absence of current demand as a conclusive basis for excluding a platform whose potential depends on arrangements which have not yet been established. A proposal must instead be examined through the reasoning connecting the proposed framework, its dependencies and the activity it could enable. Consultation will inform the evidence and methods used to consider alternatives; no fixed scorecard or set of appraisal weights is prescribed. Governance options will likewise be examined against the arrangements operating in Grand Bahama, including the roles of the GBPA, Central Government and local government. The Partial Final Award of 27 February 2026 informs this work. Seven of the GBPA's eight counterclaims failed and, for different legal reasons, the Award materially constrains the proposition that the HCA creates an autonomous and perpetual private regulatory franchise insulated from national law and Government oversight. The Award did not repeal the HCA, transfer functions to Government or establish a debt. Each proposed change therefore requires its own lawful means of implementation.

Evidence and policy scope

The statistical evidence establishes the economic and social context and retains its observation dates, definitions and geographic limitations. The measures of output, unemployment, visitor activity, housing and construction describe different aspects of that context; they do not establish a uniform experience for households, enterprises or communities. The consultation will consider those series alongside evidence of participation, access to services and the operation of public responsibilities. Its structural focus permits practical cases to inform policy without determining individual commercial transactions or permissions through the consultation process. The fiscal implications of proposed concessions and the obligations associated with changes in responsibility will be examined through the competent authorities as the policy and legislation are developed. Strategic conclusions, individual approvals and operative legal changes will remain distinguishable, so that the public can understand both the Government's intended framework and the decisions still required to implement it.

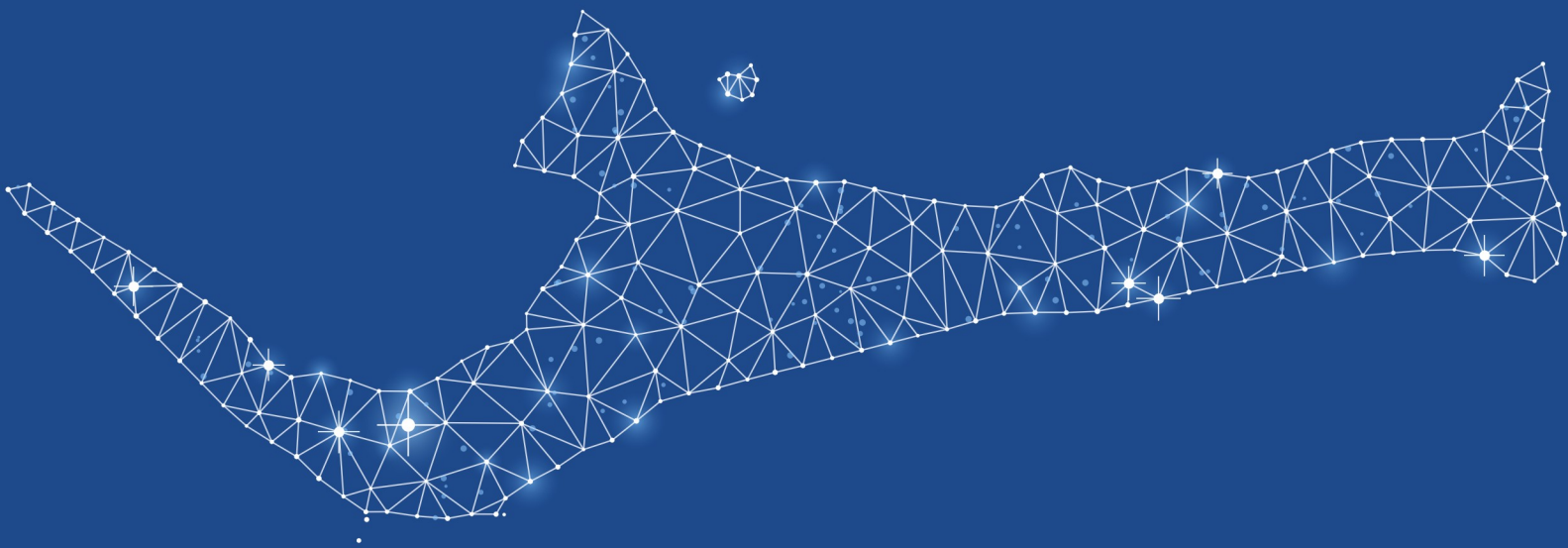
Consultation and the route to reform

The proposed consultation period is 1 November 2026 to 30 April 2027. Final recommendations will follow consideration of the full record after the closing date and are proposed for Cabinet consideration in May and June 2027. A White Paper is targeted for 1 July 2027, with draft legislation targeted for completion by 31 December 2027 and passage in the first quarter of 2028, subject to the relevant decisions and parliamentary process. This sequence is intended to allow the new framework to be properly budgeted for in the 2028/2029 fiscal year. The White Paper will state the selected policy, explain the treatment of material representations and identify the legislative and administrative measures required. It will distinguish enactment from commencement and explain any material transitional dependencies. Questions appear in Chapters 2 to 9 and are consolidated in Annex E. Respondents may address the issues within their knowledge or interest, including connections between chapters and alternatives to the mechanisms described. The published consultation account will explain the principal themes, evidence and reasons informing Government's conclusions.

GRAND BAHAMA:

CONSULTATION SUMMARY

A Framework for Stability and Growth



Purpose and scope

This consultation seeks your views on how to put in place one framework for development, governance and regulation across the whole of Grand Bahama. The Government's objective is set out in Chapter 1 and is not itself open to consultation. What is open is how to achieve it: which institutions should hold which responsibilities, what a new law should contain, how existing rights should be protected and in what order changes should be made. You may comment on any of the proposals, tell us how the present arrangements affect you, or suggest a better way of achieving the objective. Each response will be considered on its substance.

The geographical scope is the whole of Grand Bahama. The consultation includes the relationship between the Port Area and the rest of the island, the roles of the existing institutions and the design of the proposed Council and Development Act. The exercise concerns structural policy and institutional design. It does not determine individual commercial transactions or approve a capital programme. Consultation will inform the evidence and methods used to examine the policy options. A practical case may assist the examination where it explains how an existing responsibility operates or where an interface requires attention. The consultation record will distinguish that wider issue from an individual case requiring a decision by another authority. A representation need not cover the whole island to be relevant, but its geographic scope and the persons or functions affected will be retained when it is summarised. This will permit local experience to inform an island-wide settlement without assuming that one account describes every community or institution.

Responsibility and duration

The consultation will be conducted under the authority of Government and coordinated by a time-limited Steering Committee established by Cabinet. The Committee will report through the responsible Minister. The proposed period is six months, from 1 November 2026 to 30 April 2027. The Committee's terms of reference will provide for a Secretariat, technical referrals, progress reporting and completion of the consultation report. Its administrative role will remain separate from the substantive responsibilities of Ministers, the Attorney General, competent departments and Parliament. Engagement and analysis will proceed during the period, while final recommendations will follow the closing date. The proposed timetable is intended to provide a defined opportunity to influence the design of the measures and an identifiable route for taking the resulting recommendations before Government.

The publication page, submission channels, contact arrangements and meeting programme will be confirmed for the public launch. The programme will include engagement in Freeport, East Grand Bahama and West Grand Bahama, thematic discussions and written submissions. Annex F sets out the proposed administrative arrangements and terms of reference. The public information will identify the methods available for making a submission, arrangements for acknowledgement and accessibility assistance, and the proposed treatment of material received after the closing date. Meetings will supplement written and other accepted contributions, rather than become the only route to participation. The programme will also make provision for technical discussion of questions which cannot be examined adequately in a general meeting. Any material limitation in participation or evidence will be identified in the report so that Government can consider its implications when reaching a conclusion.

How to respond: [website address]; [email address]; [postal address]; [locations in Freeport, East Grand Bahama and West Grand Bahama where printed copies can be collected and responses delivered]. Responses must be received by [time] on 30 April 2027. Enquiries: [name, office and telephone number].

Representations and use of responses

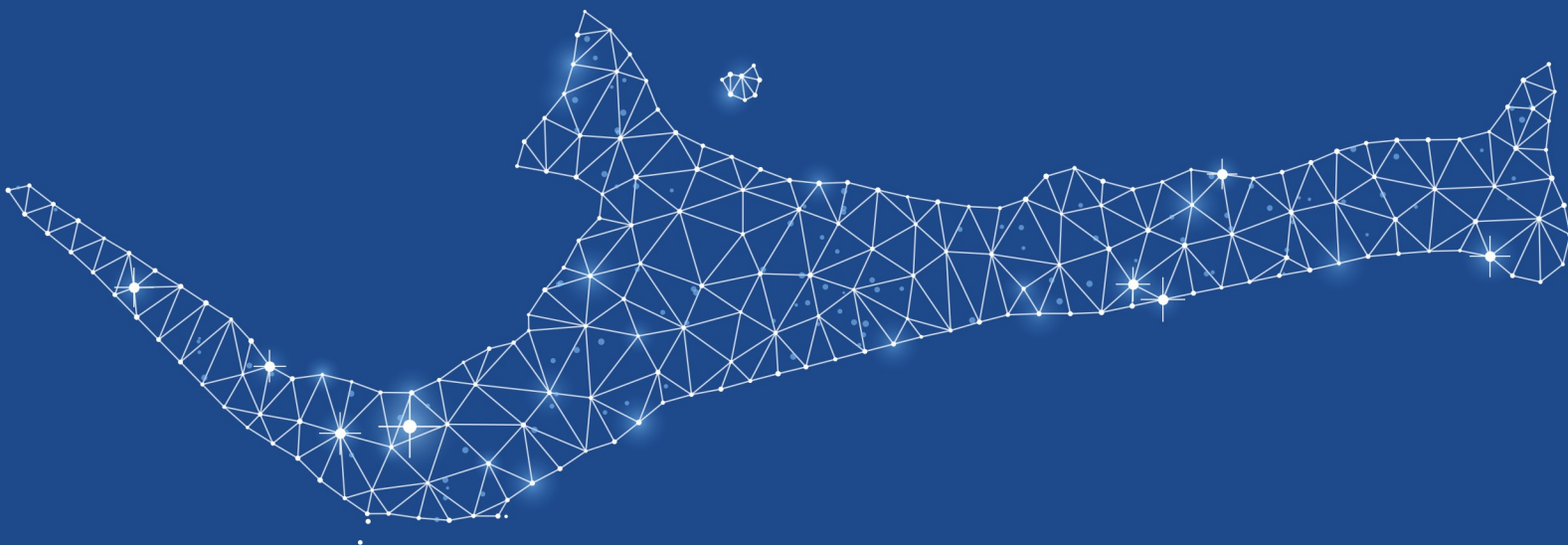
Respondents may address any numbered question or submit a reasoned alternative on an issue within scope. A submission can identify the provision or function concerned, describe its practical effect and state the change proposed. Figures and technical assertions should identify their source, period and geographic coverage where available. Direct experience and qualitative evidence are also relevant. A contributor may explain an experience without providing a statistical estimate or legal submission. Where a representation makes a quantitative or provision-specific claim, the supporting material will assist its examination and any necessary referral. The record will distinguish an observed fact, an estimate and an argument about the effects of a proposal. The Committee may seek clarification where it is material, while retaining the contribution's original scope. Respondents may also identify relevant information that is held elsewhere or explain why an issue requires further technical examination before an operative provision can be settled.

The Government will consider representations on their substance. It will not treat the number of submissions as determinative of the merits of an institutional or legal option. The consultation report will explain participation, the principal themes and alternatives and the treatment of material evidence. A consultation-specific privacy notice will be confirmed before responses are collected. The report will identify material differences in the evidence or arguments and explain which issues require Government determination or further competent advice. It will distinguish the breadth of participation from the basis for a recommendation. Information about publication of responses, names and confidential material will be stated in the privacy arrangements before collection begins, in accordance with applicable Bahamian requirements. The purpose of the published account is to enable participants and other residents to understand how the issues raised informed policy, while respecting the protections which apply to particular information.

GRAND BAHAMA:

CHAPTER 1: THE CASE FOR REFORM AND POLICY OBJECTIVES

A Framework for Stability and Growth



The policy position of the Government

- 1.1 The Government's primary objective is to establish transparent and equal governance and regulation across the whole of Grand Bahama. The Government considers that the Hawksbill Creek Agreement is an antiquated, colonial, pre-independence mechanism which has outlived its utility and has created an economic imbalance on the island. Reform of that framework is a core basis of the policy set out in this Green Paper. The institutional settlement must consequently be examined by reference to the responsibilities of an independent Government to all residents and to the public purposes for which regulatory authority is exercised. The proposed reform will address the relationship between those responsibilities and arrangements originating in the development of a particular commercial area. The Government's assessment establishes the reason for undertaking that examination. It does not, of itself, determine which existing instruments must be amended, which functions require a different statutory basis or how lawful interests will be treated. Those questions require the detailed consideration set out in the following chapters.
- 1.2 The present exercise is concerned with the constitutional and administrative character of governance as well as with economic development. Arrangements established for the development of a defined Port Area must now be considered against the requirements of an independent Bahamas and the interests of the island as a whole. The Government does not regard the continuation of a selectively privileged governance framework for one part of Grand Bahama as an adequate settlement for the future. An adequate settlement must make the exercise of public authority intelligible to a resident, a Bahamian enterprise and an institution required to administer it. A person seeking a development permission or an explanation of a service obligation should be able to identify the applicable authority without having to reconcile competing institutional accounts. The Government's approach will therefore consider both the formal allocation of power and the administrative arrangements through which it is used. Economic proposals will be developed within that governance framework, so that the pursuit of activity in a particular location remains consistent with responsibility for the island as a whole.
- 1.3 Public regulation and the direction of the island's development must operate in the public interest. They cannot be determined solely by the commercial priorities of private family interests within Freeport. This principle concerns the basis on which public responsibilities are exercised. It does not diminish the legitimate contribution of private enterprise, alter a particular property right by assertion or dispense with the legal process required to implement reform. The distinction between a commercial interest and a public responsibility is material where the same institutional arrangements involve land development, the provision of services and the exercise of regulatory functions. The policy examination will identify where those activities require separation, an explicit supervisory relationship or safeguards governing the exercise of discretion. It will also consider the information that must be available to persons affected by a decision. The objective is an accountable public framework within which enterprise can operate and make lawful use of its assets, with the source and limits of regulatory authority established independently of a particular owner's commercial priorities.
- 1.4 This Green Paper provides certainty as to the Government's policy direction. The consultation concerns the institutional, legislative and administrative arrangements through which that direction will be given effect. The precise legal route, allocation of functions and transitional provisions remain questions for consideration. The distinction between the established policy

objective and the design of its implementation governs the scope of consultation throughout the paper. Certainty at this stage consists of an explicit account of the Government's objectives, the proposals under examination and the route by which decisions will acquire operative effect. It would be misleading to present every possible institutional arrangement as settled before consultation and legal preparation have been completed. Equally, the existence of those further stages does not leave the policy direction unstated. The Government is proposing reform of the framework itself, and invites evidence on the arrangements necessary to implement that reform. The subsequent White Paper will connect the conclusions reached with the legislative and administrative changes intended to give them effect.

An island-wide settlement

- 1.5 Freeport, East Grand Bahama and West Grand Bahama will be treated as connected parts of one economy and one national development region. Freeport's established commercial, maritime and industrial functions form an integral part of that region. The policy framework must also provide a coherent basis for development, public services and participation in the communities outside Freeport. This approach requires consideration of how a decision in one part of the island affects access and opportunity elsewhere. The location of employment, transport connections, the availability of skills and the administration of development permissions must be considered together when the framework is designed. An island-wide perspective will preserve the ability to address the requirements of a particular community, while making clear how that response relates to the wider public purpose. It will also require Government to explain the relationship between common island policy and provisions applying to a defined area, including the basis for any differences in treatment.
- 1.6 Equal governance requires clarity about the source, territorial extent and exercise of public authority. It requires consistent principles of administration, published responsibilities, access to reasons and appropriate means of review. It does not require identical facilities, identical administrative arrangements or uniform incentives in every location. Differences must have an intelligible public purpose and operate within a transparent framework. A common standard of accountability can be applied through different forms of service provision where those forms are justified by geography, the nature of the function or the requirements of the applicable law. The essential questions are who holds the duty, who may make a decision, what information is published and how an affected person can seek review. The consultation will examine whether those questions are answered adequately in the existing arrangements and what changes are necessary. Any proposed difference in administrative treatment or investment support will require a stated rationale capable of scrutiny within the island-wide framework.
- 1.7 The Government considers that the relationship between the island's principal economic centres and its smaller communities must be reflected in policy design. Employment, suppliers, transport, infrastructure, skills and environmental systems operate across administrative boundaries. An island-wide settlement must therefore address those relationships rather than treating development within the Port Area as a sufficient policy for Grand Bahama as a whole. For example, a development proposal may involve premises in one area, workers travelling from another and service or environmental effects extending beyond the site. The proposed framework must provide a means of considering those connections without requiring every related public function to be concentrated in a single institution. The relevant authorities will need a clear basis for referral, coordination and the resolution of incompatible requirements. Consultation will inform the form of those arrangements and the role of local government and

settlement interests in them. The resulting policy must be capable of explaining how decisions concerning Freeport and decisions concerning the rest of the island form part of one development approach.

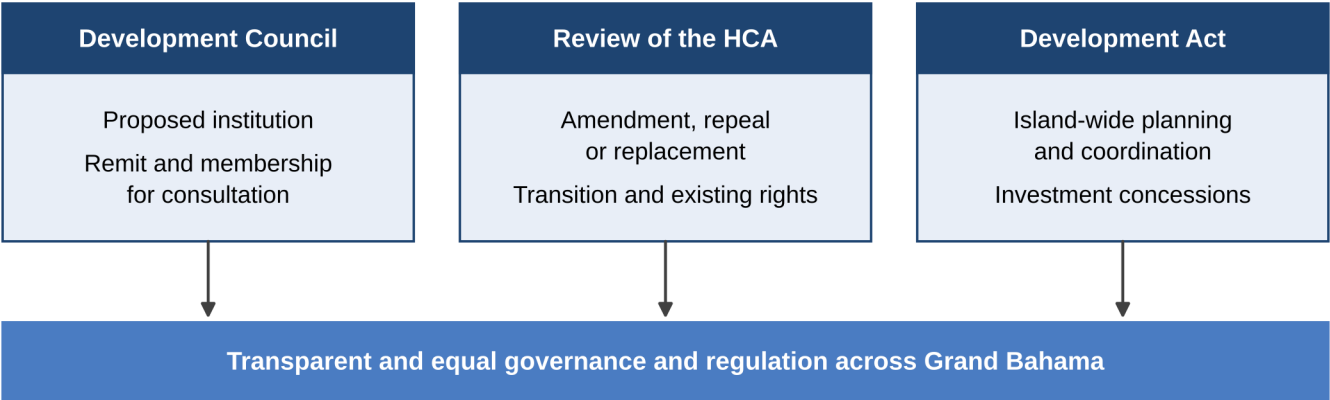
- 1.8 The Government's supporting objectives are investment and employment throughout Grand Bahama; faster economic stability in East and West Grand Bahama; improved public services; clear public accountability for development decisions; and economic and climate resilience. These objectives establish the intended direction of reform. Their practical application is examined in the economic, infrastructure and governance chapters. These objectives will guide the definition of the issues requiring action, rather than serve as a substitute for the examination of individual proposals. An employment objective, for example, raises questions about access to occupations, training, enterprise participation and the location of opportunity, as well as the number of positions associated with an activity. Improved public services require a defined responsibility and a usable route for obtaining a decision or remedy. Resilience concerns the continuity of those services and the capacity of communities to withstand disruption. The consultation will develop the practical content of the objectives before Government determines the measures to be carried into legislation and administration.

The principal proposals

- 1.9 The Government proposes a Grand Bahama Development Council as part of the institutional framework for the island. Chapter 5 examines its initial advisory functions, membership, representation, accountability and possible permanent role. The Council is an institutional proposal for consultation. Its eventual form and powers will be determined through the reform process and the relevant legal instruments. The policy question is what function a Council would perform that is required by the revised framework, and how that function would relate to the responsibilities of Ministers, departments, regulators and local government. A forum for advice and representation would require different powers and safeguards from a body responsible for taking statutory decisions. Its composition would also need to reflect the character of its mandate, including the treatment of interests affected by its advice. The Government will consider the proposed Council as part of the institutional settlement, rather than assume that the use of a particular title establishes either a permanent role or a power to direct existing authorities.
- 1.10 A separate, time-limited Consultation Steering Committee is proposed to oversee the six-month consultation. Its function will be to organise engagement, coordinate the receipt and analysis of evidence and prepare the record required for ministerial and Cabinet consideration. The Steering Committee will not determine the future institutional settlement or acquire the functions proposed for a Development Council. Its proposed remit is set out in Chapter 9 and Annex F. A defined consultation mechanism is required to maintain a record of the issues raised, arrange their technical examination and bring material alternatives before Government within the proposed timetable. That work differs from exercising an ongoing development or regulatory mandate. The Committee's terms of reference will identify the responsible Minister, its reporting obligations and the point at which its mandate concludes. Stakeholder engagement undertaken by the Committee will inform the consideration of the Council proposal, including arguments concerning representation or permanence. It will not constitute the Council through administrative practice or allow the conduct of consultation to settle an institutional question which remains open.

- 1.11 The Government will undertake a structured review of the HCA and its associated legal instruments. The review will examine amendment, repeal or replacement, including combinations of measures where different provisions or functions require different treatment. It will address the framework as it operates in practice, the implications of the published arbitration record, existing rights and obligations, and the provisions necessary for transition. The review will begin with the functions and instruments affected, so that a proposed legal route can be examined against its actual consequences. A change directed at one provision may require associated amendments or arrangements for issues governed by another instrument. Repeal may require savings and successor provisions, while negotiated changes may still require legislation to give them the intended public effect. The Government will consider these relationships as part of one reform programme. The examination will identify which questions concern present legal obligations and which concern the future allocation of public responsibility, with the advice and procedures appropriate to each.
- 1.12 The Government also proposes a Grand Bahama Development Act. The Act would establish the selected framework for island-wide development, planning, regulatory coordination and public accountability. It will include consideration of concessions for investment in and throughout Grand Bahama, with possible enhanced concessions outside Freeport to accelerate economic stability in the rest of the island. The design, scope and administration of those provisions are considered in Chapter 7. The proposed legislation will be considered as a means of making the selected responsibilities, procedures and territorial application explicit. Concessions will form part of that examination because their availability and administration affect the practical reach of a development framework. The consideration of enhanced provisions outside Freeport will address the purpose of accelerating stability elsewhere on the island, the activities and persons to which support could apply and the relationship with existing entitlements. Consultation will inform those design questions before eligibility, conditions or duration are determined. The Act's institutional provisions and concession provisions must operate consistently, so that investment support is administered within an accountable public framework.
- 1.13 These proposals are complementary. The Council concerns institutional capacity and representation; the HCA review concerns the legal basis and operation of the existing settlement; and the Development Act concerns the statutory framework for the future. The Steering Committee provides the administrative mechanism for consultation on those proposals. The relationship between the proposals must be resolved as a coherent package. A Council cannot remedy an unclear legal allocation merely by coordinating discussion, and a new Act cannot be assumed to resolve every interest governed by earlier instruments. Conversely, a review of the HCA would be incomplete if it identified provisions for change without establishing how the resulting public functions would be exercised. The Government will therefore examine the connections between the proposals at the same time as their individual design. The White Paper will state the selected combination and explain the responsibilities, legal measures and transitional arrangements necessary to make it work. Consultation administration will remain separately accountable throughout that process.

Figure 1.1: Three complementary proposals for one framework



Note: Proposed design. The Council's initial advisory remit and any continuing functions are subject to consultation. The temporary Steering Committee is a separate administrative proposal.

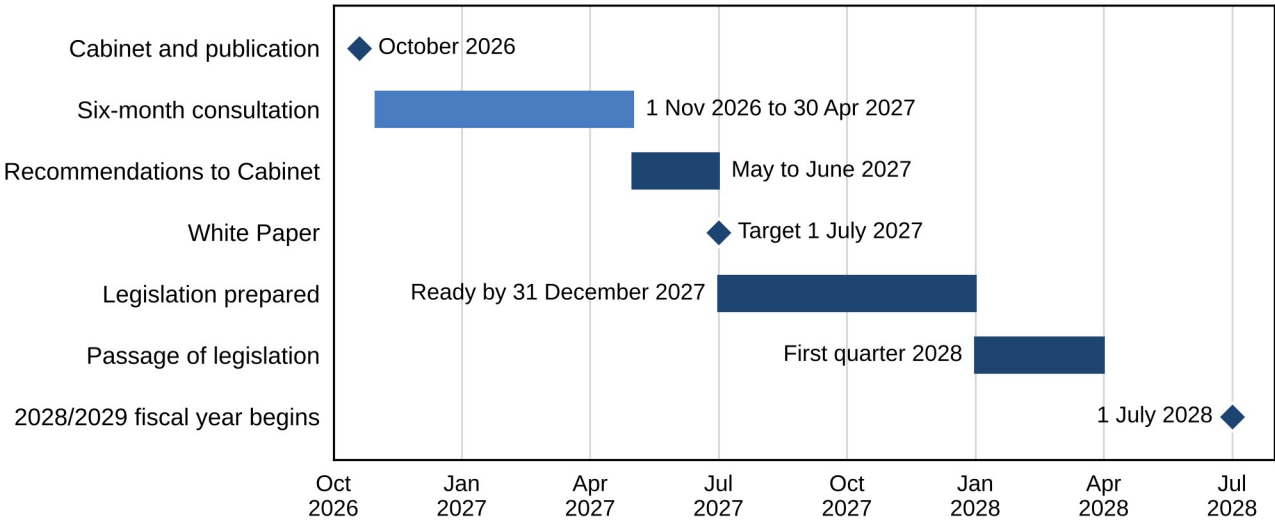
The questions on which views are sought

- 1.14 The consultation will examine the distribution of functions between Central Government, local government, the GBPA and any institution established under the new framework. It will address the relationship between public regulatory responsibilities and commercial activity; the administration of development decisions; the territorial application of rules and incentives; and the arrangements necessary to protect continuity and lawful interests during transition. The examination will be organised around the experience of functions, including planning and building control, licensing, service provision, environmental regulation and access to review, where relevant to the proposed settlement. It will distinguish a legal duty from an informal practice and a commercial service relationship from a public decision. Respondents may identify where requirements overlap, where responsibility is incomplete or where a proposed change would affect an existing lawful interest. Government will use that evidence to establish the problem requiring a response before selecting the institutional or legislative means of addressing it. An organisational model will consequently be considered in relation to the functions it is intended to perform.
- 1.15 The primary policy objective of transparent and equal island-wide governance is not being reopened. The consultation is intended to establish how that objective can be achieved effectively and lawfully. Respondents are invited to identify defects in the existing arrangements, propose alternative mechanisms and explain the consequences of particular changes for communities, businesses, licensees and public institutions. A submission may support the stated objective while proposing a different legal mechanism, institutional composition or sequence of implementation from that described in this paper. It may also identify a consequence which requires a proposal to be modified. Such representations will be examined on their substance. Where a submission favours retention of an existing provision, Government will examine its island-wide public rationale and its compatibility with transparent and equal governance and regulation. Its response will explain how the alternatives have been considered and why the selected measures are judged appropriate to the objective of transparent and equal governance and regulation throughout Grand Bahama.
- 1.16 The Government is not prescribing a fixed set of appraisal criteria or assigning weights to alternative options at this stage. The consultation will inform the approach used to examine the

evidence and the relative merits of competing institutional arrangements. The subsequent policy statement will explain the basis of the Government's conclusions and the treatment of material alternatives. The information required to examine an institutional proposal may differ from that needed to consider an economic platform or concession provision. The approach must be capable of recognising those differences and of recording a material disagreement about the evidence. Consultation will therefore assist in defining the questions that an assessment must answer, the limitations of the available information and the further technical work required. Where judgment is necessary, the reasons for that judgment will be stated. The Government will avoid presenting an apparent numerical ranking as a substitute for explaining the legal, administrative and policy considerations which determine its decision.

- 1.17 The assessment of economic opportunity will not be confined to present demand. An economic platform may be limited because the enabling framework has not been established. The relevant policy question includes whether changes to regulation, infrastructure, skills, access or other arrangements could create sustainable activity. The Government will consider those propositions without treating current market conditions as a conclusive test of future potential. That examination will consider the sequence through which a proposed platform could become viable, including the permissions, capabilities and service connections required before activity can be established. A proposition based on such changes will need to explain the connection between the proposed framework and the activity expected to follow, including the conditions under which the proposition may not succeed. This approach allows emerging opportunities to be examined without treating an untested assertion of potential as a finding. Consultation will provide a means of testing the underlying reasoning and identifying further evidence, rather than making the absence of an existing market the sole basis for exclusion.

Figure 1.2: The proposed route from consultation to implementation



Note: Proposed targets, subject to the relevant decisions, publication arrangements and parliamentary process.

The scope and sequence of reform

- 1.18 The Green Paper addresses structural policy, legal and institutional questions. Individual commercial transactions and operator updates will continue to be addressed through the relevant sectoral and administrative processes. The consultation will examine arrangements

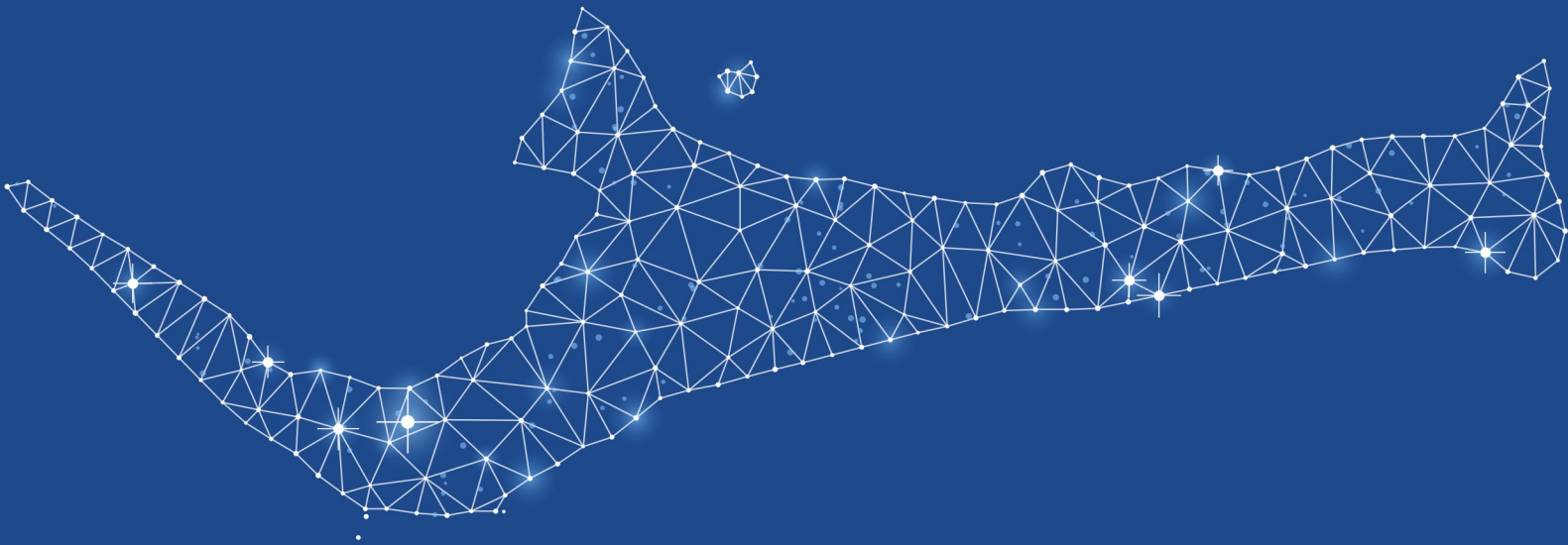
capable of remaining relevant as particular transactions and operating circumstances change. It will therefore focus on the responsibilities, legal provisions and public procedures through which development is governed, including the relationship between sectoral decisions and island-wide policy. Representations concerning an individual experience may be relevant where they illustrate how those arrangements work or where a procedural defect arises. Their consideration will be directed to the wider policy question, while any individual application, contractual issue or operational decision continues through the authority competent to determine it. This distinction will keep the consultation comprehensive in its treatment of governance without turning it into a register of changing transactions.

- 1.19 The fiscal implications of proposed concessions and the lawful allocation of responsibilities will be examined as the policy and legislation are developed, with advice from the competent authorities. The examination of concessions will distinguish their legal availability, the conditions attached to an award and the implications for the administration of public revenue. A proposed change in responsibility will similarly require identification of the duties and obligations associated with that function, including continuity where the institution performing it changes. These issues are necessary to determine whether the policy can operate as intended. They will be addressed in the development of the statutory provisions and transition arrangements, with the relevant advice presented to Government. Consultation will inform the design of those provisions while the competent authorities retain the responsibility to settle the implications within their respective areas.
- 1.20 Consultation is proposed from 1 November 2026 to 30 April 2027. Chapter 10 sets out the subsequent stages and their dependence on Cabinet decisions, legal preparation and the parliamentary process. The six-month period will permit engagement across the island, written representations and the technical examination of interdependent proposals. The subsequent stages will distinguish the report of consultation from the Government's policy decision, the publication of the selected approach and the preparation of operative instruments. Final recommendations will follow consideration of the consultation record after the closing date. The White Paper will explain the resulting programme, including any issues whose implementation depends on a further instrument or specified transitional step. The timetable gives stakeholders a defined route to decisions while recognising the distinct constitutional and administrative responsibility attached to each stage.

GRAND BAHAMA:

CHAPTER 2: ECONOMIC AND INSTITUTIONAL CONTEXT

A Framework for Stability and Growth



The function of the evidence base

- 2.1 The economic and social evidence provides context for the policy proposals. It does not substitute for the Government's judgment on the appropriate basis of governance. The principal economic reference period is 2021–2025, with earlier census information where a more recent verified island series is not available. Observation dates, statistical definitions and geographic coverage are retained throughout this chapter. The evidence must be read in relation to the question for which it is suitable. An estimate of production, a household characteristic and an administrative record of a permission each describe a different aspect of the circumstances in which reform will take place. The Government will retain those distinctions when considering submissions or presenting subsequent policy conclusions. Where information is unavailable at island level, the absence will be identified rather than replaced by an assumption based on a national total. This approach provides a consistent reference for consultation while allowing further material to be examined according to its period, coverage and method.
- 2.2 The available series show different dimensions of the island economy. Nominal output increased in 2024; published unemployment estimates declined during 2025; foreign entry counts increased; and stopover visitors fell over the tourism comparison period. These movements are not interchangeable measures of economic welfare and do not establish a uniform outcome for households, sectors or communities. [1,4–8] For policy purposes, an apparent improvement in one measure must therefore be considered with information on the activities and people represented by it. A change in the volume of visitor entries may have different implications from a change in overnight stays, while a reduction in an unemployment estimate does not establish the quality or distribution of work. The Government will examine the connections where evidence permits, and will preserve the distinction where it does not. The purpose of setting out several series is to identify the issues requiring explanation in policy development, rather than reduce the island's circumstances to a single description of recovery or decline.
- 2.3 The Government will consider the evidence alongside the territorial distribution of public responsibilities, economic activity and access to services. The analytical purpose is to establish the circumstances in which the proposed framework will operate and the information needed to distinguish its effects. The statistical series establish the economic context; they do not provide a causal evaluation of particular institutional arrangements. The consultation will provide an opportunity to explain how an aggregate movement is experienced in a particular community or administrative process. Such evidence may reveal a question requiring more detailed examination without establishing that a particular institutional arrangement caused the statistical movement. The Government will consider accounts of access, service responsibility and economic participation alongside the relevant published series. Where a proposed reform is intended to affect one of those issues, subsequent work will identify what information is needed to observe the change. The evidence base will consequently support both the design of the framework and a reasoned account of its intended operation.

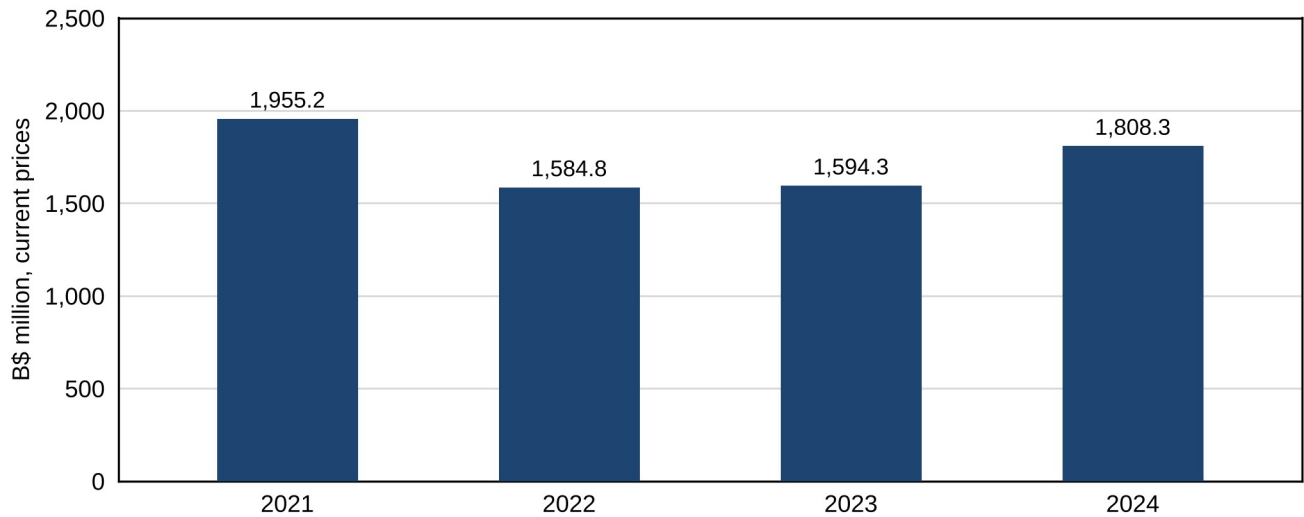
Economic output

- 2.4 The revised island GDP series places Grand Bahama's output at B\$1,808.3 million in 2024, equivalent to 11.4% of national GDP in that statistical release. Nominal output increased by 13.4% from 2023 but was 7.5% below the 2021 level. The corresponding series records B\$1,955.2 million in 2021, B\$1,584.8 million in 2022 and B\$1,594.3 million in 2023. The

comparison uses the revised series published in August 2025. [1] These values provide a reference for the scale and movement of recorded production over the available period. Their policy use will depend on the question under consideration, including whether an argument concerns the island economy as a whole, a particular activity or the circumstances of residents. The Government will not infer a distribution between Freeport and the rest of Grand Bahama from an island total which does not establish that distribution. Submissions using GDP to support a proposed measure will need to explain the connection between the aggregate series and the function or activity the measure is intended to affect.

- 2.5 These estimates are expressed at current prices. They measure the value of production and incorporate the effects of both activity and prices. They do not establish equivalent growth in real output, household purchasing power or locally retained income. A verified 2025 island GDP estimate is not included in this baseline. Policy analysis will therefore distinguish a change in money value from a change in the volume of goods and services and from the experience of households. Where a representation draws conclusions about productivity, living standards or the benefits of a particular activity, the supporting information will need to address those subjects directly. The Government's development approach will consider the capacity to sustain productive activity and broaden participation, with the evidence appropriate to those purposes. The published current-price series will remain useful as a measure of recorded economic value, with its interpretation confined to the information that the series can support.
- 2.6 The distributional consequences of development depend on employment, earnings, local ownership, suppliers and the use of imported inputs, among other factors. An increase in island output does not, by itself, identify where benefits accrue. The Government's island-wide approach therefore requires economic information to be considered with evidence on participation and access, while respecting the limitations of the published geographic detail. This requires the proposed development framework to address the ways in which residents and Bahamian firms can participate in the activity it is intended to support. Relevant policy questions include access to procurement, the availability of occupational preparation and the connection between development locations and surrounding communities. The consultation will examine how those opportunities might be made practical within the regulatory and institutional arrangements under consideration. The Government will distinguish the existence of economic activity from the arrangements through which its benefits can be shared more widely, and will explain the intended relationship between the two in the selected policy.

Figure 2.1: Nominal output rose in 2024 but remained below 2021



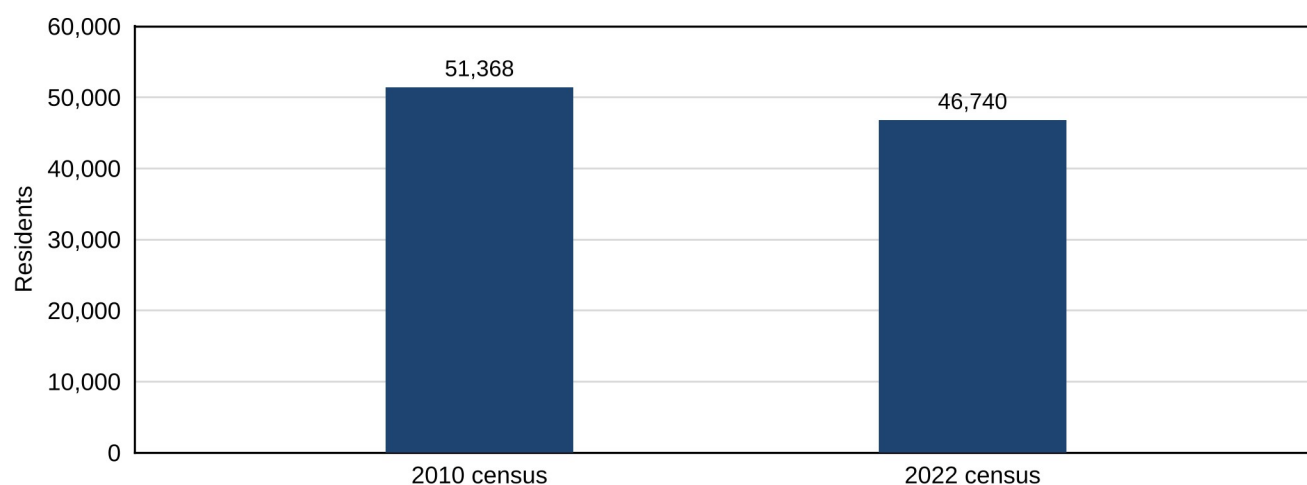
Source: BNSI GDP by Island 2015–2024, revised August 2025 series, Table A. B\$ million at current prices; not real growth. [1]

Population and geographic definitions

- 2.7 The 2022 census recorded 46,740 residents in Grand Bahama, compared with 51,368 in 2010. The reduction was 9.0% over the twelve-year intercensal interval. These figures describe census populations and do not constitute an estimate for 2025 or 2026. The intercensal change is not a five-year trend. [2] The reference date is important because a population count does not establish the number of residents who would use a service at a later date. The Government will use the census as a documented baseline and consider subsequent evidence where it is sufficiently defined. A representation concerning the needs of a settlement may therefore require information on the people and service area affected, rather than an extrapolation of the island-wide change. The consultation will retain the distinction between a verified census observation and a planning assumption, so that proposed responses can be examined without presenting a projection as an observed population.
- 2.8 Population evidence is material to the planning of services, housing, employment and community facilities. The aggregate change does not identify the relative contribution of demographic and migration processes or establish the circumstances of individual settlements. More detailed evidence and consultation are required to determine how those processes affect particular policy choices. A service proposal may need to account for the location and age profile of users, the distance between settlements and the circumstances of people who depend on access outside their community. The population total alone cannot resolve those questions. The Government will consider the availability of relevant local information and the practical experience supplied through consultation before determining the implications for the institutional framework. Where a service covers several communities, the analysis will also identify the geographic basis on which responsibility is assigned. This will assist in distinguishing an issue of overall scale from an issue of access or the distribution of provision.
- 2.9 The Port Area, the City of Freeport, census supervisory districts, local-government areas and the broader east and west planning geography are distinct concepts. Their boundaries and purposes must be specified when evidence is used in policy or legal analysis. A statistic reported for one area will not be reassigned to another without a documented basis. Annex C

explains the geographic framework and the distinction between orientation mapping and authoritative legal boundaries. A legal boundary determines the application of a provision only where the relevant instrument gives it that effect; a statistical area serves the purpose for which the data were collected. The Government's functional account will record which geography applies to each issue. Where information is brought together from different areas, the method and any resulting limitation will be explained. This is particularly relevant to discussion of enhanced concessions outside Freeport, the delivery of local services and the relationship between the Port Area and the wider island. The consultation will examine the appropriate policy geography while the legal description of any operative area remains a question for explicit provision.

Figure 2.2: The census population declined between 2010 and 2022



Source: BNSI Census first release. A twelve-year comparison, not a five-year trend or current population estimate. [2]

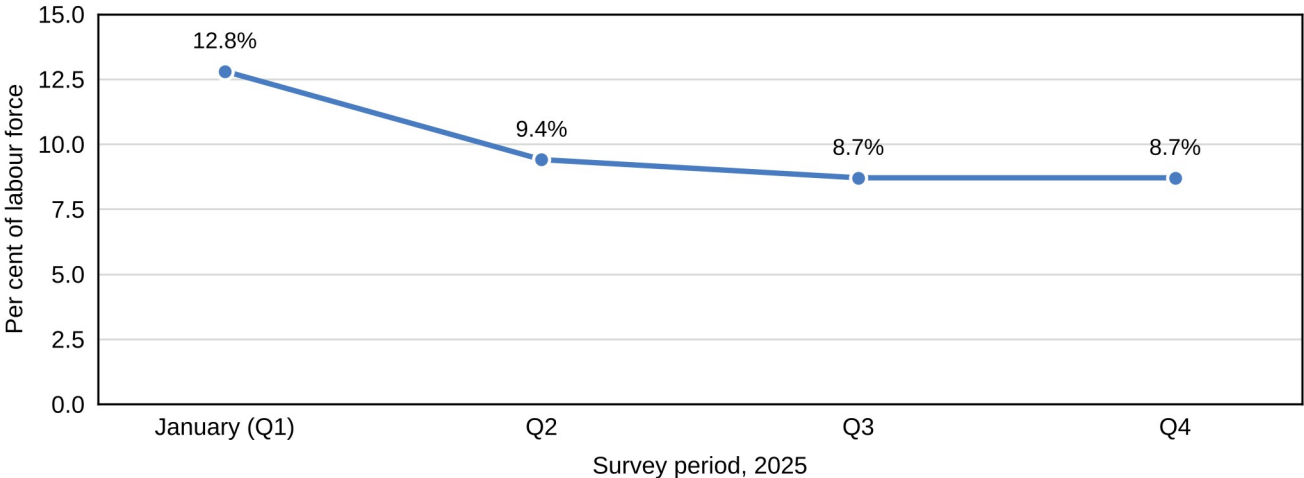
Employment and labour market participation

- 2.10 The published Grand Bahama unemployment rate was 12.8% in January 2025, reported as Q1, 9.4% in Q2 and 8.7% in both Q3 and Q4. These are estimates for the stated survey periods, not an annual average. They are subject to sampling variation and do not, in isolation, identify the contribution of employment growth, participation, migration or seasonality. [4–6] The series will be used to identify labour-market questions requiring attention, including whether access to work differs between groups or locations and whether the proposed framework would address a relevant barrier. A quarterly movement cannot by itself establish the effect of a new development or regulatory arrangement. The Government will consider representations about employment alongside the period to which they relate and the population covered. Where a submission attributes a movement to a particular intervention, the supporting explanation will be examined separately from the published rate, so that an observation and an argument about its cause remain distinguishable.
- 2.11 The January/Q1 2025 survey estimated a labour force of 27,310 people, comprising 23,810 employed and 3,500 unemployed. Women's unemployment was 14.1%, compared with 11.6% for men. The figures establish a basis for examining participation and access; they do not establish the causes of the difference between the rates. [4] The policy examination will consider what further information is needed to understand a difference in access to work and which

issues fall within the proposed framework. Transport, occupational qualifications, recruitment practices and caring responsibilities may be raised as issues for examination; their relative importance will need evidence appropriate to the group concerned. The Government will consider such submissions without treating the difference between the two published rates as proof of a particular explanation. The purpose is to identify measures capable of improving participation and progression where a barrier is established, with responsibility for any proposed response clearly assigned.

- 2.12 No labour-force survey was conducted in 2021 or 2022. A new quarterly series began in July 2023 and is not directly comparable with the earlier survey design. The Government's analysis will retain that discontinuity. Interpolation would not supply the missing observations and could misrepresent the available evidence. [10–11] Any longer comparison presented during consultation will need to identify how it addresses changes in survey design, reference period and coverage. Where the information does not permit a continuous series, the separate observations will be presented as such. This is necessary if the labour-market context is to inform Government's policy without creating an apparent five-year trend that the underlying record cannot establish. Further evidence may assist in explaining a particular period, but it will retain its own method and status. The Government will apply the same distinction to administrative employment records, employer statements and estimates supplied in support of an economic proposal.
- 2.13 The employment implications of the proposed framework extend beyond the unemployment rate. Relevant questions concern entry into work, occupational preparation, working conditions, progression and access for groups facing particular barriers. The economic-development proposals in Chapter 3 address the relationship between emerging activities, workforce requirements and Bahamian enterprise. They do not attribute a quantified employment effect to institutional reform at this stage. A development framework can address the institutions through which employers, training providers, workers and enterprise-support functions coordinate their requirements. The relevant design questions include how occupational needs are communicated, how preparation is connected to real opportunities and how smaller firms obtain access to recruitment and supplier channels. These are questions for consultation and subsequent policy determination, rather than assumed effects of establishing a new body. The Government will examine the responsibility for each proposed intervention and the information needed to understand its operation, while distinguishing the availability of a programme from evidence that it has improved access to sustainable work.

Figure 2.3: Published unemployment estimates during 2025



Source: BNSI January/Q1 2025 and Central Bank quarterly reviews. Survey estimates are subject to sampling variation; not annual averages. [4–6]

Housing and household conditions

- 2.14 The revised 2022 census reports 22,127 dwelling units in Grand Bahama, of which 17,821 were occupied and 4,306 vacant. The vacancy share was approximately 19.5%. The census definition concerns accommodation classified as suitable but unoccupied at the reference date. It is not a measure of derelict structures, available rental supply or housing affordable to a specified household. [3] The policy question is consequently more specific than whether there is an apparent numerical surplus or shortage of dwellings. The condition, location, tenure and availability of accommodation must be considered in relation to the requirements of households and the services supporting a settlement. The Government will use the census categories for the purpose they describe and examine further information where a proposal concerns rehabilitation, occupation or the provision of serviced land. A vacant unit at the census reference date will not be assumed to be available to meet a current need, and a current need will not be discounted solely because an island-wide vacancy count exists.
- 2.15 Owner occupation accounted for 64.1% of the 17,815 occupied private dwellings, including ownership outright and ownership with a mortgage. The private-dwelling denominator differs from the total occupied-dwelling count, which includes other categories. The distinction is relevant to the interpretation of tenure and housing requirements. [3] The tenure profile provides context for considering the administration of housing and land-use policy, including the circumstances of owners and tenants affected by a proposed change. It does not establish the affordability of mortgage payments or rents, the security of an individual occupancy arrangement or the condition of a particular dwelling. Consultation may identify the further information required for a policy proposal and the authority responsible for responding to it. The Government will preserve the appropriate denominator and reference date when using the published share, so that a discussion of private tenure is not presented as a description of every occupied form of accommodation.
- 2.16 The Government considers housing, access to employment and the location of services to be connected policy questions. A dwelling count alone does not establish whether accommodation is suitably located, available for occupation or accessible to a household requiring it. Policy

development will therefore distinguish the existing stock, its condition and tenure, the availability of serviced land and the requirements of residents. The institutional framework must also identify how housing-related decisions connect with planning, access to utilities, transport and community facilities. A proposal to increase or improve accommodation may depend on several authorities, each exercising a different responsibility. The consultation will examine whether those interfaces are clear and how the public can obtain a coordinated explanation of applicable requirements. Government will distinguish the need for a coherent procedure from the merits of an individual application. The resulting policy will address responsibility and access at the level appropriate to the island-wide framework, while site-specific and household-specific issues remain subject to the competent processes.

- 2.17 The published research used for this paper does not provide a complete current island series for household income, wages, poverty and living costs. National estimates retain their national designation. Consultation will be used to identify material gaps and the circumstances that require further examination. Information on household welfare will be handled at an appropriate level of aggregation and in accordance with applicable requirements. The further examination of welfare conditions will need to distinguish the cost or availability of a service from the ability of a household to obtain it. Representations may identify a material issue even where they cannot supply a representative island estimate. Such contributions will be recorded for the circumstances they describe, with any wider inference examined separately. The Government will consider whether administrative information or additional technical work is required to resolve the policy question. Collection and publication arrangements will preserve the distinction between useful evidence about a group’s experience and information from which an individual household could be identified.

Table 2.1: Housing baseline in April 2022

Measure	Value
Total dwellings	22,127
Occupied dwellings	17,821
Vacant dwellings	4,306 / 19.5%
Owner occupation of private dwellings	64.1%

Source: BNSI revised Census second release. Ownership share uses 17,815 occupied private dwellings. Census vacancy concerns suitable accommodation unoccupied at the time; it does not measure dereliction or rental availability. [3]

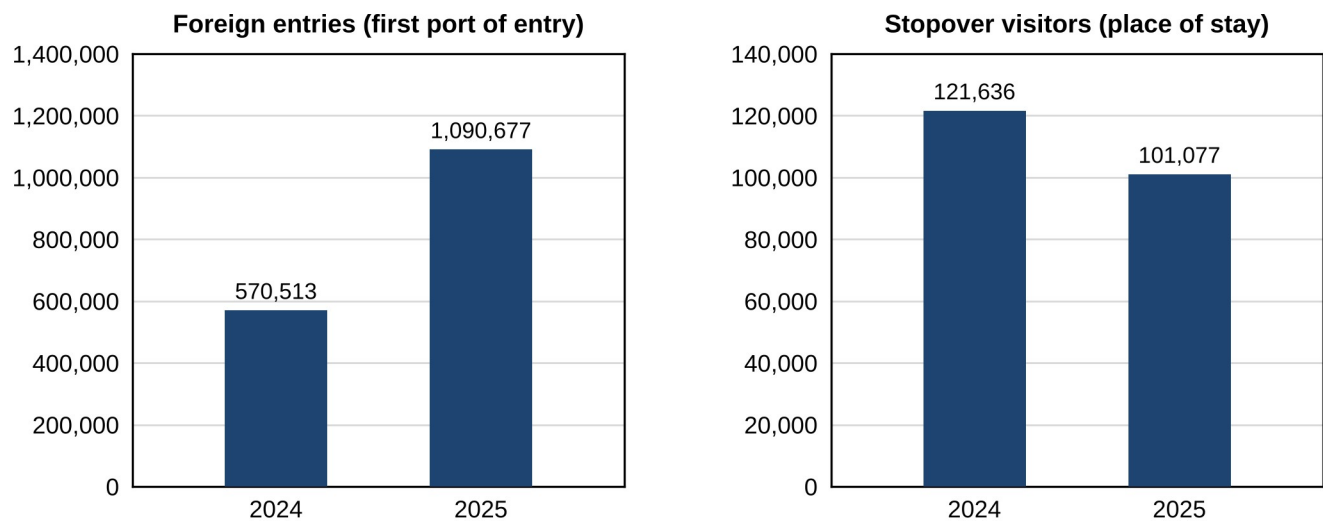
The visitor economy

- 2.18 Foreign entry counts rose from 570,513 in 2024 to 1,090,677 in 2025, an increase of 91.2%. Stopover visitors allocated by place of stay fell from 121,636 to 101,077 over the same period, a reduction of 16.9%. Entry counts are allocated by first port of entry; stopovers are allocated by place of stay. The measures have different definitions and must not be treated as component parts of a common island total. [7–8] The policy implications will be considered in relation to the type of activity represented and the opportunities for participation which it creates. An increase in recorded entries and a decrease in recorded stopovers raise different questions about access, product, the duration of visits and the channels through which businesses reach customers. The

Government will examine those questions within the economic-development framework, while avoiding an inference about expenditure or employment which the two series do not establish. Submissions using either series will need to retain its definition and explain how it relates to the proposed change in policy or administration.

- 2.19 The tourism series indicates the need to examine the composition of visitor activity and the channels through which it supports the island economy. Entries, overnight stays, visitor expenditure, accommodation performance and local procurement answer different questions. The published entry and stopover series does not establish airport throughput, hotel operating results or expenditure retained by Bahamian firms. The consultation will consider what information is needed to examine the relationship between the visitor, the activity undertaken and the Bahamian enterprise supplying it. The relevant public framework may concern licensing, access to locations, transport connections, skills, environmental management or the administration of development permissions. These issues require an account of responsibilities and the practical steps through which a business can participate. The Government will consider proposals on that basis, with the statistical series providing context rather than a complete measure of local benefit. Further technical evidence will be assessed according to the activity and geographic coverage it actually describes.
- 2.20 The Government's policy concern is the relationship between visitor activity, economic participation, access and the quality of communities and natural assets. The Green Paper therefore examines the enabling framework for different forms of tourism. The institutional examination will consider how community interests and the requirements of tourism businesses are brought into decisions about access, land use and services. A development approach confined to the arrival of visitors would leave those relationships unresolved. Government will consider proposals that explain how a product or activity connects with local suppliers and occupations, and how applicable standards and public responsibilities would be administered. It will also examine the interaction between different forms of visitor activity where they use common places or services. Those issues concern the operation of the wider framework and can be considered without relying on a changing account of individual commercial properties.

Figure 2.4: Foreign entries increased while stopovers declined



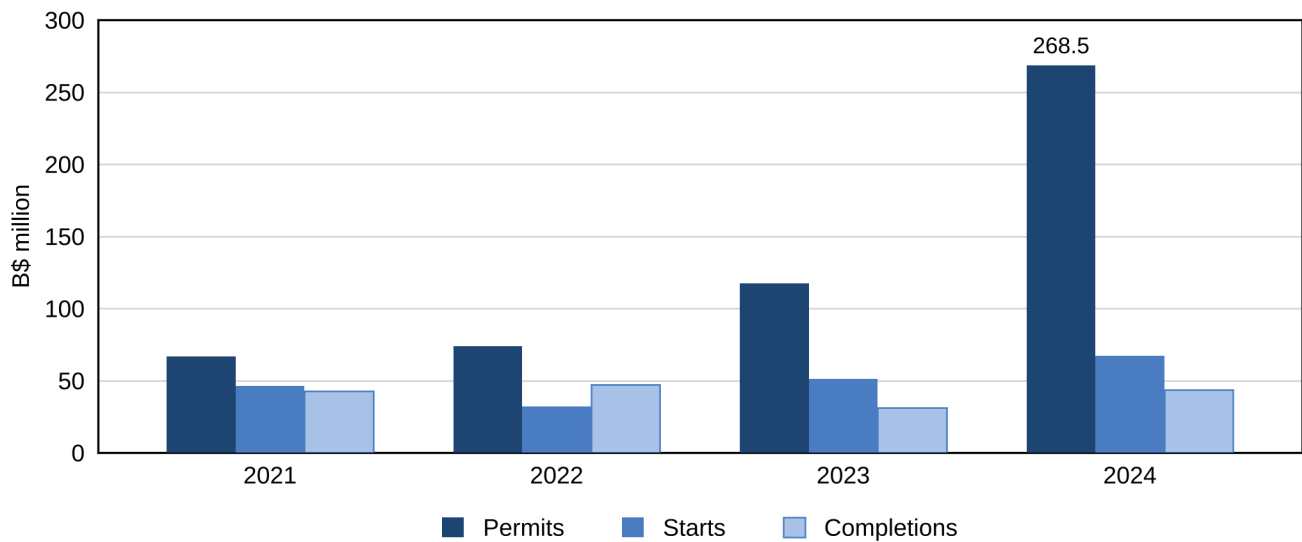
Source: Ministry of Tourism. Separate zero-based scales. Entries are allocated by first port of entry; stopovers by place of stay. Neither is airport throughput, hotel performance or spending. [7–8]

Construction activity

- 2.21 Recorded permit project values were B\$66.758 million in 2021, B\$73.968 million in 2022, B\$117.294 million in 2023 and B\$268.545 million in 2024. Recorded starts were B\$46.123 million, B\$31.941 million, B\$51.282 million and B\$66.911 million respectively. Completion values were B\$42.447 million, B\$47.322 million, B\$31.225 million and B\$43.726 million. The source values are published in thousands and converted to millions here. [9] The three series provide separate administrative perspectives on development activity and will retain their published classifications in the policy record. The Government will consider them alongside the responsibilities for planning, permissions and the provision of enabling services, with any proposed inference examined according to its evidential basis. A change in a recorded value may identify an issue for further inquiry, but it does not locate the activity within a particular settlement or establish a corresponding benefit to households. The consultation will therefore use the series as a point of reference for questions about the development system, without treating the totals as a complete account of investment or delivery.
- 2.22 Permits, starts and completions can relate to different projects and different years. Their same-year totals are not a conversion measure and do not represent annual investment expenditure. The increase in permitted value is evidence of recorded construction permissions; it is not evidence that the associated expenditure, operation or employment has occurred. The policy examination will distinguish an authorised proposal, the commencement of physical activity and the recording of completion. Where a submission seeks to explain the relationship between those stages, it will need to identify the relevant population of projects and time period. The Government will not infer a failure or success of an institution from a comparison of totals that cover different cohorts. The appropriate use of these data is to identify the scale and movement of recorded administrative categories and the questions requiring a more specific explanation, including how different authorities' responsibilities interact during the development process.

2.23 The Government will use these administrative series as part of the economic context. The policy questions concern the relationship between planning, permissions, infrastructure and development across the island. A structural issue may arise where an applicant cannot identify the permissions required, where decisions depend on information held by another authority or where service requirements are considered too late in a procedure. The consultation will examine such issues through their legal and administrative basis and the evidence of the persons affected. A proposed remedy may involve clearer guidance, a referral arrangement, a common information requirement or a change in responsibility, according to the function concerned. The Government's purpose is to establish a coherent account of the development process, including the points at which an application must receive a decision and the route available where a requirement is disputed.

Figure 2.5: Permitted project value increased substantially in 2024



Source: Central Bank digest using BNSI administrative data. Different project cohorts; project values are not annual investment spending or a same-year conversion measure. [9]

Table 2.2: Construction project values in B\$ million

Measure	2021	2022	2023	2024
Permits	66.758	73.968	117.294	268.545
Starts	46.123	31.941	51.282	66.911
Completions	42.447	47.322	31.225	43.726

Note: Source values published in B\$ thousands and converted to millions. Latest verified year in this series is 2024. [9]

Infrastructure and environmental context

2.24 Infrastructure and environmental systems provide the physical setting for an island-wide development framework. Electricity, water, transport, drainage, communications, housing and community facilities interact across institutional boundaries. The proposed framework will

examine the allocation of public responsibility for those relationships and the extent to which planning and regulation operate coherently across Grand Bahama. A service may depend on decisions or assets situated outside the area in which its users live, while environmental effects may extend beyond the site of a proposed activity. The framework will therefore need to identify both the responsibility for an individual service and the means of addressing its dependencies. The consultation will examine whether the existing planning and regulatory arrangements provide for those connections and how gaps should be resolved. Government will distinguish coordination of related decisions from the transfer of a statutory duty, so that an island-wide approach makes accountability clearer rather than obscuring the authority responsible for a particular outcome.

- 2.25 Chapter 4 addresses the principles and institutional arrangements relevant to infrastructure and community development. Its purpose is not to determine the technical specification of individual investments or to report current operator transactions. Existing statutory approvals, sectoral regulation and operational responsibilities continue to require consideration on their own legal basis. The distinction is important because strategic policy, technical approval and the day-to-day performance of a service involve different questions. The proposed framework will identify how those functions relate and how a person can obtain information or a remedy from the competent authority. A common island approach may require consistent service principles or better coordination without requiring an identical operating model in every area. Consultation will inform the institutional arrangements needed to achieve that coherence. Subsequent decisions concerning a specific investment will continue to require the relevant technical examination and authority, within the public framework selected by Government.
- 2.26 Environmental evidence is material to the location and character of development. The relevant questions include coastal and drainage conditions, water resources, habitats, protected areas and cumulative effects. National climate policy provides context but does not establish the circumstances of a particular site. The Government's proposed approach links strategic planning with the competent environmental and technical processes, rather than treating an island strategy as an individual development approval. Strategic consideration of these issues can assist in identifying where development choices interact, what information is required and which authority must examine the effects. It cannot remove the need to establish the characteristics of a particular location or the obligations applying to a proposed activity. The Government will examine how strategic guidance and individual assessment can use consistent information while preserving their different purposes. Consultation may identify requirements for referral, cumulative consideration or public access to relevant explanations. The resulting policy will make the relationship between economic objectives and environmental responsibilities explicit within the legal and administrative settlement.

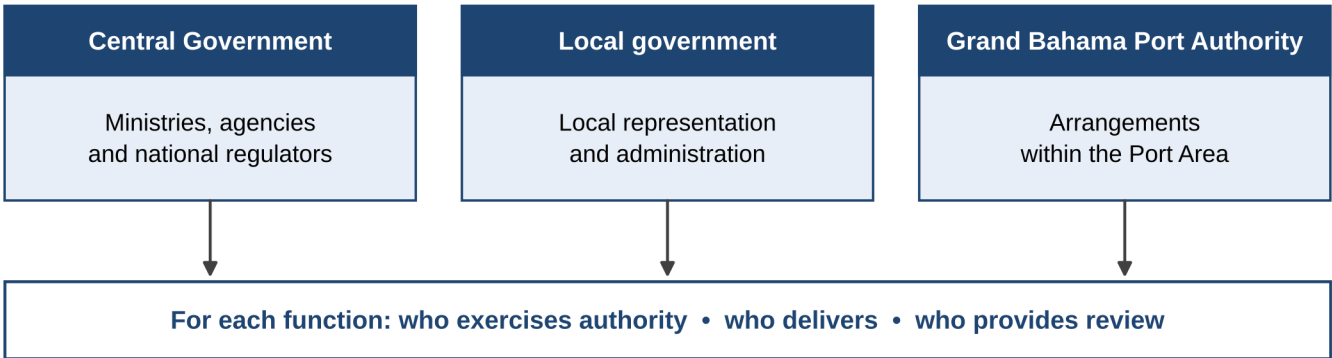
The present governance framework

- 2.27 The existing arrangements involve the GBPA, Central Government and local government, exercising functions under different legal and administrative provisions. The Government considers this a convoluted framework requiring a systematic account of authority, territorial reach, regulation, service responsibility and accountability. The position in respect of each function must be established from the applicable instruments and actual administrative arrangements. The functional account will distinguish the institution which sets a requirement from the institution receiving an application, making a determination, delivering a service or hearing a challenge. Those roles may coincide for a particular function or be distributed under

the relevant provisions. The Government will establish that position before proposing a successor arrangement, including where actual practice requires examination against the instrument on which it is said to rest. This provides a basis for considering reform in relation to a real administrative problem. It also enables a proposed change to specify the existing interface it would replace or preserve.

- 2.28 The legal implications of the published arbitration record form part of that assessment. Chapter 6 and Annex B address the primary published documents and distinguish the findings from the separate policy decisions required for an island-wide settlement. The paper does not treat the award as a general statutory transfer of functions. The relevance of a finding will be examined in relation to the function, obligation and instrument to which it applies. A policy proposal concerning wider public governance must identify its own legal means of implementation, including any consequential provision or agreement required. The consultation may assist in identifying the practical implications of the published record and the issues requiring further legal examination. The Attorney General's advice will remain distinct from representations by an interested party or from the Committee's administrative analysis. Government will draw on those separate contributions when determining the lawful route for the selected settlement.
- 2.29 The Government will develop a functional account of the present framework as the basis for considering change. It will identify the competent decision maker, service provider, relevant supervisory role and route of review for each material function. The purpose is to resolve the interfaces that reform must address. Governance options will therefore be examined against the system operating in Grand Bahama, rather than against an abstract organisational model. Ordinary administrative cases will assist that examination, including a resident seeking permission for building work, an enterprise proposing expansion or a community seeking an explanation of a service responsibility. The purpose of using such cases is to test whether the public account of functions corresponds to a usable procedure. Where responsibility passes between institutions, the account must explain the referral and the authority retaining the decision. Consultation will inform the choice between clearer coordination, common procedures and a different legal allocation, with the reasoning tied to the function concerned. A new organisational structure will be justified by the work it is required to perform.

Figure 2.6: Institutions involved in the governance baseline



Note: Illustration of relationships to be examined. It is not a legal allocation of functions or a chain of command.

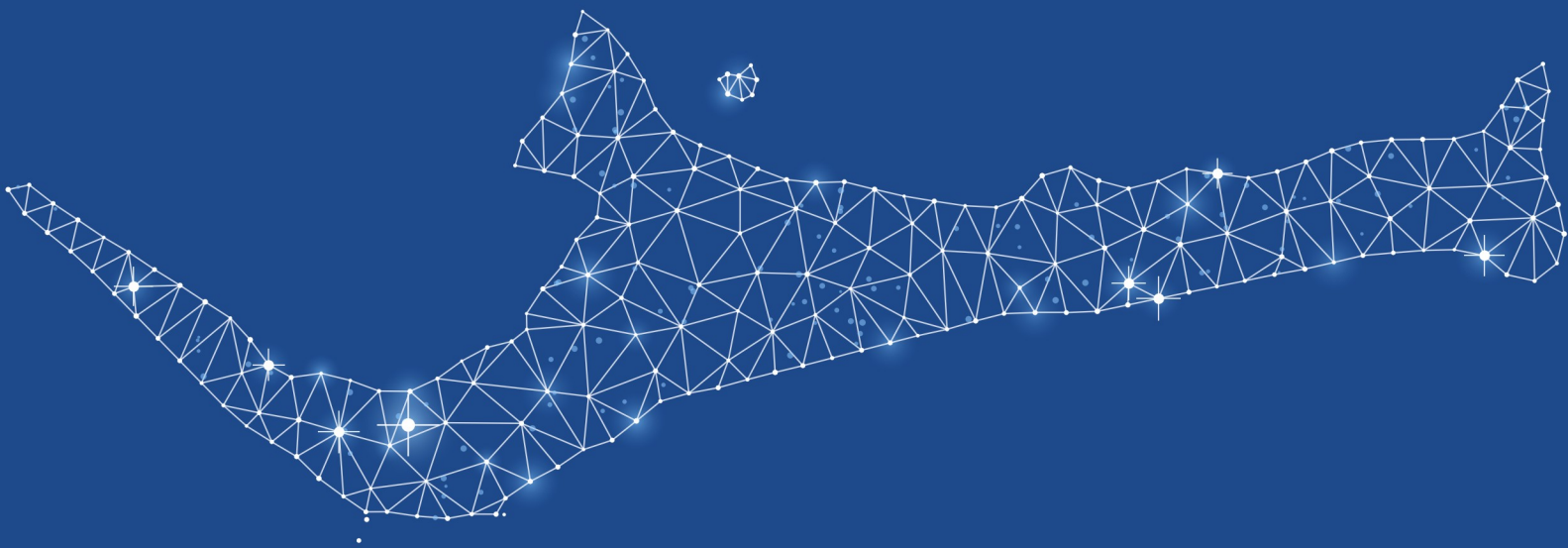
Questions for consultation

- Q2.1** What additional evidence is material to the economic, social and institutional context of the proposed reforms? Please specify the period, geography and source.
- Q2.2** Which existing allocations or overlaps of functions require particular examination in developing an island-wide framework?
- Q2.3** What evidence is needed to understand differences in participation and access across Freeport, East and West Grand Bahama?
- Q2.4** How can the relevant geographic and administrative information be presented accurately for the purposes of consultation?

GRAND BAHAMA:

CHAPTER 3: ECONOMIC DEVELOPMENT AND BAHAMIAN PARTICIPATION

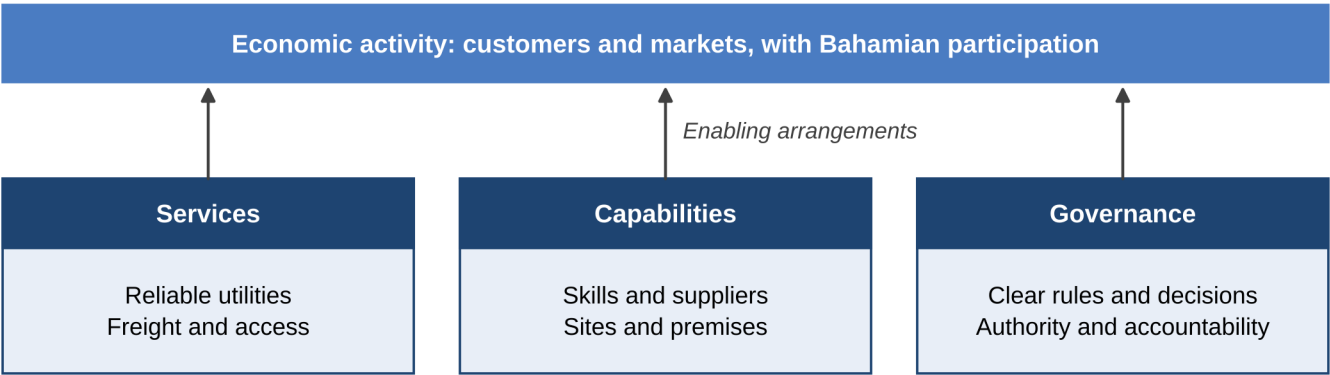
A Framework for Stability and Growth



The proposed economic development approach

- 3.1 The Government proposes an economic development framework for the whole of Grand Bahama, directed towards wider productive activity, stronger Bahamian participation and a more balanced distribution of opportunity. The institutional arrangements governing development must serve the public interest throughout the island, including settlements whose requirements differ from those of the principal commercial centres. Economic policy must therefore be considered together with transparent governance, effective regulation, infrastructure and the provision of public services. An investment opportunity can generate requirements for transport, housing, technical training and environmental administration which extend beyond its immediate location; the proposed approach will consider those consequences within one policy framework. This enables the Government to examine both the activity promoted and the public arrangements necessary to sustain it. The economic programme will accordingly form part of the proposed governance reform, with responsibilities and accountabilities considered alongside the opportunities identified.
- 3.2 The proposed approach combines the development of existing activities with the establishment of new economic platforms. The principal areas for examination are maritime services and logistics, manufacturing, tourism, aviation, technology and the sustainable use of marine resources. These areas share requirements for land, transport, utilities, skills, environmental protection and access to markets, although the intensity and form of those requirements differ. The consultation will examine where common provision can support several activities and where a specialist arrangement is necessary. For example, a training capability or serviced location can serve enterprises in different sectors, while a particular technical permission may be specific to one activity. Identification of a sector in this chapter neither designates particular enterprises for support nor settles the form of intervention. It establishes the substantive fields in which the Government seeks evidence on productive potential, enabling arrangements and meaningful participation throughout Grand Bahama.
- 3.3 Present demand will inform the analysis but will not determine the limits of the island's economic development. An activity may remain undeveloped because the permissions, infrastructure, standards or specialist capabilities necessary for a market to operate have not been established. The Government will examine how those conditions can be changed and whether the resulting development pathway is technically and commercially credible. The analysis will distinguish evidence of potential customers and uses from assumptions about the effects of a new framework, allowing those assumptions to be examined separately. It will also consider how preparation can retain flexibility if the nature or scale of an emerging activity changes. The absence of an established cluster will therefore not be treated as a conclusive objection. The relevant policy question is whether an enabling settlement can support sustainable activity and extend participation through employment, procurement, enterprise ownership and connections between communities.

Figure 3.1: Economic platforms need connected enabling arrangements



Note: Conceptual framework for consultation. It is not a sector ranking, a demand forecast or a commitment of support.

Maritime services, logistics and industrial linkages

- 3.4 The Government proposes to examine maritime and logistics activity as a platform for a broader range of productive services, including engineering, vessel support, fabrication, equipment repair, storage, packaging, distribution and professional services. The policy issue is how the movement of vessels and goods can support additional economic activity within Grand Bahama, rather than remain disconnected from the development of local capabilities. This requires attention to relationships between principal operators, specialist contractors and smaller suppliers, including the standards and contractual arrangements governing entry into those relationships. The consultation will examine which activities can develop from common technical capabilities and which require distinct permissions or facilities. It will also consider the practical connections between production, storage and distribution so that support for one activity does not overlook an essential interface elsewhere. The objective is a wider industrial and service base in which Bahamian enterprises can undertake progressively more specialised work.
- 3.5 The proposed review will examine the movement of goods between points of entry, storage, processing, distribution and final use. It will distinguish requirements imposed for customs, security, safety and environmental purposes from duplication arising through their administration. Questions for consultation include document exchange, coordinated inspections, operating hours, access to specialist equipment and publication of applicable charges. A coordinated process requires agreement on the information each authority needs, the stage at which it is supplied and responsibility for communicating an outstanding requirement to the applicant. The Government favours a clear administrative sequence in which each competent authority remains accountable for its statutory decision. Where records can lawfully be reused, the review will consider how verification and correction are maintained across institutions. These arrangements will be examined as means of improving the operation of safeguards and the predictability of administration, without reducing the substantive protections those safeguards provide.
- 3.6 Industrial linkages require more than the physical proximity of a supplier to a large enterprise. Certification, delivery schedules, insurance, product consistency and payment arrangements can determine whether a smaller business is able to compete and remain a reliable supplier. The Government proposes to connect these requirements to enterprise development and technical training, allowing firms to understand the capabilities necessary before committing to expansion. Shared facilities will be considered where they address a common requirement, with

transparent access, responsibility for maintenance and clear environmental obligations. Their operating arrangements must also address scheduling, liability for damage, custody of goods and the treatment of competing users. Consultation will examine the transport and information connections needed for enterprises in East and West Grand Bahama to serve maritime and industrial customers. The proposed approach seeks wider participation in those supply chains without assuming that every supporting activity must be located beside a principal facility.

Manufacturing and the development of productive capacity

- 3.7 The Government's proposed manufacturing approach is to develop productive capabilities that can sustain commercial activity and increase the range of goods and services supplied from Grand Bahama. Fields for examination include marine fabrication, repair and remanufacturing, food processing, building products and selected specialist production. Their prospects require consideration of the production process, technical standards, potential customers, imported inputs and the capabilities that can be established locally. The Government will distinguish an activity assembling or distributing a product from one developing a sustained production capability, since their requirements for skills, premises and supporting services can differ. Consultation will also examine links between producers, including the use of by-products, specialist maintenance and shared testing or storage. The identification of these fields does not predetermine industrial selection. It provides a basis for examining which enabling arrangements can support commercially credible production and meaningful Bahamian participation over time.
- 3.8 The analysis will distinguish constraints affecting the establishment of a producer from those affecting subsequent expansion. Initial requirements can include suitable premises, certification, workforce preparation and access to equipment; expansion can require greater production consistency, distribution capacity and specialist skills. A single general concession cannot resolve every stage of enterprise development, and support addressing one constraint may have limited effect if another remains binding. The Government therefore proposes to consider investment incentives, serviced premises, technical facilities and workforce development together. Consultation will examine the sequence in which those arrangements are needed and which institution has responsibility for each element. It will also consider how smaller firms obtain understandable information about compliance before an investment decision. The proposed approach will retain a distinction between assistance that establishes a capability and continuing support that substitutes for a viable commercial relationship, with the rationale for any public measure explained.
- 3.9 Manufacturing raises specific land-use and service requirements which must be considered before incompatible activities become established beside one another. Industrial premises require appropriate relationships with housing, freight routes, water, drainage, energy supply and waste management, as well as practical access for workers and emergency services. Provision for smaller producers will be examined alongside the requirements of larger facilities so that entry to industrial activity does not depend exclusively on obtaining a large site. Shared premises or equipment require an accountable operator, transparent access and established maintenance arrangements, including clear responsibility for safety and compliance in common areas. The Government's proposed approach is to make these requirements understandable at the outset and to identify the authority determining each issue. Environmental controls and worker protection will form part of that framework, enabling enterprises to design compliant operations and reducing the risk that unresolved service or land-use interfaces emerge after occupation.

Tourism and the distribution of visitor expenditure

- 3.10 The Government proposes a tourism approach directed towards a more diversified visitor offer and wider Bahamian participation in the income generated by visitors. Relevant activities include overnight holidays, cruise excursions, yachting, fishing, diving, nature, culture, events and visits to friends and relatives. Each involves different relationships between visitor expenditure, employment, seasonality and demand for public services. The distinction between visitor entries and stopover visitors in Chapter 2 is consequently material: growth in one measure does not establish a corresponding increase in overnight stays or locally retained expenditure. The policy analysis will examine how different forms of visitation connect with accommodation, transport, suppliers and communities. It will also consider the implications of the visitor mix for training, opening hours and the provision of shared amenities. These distinctions will support a more precise account of the opportunities and public requirements associated with tourism development across the island.
- 3.11 The consultation will examine the relationship between accommodation, access, local transport, public amenities and the distribution of tourism products. Particular attention will be given to the ability of Bahamian operators to reach customers through information services, booking arrangements, excursion networks and commercial agreements. For smaller enterprises, participation can depend on whether a product is included in a distribution channel, whether bookings can be confirmed reliably and whether the terms permit the enterprise to retain a viable return. The Government's proposed approach encompasses accommodation businesses, guides, restaurants, retailers, cultural enterprises and community activities. It will examine the skills, service standards and coordination necessary for those enterprises to form a dependable visitor offer. Wider benefits will not be assumed to follow automatically from activity at a major arrival point. The relevant arrangements must connect visitors with Bahamian products and communities in a practical, accessible and commercially sustainable manner.
- 3.12 Tourism development must be compatible with the rights and interests of residents, including public access, environmental quality, community identity, housing conditions and the use of shared spaces. Consultation will examine how residents participate in decisions concerning activities that affect their settlements, and how commercial use can coexist with customary community use of public amenities. The proposed framework will also address responsibilities for maintenance, sanitation, transport and the management of pressure on sensitive locations, rather than leave those consequences outside the development decision. Information on visitor activity will need to distinguish community experience from assumptions about the benefits of a particular form of tourism. The Government seeks an enduring policy settlement capable of accommodating different products and business models. Individual decisions concerning accommodation assets, transactions or construction will continue through their appropriate processes; they will not define the geographic scope or public-interest objectives of the island-wide approach.

Aviation and connectivity

- 3.13 The Government considers aviation both an essential connection to the wider economy and a potential field of productive activity. Passenger services, cargo handling, business aviation, maintenance, training and specialist aircraft services have distinct technical and commercial requirements. Their common dependence on safe operations, appropriate facilities, competent oversight, surface transport and specialist skills does not mean that one proposition establishes

the case for all others. The proposed approach will distinguish their requirements and examine where capabilities can be shared without compromising operational standards. It will also consider connections with the visitor economy, logistics, professional services and technical education, allowing aviation-related opportunities to be assessed within the wider island framework. The objective is to establish a coherent policy basis for development and connectivity throughout Grand Bahama, with the public purpose and responsible institutions apparent, while retaining the separate permissions and specialist decisions required for a particular activity.

- 3.14 Consultation will examine how aviation connects residents and enterprises to employment, education, healthcare, markets and the visitor economy. Accessibility includes the relationship between a service and the journey to and from the arrival point, the handling of passengers or goods, and the information required to use the connection. For commercial activities, the analysis will consider the service offered, potential users, required permissions, qualifications and complementary facilities. Requirements necessary to sustain a service will be distinguished from those associated with optional expansion, permitting an assessment of the consequences of different development pathways. Aviation-related land use will be considered within the spatial approach in Chapter 4, including operational compatibility and environmental constraints. The Government will also examine whether one proposed use would restrict another valuable use or create a service obligation elsewhere. This provides a basis for coherent decisions without treating a general connectivity objective as approval for a particular facility.
- 3.15 The proposed approach addresses the allocation of responsibilities between facilities, service providers and the authorities exercising oversight. Effective administration requires clarity about the decision each body makes, the information on which it relies and the interfaces affecting service continuity. Where an activity depends on several permissions, the sequence and relationship between them will be identified before a policy commitment is made. Consultation will examine the extent to which coordinated information and referrals can improve access without altering specialist jurisdiction. Training proposals will be considered in relation to recognised qualifications, supervision, the practical requirements of occupations and the arrangements through which learners gain relevant experience. This will distinguish general educational provision from preparation for a regulated technical function. The chapter establishes the policy questions for aviation-related development; ownership, management and construction arrangements require their own legal, technical and commercial consideration and are not prescribed through this framework.

Technology, innovation and tradable services

- 3.16 The Government proposes to distinguish technology adoption within existing activities from the establishment of technology-based services for external markets. The former includes improved processes in logistics, manufacturing, tourism, utilities and public administration; the latter encompasses digital business services, software, creative production, remote professional work and applied marine technology. These activities differ in their dependence on specialist qualifications, connectivity, customer relationships and physical infrastructure. They also present different entry points for Bahamian owners, employees and suppliers. The proposed framework will examine the capabilities required for each form of participation, including how experience gained in serving local users can support a wider customer base. It will consider interoperability with existing systems and the ability of smaller firms to adopt a service without disproportionate administrative burdens. Treating the activities separately will enable the Government to examine

specific development pathways rather than rely on a single general proposition about technological growth.

- 3.17 The proposed innovation approach emphasises the relationship between technical capability and practical use. Partnerships involving employers, training providers and Bahamian enterprises can identify operational problems for which a local solution has commercial value. Demonstration activity can establish whether a service performs under operating conditions, how users respond and what changes are required before wider adoption. The consultation will examine arrangements for access to suitable test environments, the handling of operational information and responsibility for results. It will also consider how an enterprise retains a fair opportunity to develop its solution while a public or commercial user obtains reliable support. Shared workspace and specialist facilities will be considered within that relationship, with provision for supervision, continuing operation and accessible use. A facility must support a sustained exchange between capabilities and customers; physical provision alone does not establish the management, technical practice or commercial relationships necessary for innovation.
- 3.18 Large digital infrastructure requires distinct consideration because its requirements for electricity, water, connectivity, land and continuity can differ substantially from those of smaller service enterprises. The Government will examine those requirements alongside continuing employment, local procurement, skills development and environmental effects, including the implications for other users of shared systems. The analysis will distinguish the scale of a facility from the activity and capability retained within Grand Bahama after construction. A technology designation will not create a presumption of support, while the absence of an existing concentration of firms will not exclude a credible platform dependent on new enabling arrangements. Appropriate provision for cybersecurity, personal information and continuity will form part of the technical work. Consultation will examine the responsible authorities, interfaces with service providers and information necessary to understand material obligations, preserving specialist decisions and avoiding assumptions that a development designation resolves regulatory questions.

Marine resources and the blue economy

- 3.19 The Government proposes to bring marine-based development and the stewardship of marine resources into a common policy approach. Fisheries, seafood handling, marine services, research, restoration and appropriate visitor activities can have complementary requirements for skills, facilities and information. Other fields, including aquaculture and marine biotechnology, require investigation of technical feasibility, suitable locations, biosecurity, potential customers and environmental effects before a development proposition can be established. The proposed approach will examine the relationship between access to a resource, the conditions governing its use and the responsibilities for monitoring that use. It will also distinguish activity dependent on a healthy common resource from activity whose operation can place pressure on that resource. This permits commercial opportunity and long-term stewardship to be considered together. Identification of a field for examination does not settle its location or confer a right to develop, extract or exclude other lawful users.
- 3.20 The consultation will draw on fishers, coastal communities, guides, scientists and relevant public authorities to examine access to landing and handling facilities, cold storage, safe operations, traceability and technical skills. Local knowledge can help identify how facilities are used, where

access is constrained and which seasonal or operating conditions require attention. That evidence will be considered alongside technical information about resources and environmental conditions. The administration of shared facilities will need transparent terms governing space, scheduling, hygiene, maintenance and the relationship between smaller and larger users. Location decisions will address navigation, existing livelihoods and public access as well as the requirements of a proposed operator. The Government will examine how those considerations can be reflected in understandable permissions and accountable administration, so that improvements to commercial handling do not inadvertently restrict access or transfer operating burdens to communities without an identified responsibility for resolving them.

- 3.21 National climate policy provides a relevant context: The Bahamas' Third Nationally Determined Contribution identifies coastal and marine ecosystems within the national response to climate change, without establishing a funded Grand Bahama programme or assured income from ecosystem services. [23] The Government will maintain a distinction between scientific evidence, projected commercial returns and public commitments. Proposals involving restoration, research or environmental services require an identified responsible body, lawful access to resources and an explanation of Bahamian participation in the benefits. Consultation will examine responsibility for the collection and use of information, the custody of research results and the continuation of maintenance or monitoring after an initial activity ends. Where a projected return depends on a measurement or certification method, that dependency must be apparent. This allows emerging opportunities to be investigated without assuming that a proposed commercial mechanism has already established either its legal basis or continuing benefits for residents.

Enterprise, skills and access to opportunity

- 3.22 Bahamian participation is a substantive objective of the proposed framework, encompassing ownership, supply of goods and services, entry to employment and progression into technical and managerial occupations. The Government proposes to connect these objectives to sector policy from the outset, enabling the preparation of skills and enterprises before recruitment and procurement arrangements are settled. Participation must be considered at different stages: the capabilities required to enter an opportunity, the conditions necessary to remain involved and the pathways through which a person or business assumes more specialised responsibilities. Consultation will examine the respective roles of employers, training institutions, enterprise organisations and public authorities in that process. It will also address the distinction between a representation of intended participation and the arrangements through which participation can occur in practice. This provides a basis for developing meaningful opportunities across Grand Bahama without treating a general commitment to local benefit as sufficient implementation.
- 3.23 The proposed skills approach will examine occupational requirements, recognised qualifications, practical learning and routes for workers changing occupations. Employer involvement is necessary to define technical requirements and provide supervised experience, while education and training institutions retain responsibility for appropriate standards and learning. The consultation will examine how those roles are connected, including the treatment of prior experience and the information available to a prospective learner about progression. Provision must reflect the circumstances of young people, experienced workers, persons with disabilities and residents returning to employment. Transport, childcare, equipment and access to information can determine whether a suitable opportunity is practically available. These issues will therefore form part of the consideration of economic participation rather than remain outside

it. The Government will also examine how preparation can serve transferable capabilities, allowing residents to progress between activities if a particular employment opportunity changes or does not materialise as initially expected.

- 3.24 For enterprise, consultation will examine the requirements preventing capable Bahamian suppliers from entering larger supply chains. The proposed approach includes accessible procurement information, proportionate qualification requirements, assistance with certification and opportunities for credible commercial partnerships. Effective participation also depends on understandable specifications, the timing of procurement, treatment of changes to an order and predictable arrangements for payment. The Government will examine those interfaces alongside transparent ownership, selection and management of interests; any preference or reserved opportunity requires a defined lawful basis. Measures of participation will distinguish a contract award from payment, an initial placement from continuing employment and nominal registration from substantive Bahamian ownership and operations. The objective is to develop capabilities capable of sustaining activity beyond an initial award. Consultation will therefore address how support responds to the scale of an enterprise while maintaining the quality, safety and commercial requirements necessary to serve its customers reliably.

Table 3.1: Questions connecting sectors with local opportunity

Activity	Enabling question	Participation question
Maritime and logistics	Which freight and service interfaces constrain activity?	How can local suppliers reach customers?
Manufacturing	Which sites, standards and utilities are needed?	Which skills and shared facilities lower entry barriers?
Tourism	How do access, product and distribution fit?	Where can communities retain visitor spending?
Aviation	Which customers, permissions and facilities are credible?	What qualifications and supplier routes are required?
Technology	What service or product will find customers?	What continuing work and capability remain locally?
Blue economy	Are sites, resources and markets suitable?	How are livelihoods and access protected?

Note: Proposed questions for evidence gathering; no sector is selected or excluded by this table.

Coherence, spatial balance and the next stage of policy

- 3.25 The proposed economic framework connects sector development to the governance and regulatory reforms considered later in this paper. Transparent and equal governance applies throughout Grand Bahama while allowing incentives to address different development conditions. The proposed Grand Bahama Development Act will include consideration of concessions across the island and the case for enhanced concessions outside Freeport. Consultation will examine how their geographic application, eligibility and administration can extend opportunity without creating uncertainty over the competent authority or the treatment of an undertaking operating in several locations. The relationship between an incentive and its

intended effect must be explained: support for an activity, development of a capability and additional provision for a location can serve connected but distinct purposes. Their design will be considered together with access to infrastructure, skills and permissions, ensuring that the statutory approach and the practical conditions for participation operate coherently.

- 3.26 The consultation will assemble information on arrangements preventing existing activity from expanding, the conditions necessary to establish new platforms and the consequences for communities and services. No fixed appraisal weights or sector rankings are adopted in this Green Paper. The form of examination will reflect the issue concerned, including whether it involves an operational obstacle, an undeveloped capability or a change in public responsibility. Nor will governance reform be considered as an abstract choice between institutional models detached from existing powers and obligations. The Government will examine economic proposals and governance arrangements together, identifying the responsibilities on which a development pathway depends and the changes necessary to discharge them. Conflicting evidence will be considered explicitly, with assumptions distinguished from observed conditions. This will permit consultation to inform the development of the approach itself, rather than invite responses only after the terms of comparison have been fixed.
- 3.27 The White Paper will set out the Government's conclusions following consultation, distinguishing the proposed statutory and administrative framework from subsequent decisions on individual investments. The economic programme will identify responsible institutions, enabling arrangements and the technical work required before implementation. Its explanation will show how the substantive alternatives were considered, how the selected approach addresses island-wide participation and where an issue remains dependent on further examination. Where proposals have material public resource implications, those implications will be considered through the relevant government processes before an obligation is assumed. The White Paper will also distinguish measures achievable through existing powers from those requiring legislation, regulatory decisions or cooperation between institutions. This provides a clear account of the route from policy direction to operative reform without representing the Green Paper as an approval for particular enterprises. The questions below seek evidence on the design and practical operation of that approach.

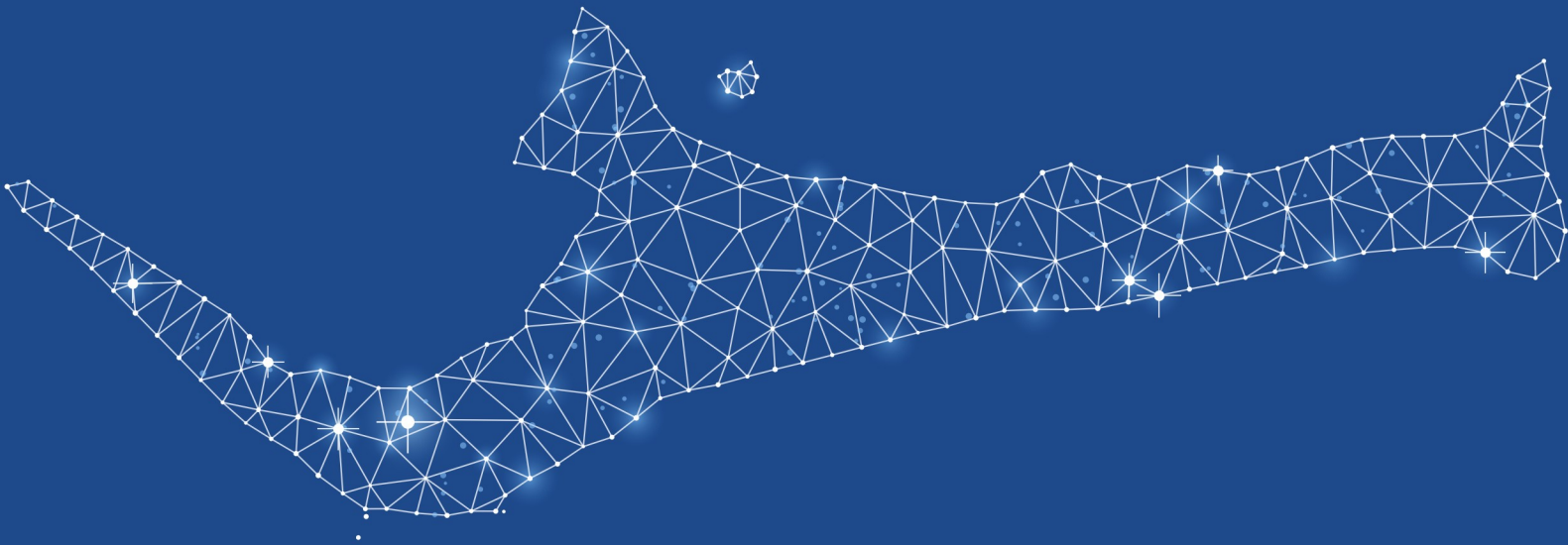
Questions for consultation

- Q3.1** What institutional, regulatory or service changes would most effectively connect existing economic activity with new opportunities across Grand Bahama?
- Q3.2** For an emerging economic platform, which enabling arrangements could establish a market that does not presently exist, and what technical evidence would substantiate that pathway?
- Q3.3** What changes to maritime, logistics and manufacturing processes would enable Bahamian enterprises, including those outside Freeport, to enter associated supply chains?
- Q3.4** What arrangements would increase Bahamian participation in visitor expenditure while safeguarding community interests, environmental quality and public access?
- Q3.5** Which aviation and technology activities warrant further development work, and what permissions, capabilities and complementary services would they require?
- Q3.6** What governance, resource information and access arrangements are necessary to develop marine-based opportunities while sustaining existing livelihoods?
- Q3.7** What specific changes to skills provision, procurement and access to employment would enable sustained Bahamian ownership, participation and progression?
- Q3.8** How can the proposed island-wide concessions framework, including possible enhanced concessions outside Freeport, best support productive activity and a wider distribution of economic opportunity?

GRAND BAHAMA:

CHAPTER 4: INFRASTRUCTURE, PUBLIC SERVICES AND RESILIENT COMMUNITIES

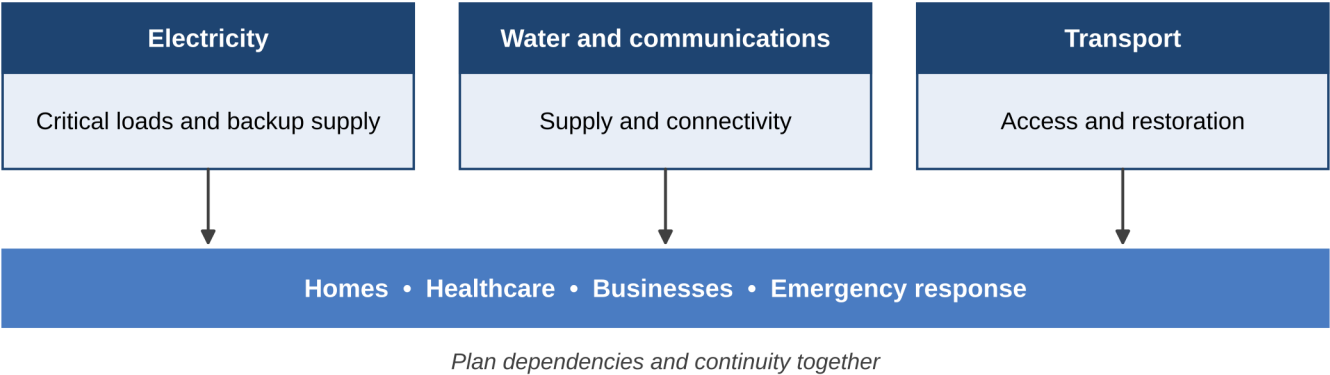
A Framework for Stability and Growth



An island-wide service framework

- 4.1 The Government proposes an integrated approach to infrastructure and public services across Grand Bahama, reflecting the relationship between electricity, water, transport, drainage, communications, housing and community facilities. Development in one location can create service requirements elsewhere, while interruption of one system can affect the operation of several others. The proposed framework will examine those relationships through coordinated planning and clear allocation of responsibility. It will retain the distinction between ownership, operation, regulation and maintenance, since control of an asset does not by itself establish responsibility for every associated public function. Consultation will examine how authorities identify cross-service requirements before taking decisions and how changes in one system are communicated to affected bodies. The approach will connect the needs of settlements and enterprises with the institutional arrangements necessary to provide services, allowing the Government to consider both physical provision and the continuing administration on which effective provision depends.
- 4.2 Transparent and equal governance requires residents and enterprises to understand the body responsible for a service, the requirements applicable to its provision and the route for obtaining redress. The Government will examine interfaces between Central Government, local government, the GBPA and service operators as part of the wider governance review. Particular attention will be given to services crossing administrative boundaries and functions in which responsibilities intersect. A workable allocation must identify responsibility for receiving a request, obtaining necessary information, making a determination and responding if the service fails. Referral between bodies must not leave the user responsible for resolving an institutional disagreement. Consultation will examine the arrangements for keeping an issue under active responsibility until the competent institution accepts it. The intended public framework will explain these interfaces in accessible terms while preserving the legal competence of the bodies concerned and providing an accountable means of resolving outstanding questions.
- 4.3 The purpose of this chapter is to establish an enduring approach to services and regulation capable of supporting different forms and locations of development. Technical information on condition, coverage and performance will inform decisions through the responsible authorities, with distinctions between measured service quality, administrative records and the experience reported by users. The Government will examine how material differences between settlements are identified and reflected in planning, including places in which a common service objective requires a different means of provision. Consultation will address standards, responsibilities and the explanation of decisions affecting access. It will also examine how authorities communicate the consequences of changes in demand or service requirements to one another before new obligations arise. The proposed approach gives residents and enterprises a clearer basis for understanding the public framework while leaving technical determinations with the institutions legally responsible for making them.

Figure 4.1: Critical services need joint continuity planning



Note: Conceptual interdependencies. Each service retains its applicable legal responsibilities. No current performance or capacity is assumed.

Electricity and the energy transition

- 4.4 The Government’s proposed electricity approach brings reliability, affordability, resilience and economic development within a single policy consideration. It encompasses generation, energy procurement, network operation, connections, metering, billing, customer service and restoration after disruption. These functions require clear distinctions between the institution setting requirements, the body supplying the service and the authority determining complaints or enforcing compliance. The consultation will examine how those responsibilities interact when a service issue concerns more than one part of the chain, such as a connection requirement affecting a proposed enterprise or an interruption affecting an essential facility. Reform must maintain continuity while making the rights and obligations of providers and users explicit. The Government will consider the relationship between technical standards, the information required to supervise performance and the remedies available when a standard is not met, without presuming that every function belongs within the same institution.
- 4.5 The consultation will examine how electricity performance is defined and reported so that information supports meaningful public and regulatory scrutiny. Interruption frequency and duration require consistent treatment of routine events and major disasters, with sufficient explanation of the circumstances affecting comparisons. Customer costs require consideration of the full bill, connection charges and relevant adjustments using equivalent consumption assumptions. The analysis will also examine burdens arising when interruption prevents normal household or business activity, without treating an unverified estimate of those effects as measured loss. The Government proposes that service received and the total burden on users be considered together. Particular attention will be given to distinctions between a network-wide measure and the conditions experienced by a particular area or type of customer. Consultation will inform the information necessary to explain those differences, the body responsible for its provision and the arrangements for correcting material errors.
- 4.6 Energy efficiency, network reinforcement, renewable generation, storage and distributed systems will be examined in relation to technical suitability and responsibilities. Integration requires attention to stability, connection terms, protection systems, land use and continuing maintenance; changes in generation technology do not themselves determine the effect on customer bills. National climate policy provides a relevant direction for this work. [23] Consultation will examine how a proposed measure affects the wider system and which

authority determines its technical and customer implications. The treatment of vulnerable customers and essential facilities will form part of that consideration, including how assistance or continuity requirements are defined and administered. The advisory Development Council will not acquire utility regulation, tariff-setting or licensing powers through this consultation. Any change in those powers requires a distinct lawful basis and an explicit account of the institution responsible for their exercise, oversight and review. The Tribunal's Partial Final Award of 27 February 2026 found that the enactment and implementation of the Electricity Act 2015 and the Electricity Act 2024 within the Port Area did not breach the HCA. [18]

Transport and connections between communities

- 4.7 The proposed transport approach is directed towards dependable access to employment, education, healthcare, markets and public services throughout Grand Bahama. Passenger journeys and goods movements will be considered together with safety, accessibility and emergency response. Distance alone does not establish access: journey times, fares, operating hours, physical accessibility and travel outside normal daytime periods can determine whether an opportunity is usable. Consultation will examine the complete journey, including connections between services and the arrangements for a user who cannot readily complete one part of it. For enterprises, this includes the relationship between collecting inputs, reaching a customer and meeting a required delivery time. The Government will consider how those requirements differ between communities and user groups, distinguishing a lack of physical connection from a difficulty arising through the organisation of services. This will provide a more precise basis for determining the interventions required.
- 4.8 The Government will examine the relationship between road maintenance, drainage, pedestrian facilities, public transport and freight movements. The technical analysis will distinguish preservation and safe use of existing networks from proposals for additional capacity, including the implications of each approach for adjacent land and services. A change to a road can affect drainage, crossing points, access to premises and the safety of people walking to a service; these interfaces require attention within the decision. Consultation will examine how transport connects settlements with arrival points, industrial areas and visitor activities, and where a relatively limited intervention can address a particular access requirement. The proposed approach will identify the relationship between the problem, possible responses and effects on neighbouring communities. It will also consider responsibilities for maintenance and management once an intervention is in use, so that the continuing service requirement is understood alongside the physical works.
- 4.9 Public transport requires clear arrangements for planning, licensing, operation and accountability. Questions for consultation include route coordination, service hours, accessibility, passenger information and participation by existing providers. The Government will examine how service requirements can be expressed in terms that users understand and operators can administer, including the handling of complaints, changes to a route and communication of disruption. Where public resources are required to secure provision, the public purpose and service obligation must be specified through the applicable processes. The analysis will also address continuity, emergency access and movement of essential supplies when normal arrangements are interrupted. It will consider the interface between public transport and other services without assuming that an informal connection creates an enforceable obligation. This provides an island-wide policy basis while retaining separate legal and commercial consideration of particular airport, harbour or transport arrangements.

Water, wastewater, drainage and waste management

- 4.10 The Government proposes to consider water and environmental services as a connected public health and development responsibility. Water supply, wastewater disposal, drainage and solid-waste management affect households, businesses, groundwater, coastal areas and ecosystems. A decision within one system can transfer risk or operating requirements to another, making the boundary between services material to effective administration. The proposed approach will examine service areas, operating responsibilities, environmental controls and interfaces between public networks and individual premises. Consultation will consider how a service requirement is identified, which institution determines the appropriate response and how other affected authorities participate. It will distinguish the obligations of a provider from those of a property owner or commercial user. This will allow the Government to address gaps and overlaps in responsibility without assuming that all settlements require the same network design or that physical connection alone establishes an acceptable service.
- 4.11 The technical work will distinguish requirements arising from settlement patterns, site conditions and the nature of use. Network renewal, storage, leakage reduction, wastewater treatment and local disposal systems carry different requirements for operating skills, energy, maintenance and supervision. Consultation will examine those continuing requirements alongside water quality, ground conditions and the relationship between a proposed intervention and existing premises. The Government will consider responsibility for connections and private components, including the consequences for households unable to meet a new requirement without assistance. Clear allocation is necessary where a failure can arise on either side of a property boundary or where maintenance requires access through private land. The proposed framework will examine how users obtain advice, how compliance is verified and how disputes about responsibility are resolved. This places the service relationship and its practical administration within the policy decision rather than treating connection or installation as the complete outcome.
- 4.12 Drainage and waste management require continuing administration through inspection, clearing, collection, enforcement and safe final disposal. Consultation will examine the relationship between these routine functions and decisions involving new construction or altered land use. A drainage alteration requires an account of where water is displaced and who may be affected; waste arrangements require clarity about collection coverage, material handling and commercial-user responsibilities. The Government will consider how authorities record a recurring problem, identify its source and coordinate a response when the cause lies outside the immediate service area. The published environmental clearance process provides a relevant mechanism for developments requiring environmental review. [22] The proposed island-wide framework will coordinate planning while retaining the decisions required under that process. It will also examine how responsibilities for routine upkeep are maintained after approval, so that an environmental or service obligation is not left unassigned once works are completed.

Digital connectivity and accessible administration

- 4.13 The Government's proposed digital approach is concerned with usable, dependable access for residents, enterprises and public facilities. Geographic coverage does not itself establish that a user can obtain an appropriate service, afford access or rely on it for the intended purpose. The technical work will distinguish availability, actual performance, affordability and continuity, including differences between an advertised service and conditions at a particular location. Consultation will examine the requirements of enterprises communicating with external

customers, schools, healthcare facilities, emergency services and residents requiring assistance. It will consider the practical relationship between connectivity, equipment, skills and accessible service design. The Government will also examine how a user identifies the responsible provider and obtains a response when performance is inadequate. This defines digital access through the ability to use a service effectively rather than assume that infrastructure presence provides an equivalent outcome for every household or business.

- 4.14 Consultation will examine arrangements for coordinating network works, sharing appropriate infrastructure and maintaining communications during disruption. The Government will consider the relationship between commercial provision and locations where an identified service requirement remains unmet, with attention to the authority competent to determine any regulatory response. A proposed intervention requires a defined purpose and an explanation of why the relevant arrangement would address it. Technical choices will follow the service requirement and operating conditions, including maintenance, compatibility and the ability to sustain provision. The analysis will also consider interfaces with roads, electricity and public premises, where separate decisions can affect the timing or reliability of a connection. Coordination can reduce avoidable repetition of works and information requests, but it requires clarity about ownership, access and liability. These issues will inform the policy approach without prescribing a technology or assuming that a common physical route creates a common regulatory responsibility.
- 4.15 Digital administration forms part of the proposed improvement in the relationship between government and service users. Residents and enterprises require clear instructions, understandable decisions and the ability to follow an application or complaint. A common interface can assist that process while each authority remains responsible for its lawful determination, the accuracy of its records and the reasons supplied. Consultation will examine how information is submitted once where appropriate, how an error is corrected across affected records and how the user is informed when responsibility passes between bodies. Accessible and assisted channels will remain part of the proposed approach, including arrangements for users unable to complete an online process independently. Protection of personal and commercially sensitive information, reliable retention of records and continuity during loss of power or communications are necessary elements. The objective is a coherent public service process with accountable decisions, rather than the simple conversion of existing paperwork into an electronic format.

Housing, land use and the spatial framework

- 4.16 The Government proposes to connect housing and land-use policy with infrastructure, access to opportunity and resilience. Housing need comprises condition, affordability, location, tenure and suitability for the household concerned. The census evidence in Chapter 2 provides a baseline; its vacancy classification does not establish the current condition, market availability or affordability of an individual property. Decisions therefore require evidence on stock characteristics and household circumstances, distinguishing existing need from possible requirements associated with future development. Consultation will examine how the responsible bodies assemble that information and identify where a difficulty concerns supply, rehabilitation, tenure or access to services. The proposed approach will also consider whether a dwelling's location permits a household to reach employment and essential facilities without disproportionate cost or difficulty. This enables housing to be considered as part of a functioning

settlement, while avoiding an assumption that every unoccupied property represents an immediately usable solution.

- 4.17 Consultation will examine repair and reuse, infill, serviced land and new development within the wider housing and spatial framework. Their relative suitability depends on structural condition, title, hazard exposure, service connections and access to employment and community facilities. Reuse does not remove a substantial defect in a site or structure, while new construction creates continuing network and service requirements. The Government will examine those consequences together, including the sequence of decisions needed where rehabilitation depends on a title issue or a service connection. It will also consider the relationship between individual improvements and the condition of shared areas, since a household intervention may have limited effect where access or drainage remains unresolved. The proposed approach will identify the responsible institution at each interface and distinguish a private obligation from a public requirement. This provides a basis for selecting an appropriate form of intervention without treating the dwelling as an isolated asset.
- 4.18 A spatial framework will provide a common basis for considering settlements, productive uses, infrastructure corridors, public access, cultural sites and environmentally sensitive areas. It will clarify the considerations informing development while preserving the opportunity for communities throughout Grand Bahama to participate in economic change. Consultation will examine how a strategic designation relates to an individual decision, what information informs a change and how affected residents participate before an arrangement is settled. The framework will not assign an exclusive and permanent economic role to each settlement or assume that existing patterns define future potential. Transparent arrangements for public land and housing also require clear eligibility, allocation and review procedures, including the treatment of younger households, older residents and persons with disabilities. The Government will consider how those procedures relate to location, service requirements and accessibility, enabling decisions on land and housing to be understood within the wider public framework.

Community services and equal access

- 4.19 The Government considers access to public and community services a central part of the proposed development framework. Healthcare, education, social support, public safety, recreation and cultural provision affect the ability of residents to participate in economic activity and sustain community life. Their planning must therefore be considered alongside commercial development and population needs, with transparent arrangements for identifying and responding to changes in requirements. Consultation will examine how the institutions responsible for different services exchange relevant information while retaining responsibility for their own professional and statutory decisions. It will also consider the relationship between access to a principal facility and the support required to use it, including transport, operating hours and physical accessibility. Transparent and equal governance requires an intelligible basis for decisions throughout the island, allowing residents to understand why a particular mode of provision is proposed and how it is expected to meet the identified need.
- 4.20 Equal treatment requires a reasoned and accountable approach to obtaining an appropriate service, rather than an identical facility in every settlement. Consultation will examine the relationship between permanent facilities, scheduled outreach, shared premises, transport and digital access. The suitability of each arrangement depends on professional requirements, staffing, continuity, accessibility and the circumstances of users, including whether a service

requires repeated attendance or immediate availability. The Government will consider how responsibilities are maintained when provision is shared between locations or delivered through outreach, so that a change of setting does not leave follow-up care or administrative action uncertain. A building without the personnel and continuing services necessary to operate it cannot be treated as delivery of the service concerned. The proposed approach will therefore examine the operating relationship as a whole, including communication with users, continuity between visits and the means of addressing a failure in the arrangement.

- 4.21 The Government proposes that community experience inform identification of requirements and review of service arrangements. Residents require accessible information about responsibility and an effective route for raising a failure, including one affecting several bodies. Consultation will examine how local evidence reaches the authority able to act, how a referral is recorded and how the person raising the issue receives an intelligible response. The governance review will address the interface between local knowledge and central responsibilities, distinguishing local input, delegated action and decisions requiring wider authority or resources. It will also consider how recurring issues are identified without assuming that the most organised or vocal group represents every affected user. These arrangements will support an informed account of service conditions and the practical consequences of policy choices. Their purpose is to connect community participation with accountable decisions while preserving the responsibilities and professional judgments of the competent institutions.

Resilience, environmental protection and continuity

- 4.22 The Government proposes to incorporate resilience into the location, design and operation of development. The Bahamas' Third Nationally Determined Contribution provides national context for adaptation, infrastructure vulnerability and protection of coastal and marine ecosystems. [23] Within Grand Bahama, the task is to translate relevant policy into consideration of sites, services and communities, distinguishing national objectives from the decisions necessary for a particular location. The proposed approach will examine how a development requirement is sustained during disruption and how an intervention affects surrounding areas or shared networks. Consultation will consider the relationship between strategic planning, technical design and operating responsibilities, so that resilience is addressed before an asset or service is placed under an avoidable constraint. The Government will also examine how assumptions are kept under review as information improves, without presenting a national policy objective as an assurance of local protection or an approved programme of works.
- 4.23 The technical work will examine relevant hazards and their implications for development choices. Risk information must state its date, assumptions, resolution and limitations, since a strategic map cannot provide parcel-level assurance of safety. The proposed approach will consider avoidance, design adaptation, protection, restoration of natural features and, where necessary, relocation of a function. Consultation will examine the circumstances in which those responses are appropriate and the responsibilities associated with their continuing effectiveness. Both engineered and nature-based measures require site-specific evidence, consideration of effects on neighbouring areas and provision for maintenance. The Government will also consider how information about residual risk is communicated to residents, enterprises and authorities taking connected decisions. Identifying a protective measure does not remove every exposure. The policy framework must therefore explain what the measure is intended to achieve, the conditions on which its performance depends and the arrangements for acting if those conditions change.

- 4.24 Continuity depends on the relationship between services as well as the resilience of individual assets. Electricity, water, communications, transport, health provision and emergency management require coordinated assumptions about essential functions, backup arrangements and restoration. Consultation will examine responsibility for critical loads, accessible shelters, emergency information and residents requiring additional assistance. It will also consider how institutions exchange information about disruption and distinguish an operating dependency from a formal obligation to provide support. Environmental protection will address cumulative pressures on shared resources and systems alongside individual development effects. DEPP's published clearance process includes preliminary review, determination of required environmental documentation and consultation. [22] The proposed spatial and service framework will inform that process without constituting approval or replacing individual decisions. The Government will examine how information assembled at strategic level remains available to the competent bodies, while ensuring that a general policy statement is not treated as a substitute for the necessary site-specific assessment.

Accountability and the institutional basis for provision

- 4.25 The proposed infrastructure and service approach depends on institutions capable of exercising the responsibilities assigned to them. The Government will examine the relationship between planning, setting standards, providing a service, supervising performance and determining remedies. Each function requires sufficient authority and capability, together with access to information necessary for its discharge. Where responsibilities are divided, consultation will examine the interface, the means of resolving disagreement and the person or body accountable while an issue remains unresolved. Coordination cannot supply legal authority which an institution does not possess. Conversely, an allocation expressed in law requires the administrative arrangements necessary to operate it effectively. The proposed review will consider those issues together, including specialist expertise and access to records, so that the future settlement connects formal powers with practical capacity. This provides a basis for clear accountability without assuming that every service requires consolidation within one organisation.
- 4.26 Consultation will address the information residents and businesses need to understand their rights and the responsibilities of providers. This includes applicable requirements, reasons for decisions, complaint routes and treatment of unresolved issues. Reporting must distinguish the quality of a service from completion of physical works and identify material differences in evidence available across the island. An absence of comparable information will not be treated as proof of equal performance. The Government will examine how information is defined, who verifies it and how users can question a material error or omission. It will also consider how reporting addresses recurring problems without disclosing protected personal or commercial information. The objective is an accountable service relationship that can be understood and administered consistently, with evidence informing correction and review rather than becoming a separate administrative exercise disconnected from the decisions necessary to improve provision.
- 4.27 Infrastructure choices have capital, operating and maintenance implications, which will be considered through the relevant public decision processes before a new obligation is assumed. The proposed framework will examine who is responsible for an intervention's continuing operation, the services on which it depends and the consequences for other users or institutions. This includes situations in which a new facility creates a requirement for specialist staff,

inspections, access arrangements or recurring upkeep beyond its own boundary. The Green Paper establishes the proposed relationship between development, service provision and governance; it does not itself settle individual commitments. The White Paper will draw together conclusions on that relationship, institutional changes and further technical work required for implementation. Its explanation will distinguish decisions that establish the public framework from those requiring subsequent approval, allowing residents and enterprises to understand the Government's chosen direction and the conditions necessary to bring it into operation.

Table 4.1: Responsibilities in an island-wide service framework

Dimension	Points to be specified
Authority	Applicable law, geographic reach and responsible public body.
Provision	Operator, maintainer and coordination with other services.
Service standards	Coverage, reliability, accessibility and published standards.
Continuity and resilience	Critical dependencies, emergency arrangements and restoration responsibility.
Access and redress	Application channels, complaints, review and public reporting.

Note: Proposed fields for specifying responsibilities and service accountability throughout Grand Bahama.

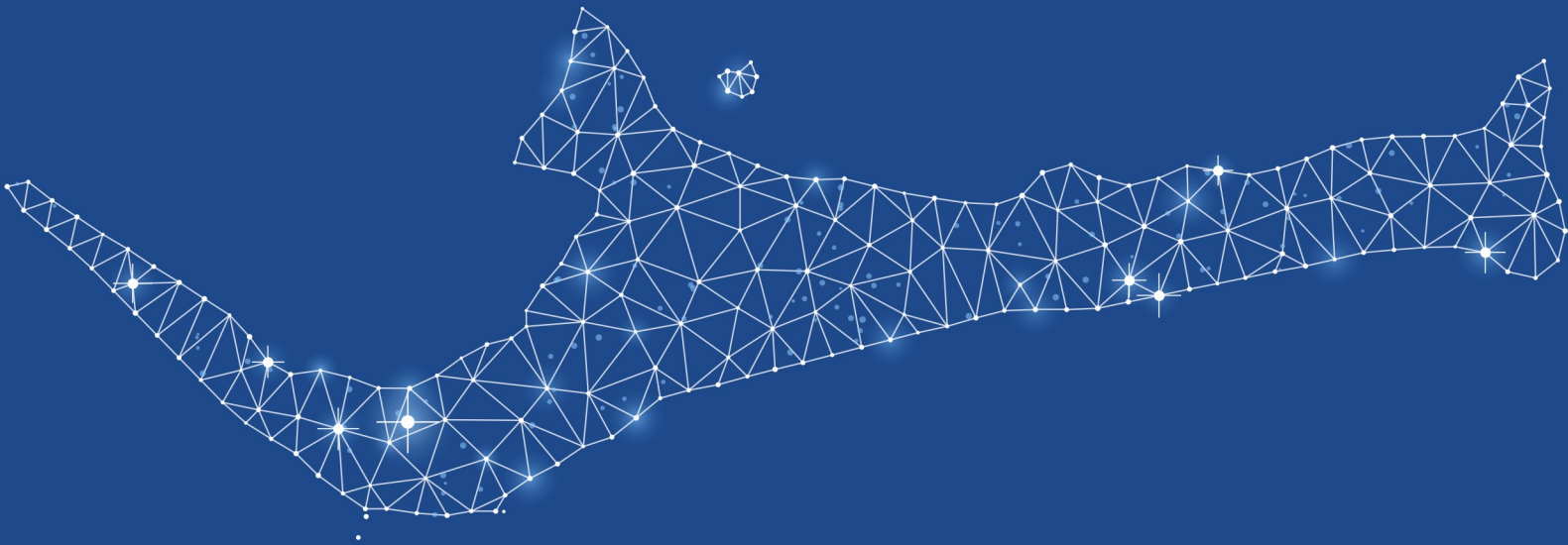
Questions for consultation

- Q4.1** Where do divided or overlapping responsibilities impede access to infrastructure or public services, and how can those interfaces be made clear across Grand Bahama?
- Q4.2** What electricity service standards, customer protections and allocation of regulatory responsibilities are necessary to support reliability, affordability and the energy transition?
- Q4.3** What changes to transport planning and service arrangements would improve access between settlements, employment, public services and markets?
- Q4.4** How can responsibilities for water, wastewater, drainage and waste management be coordinated while reflecting different settlement conditions and household circumstances?
- Q4.5** What arrangements are necessary to secure usable digital connectivity and accessible public administration, including during service disruption?
- Q4.6** How can the proposed spatial and housing approach provide clearer development requirements while protecting affordability, public access and opportunities across the island?
- Q4.7** What mix of facilities, outreach, transport and assisted access would provide more effective community services, particularly for smaller settlements and residents requiring additional support?
- Q4.8** What institutional arrangements and public information are required to strengthen environmental protection, emergency continuity and accountability for service provision?

GRAND BAHAMA:

CHAPTER 5: THE PROPOSED GRAND BAHAMA DEVELOPMENT COUNCIL

A Framework for Stability and Growth



The policy purpose of the Council

- 5.1 The Government considers that durable reform requires an institutional means of bringing experience from the whole of Grand Bahama to bear on policy design. It therefore proposes a Grand Bahama Development Council with an initially advisory mandate. The Council would examine the substantive reforms required to secure transparent and equal governance and regulation, with particular attention to the Hawksbill Creek Agreement, the proposed Grand Bahama Development Act and the allocation of development-related public functions. Its value would lie in examining how those components operate together and identifying the implications for communities, enterprises and public institutions. Advice would connect the policy objective to provisions capable of implementation, rather than consist solely of general expressions of support for development. The Council's establishment, composition, mandate and possible continuing role remain questions for consultation.
- 5.2 The Council proposal responds to the Government's assessment that an antiquated, colonial and pre-independence mechanism has outlived its utility and created an economic imbalance between Freeport and the remainder of the island. That assessment requires an institutional response through which the interests of Grand Bahama as a whole can be examined within a public-interest framework. The Council would consider the distribution of responsibilities and opportunities across the island, including the effects of a proposal beyond the location in which a principal activity occurs. It would not replace the constitutional responsibilities of Ministers and Parliament, the statutory functions of public authorities, or the lawful powers and obligations of other institutions. Its recommendations could identify where those arrangements require change, but would not themselves bring that change into effect. Membership or participation would confer neither an entitlement to a favourable determination nor authority to bind Government.
- 5.3 The proposed Council is distinct from the time-limited Consultation Steering Committee described in Chapter 9. The Committee would administer consultation, coordinate supporting work and prepare the record required for Government consideration. It would not constitute the Council, determine its final design or acquire a continuing development mandate. Equally, establishment of the Council would not be a precondition to commencing public consultation. If an advisory Council were appointed during the reform process, the respective terms of reference would identify the issues on which it supplies substantive advice and the arrangements through which that advice enters the consultation record. Common administrative support or overlapping membership, if considered appropriate, would not merge the bodies or their responsibilities. It also avoids treating an arrangement established to obtain views as prior approval of the institution on which views are being sought.

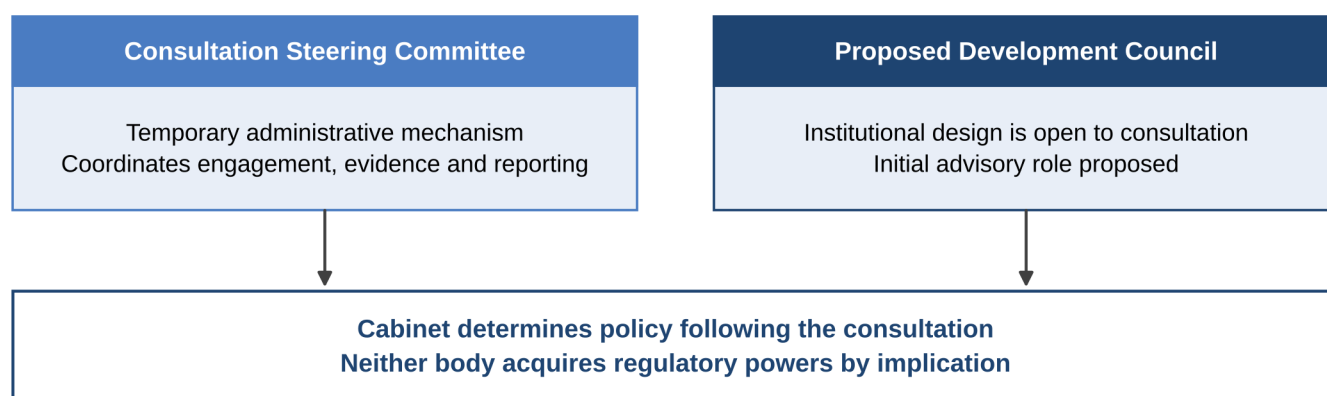
An initial advisory mandate

- 5.4 The Government's proposed starting point is a defined programme of policy advice, rather than an immediate transfer of executive or regulatory powers. If appointed, the Council would examine development-related functions, options for HCA reform, the proposed statutory framework and the treatment of investment across the island. Each substantial recommendation would identify the policy problem, the function concerned, the proposed response and the principal implications for existing institutions and affected persons. Advice would distinguish changes achievable under existing powers from changes requiring legislation, agreement or the determination of a contested legal issue. Where several reforms are interdependent, the Council

would explain their relationship and the sequence necessary to avoid an incomplete settlement. It could identify an administrative improvement capable of earlier consideration without representing that improvement as resolution of the wider legal question.

- 5.5 An advisory mandate would not permit the Council to grant licences or planning permissions, determine concessions, direct a regulator, commit public expenditure or adjudicate private rights. Individual applications would continue through the competent authority, with the applicable procedures and opportunities for review. The Council could examine a recurrent administrative problem and recommend a systemic remedy, drawing where appropriate on anonymised examples of its practical effects. Its terms of reference would explain how correspondence outside the mandate is referred and how contributors are informed of the authority responsible. Where a submission concerns an unresolved private dispute, the policy issue could be distinguished from the contested facts requiring another process. These boundaries would preserve the usefulness of operational experience while ensuring that access to an advisory body is not understood as an additional permission, appeal or negotiation mechanism.
- 5.6 The initial mandate would be time-limited and linked to specified recommendations rather than the completion of an indefinite development programme. An appointment instrument would identify the reporting authority, expected products, principal dependencies and arrangements for publication. The work programme would distinguish issues on which sufficient analysis is available from issues requiring legal clarification or additional evidence. This would enable an incomplete issue to be described precisely, rather than delay every recommendation until all questions have been resolved. Any extension would require a reasoned decision identifying the remaining task and a revised programme. The Council could draw on the consultation record maintained through the Steering Committee without duplicating evidence requests or assuming consultation administration. Its reporting arrangements would need to fit the wider route to ministerial and Cabinet decisions.

Figure 5.1: Distinct purposes for the Committee and the proposed Council



Note: The Steering Committee is a temporary consultation mechanism. The Council's institutional design is itself an issue for consultation.

Representation, expertise and appointment

- 5.7 The Council's legitimacy would depend on the breadth of its experience and its ability to produce coherent advice. Freeport, East Grand Bahama and West Grand Bahama would require meaningful representation, alongside perspectives from Central Government, local government,

the GBPA and licensees, labour, established and emerging businesses, community organisations, young people and environmental interests. Membership would also need to enable women, persons with disabilities and residents outside established professional networks to contribute. Representation would concern the capacity to identify and examine circumstances which may otherwise receive insufficient attention; it would not make a member the exclusive representative of a community or confer a veto on its behalf. The Government seeks views on the relationship between geographic representation, relevant expertise and the collective duties of members. The resulting composition would need to permit informed challenge while maintaining the capacity to reach clear and timely recommendations on the island-wide policy questions.

- 5.8 Consultation is invited on a compact core membership supported by technical and regional working groups, and on a broader representative membership with a focused drafting arrangement. A compact body may facilitate timely deliberation but require deliberate measures to obtain a sufficiently wide range of experience. A larger body may bring more interests directly into discussion while increasing the demands of scheduling, reconciliation and preparation of advice. Under either approach, working groups would have defined tasks, a reporting relationship and a clear conclusion to their work. They would not become independent centres of authority or present preliminary conclusions as settled Council advice. Evidence sessions and specialist commissions could make expertise available without permanent membership for every contributor. The Government seeks an arrangement in which the full Council remains responsible for integrating technical and regional contributions, examining their interaction and explaining how they support the final recommendations.
- 5.9 The Government proposes published appointment criteria covering knowledge, relevant experience, geographic and social representation, availability and standards of conduct. Options include public nomination, nominations through recognised bodies or a combination, with clarity about whether a person serves in a personal capacity or by virtue of an office. The appointing authority would explain the overall balance achieved, including how gaps in experience will be addressed through other contributions. Appointment would be for a stated term, with provision for resignation, replacement and removal. Replacement arrangements would preserve necessary representation without implying that a seat is transferable at the unrestricted discretion of a nominating organisation. Members would understand the preparation, attendance and disclosure obligations associated with service before accepting appointment. These provisions would support continuity and collective responsibility while making the use of a public advisory position accountable.

Leadership and the management of interests

- 5.10 The chairing arrangement must provide effective access to Government and confidence in the fair examination of competing submissions. Options include a Ministerial chair, an independent chair with a designated Ministerial sponsor, or a chair and deputy with complementary public and community experience. The Government has not concluded which arrangement best serves the initial mandate. A Ministerial role may assist interdepartmental engagement, while an independent chair may provide additional assurance about the conduct of deliberation; either arrangement requires clear boundaries between chairing advice and deciding policy. The chair would be responsible for orderly proceedings, compliance with the remit, opportunities for members to contribute and the faithful presentation of conclusions. Arrangements would also be required for an absence or a declared interest affecting the chair. The preferred model would

identify how urgent procedural issues are resolved without permitting unilateral alteration of substantive advice. Final policy responsibility would remain with Government.

- 5.11 Members would disclose relevant financial, professional and organisational interests on appointment and as circumstances change. Practical involvement in Grand Bahama supplies valuable knowledge, but a recommendation may also affect an undertaking, property interest or organisation with which a member is connected. A published procedure would distinguish disclosure from withdrawal and explain how the appropriate response is determined for a particular case. The record would show the nature of a relevant interest and the steps taken to manage it without publishing information which cannot lawfully be disclosed. The procedure would also address the effect of withdrawal on participation in the preparation and approval of advice. A code of conduct would cover confidential information, gifts, contact with applicants and use of membership for private advantage. Members could continue to express personal or organisational views, provided these are distinguished from agreed Council advice. The objective is an intelligible and consistently administered safeguard, rather than an assumption that knowledge of the island either guarantees impartiality or precludes useful service.
- 5.12 The Council would seek reasoned agreement without suppressing material disagreement. Its reports would distinguish propositions supported by the evidence, policy preferences arising from different judgments and issues which cannot yet be resolved. A minority view would be recorded where it concerns a substantive choice, together with enough explanation to identify the difference and its practical implications. The process for approving reports would allow members to verify that their position has been represented accurately without giving each member a power to prevent publication of the collective advice. Technical disagreements could require separate statements of assumptions or legal questions rather than a general declaration that consensus was unavailable. Government would then be able to determine whether additional examination is necessary or whether the remaining difference is one of policy judgment.

Secretariat, evidence and reporting

- 5.13 If the Council is established, a defined secretariat would support its work, with access to legal, economic, planning and administrative expertise appropriate to the remit. The secretariat would maintain papers, prepare records and assist the development of coherent recommendations, while the Council remained responsible for its advice. Specialist commissions would have defined questions, deliverables and declared interests. Staffing and reasonable participation costs would be authorised through the applicable arrangements. The Council would have no assumed power to compel information; requests would rely on lawful cooperation and existing information-sharing provisions. Each material request would explain the purpose, definitions and intended use, reducing unnecessary demands on contributors. Personal information, commercial confidentiality and privilege would be addressed before restricted material is circulated. Where a recommendation relies on information which cannot be published, the report would explain the nature of the limitation sufficiently to make the reasoning understandable without disclosing protected content or implying that the restriction has been independently removed.
- 5.14 The Council would use a common policy evidence record distinguishing official statistics, administrative records, legal analysis, submissions and analytical assumptions. Provenance, observation date, geographic coverage and material limitations would be identified so that

evidence supplied for one purpose is not silently repurposed for another. Revisions would preserve the relationship between an earlier recommendation and the information then available. A claim supplied by Government, a business or a representative organisation would be examined on its merits, including whether the source can support the inference being drawn. Where important evidence conflicts, the advice would identify the point of disagreement and the extent to which alternative conclusions depend on it. An unverifiable proposition could be described as a stakeholder view or analytical assumption rather than treated as an established fact. The record would support institutional, statutory and regulatory design.

- 5.15 The proposed transparency requirements comprise publication of the terms of reference, membership, relevant declared interests, work programme and final advice, subject to lawful restrictions. Meeting records would explain substantive conclusions, referrals and the management of interests without suggesting that every preparatory exchange constitutes a final recommendation. Publication arrangements would identify who approves the record and how a material error can be corrected. Remuneration and expense rules would be disclosed alongside aggregate expenditure, with a distinction between payment for membership, reimbursement of reasonable costs and separately commissioned professional work. Accessibility and travel support would enable participation from across the island without creating incentives to prolong the mandate. Government would explain the treatment of substantive recommendations in its policy response, including a decision to modify or reject advice. This would complete the accountability relationship: contributors would be able to understand both what the Council recommended and how that recommendation entered the process through which Government determined its position.

The decision on a continuing role

- 5.16 The initial advisory proposal does not determine whether a Council would continue after the reform-design phase. Its mandate could conclude after submission of advice; it could continue as a forum for policy coordination and public accountability; or it could receive defined statutory functions. These alternatives require distinct examination. A continuing forum might preserve structured dialogue and identify cross-institutional issues while decisions remain with existing authorities. An executive body would assume responsibilities affecting public administration or individual interests and would consequently require a different account of legal competence, appointment, management and oversight. The advisory membership model would not automatically be suitable for such powers, particularly where members have interests in issues which the body would determine. Consultation will therefore address the function, institutional form and safeguards together.
- 5.17 The Government's position is that a continuing institution must be justified by a necessary function and an effective allocation of accountability. A proposal to hold assets, employ staff, procure services, determine applications or administer support would identify an express legal basis, the institution responsible for oversight and the relationship with existing authorities. It would also explain why clearer duties or improved cooperation within present institutions would not meet the requirement adequately. Consultation will inform whether a function is required, whether it belongs in the same body as representative advice and what practical capability its exercise would entail. The Government will consider these questions as part of the complete governance settlement, including the avoidance of duplicated decision routes and unallocated residual responsibilities. Any continuing mandate would result from an express decision on the function to be performed and the lawful means of performing it.

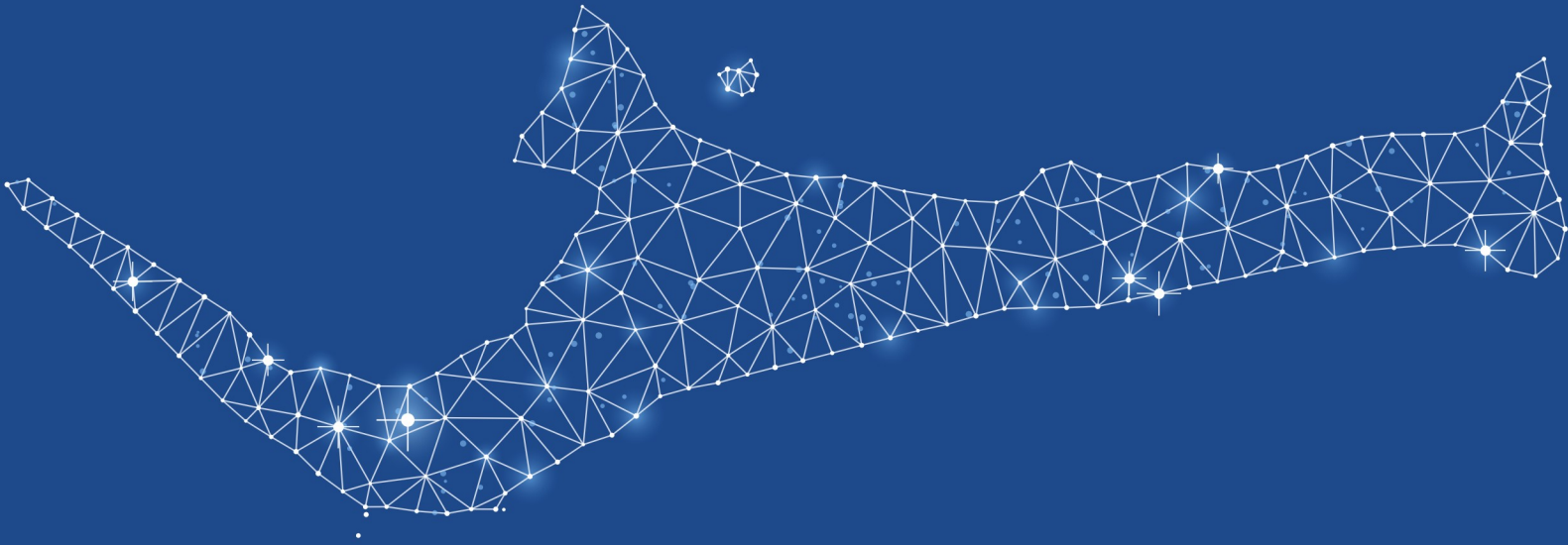
Questions for consultation

- Q5.1** Which substantive advisory tasks would add most value to the reform programme, and how should the initial mandate distinguish them from decisions reserved to existing institutions?
- Q5.2** What membership and appointment arrangements would combine effective representation across Grand Bahama with the expertise and capacity required for timely recommendations?
- Q5.3** Which chairing arrangement would provide effective access to Government and confidence in the impartial conduct of the Council's work?
- Q5.4** What provisions for declarations of interest, confidential information, publication and recorded disagreement are required for the proposed advisory role?
- Q5.5** What secretariat and participation arrangements would enable the initial mandate to be completed proportionately and within a defined period?
- Q5.6** What specific continuing functions, if any, would justify retaining a Council after its advisory phase, and what legal and accountability arrangements would those functions require?

GRAND BAHAMA:

CHAPTER 6: REFORM OF THE HAWKSBILL CREEK AGREEMENT

A Framework for Stability and Growth



The policy assessment of the Government

- 6.1 The Government considers that the Hawksbill Creek Agreement is an antiquated, colonial and pre-independence mechanism which has outlived its utility as the organising framework for Grand Bahama. In the Government's assessment, its geographically differentiated institutional settlement has created an economic imbalance between Freeport and the remainder of the island. Investment incentives under the HCA framework and the Grand Bahama (Port Area) Investment Incentives Act 2016 apply only within the Port Area, to qualifying licensees and subject to conditions, and residents of the same island deal with different authorities for comparable services. The objective of reform is transparent and equal governance and regulation throughout Grand Bahama, with development opportunities extending to all Bahamians. That objective recognises Freeport's contribution to national development while requiring institutions appropriate to a sovereign country and the needs of the whole island. The relevant test is whether the legal settlement enables comparable public accountability and meaningful access to development across the island. The Government will examine the territorial effect of obligations and incentives, the relationship between public and private decisions, and the ability of communities to secure an explanation or remedy where an institution fails to act.
- 6.2 Public governance must serve the whole island and cannot be directed solely by private family or commercial interests. Decisions affecting regulation, public services and development must have a demonstrable public purpose, an identifiable legal basis and effective accountability. The Government intends to address the allocation and exercise of those functions directly. Consultation concerns the legal and institutional arrangements through which this policy objective can be implemented, including amendment, repeal, replacement and combinations of those measures. The design of reform will distinguish consultation with a rights holder from the exercise of public authority, and legitimate commercial representation from control over a public decision. An institution entrusted with regulatory responsibilities must be able to explain the purpose, evidence and legal basis of its action. Its procedures must also enable people without institutional influence to obtain consistent treatment and access the relevant review mechanism.
- 6.3 Reform is directed at the suitability of the governing framework, the distribution of development opportunity and public accountability. The Government is seeking a durable legal settlement in which rights, duties and routes for review are stated transparently. Publication of the Green Paper will not itself alter a contractual entitlement, transfer property, vary an existing permission or change the body legally empowered to make a decision. Those effects can arise only through the applicable legal instruments and procedures. Certainty will therefore be provided through a clear policy direction, a reasoned choice of legal mechanism and explicit commencement provisions. The Government will identify which decisions can be taken under existing authority and which depend on agreement or legislation. Residents and businesses will receive an intelligible account of those distinctions so that a policy announcement is not mistaken for an operative change in law.

The legal framework to be reviewed

- 6.4 The HCA framework comprises more than the original agreement. It includes enabling legislation, supplemental agreements, subsequent enactments, subordinate instruments and arrangements affecting particular activities or beneficiaries. The 1955 enabling Act authorised an

agreement concerning a deep-water harbour and industrial area. The original scheduled text combines development and service obligations with land arrangements, concessions and rights within the Port Area. Clause 3(1) specifies an overall term of 99 years from the agreement's date; that term is distinct from the duration of individual exemptions or obligations. [12] The review will examine how these elements interact rather than presuming that the agreement and the legislation have identical effects. A proposed change to a public function may engage more than one instrument. The legal analysis will specify the provisions affected, the basis on which they operate and the consequential changes necessary to avoid inconsistent obligations.

- 6.5 The 1960 supplemental arrangements amended development purposes, education provisions, concession periods and contractual amendment procedures. Further arrangements authorised by the 1965 No. 2 Act addressed housing, services and community affairs. These successive instruments require examination together. The statutory year of an authorising Act is not necessarily the date on which a resulting agreement was executed. An account based exclusively on the original schedule would be insufficient for the proposed reform. [13] [14] The review will identify provisions which have been substituted, supplemented or superseded and distinguish those changes from provisions whose practical purpose has been completed. Where an instrument refers to another agreement, a geographic declaration or a category of licensee, that reference will be traced to the relevant record. This approach will prevent a recommendation from relying on an incomplete account of the legal framework.
- 6.6 The Government will compile an authenticated instrument register identifying the operative text, parties and successors, geographic application, relevant amendments and means of enforcement or modification. The register will distinguish current legal authority from administrative practice and historical provisions. It will record the evidence required to establish how each material obligation is presently discharged. Established practice will be examined as operational evidence; it will not be treated, without legal analysis, as a source of statutory or contractual power. Each material entry will identify the record custodian, the basis for treating the text as authoritative and any unresolved question affecting the proposed measure. Where the published materials do not establish a complete chain of amendment, the limitation will be recorded for legal determination. The public explanation can then distinguish a settled proposition from a question still requiring examination without disclosing privileged advice.

Allocation of public functions and commercial interests

- 6.7 The review will begin with the functions actually performed by the GBPA, Central Government, local government and other competent bodies. It will identify who makes each decision, who supplies the associated service, who supervises performance and which review or remedy is available. Particular attention will be given to interfaces between institutions, including circumstances in which a national responsibility operates alongside a Port Area arrangement or a local service. The analysis will establish the present position before specifying the proposed future allocation. The inquiry will include the sequence of decisions in a typical administrative process and the point at which responsibility passes between bodies. An applicant may require decisions from several competent authorities, but the relationship between those decisions must be explicable. The proposed allocation will identify the leading administrative contact, dependencies and arrangements for referring an issue to the institution legally responsible for resolving it.

- 6.8 Public functions and commercial interests require separate treatment. Regulation, enforcement, determination of applications and the exercise of public charging powers are different in character from ownership of land, shares, operating assets, leases and commercial receivables. Their coexistence within an institutional group does not remove the distinction. For each function, the review will identify the source and geographic scope of authority, the decision maker, the provider, the applicable fee or charge and the body responsible for oversight. Associated staff, records, contracts and service obligations will also be identified. The classification will also distinguish a public duty to secure a service from a contract to deliver it. A commercial provider may perform work without possessing the authority to set the governing standard or determine an appeal. Conversely, public oversight does not establish ownership of the assets used. The legal settlement will state these relationships expressly wherever they are material to a proposed change.
- 6.9 The proposed settlement will provide a published allocation of responsibility and safeguards against conflicts between regulatory decisions and commercial interests. The Government will consider separation of functions, declarations of interest, reasoned decisions, financial reporting and independent review according to the activity concerned. Equal governance will require comparable standards of public accountability across Grand Bahama; it need not require identical administrative machinery for every service. Institutional design will be assessed against the actual distribution of functions and the capacity needed to perform them. Safeguards will be designed around the decision concerned. They may include separate officers, restrictions on participation in a particular determination, published procedures and an external route of review. An organisational separation without a corresponding allocation of records, responsibilities and decision authority would be insufficient. The Government will consider how compliance can be demonstrated and how a resident or applicant can obtain a remedy when a safeguard is not observed.

Terms, concessions and the treatment of existing entitlements

- 6.10 The review will avoid the assumption that all HCA provisions expire on a single date. It will distinguish the agreement's overall duration, individual concession periods, the terms of licences and leases, and obligations which may continue or require settlement when another provision ends. The 1993 extension Act continued specified exemptions for 22 years from 4 August 1993. A 2016 amendment provided a further three-month continuation of a defined set of expiring exemptions from 4 February 2016. These measures concern particular exemptions rather than the simultaneous expiry of every HCA right. [15] [16] The record will distinguish the event triggering expiry from the period allowed for an application, renewal or review. It will also identify any continuing obligation associated with a concession. This is necessary to determine what must be preserved, varied or concluded during transition without attributing one instrument's terms to a different class of entitlement.
- 6.11 The Grand Bahama (Port Area) Investment Incentives Act 2016 established a separate statutory framework. Its published revised text differentiates categories of licensee and provides for applications, conditions and monitoring. Section 14 addresses scheduled persons and specified existing connected entities for a 20-year period commencing on 4 May 2016, subject to fulfilment of obligations. The entitlement of a particular beneficiary therefore depends on the applicable statutory provision, approval and supporting documents. [17] The review will record these elements for the relevant categories and establish which authority holds the supporting decision or agreement. A published statement of general eligibility cannot substitute for examination of a

beneficiary-specific approval where that approval is material. Equally, the existence of a particular entitlement will not determine the policy design of a future island-wide regime. That design remains a separate question for consultation and legislative preparation.

- 6.12 The proposed Grand Bahama Development Act will include consideration of investment concessions throughout the island and enhanced concessions outside Freeport. The relationship between those proposals and existing entitlements will be stated expressly. Published provisions will identify eligibility, duration, conditions, the administering authority and review procedures. The review will examine overlap, transitional eligibility and the fiscal implications arising directly from alternative concession designs. A concession proposal will not be treated as equivalent to an existing entitlement, and an existing entitlement will not be described as withdrawn before the relevant legal measure takes effect. The proposed relationship will address applicants investing during transition, existing enterprises undertaking expansion and activities spanning more than one area. It will also specify which authority gives authoritative guidance where regimes overlap. Published explanations must allow an enterprise to distinguish an existing right, an application under current law and a future proposal which has yet to acquire legal effect.

The arbitration

- 6.13 The Tribunal issued its Partial Final Award on 27 February 2026. The Government's pleaded reimbursement claim under clause 1(5)(d) of the HCA was dismissed, because the Tribunal held that clause 1(5)(d) had been replaced by Paragraph 3 of the 1994 Agreement. The Tribunal also held that the review mechanism in Paragraph 3 remains operative and fully enforceable, and that it is "self-evident that the Government can invoke the Review for future Years". The Government therefore remains entitled in principle to an annual amount, determined through the Paragraph 3 review, towards its administrative expenses in the Port Area for future years. The amount, the expenses it covers and the method of calculation were not determined in the Award. The Tribunal did not decide whether a reviewed amount can be enforced for past years, but stated that it is able and prepared to do so if asked. [18]
- 6.14 The Award dismissed seven of the GBPA's eight counterclaims. For different legal reasons, the Tribunal rejected the GBPA's claims concerning the licensing of non-Bahamians, immigration, customs, utilities regulation, foreign acquisition of land, environmental approvals and the alleged diversion of investment. It held that the Government's right to legislate overrides the GBPA's rights under clause 2(21), so that the Electricity Act 2015 and the Electricity Act 2024 did not breach the HCA. The only counterclaim to succeed concerned the Government's failure to give reasonable and timely consideration to environmental bye-laws proposed by the GBPA, limited to breaches causing damage since 5 May 2018. At the date of the Award, damages for that breach and other outstanding issues remained to be determined. These findings do not amend or repeal the HCA, transfer any function to Government or establish a debt. They do, however, materially constrain the proposition that the HCA creates an autonomous and perpetual private regulatory franchise insulated from national law and Government oversight. The arbitration informs this reform; it does not substitute for it. The review of payments under Paragraph 3 will be pursued separately, on its proper legal and accounting basis, and is not a subject of this consultation. Later procedural developments will form part of the legal review. [18]

Route A: targeted amendment

- 6.15 Targeted amendment would retain the underlying framework while changing specified provisions and making consequential legislative adjustments. It could address defined regulatory interfaces, public-service obligations, reporting requirements and arrangements for enforcement. Administrative agreements could support coordination where lawful, but would not confer powers which require legislation or satisfy contractual consent requirements where those apply. The Government will examine the relevant procedure for each proposed change rather than assuming a single amendment route applies to the entire framework. An amendment package will identify the intended result of each change and the provisions on which that result depends. Where contractual and statutory measures must operate together, their sequencing and commencement will be considered as one exercise. The review will also identify whether changes to reporting or procedure can be implemented promptly under current authority while reserving substantive changes in power for the competent legal process.
- 6.16 The principal question is whether targeted changes can deliver a coherent island-wide settlement. The review will identify provisions which can be revised individually, provisions dependent on connected changes, and issues requiring a different legal instrument. Particular attention will be given to the survival of inconsistent duties, overlapping approvals and arrangements under which a public decision remains insufficiently accountable. A technically achievable amendment will require an explanation of how it contributes to transparent and equal governance. The analysis will therefore consider the combined effect of the amendments rather than their number or drafting convenience. It will examine whether the resulting framework can be understood and administered without repeated informal negotiation between institutions. Where an interface remains, the package will specify responsibility for resolving it, the relevant legal procedure and the information available to the person affected by the decision.
- 6.17 An amendment programme could be sequenced to secure early improvements while more complex provisions are resolved. Any interim arrangement will state its purpose, duration, responsible institutions and relationship to the intended permanent framework. The White Paper will distinguish immediate measures from subsequent legislation and explain the treatment of interfaces which remain unresolved at the first commencement date. The programme will identify decisions that can proceed independently and those requiring completion of another measure. A review provision may be appropriate for an interim administrative arrangement, but expiry of that arrangement must not leave an essential service without an accountable institution. The Government will examine how temporary improvements are preserved or superseded when the permanent settlement commences and how residents, employees and applicants are informed of that progression.

Route B: repeal and consequential provision

- 6.18 Repeal would require identification of the enactments, or particular provisions, to be removed and the consequential measures needed to maintain a functioning legal framework. It will not be assumed that repeal of an enabling Act automatically extinguishes contractual interests, transfers property or allocates existing liabilities. The legal analysis will establish the effect of each proposed repeal and the extent to which savings, transitional provisions, agreements or additional legislation are required. The repeal schedule will be examined against the instruments which depend on the provisions being removed. This includes references in other legislation, subordinate instruments, existing decisions and continuing obligations. The purpose is to identify

consequential effects before commencement and to specify the provision by which each is addressed. A general statement that national law will apply is insufficient where the identity of the decision maker, procedure or remedy still requires legal determination.

- 6.19 The Government will examine this route as a means of replacing an institutional settlement which it considers no longer appropriate. The analysis will address the successor authority for each public function, the continuation of existing permissions and the treatment of pending applications, enforcement cases and proceedings. It will also identify obligations that remain with the existing parties. Repeal and institutional transfer are separate legal questions, even where they form part of the same reform programme. The proposed successor arrangements will be described function by function. Where a responsibility is divided, the legislative package will state the relationship between the bodies concerned and the basis of any cooperation duty. The analysis will also consider cases crossing the commencement date so that a change in institutional responsibility does not create inconsistent instructions or leave an existing administrative process without a competent authority.
- 6.20 Commencement will be designed around continuity and legal clarity. A successor institution will require lawful authority, competent personnel, access to necessary records and arrangements for ongoing services before assuming responsibility. Public guidance will specify what changes, what continues and how outstanding issues will be handled. If this route is selected, the White Paper will explain the combination of repeal and consequential measures required to implement the Government's objective and the routes of review available to affected persons. Readiness will be demonstrated through an account of the processes required to perform the function, including notices, delegated authority where lawful, access arrangements and emergency escalation. The decision to commence will be distinguishable from the policy decision to repeal. Where implementation must be staged, the relevant provisions will identify the sequence and the responsibilities applying during each stage.

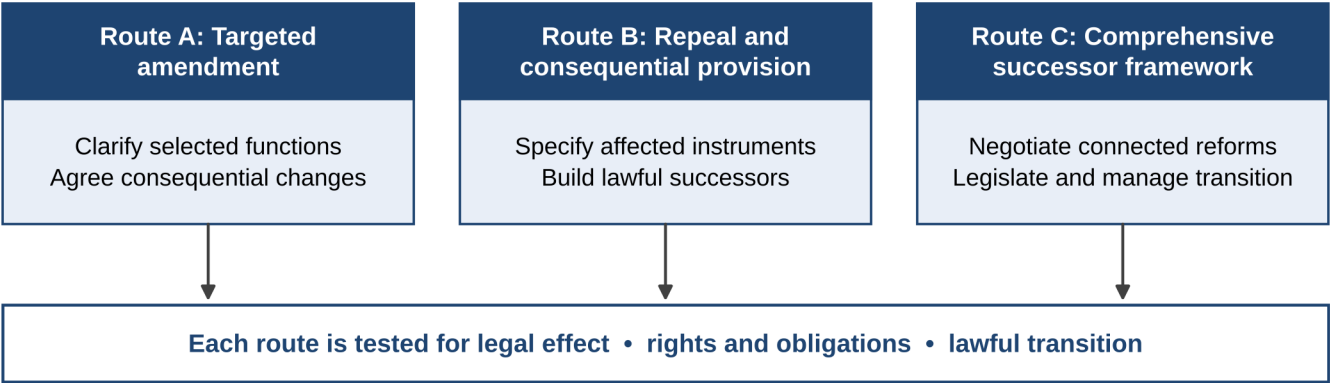
Route C: a comprehensive successor framework

- 6.21 A comprehensive successor framework would combine the proposed Grand Bahama Development Act with negotiated arrangements and consequential amendments, repeals and savings as necessary. Its purpose would be to place island-wide governance, development incentives and public accountability within a coherent settlement while addressing existing lawful interests expressly. The required legal instruments will be identified by subject: primary legislation, regulations, contractual variation, administrative agreement or another competent instrument. The Government will examine whether a successor settlement can state the common principles once while dealing with different functions through appropriate instruments. The development strategy, regulatory duties, concessions and municipal responsibilities do not necessarily require the same administrative model. Their legal relationships must nevertheless be sufficiently clear to avoid inconsistent obligations or an unexplained dependence on informal cooperation. The comprehensive route will be considered on that functional basis rather than as a single undifferentiated institutional change.
- 6.22 This route would permit connected questions to be resolved together, including regulatory responsibility, development coordination, access to information and the relationship between public services and commercial activities. The Government will examine whether a common statutory framework can provide consistent duties and published processes while preserving specialist decisions vested in existing regulators and other competent authorities. The intention

is an intelligible allocation of responsibility, supported by effective coordination, rather than the addition of an institution without a defined function. A common framework could include duties to cooperate, exchange information lawfully and publish a schedule of responsibility. Those duties would need a defined scope and a means of addressing non-performance. They would not, without express provision, permit a coordinating institution to direct an independent regulator or determine an issue reserved to another authority. The proposed settlement will identify where coordination ends and legal decision-making begins.

- 6.23 The proposed Development Council's initial role is advisory. Its possible permanent functions will be examined through consultation and will not be predetermined by the arrangements established to administer that consultation. Any future statutory powers will require an express legal basis, proportionate oversight and conflict-of-interest safeguards. The Consultation Steering Committee will organise the consultation and coordinate its outputs; it will not exercise the Council's proposed functions or assume the powers of existing institutions. Any recommendation for a continuing Council will identify the specific function which existing arrangements cannot adequately perform, the reason for assigning it to that body and its relationship with ministerial responsibility. Representation in policy discussion will be distinguished from participation in an individual regulatory decision. The legal framework will reflect that distinction in membership rules, decision procedures and the treatment of interests affecting a particular case.

Figure 6.1: Three routes require function-by-function examination



Routes may be combined where particular functions require different treatment

Note: Options for consultation, capable of combination. This diagram does not determine the legal effect or feasibility of a particular measure.

Existing rights, liabilities and legal safeguards

- 6.24 The Government will identify the legal interests affected by each reform route, including property, leases, contractual obligations, licences, concessions, employment responsibilities, security arrangements and pending claims. The review will distinguish interests that can continue under savings provisions, interests requiring variation and issues requiring another form of lawful treatment. Identification of an interest will not establish either an automatic entitlement to payment or an automatic power of acquisition. The inventory will connect each identified interest with the proposed measure and the evidence establishing its nature. It will distinguish ownership from an operating right, a contractual obligation from an administrative expectation, and an asserted claim from an adjudicated liability. Where the available record is

incomplete, the issue will be identified for examination. This will support consistent treatment without determining an individual claim through the general consultation process.

- 6.25 Article 27 of the Constitution provides safeguards concerning compulsory possession or acquisition of property, including compensation and access to the courts within its terms. Its application depends on the substance and effect of the measure concerned. Lawful regulation, contractual variation and acquisition will therefore be analysed separately. No general assumption will be made that every reform requires compensation or that constitutional protection is inapplicable to all reform measures. [19] The assessment will identify the proposed public purpose, the legal mechanism and the consequences for the particular interest concerned. It will consider whether savings, modified procedures, notice or another safeguard can address the issue while giving effect to the reform objective. The availability and scope of any remedy will be determined under the applicable law. This analysis will accompany the selected measure rather than be deferred until after responsibility changes.
- 6.26 Where a proposed measure creates a material liability or requires settlement of an existing obligation, that consequence will be identified for decision. Any separate acquisition or commercial transaction would require its own legal authority and assessment of the interests and obligations involved. The Green Paper does not propose an acquisition price, presume asset transfer or establish a transaction programme. The immediate task is to determine a lawful institutional settlement and the provisions required to bring it into operation. The decision record will identify the authority responsible for any continuing obligation and distinguish that obligation from the responsibilities transferred under reform. Contingent issues will retain their contingent status until resolved through the relevant process. The Government will ensure that the public explanation describes the institutional change accurately without implying that disputed obligations have been discharged or accepted through publication of a policy document.

Transition and continuity

- 6.27 The transition schedule will connect each change in responsibility to the instrument authorising it, the conditions for commencement and the institution accountable for implementation. It will cover ongoing services, permissions, pending applications, inspections, enforcement files, contracts, records and staff arrangements. Relevant service providers and regulators will be involved where their statutory or operational responsibilities are affected. For each function, the schedule will identify the practical steps necessary to continue the service on the first operative day, including access to premises, information systems, forms and authorised communications. It will establish who remains responsible where a transfer is incomplete and how a material problem is escalated. A change in the institution receiving an application must be accompanied by a clear account of the institution determining it, the applicable requirements and the route for communicating a decision.
- 6.28 Savings and transitional provisions will give residents and businesses an explicit account of the continued validity of existing permissions and the handling of cases already under consideration. They will address fees already paid or accrued, service obligations crossing the commencement date and the custody and use of records. Changes affecting employees will require applicable consultation and employment procedures. Operational readiness will be assessed before a function changes hands, with arrangements for maintaining technical expertise and institutional knowledge. The treatment of records will address accuracy, lawful access, retention, confidentiality and responsibility for correcting an error. Where two bodies need access during

transition, the arrangement will specify which record is authoritative. Applicants will receive guidance on outstanding information, existing payments and any action required from them. A change of institution will not be used as an unexplained basis for requiring an entire application to begin again.

- 6.29 The framework will distinguish a service complaint, administrative reconsideration, statutory appeal, judicial review and contractual dispute. A common information point may assist a person to identify the competent route; it will not acquire authority to overturn an independent decision. The Government intends to publish a clear commencement explanation and review the operation of the new arrangements after implementation. Corrective measures will be taken through the appropriate statutory or administrative process. The review arrangements will identify who can receive a complaint, which decisions can be reconsidered and the distinction between an administrative response and a legal remedy. Published service information will explain how an issue is referred when raised with the wrong institution. Implementation reporting will address substantive interruptions and unresolved responsibilities, with corrective action assigned to a competent body rather than left to an informal interinstitutional understanding.

Table 6.1: Transition issues requiring an explicit decision

Issue	Required treatment
Authority	Identify instruments, decision makers and commencement conditions.
Rights and obligations	Record existing interests, pending cases and lawful protections.
Services	Identify continuity responsibility and emergency fallback.
Assets and records	Confirm ownership, access, custody and any transfer terms.
People and contracts	Address staffing, skills, counterparties and lawful changes.
Liabilities and redress	Identify legal consequences and preserve appropriate review routes.

Note: Proposed preparation requirements; not an assumption that assets, contracts or functions have transferred.

Legal review and the consultation process

- 6.30 The proposed consultation will run for six months, from 1 November 2026 to 30 April 2027. The Consultation Steering Committee will coordinate engagement, technical submissions and the preparation of the consultation record. The Attorney General will direct the legal review and advise Government on the legal effect, safeguards and implementation requirements of the reform options. This allocation separates administration of the consultation from the Government's responsibility for legal advice and from any eventual Development Council. Technical work can proceed during consultation without settling the issues on which representations remain open. The review will identify the questions requiring legal determination, the supporting documents and the implications for the available routes. The Committee will organise that material within the consultation record while the Attorney General maintains responsibility for legal assessment. Ministers will receive an integrated account distinguishing legal requirements, operational considerations and choices of policy.

- 6.31 The review will produce an authenticated account of the instruments, a register of functions and responsibilities, an inventory of affected interests, an analysis of the available legal routes and a transition schedule. Public explanation will distinguish present law from proposed changes and identify the rationale for the recommended allocation of responsibility. Privileged advice, personal information and material protected by law will receive the treatment required by the applicable rules, without displacing publication of the policy rationale. The options analysis will identify dependencies between instruments and functions, including the consequences of selecting a different route for one component. Its purpose will be to support a coherent recommendation rather than rank abstract institutional models. The transition schedule will demonstrate how the recommended legal settlement can operate in practice and identify the issues requiring completion before a new provision or allocation of responsibility takes effect.
- 6.32 The Government invites provision-specific evidence from residents, licensees, employees, local government, the GBPA, service providers and other affected persons. Submissions can identify practical difficulties, the legal or administrative arrangements involved and proposed solutions. The White Paper will state the selected approach, explain the principal alternatives considered and identify the measures and sequence required for implementation. The Government's objective of transparent and equal governance throughout Grand Bahama will guide that decision. Responses may distinguish improvements achievable through administration from those requiring a change in law, and explain how an alternative would operate within the existing framework. The consultation report will record material disagreement and the reasoning supporting each recommendation. The subsequent policy decision will identify any further work needed before legislation or commencement and explain how that work relates to the implementation programme.

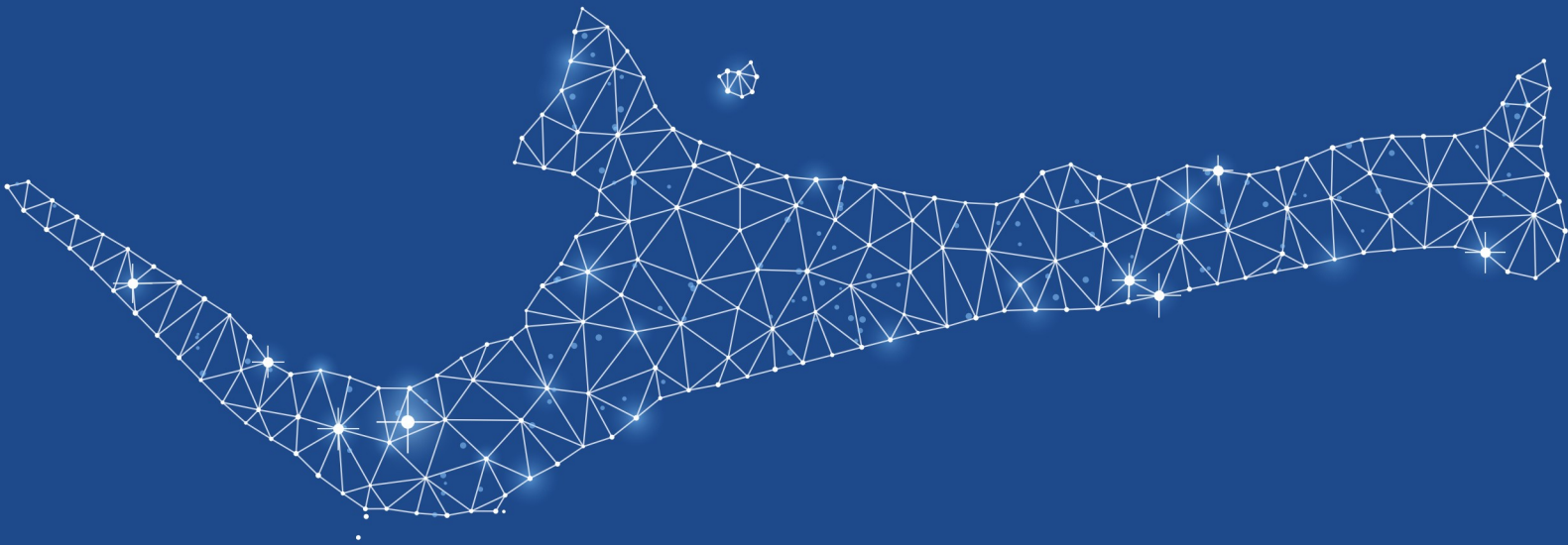
Questions for consultation

- Q6.1** Which public functions require statutory clarification, reassignment or stronger accountability to implement transparent and equal governance throughout Grand Bahama? Please identify the present institution, source of authority where known, and practical change proposed.
- Q6.2** How can targeted amendment, repeal with consequential provision, or a comprehensive successor framework best give effect to the Government's policy objective? Which combination of legal instruments is appropriate for particular functions?
- Q6.3** Which existing licences, approvals, concessions, contracts and other lawful interests require express savings or transitional provisions, and what treatment would provide clear administration during the change?
- Q6.4** What provisions are required to identify public-service duties, enforce service standards and publish the respective responsibilities of Central Government, local government, the GBPA and other competent bodies?
- Q6.5** What separation, disclosure, reasons and review requirements are needed where commercial interests coexist with public decision-making functions?
- Q6.6** What legal and operational commencement conditions are necessary to maintain services, preserve valid permissions and resolve pending applications, enforcement cases and proceedings?

GRAND BAHAMA:

CHAPTER 7: THE PROPOSED GRAND BAHAMA DEVELOPMENT ACT

A Framework for Stability and Growth



The purpose and scope of legislation

- 7.1 The Government proposes a Grand Bahama Development Act as a principal legislative instrument for an island-wide settlement. Its purpose would be to give effect to transparent and equal governance and regulation, connect development policy with the allocation of public responsibilities, and establish a coherent basis for investment concessions throughout Grand Bahama. The legislation would recognise different settlement conditions and development needs within one public framework, rather than perpetuate a regime whose advantages are concentrated in Freeport. Its architecture would begin with the decisions and obligations which require legal expression: the territorial application of provisions, the competent authority, the procedure to be followed and the means of accountability. Consultation will inform the functions which require inclusion, the relationship between them and the extent to which existing legislation can be amended or used alongside the new Act without creating inconsistent duties.
- 7.2 The Act would be prepared alongside the HCA review and the institutional proposals examined in this Green Paper. The Government's assessment is that the HCA is an antiquated, colonial and pre-independence mechanism which has outlived its utility and created an economic imbalance across the island. The legislative response must address that policy problem while determining the legal treatment of existing instruments, rights and obligations. The Development Act could accompany substantial amendment, provide successor provisions for specified functions or form part of a replacement settlement. Different provisions may require different treatment; a single description of reform would not establish that each instrument has the same duration or effect. Consultation and legal examination will inform the selected route. The White Paper would explain how the proposed Act and the HCA measures operate together, identifying where a provision supplements, supersedes or preserves an existing arrangement and how any resulting gap or overlap will be resolved.

Public purposes and statutory architecture

- 7.3 The proposed statutory purposes would encompass equal public governance, transparent regulation, geographically inclusive development, resilient infrastructure and effective accountability. The Government considers that these objectives require corresponding duties and procedures if they are to guide conduct in a contested or complex case. Consultation will examine duties to cooperate, exchange information lawfully, publish responsibilities and explain the relationship between major decisions and an adopted island strategy. The design would identify the persons subject to a duty, the circumstances in which it arises and the response required, including treatment of a refusal or an inability to act. A duty to cooperate would not confer an unrestricted power to disclose protected information or displace an authority's responsibility for its own decision. The legislation would also need to distinguish obligations capable of direct compliance from objectives requiring the exercise of judgment.
- 7.4 The legislative design would distinguish core issues for primary legislation from technical detail suitable for regulations or administrative guidance. Core functions, material powers, eligibility principles and safeguards affecting rights or public revenue would require clear legislative treatment. Delegated powers could address procedures, information requirements and reporting formats within defined limits, with publication and appropriate scrutiny for material changes. Consultation will examine how the framework can adapt to operating experience without permitting its central purposes or safeguards to be altered through an obscure administrative

practice. A person using the scheme would need to distinguish a statutory condition from guidance explaining how to satisfy it. Where discretion is retained, its subject and limits would be apparent, together with the requirement to record reasons. This division would support both durable policy and practical administration: Parliament would settle the essential framework, while authorised detail could be maintained through a transparent process proportionate to the significance of the change.

An island-wide development strategy

- 7.5 The Government proposes a common strategic reference for economic development, settlement planning, infrastructure and environmental resilience. The Act could prescribe preparation, consultation, approval, publication and periodic review, while distinguishing an island strategy from detailed local or sectoral plans. Freeport, East Grand Bahama and West Grand Bahama would be considered within one framework, with local provisions reflecting particular conditions rather than assigning permanent and exclusive economic roles to settlements. Consultation will address the relationship with existing plans and whether specified provisions guide policy or have a defined legal effect on decisions. If a decision-maker must have regard to a strategy, the framework would need to explain that obligation and the treatment of a reasoned departure. If a provision is intended to bind subsequent decisions more directly, its scope and safeguards would require corresponding precision. Public participation would concern the choices capable of influence, including material alternatives, rather than occur only after a strategic proposal has effectively been settled.
- 7.6 The strategy would identify enabling arrangements required for prospective economic platforms, including serviced land, utilities, transport, skills, housing and suitable regulatory provisions. The Government does not regard weak present demand as sufficient to exclude an opportunity where a missing framework may itself constrain market development. Examination would distinguish the existence of an opportunity from the sequence of changes through which it could be realised. This entails identifying assumptions about capability, access and complementary activity, and considering how different arrangements might affect those assumptions. Evidence could support staged policy development, allowing an enabling measure to be examined before wider commitments are considered. Consultation will inform the appropriate evidence for different platforms, including the circumstances in which demonstration, further technical work or adjustment of a proposal would be necessary before Government could reach a substantive conclusion.
- 7.7 Adoption of a strategy would not justify indefinite suspension of ordinary applications or reliance on an unpublished proposal as though it were an operative rule. The legal framework would specify how an adopted strategy is considered alongside the governing law and the merits of an individual case. It would also address the period during which a strategy is being prepared or revised, including the status of applications already in progress. Material changes affecting settlements, infrastructure requirements or environmental exposure would undergo a proportionate public process, with an intelligible account of the amendment and its implications. A review requirement would therefore concern both the substance of policy and the process through which a change takes effect. Consultation will inform the distinction between routine maintenance, a technical correction and a revision sufficiently significant to require renewed public examination before adoption.

Regulatory functions and administrative coherence

- 7.8 The Act could establish requirements for a published allocation of development-related functions, common service standards and referrals between institutions. Planning, building control, environmental administration, business licensing and infrastructure interfaces will be examined separately because their legal bases and operational requirements differ. For each, the analysis would identify the authority determining the issue, the contribution required from another body and the consequences of an incomplete referral. A common access point could assist applicants without becoming the decision-maker for every permission. The statutory question is where a binding duty or reassignment is necessary and where lawful administrative cooperation is sufficient. Consultation will also examine whether equivalent information can be accepted across processes while preserving distinct judgments on safety, environmental effects or other public interests. Simplification would remove unnecessary repetition, not eliminate a necessary determination merely because several decisions concern the same undertaking.
- 7.9 Where infrastructure and public services depend on decisions by several bodies, the framework would identify the responsible authorities, the coordination required and the means of addressing a material disagreement. Duties could concern timely exchange of relevant information, examination of interdependencies and a reasoned response to a request within the receiving body's competence. They would not imply a Government guarantee of private undertakings or authorise one institution to assume another's obligations without a lawful decision. Accountability would follow the power exercised, with appropriate reporting, audit and review from the commencement of a new function. Existing oversight arrangements would be used where adequate; additional provisions would address a demonstrated gap. Consultation will examine the distinction between an administrative failure to cooperate, a substantive disagreement on policy and a legal conflict which requires a different process. That distinction is important because an escalation procedure can secure consideration of a question but cannot itself supply a power which the determining authority does not possess.

Concessions throughout Grand Bahama

- 7.10 The proposed Act will include consideration of concessions for investment in and throughout Grand Bahama, with possible enhanced concessions outside Freeport. The Government considers transparent and equal governance compatible with differentiated incentives directed to different development conditions. Enhanced provision for East and West Grand Bahama could address the imbalance identified in the policy case and accelerate the extension of opportunity beyond Freeport. Geographic differentiation would require a published rationale, defined boundaries and consistent administration, accessible to eligible Bahamian enterprises as well as other qualifying investors. The design would consider activity with operations in more than one area, so that the place of registration or a nominal address does not determine treatment irrespective of where the supported activity occurs. It would also examine how a location-specific measure interacts with island-wide supply chains and employment. Consultation will inform the appropriate geographic basis and conditions, without predetermining that every form of investment outside Freeport requires the same concession or level of differentiation.
- 7.11 The Green Paper does not fix exemption rates, award periods or entitlements. Consultation will examine the constraints a concession is intended to address, the activities to be supported and the arrangements necessary for effective operation. Relief may have limited practical value where the decisive constraint concerns serviced land, skills, transport or reliable utilities. Its

design will therefore be considered alongside relevant enabling measures, with attention to the point at which an enterprise can use the proposed benefit. The analysis will distinguish support throughout the island from the additional case for enhanced treatment outside Freeport. It will also consider whether differing conditions require a differentiated response rather than a more generous version of the same instrument. This examination would identify the intended policy mechanism before detailed rates or periods are recommended, reducing the risk of a nominal benefit which does not address the condition limiting development. Concessions will be tied to measurable, verifiable commitments rather than asserted benefits. Relief should be linked to productive use and should not reward the passive holding of land or other assets.

- 7.12 A future scheme could combine a standard offer for applicants satisfying published statutory conditions with a separately governed procedure for exceptional cases. A rules-based route can improve predictability, especially for smaller enterprises which cannot sustain prolonged negotiation. Its conditions must nevertheless be sufficiently precise to administer consistently and capable of verification without disproportionate cost. Individual determination can respond to unusual circumstances but requires more detailed evidence, decision records and safeguards against unequal treatment. The Government seeks views on the appropriate balance and on the circumstances, if any, which justify departure from the standard route. An exceptional procedure would need to identify its legal limits, approving authority and the reasons supporting a decision; it could not function as an unpublished alternative regime. Applicants would know the relevant route before submitting information, and comparable cases would receive comparable treatment. Consultation will inform whether a mixed model can provide necessary flexibility while preserving the transparency and equality which the proposed Act is intended to establish.

Eligibility, additional activity and Bahamian participation

- 7.13 The Government proposes that eligibility be examined by reference to the activity and public benefit which a concession is intended to support. New investment, expansion, modernisation, restoration and development of small enterprises may each contribute to the policy objectives, but involve different evidence and risks of unintended advantage. Requirements would be proportionate to the nature and scale of support, with clear treatment of existing operations and the incremental activity for which relief is sought. The scheme would address artificial relocation, fragmentation of businesses and arrangements between related parties designed primarily to secure a benefit. It would also specify treatment of an undertaking operating both within Freeport and elsewhere, including how activity and relevant commitments are attributed. Consultation will examine how these distinctions can be administered without discouraging genuine restructuring or expansion.
- 7.14 Assessment of additional activity would examine changes in location, timing, scale, capability, resilience or skills which support could reasonably bring about. It would consider displacement of existing Bahamian enterprises and distinguish an expansion of productive activity from its relocation within the island. The Government has not prescribed scoring criteria or weights. Appropriate evidence will differ between established sectors and platforms dependent on regulatory or institutional arrangements which do not yet exist; current market demand alone would be inadequate. Consultation will inform how a plausible alternative without the concession can be described and what uncertainty attaches to it. An applicant's stated intention would be relevant evidence, but would not alone establish the effect of support. The analysis would also distinguish benefits attributable to a concession from those dependent on separate enabling measures. This would allow Government to consider the complete policy proposition while

remaining clear about the contribution expected from each instrument and the limits of any estimate of additional activity.

- 7.15 Bahamian participation would be addressed through verifiable opportunities for employment, recognised training, local supply, enterprise development and ownership. Depending on the supported activity, conditions could concern apprenticeships, procurement opportunities, supplier development or access for Bahamian co-investors. The design would distinguish an opportunity offered from an outcome sustained: recruitment from continuing employment, a training place from a recognised competence, and a contract award from work performed and paid for. Requirements would be lawful, proportionate and related to capabilities which can reasonably be developed. Where participation depends on training capacity, certification or access to equipment, the undertaking would identify that dependency rather than conceal it within an unsupported target. Consultation will examine how commitments are specified, evidenced and reviewed, including the treatment of material changes in operating conditions. The Government seeks arrangements which make Bahamian participation a substantive component of development without imposing nominal conditions which are difficult to verify or rewarding formal ownership structures that do not reflect the enterprise's actual operations.

Figure 7.1: A transparent route for designing investment support



Note: Proposed design sequence. Eligibility, rates, duration, ceilings and conditions are not fixed by this paper.

Proportionate fiscal safeguards and review

- 7.16 Concessions affect public revenue and consequently require fiscal examination as part of their design. The Ministry of Finance would assess the likely revenue effect, administration and material associated obligations before recommendations are settled. The examination would distinguish the stated value of relief from its expected effect on public finances, allowing for changes in activity which the scheme may induce and uncertainty about uptake. A benefit calculated against an assumed level of future activity is not necessarily equivalent to revenue which would otherwise have been collected. Conversely, the possibility of additional development does not remove the need to identify immediate revenue and administrative consequences. Consultation evidence can inform assumptions about eligibility, use and compliance, while the competent authorities retain responsibility for fiscal advice. This work would remain proportionate to the statutory concession proposal. It would support a reasoned decision on the instrument and its safeguards without prescribing a financing structure, determining individual transactions or treating the Green Paper as an approval for associated expenditure.
- 7.17 The Act could provide defined award periods and periodic scheme review, expressly distinguishing closure to new awards from the duration of rights already granted. Published provisions on duration and change are integral to predictable administration. Review would

examine delivery, Bahamian participation, geographic reach and unintended effects, including whether eligibility or procedures create avoidable barriers for the enterprises intended to benefit. Conditions and remedies would be communicated before an award is accepted, with a fair opportunity to respond to alleged material non-compliance. The framework would distinguish deliberate misrepresentation, a remediable reporting failure and interruption caused by events beyond reasonable control. Hurricanes and other serious disruptions require explicit treatment, including the evidence necessary to establish their effect on an undertaking. Consultation will inform proportionate procedures for variation, suspension or recovery within the lawful scheme. A review of policy for future awards would not be treated as an unexamined power to alter every existing commitment, while a defined award period would not prevent enforcement of conditions lawfully attached to the benefit. The Development Act itself would be subject to a statutory review every five years, so that Grand Bahama is not again governed for decades by arrangements that no longer serve the island.

Decisions, disclosure and review mechanisms

- 7.18 The administrative framework would identify the evidence required, the lawful decision-maker, the principal stages and the routes for enquiries, complaints and review. A common application service could reduce repeated submissions, with an assisted route for people unable to use digital channels. Its design would distinguish receipt and completeness checking from the substantive determination of eligibility or an award. Published standards would identify periods within the authority's control and periods awaiting necessary information, together with the treatment of a material change to an application. Requests for additional evidence would be directed to a stated question, rather than create an indefinite process without an identifiable next step. Promotion of investment would remain distinct from impartial determination, with conflicts managed and reasons recorded. Consultation will examine the information an applicant needs to understand a decision, including a refusal, a conditional award or a finding that the proposed activity falls outside the scheme, without assuming that an investment-promoting body also holds the authority to confer relief.
- 7.19 Consultation will address the appropriate combination of reconsideration, independent review and statutory appeal, without prejudging the jurisdiction to be provided by legislation. The framework would distinguish correction of an administrative error, reconsideration of a substantive determination and challenge to the legality of a decision. The reviewing authority, the available grounds and the treatment of new information would require definition, alongside the continuing availability of remedies under the applicable law. Disclosure provisions would balance legitimate confidentiality with scrutiny of public support. Options include publication of scheme rules, aggregate revenue effects, recipients and material commitments to an extent determined lawfully and consistently. A claim of confidentiality would be considered in relation to the information concerned, rather than used as a general substitute for explaining administration of the regime. Consultation will inform how reasons and aggregate reporting can be sufficiently informative without disclosing protected commercial or personal information, including where several published items could together reveal material not intended for disclosure.

Table 7.1: Design choices for a concession scheme

Choice	Question to resolve
Geographic reach	How would island-wide access and possible enhanced support outside Freeport be defined?
Eligibility	How would existing firms, expansion, small enterprises and emerging platforms qualify?
Public benefit	Which employment, skills, supplier or other conditions can be verified?
Fiscal protection	What duration, cost reporting, review and non-compliance arrangements apply?
Administration	Who decides, publishes reasons, monitors and hears an appeal?

Note: The table identifies consultation choices; it creates no concession entitlement.

Transition and commencement

- 7.20 The legal examination will identify the interaction between the proposed Act, the HCA and associated instruments. It will address existing approvals and concessions, pending applications, possible overlap and the avoidance of unintended double benefit. Each material class of provision would require an account of what continues, what changes and the legal instrument through which that effect is achieved. The Government's case for reform does not dispense with determining the treatment of existing rights and obligations. Nor would a general saving provision necessarily resolve every interface if different permissions or benefits arise under different instruments. Consultation will assist identification of the arrangements requiring express treatment, while legal advice determines the implications of the relevant text. The White Paper would explain the selected relationship and the proposed sequence of measures. This would enable affected parties to distinguish a proposed change of policy from the operative event which alters the rules applicable to an existing undertaking or an application in progress. Any change to existing concessions will be predictable and, where appropriate, phased, with adequate notice. Experience elsewhere suggests that sudden or unpredictable changes deter investment more than a well-signalled transition.
- 7.21 Commencement may be phased where functions require regulations, published procedures, trained staff or revised records. Before a material provision takes effect, the responsible authority would identify the decision-maker, operational arrangements and continuity requirements. Readiness would concern the practical ability to receive applications, apply the correct conditions, preserve records, communicate decisions and operate the relevant review mechanism. A statutory title alone would not establish those capabilities. The Government proposes a sequence which brings the intended framework into operation while preserving access to lawful decisions and essential services. Consultation will inform the dependencies between provisions and the treatment of cases crossing a commencement date. If a function begins before a related part of the framework, the interim interface would require an explicit basis rather than an assumption that the remaining powers will follow. Commencement information would identify the provisions taking effect and the route for existing users, allowing the public to understand the change without having to reconstruct the entire legislative programme.

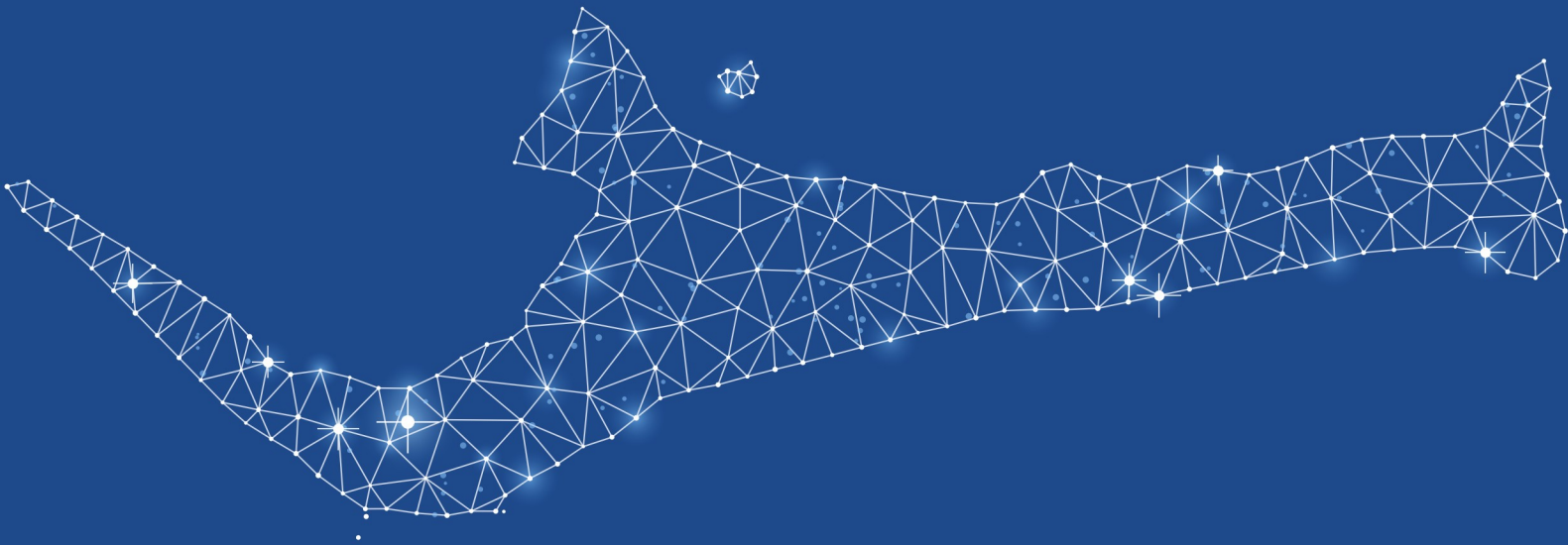
Questions for consultation

- Q7.1** Which functions, cooperation duties and accountability provisions require inclusion in a Grand Bahama Development Act, and which can be implemented under existing powers?
- Q7.2** What legal effect and review procedures would make an island-wide strategy an effective reference for planning, infrastructure and development decisions?
- Q7.3** How should concessions throughout Grand Bahama and possible enhanced concessions outside Freeport be structured to address their intended development constraints?
- Q7.4** What evidence and eligibility provisions are appropriate for expansion, restoration, small enterprises and emerging economic platforms, including those dependent on a new enabling framework?
- Q7.5** Which verifiable provisions for Bahamian employment, skills, suppliers and ownership would produce sustained participation in the activities supported?
- Q7.6** What award periods, scheme review, disclosure and proportionate non-compliance provisions would give clear expectations while protecting public resources?
- Q7.7** How should decisions, review mechanisms and transitional provisions operate where a proposed concession regime interacts with existing approvals and rights?

GRAND BAHAMA:

CHAPTER 8: TRANSPARENT AND EQUAL GOVERNANCE THROUGHOUT GRAND BAHAMA

A Framework for Stability and Growth



The intended governance settlement

- 8.1 The Government's objective is a transparent and equal framework of governance and regulation for the whole of Grand Bahama. Public responsibilities must be exercised in the island-wide public interest, with identifiable authority, published procedures and effective accountability. The Government considers that a development framework established before independence, centred on Freeport and substantially directed through private family interests no longer provides an appropriate basis for that purpose. Reform is therefore a governance exercise as well as an economic exercise. The consultation concerns the legal and institutional arrangements through which this objective can be secured, including the distinction between the regulation of activity and the commercial interest of an organisation participating in it. The settlement would recognise the contribution of Freeport within a wider public framework and provide an intelligible basis for the treatment of communities beyond it. The Government seeks mechanisms through which equivalent public principles apply across the island while justified differences in service delivery or incentives remain capable of explanation and scrutiny.
- 8.2 The starting point is the framework operating in practice, involving Central Government, local government and the GBPA, together with relevant regulators and service providers. Examination will address the legal basis, geographic application, present exercise and accountability of material functions, distinguishing a power conferred by law from an activity undertaken through contract, convention or cooperation. It will also distinguish ownership of an asset from authority to regulate an activity, and the performance of work from responsibility for the public standard it must meet. The effect of arbitration and related instruments will be considered function by function; this Green Paper assumes no general transfer of authority. Where the legal position and operating practice differ, both will need to be identified before an institutional recommendation is made. Consultation can supply evidence of the practical interface, while the competent legal process establishes the significance of the instruments on which the allocation depends.
- 8.3 The proposed Development Council, HCA reform and Development Act are complementary components of the same programme. The Council, if appointed, would initially advise on substantive policy design; the HCA review would establish options for changing the existing settlement; and the Act would provide the statutory provisions selected for the new framework. Consultation would be administered through the separate, time-limited Steering Committee. The relationship between these mechanisms would be expressed through their respective decisions and legal instruments, rather than inferred from their names. A recommendation of the Council would require Government consideration; a consultation report would not itself amend the HCA; and legislation would need supporting arrangements before a newly assigned function could operate effectively. Consultation will inform the connections requiring treatment and the sequence capable of delivering a coherent allocation without assuming that both proposed bodies must be constituted at the outset.

A verified allocation of responsibilities

- 8.4 The Government will commission a functional account of development-related responsibilities as a basis for reform proposals. It will cover licensing, physical planning, building control, environmental administration, utility oversight, roads, drainage, sanitation and public spaces, with relevant interfaces to national functions such as customs and immigration. For each, the

account will distinguish policy, standard-setting, individual determinations, service delivery, enforcement and review. It will identify the source and territorial reach of authority, the body undertaking the work and any arrangement through which another institution contributes. It will also record how each function is funded, who bears its cost and the standard of service currently delivered. Where a function contains several distinct decisions, these will be separated rather than attributed collectively to every participating body. The account will also identify dependencies on information, records or technical advice held elsewhere. Its purpose is to establish what requires reform and on what basis.

- 8.5 The functional analysis will be tested against ordinary transactions: repair of a storm-damaged home, expansion of a small enterprise, development outside Freeport and an industrial undertaking requiring several permissions and connections. Each example would trace the decisions required, information requested, institutions involved and route available if an issue is not resolved. The analysis would distinguish a parallel requirement serving a separate public purpose from repetition of an assessment already carried out adequately. It would also examine whether a referral creates a necessary technical dependency or simply leaves responsibility unclear to the applicant. Potential remedies include common standards, lawful recognition of another assessment, referral protocols and statutory reassignment. Their suitability depends on the function, legal basis and interest protected. Consultation will provide practical examples through which the proposed allocation can be examined, including less frequent cases crossing geographic or institutional boundaries. The objective is a framework which works in actual decisions, rather than an organisational diagram which appears coherent while leaving essential steps unexplained.
- 8.6 The resulting settlement would be expressed through a public schedule of responsibilities and supporting guidance. Residents and enterprises would be able to identify the competent authority, the geographic application of a function, the principal procedure and the route for complaint or challenge. Officials would have the more detailed legal and administrative record necessary to operate that account, including dependencies and referral requirements. The public schedule would explain the allocation without purporting to replace the governing instrument or resolve a contested right by summary description. Material changes would identify the effective date and treatment of pending cases, with arrangements for correcting an error and maintaining an authoritative version. If a function remains incomplete or an interface unresolved, that limitation would be visible with a stated route to determination, rather than concealed by describing every institution as jointly responsible or by directing users among several offices without ownership of the issue.

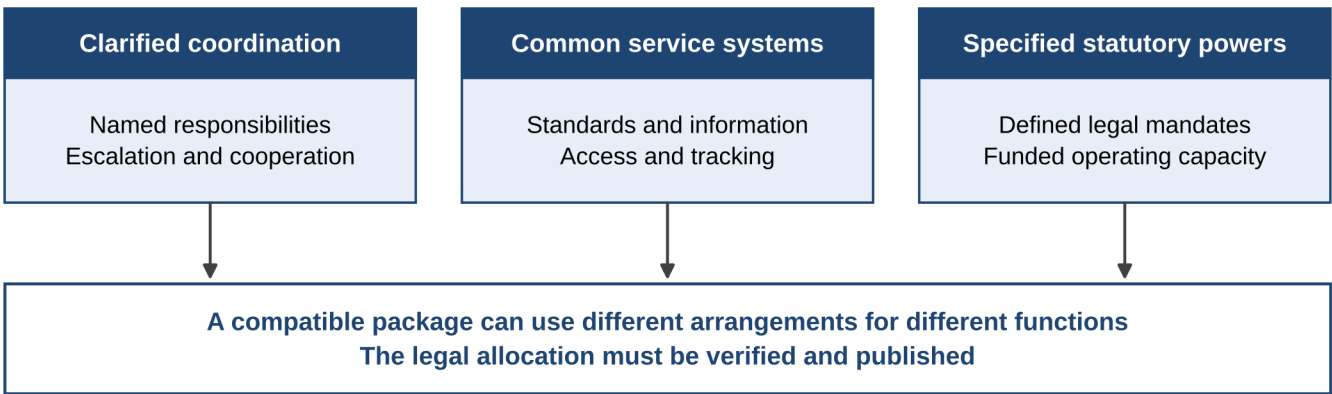
Institutional arrangements for coherent administration

- 8.7 A clarified allocation of existing functions supported by stronger coordination is one available component of reform. A designated coordinating office could convene authorities, maintain referrals and escalate issues requiring Ministerial or legal resolution, while decisions remain with their lawful holders. Its mandate would identify the issues it may resolve administratively, those requiring a substantive decision elsewhere and the procedure where an institution does not respond. This option could address failures of sequencing or communication without unnecessary reassignment, but its adequacy depends on the nature of the underlying problem. Cooperation cannot supply a missing power or reconcile contradictory legal duties by administrative agreement alone. Consultation will examine the functions for which a coordinating arrangement would provide a sufficient remedy and the evidence that an effective escalation

route could be maintained. The Government would also consider the relationship with existing departmental responsibilities so that the coordination mechanism has a defined task rather than an unrestricted mandate to intervene in every development-related decision.

- 8.8 Common service standards, information requirements and application arrangements provide a further option. Institutions could apply consistent procedures and exchange information lawfully while retaining distinct determinations. This could reduce the burden of repeated submission and make the public experience more coherent, but would require agreement on the information accepted, the points at which it is checked and the institution responsible for correction. The operator of a shared service would be accountable for records and communications, while the competent authority remained responsible for the merits of its decision. A common interface would not create powers which a participant lacks or make a collective system answerable for every substantive determination. Consultation will examine where such arrangements can meet the intended standard and where a unified statutory responsibility is necessary. It will also address access for users unable to rely on digital channels and the treatment of an interruption in the shared service, so that administrative integration does not create a new obstacle to exercising an existing right.
- 8.9 Reassignment of specified functions to an existing public authority or a new statutory body is also available for consideration. It would require explicit treatment of powers, staff, assets, obligations and oversight, together with an account of responsibilities which remain elsewhere. A unified decision may simplify a material interface, but concentrating functions can also create demands for specialist capability, separation of roles and independent review. Coordination, common standards and statutory reassignment may form parts of a single settlement, directed to different functions. Consultation will inform the appropriate level of integration and the safeguards where promotion, ownership, operation and regulation might otherwise meet within one institution. A proposal to acquire functions would therefore identify the public purpose and practical consequences, rather than rest on an institution's preference to retain influence or broaden its remit.

Figure 8.1: Compatible choices for an island governance framework



Note: Design options. No legal allocation, institutional winner or weighted appraisal is fixed at this stage.

Local government and settlement participation

- 8.10 An island-wide framework would establish common public standards while allowing decisions to respond to settlement conditions. The Government proposes a defined role for local government

and community participation in strategy preparation, service priorities and examination of outcomes. That role would identify when local views enter a process, which institution must consider them and how a decision differing from a material representation is explained. Participation must take place while alternatives remain capable of consideration. The legal framework will distinguish issues reserved to national institutions from local input, delegated delivery and any local decision-making authority; consultation alone would not transfer a power. A service with local operating requirements may justify a different relationship from a nationally regulated determination. Consultation will examine these distinctions against practical needs, including how settlement priorities are considered alongside obligations extending across the island and how a disagreement over priority reaches the authority competent to resolve it.

- 8.11 East and West Grand Bahama require accessible means of engaging the institutions responsible for their services and development. Regional service sessions, named liaison arrangements and settlement discussions could support that objective, provided each connects to a competent authority and a procedure capable of producing a response. The Government does not propose that an informal forum become a parallel governing body through repeated participation. Arrangements would reach people outside organised groups, including young people, persons with disabilities, older residents, shift workers and smaller enterprises. This requires attention to timing, transport, assisted contributions and the distinction between public discussion and the handling of an individual case. Local evidence would be recorded with sufficient context to identify the condition described and its policy relevance. It would be examined alongside administrative and technical information, with material differences investigated rather than resolved by treating either institutional records or lived experience as automatically conclusive. The appropriate arrangements will depend on the service or decision concerned and the contribution required from the community.

Access, decisions and redress

- 8.12 The Government proposes that the future framework provide a clear route to information, applications and service enquiries across Grand Bahama. A common access point could explain requirements, receive information, track referrals and identify the decision-maker. Where several determinations are necessary, a lead contact could coordinate communications and distinguish the outstanding steps without taking responsibility for decisions outside that person's authority. The user would understand whether information has merely been received, whether an application is complete and whether a substantive determination has been made. This distinction is material where several procedures run concurrently or a dependency prevents one authority from acting before another. Consultation will examine the extent to which access can be integrated and the arrangements for assisted service, correction of a referral and continuity during disruption.
- 8.13 Service standards would address acknowledgement, completeness checks, requests for further information, determination and notice of delay. Reasons would enable an applicant to understand the material basis of a decision and the available route of challenge. Administrative complaints, reconsideration, statutory appeals and judicial remedies serve different purposes and would remain distinguishable, with guidance directing a person to the appropriate process. A common complaints entry point could support referral, but responsibility for handling the enquiry would remain identifiable until the competent body accepts it. The arrangements would also explain how an issue involving several institutions is coordinated, so that each response does not address only a narrow part while leaving the underlying problem unresolved. Reporting

would identify recurring procedural failures without disclosing protected personal or commercial information. Consultation will inform the appropriate standards and escalation arrangements, including the information supplied where a decision cannot be made within the stated period and the means by which a person can seek an explanation without confusing delay with a refusal on the merits.

- 8.14 The Government will examine how performance information can explain causes of delay, including incomplete applications, specialist assessment and dependencies between authorities. The analysis would distinguish elapsed time from time within an institution's control, while retaining the overall experience of the user. A pause awaiting information would need an identifiable reason and a route for resuming the issue; it would not remove the case from public accountability indefinitely. Measures would recognise complexity and the quality of a determination as well as timeliness. An incentive to issue rapid but incomplete decisions would undermine reliable administration, as would treating a referral as resolution of a complaint. Consultation will inform which information helps identify systemic improvement without requiring disproportionate reporting. Comparisons between institutions would need consistent definitions and an account of materially different cases. The purpose is to reveal the procedural condition requiring action and the authority responsible, rather than produce a ranking which rewards avoidance of difficult applications or obscures the effect of an unresolved inter-institutional dependency.

Table 8.1: Fields in a proposed public responsibility schedule

Field	What the record should establish
Legal authority	The relevant instrument, function and geographic reach.
Decision and standard	Who sets requirements and determines an application or service rule.
Delivery and accountability	Who provides, maintains and monitors the service.
Access and review	Where to apply, complain, appeal and seek an explanation.
Change and continuity	Effective date, pending cases and arrangements during transition.

Note: The schedule should be verified function by function; this table does not allocate current powers.

Records, resources and accountability

- 8.15 The framework would identify the authority responsible for each material record, the basis for sharing information and the procedure for correcting conflicting entries. A lead authority would maintain the consolidated responsibility schedule, while each institution remained accountable for its determinations and records. Shared arrangements would require agreement on definitions, authoritative sources, changes and the information users may rely upon. Access controls, retention and lawful disclosure would be addressed before systems are introduced, including treatment of material supplied for one purpose and requested for another. An error affecting a decision would require a correction process which preserves the record of what occurred rather than silently replacing it. Consultation will inform how records can remain consistent across institutions without centralising every underlying file or assuming that

possession of information confers jurisdiction over the issue described. These provisions would support both ordinary service delivery and later scrutiny of the basis on which a public function was exercised.

- 8.16 A transfer of functions would be accompanied by examination of staff, assets, operating requirements, existing revenue and outstanding obligations. The receiving institution would require the authority and practical capacity to discharge the duty from commencement, while the outgoing institution's residual responsibilities would be identified expressly. An account of capacity would distinguish temporary transition work from continuing service requirements and identify dependencies on specialist staff, records or contracted support. Any charge or revenue arrangement would need a lawful basis and clear publication, including the point at which liability or collection responsibility changes. Reporting and audit would identify accountability for expenditure, procurement and assets where delivery is contracted, shared or transferred. Consultation will assist identification of operational obligations which may not be apparent from statutory descriptions alone. The purpose is to avoid reallocating a duty without the means to perform it, or transferring an asset without determining the associated maintenance and contractual obligations. These are requirements of a lawful and workable governance settlement, with their detailed treatment developed through the competent public processes.

Transition to the revised framework

- 8.17 The Government proposes a function-by-function transition plan following the substantive decisions set out in the White Paper. For each material change, it would identify the legal instrument, present and future responsibility, records and assets, staffing implications, continuity arrangements and conditions for commencement. Existing rights, accrued obligations and pending applications would receive explicit treatment, including the authority responsible for a case initiated before a transfer but determined afterwards. Contracts would be examined before assignment is assumed, and the relationship between a change in public responsibility and a continuing private obligation would be considered separately. Consultation can identify cases and dependencies which require particular provision, while legal examination determines the appropriate mechanism. The plan would distinguish enactment, administrative preparation and operative transfer so that a legislative milestone is not taken to mean that all functions, records and obligations have moved on the same date.
- 8.18 Essential services and access to decisions would continue through transition. Temporary parallel operation may be necessary to verify records, systems or an interface, but would have a defined purpose, duration and decision-maker. It would not leave users uncertain about which determination is authoritative or oblige them to pursue duplicate procedures. Staff and service users would receive information appropriate to the change, including the route for cases already under consideration and responsibility for responding to failure. Readiness would be established before a function transfers, with attention to operating procedures, access to records, trained personnel and the ability to use the required legal powers. The sequence will be developed with competent institutions and informed by consultation. Where a dependency is not ready, the consequence would require an express decision rather than an informal extension of responsibility. The objective is a controlled movement to the selected framework, preserving continuity while avoiding a temporary arrangement which becomes permanent without the policy and legal examination applied to the substantive reform. A test of readiness will be whether the receiving institution can deliver the function to a standard at least equal to the service it replaces.

The basis of the Government response

- 8.19 The Government will explain how the selected arrangements secure its stated objective and address the framework operating today. Consultation will inform the evidence and considerations used to examine alternatives; no weighted appraisal or predetermined institutional ranking is adopted in this Green Paper. The response would identify the reasons for each material allocation, the legal route, accountability and transition implications, including the connections between decisions taken on different functions. Provision for subsequent review may examine whether procedures, service relationships and accountability operate as intended. That review would distinguish an implementation failure from a defect in the underlying allocation, so that a remedy is directed to the cause. The settlement would provide durable rules while retaining lawful means of adjustment, without making established administrative procedures dependent on repeated institutional negotiation or treating every operational difficulty as grounds to reopen the whole framework.

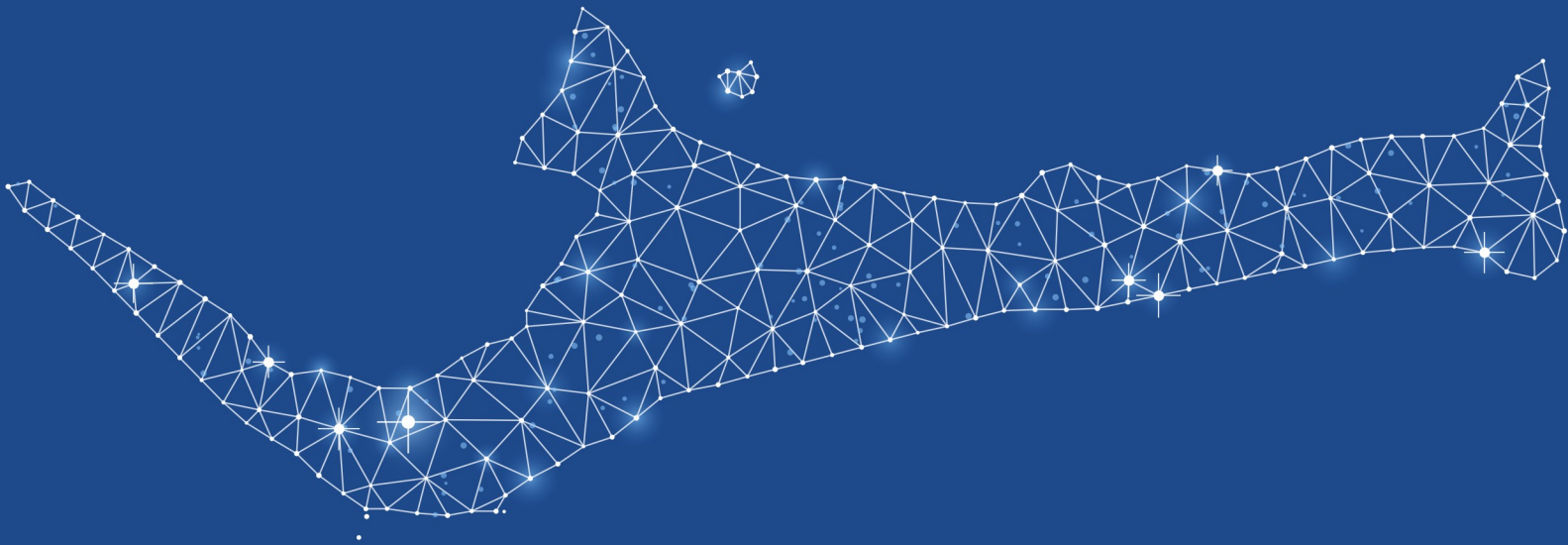
Questions for consultation

- Q8.1** Which legal instruments, administrative records and operational evidence are required to verify the present allocation and exercise of development-related functions?
- Q8.2** Which functions can be administered coherently through coordination or common standards, and which require a change in statutory responsibility to implement island-wide equal governance?
- Q8.3** How should local government and settlement participation be incorporated into island-wide strategy, service priorities and review?
- Q8.4** What common access, service-standard and redress arrangements would provide clear and consistent administration across Grand Bahama?
- Q8.5** What record-keeping, information-sharing, resource and audit provisions are necessary for the proposed allocation of functions?
- Q8.6** What legal safeguards, continuity arrangements and readiness conditions are required before responsibilities, records, assets or staff are transferred?
- Q8.7** What evidence and considerations would assist Government in selecting and subsequently reviewing the institutional arrangements that give effect to its stated policy objective?

GRAND BAHAMA:

CHAPTER 9: GOVERNANCE OF THE CONSULTATION

A Framework for Stability and Growth



Purpose and administrative authority

- 9.1 The Government proposes a time-limited Consultation Steering Committee to oversee the conduct of the Green Paper consultation. The Committee will provide a defined administrative structure for engagement, evidence coordination and the preparation of recommendations for ministerial and Cabinet consideration. It will operate within the six-month consultation period and the subsequent period required to complete the consultation report. This work requires a body capable of maintaining the connection between community engagement, interdepartmental advice and the decisions to be placed before Government. The Committee will organise that process within a published scope, with the Secretariat maintaining the supporting records. It will identify issues requiring examination and ensure that the relevant contribution is brought into the consultation analysis. Its work will be directed to completing a coherent report after the closing date, rather than issuing separate policy conclusions during the exercise. The proposed arrangement will provide an identifiable point of administrative responsibility without displacing the institutions responsible for substantive advice and decision-making.
- 9.2 The Steering Committee will be established by Cabinet with approved terms of reference. Its authority will be administrative and advisory. It will not exercise a regulatory jurisdiction, determine individual applications, vary the HCA, grant concessions or make binding decisions on the future institutional settlement. Those issues remain with the competent authorities and the constitutional and statutory processes applicable to them. The terms of reference will distinguish the Committee's ability to organise or request technical input from the authority to determine the underlying issue. A representation may concern a licence, concession or contractual interest, but recording and analysing that representation will not vary the interest concerned. Where an issue requires a determination by a competent institution, the record will identify that requirement and the appropriate referral. This will enable the consultation to examine the operation of public responsibilities while preserving the legal position of participants. The distinction will also govern how the Committee describes its work publicly, including the status of any recommendation.
- 9.3 The Government considers that a dedicated consultation mechanism will maintain focus and provide a clear route from engagement to decisions. Its purpose is to organise the work required to settle the proposals. It is not an additional permanent layer of governance and will not continue indefinitely by administrative convention. The instrument establishing it will specify its reporting obligations, term and arrangements for completion. A defined completion arrangement will prevent responsibility for consultation from becoming indistinguishable from responsibility for implementing the resulting policy. The Committee will have a specific task, a consultation record and a report to hand over. Decisions on a continuing institution will be taken on the merits of the relevant proposal, with the powers and accountability appropriate to that role. The Government will consider the administrative requirements of the exercise through the establishment arrangements and retain the ability to address a specified outstanding task expressly. An extension, if necessary, will state its purpose and duration rather than leave the mandate open-ended.

Relationship with the Development Council proposal

- 9.4 The Steering Committee and the proposed Grand Bahama Development Council have different purposes. The former is a temporary mechanism for the conduct of consultation. The latter is a

proposal for the island's institutional framework, on which the Government seeks views in Chapter 5. The establishment of the Steering Committee will not determine whether the Council should be permanent, what statutory functions it should exercise or how it should be constituted. The Council proposal raises questions about representation, ongoing advice, coordination and any possible statutory function within a future development framework. The Steering Committee's task is to enable those questions to be heard and examined alongside the other proposals. It will not acquire a superior position merely because it administers the process, and its membership will not be treated as the model for a permanent Council. Government will consider arguments for alternative institutional arrangements through the consultation record. The eventual settlement will identify the purpose of any continuing body and the legal or administrative instrument through which it is constituted.

- 9.5 Evidence and representations concerning the Council will be considered through the same process as the other substantive proposals. If Cabinet determines that an advisory Council should be constituted during the reform process, its functions and relationship with the Steering Committee will require express definition. An overlap in membership would not merge their mandates or confer powers which neither body possesses. An express definition would identify which body gathers and analyses consultation material, which provides institutional advice and how any separate reports reach the responsible Minister. The same person participating in more than one capacity would need to distinguish those capacities in the record. This is relevant both to the management of interests and to the weight attributed to a recommendation. The Government's consideration of a possible advisory Council during the reform process will therefore include its relationship with the existing consultation arrangements. No such appointment would convert an open institutional proposal into an assumed permanent settlement or give either body power to make binding regulatory decisions.
- 9.6 The Committee's consultation recommendations will inform ministerial and Cabinet decisions. They will not substitute for the Attorney General's legal advice, the functions of other competent departments or Parliament's consideration of legislation. This separation of roles is necessary to maintain a consultation process that is administratively effective and institutionally clear. The Committee will bring relevant contributions together while preserving their provenance and the responsibility of the institution supplying them. A legal question will not be resolved by a majority preference in a consultation meeting, and a departmental statement will be recorded in the capacity in which it is provided. Where advice differs or depends on further work, that position will be identified for ministerial consideration. The final recommendations will explain the policy implications of the record and the choices requiring Government determination. This will permit a coordinated submission to Cabinet without representing consultation administration as a substitute for the substantive responsibilities of the State.

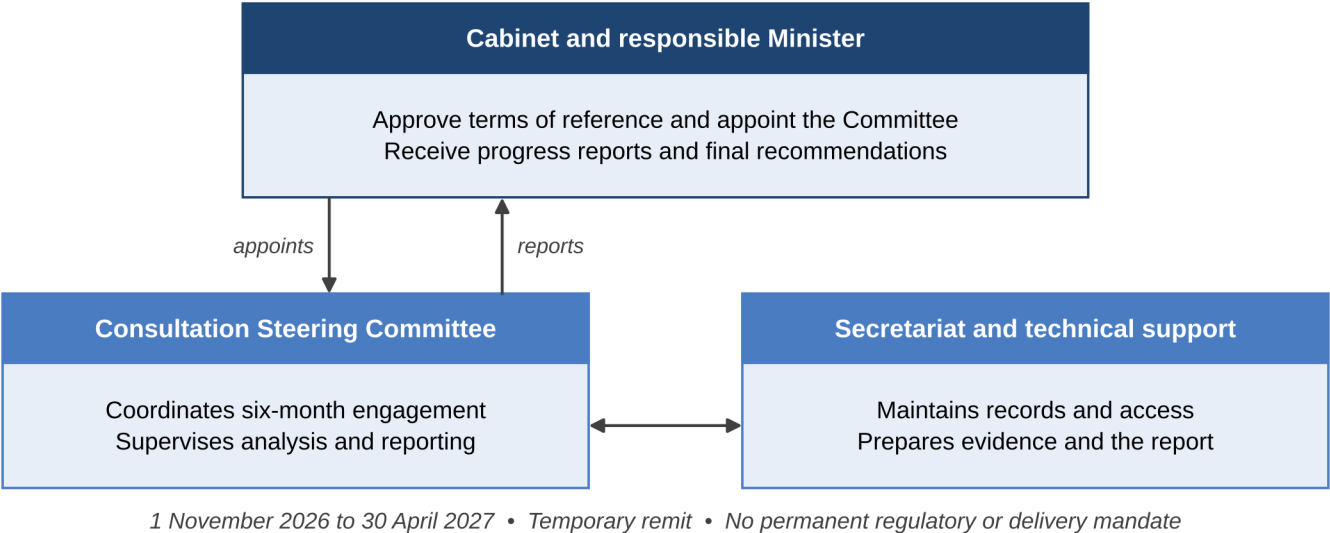
Composition and appointment

- 9.7 The Government proposes that Cabinet designate the Chair and appoint the Committee's members on the recommendation of the responsible Minister. Membership will draw on the Office of the Prime Minister, the ministry responsible for Grand Bahama, the Office of the Attorney General and the departments relevant to local government, development policy and the administration of proposed concessions. Technical officers will participate where the subject under consideration requires their expertise. The appointment proposal will identify the contribution expected from each participating office and the arrangements for continuity where a member is unavailable. The Chair will oversee adherence to the remit, the orderly examination

of issues and the preparation of reports through the responsible Minister. Technical participation will be connected to the subject under consideration, so that specialist input can be obtained without unnecessarily enlarging the body responsible for administering the whole exercise. Cabinet's appointment decision will establish those responsibilities expressly. The composition will remain an administrative proposal for the consultation and will not predetermine membership of a future development institution.

- 9.8 The proposed composition is intended to provide interdepartmental coordination and the capacity to prepare advice for Government. It is distinct from the representative membership under consideration for the Development Council. Residents, local government representatives, the GBPA and licensees, businesses, labour and other stakeholders will contribute through the consultation programme and technical sessions. The Committee will be able to invite specialist advice without treating an invitation as membership or delegated authority. The engagement programme will provide the means of hearing affected interests, including those which do not have a place within interdepartmental administration. A thematic session may bring together persons with experience of a particular function, while a technical request may require a separate written explanation. The Committee will distinguish those forms of participation and give contributors a clear account of the subject being examined. It will consider differing perspectives within an organised interest and make provision for residents or enterprises speaking in their own capacity. This approach will allow relevant experience to inform the record without presenting the Committee as a body of sectoral delegates negotiating binding outcomes.
- 9.9 The appointment arrangements will specify the term, attendance requirements, decision-recording arrangements and treatment of vacancies. Members will declare relevant interests. A member with a direct interest in an issue under consideration will disclose that interest and follow the procedure established in the terms of reference. The consultation record will distinguish technical advice, stakeholder representations and the Committee's own recommendations. The procedure will address interests which may affect the preparation or presentation of advice, including a connection with an institution or activity under examination. Disclosure will permit the relevant circumstance to be considered; any withdrawal or limitation on participation will follow the approved procedure and be recorded. The terms of reference will also provide for a material disagreement within the Committee to be reflected appropriately in its advice. The purpose is to ensure that Government can understand both the recommendation and the circumstances in which it was prepared. Participation in the Committee will not authorise the use of its records or position for a private purpose.
- 9.10 A Secretariat will support the Committee under arrangements designated by Government. Its functions will include scheduling, maintaining the submission record, preparing papers and minutes, coordinating requests for information and administering publication arrangements. The Secretariat will act under the approved remit and will not determine substantive policy on its own authority. A consistent administrative record is necessary if contributions received through different channels are to be considered together after the consultation closes. The Secretariat will record the question or subject addressed, the source of the material and any technical referral or follow-up. It will maintain versions of papers and recommendations so that a preliminary working assessment can be distinguished from the final report. Arrangements for access, retention and publication will be settled through the responsible institution and the consultation privacy notice. The Secretariat's role will support the integrity and usability of the evidence; substantive conclusions will proceed through the Committee and the designated Government decision route.

Figure 9.1: The proposed consultation administration



Note: Temporary arrangements for the six-month exercise. Cabinet and the responsible Minister retain the decisions falling within their authority.

The consultation work programme

- 9.11 The Committee will prepare an engagement programme covering Freeport, East Grand Bahama and West Grand Bahama. The programme will combine community meetings, thematic and sectoral discussions, written submissions and targeted technical engagement. It will provide a route for people who are not represented by an organised interest and for contributors unable to attend a particular meeting. The sequence and location of engagement will be explained in advance as far as practicable, with the programme capable of responding to material issues identified during the exercise. The Committee will consider the suitability of a meeting, written request or technical discussion for the subject concerned. A general community meeting will provide a different form of evidence from a provision-specific submission, and both may contribute to the policy examination. The arrangements will provide a means of raising issues across chapter boundaries, including where an economic proposal depends on an institutional or legal change considered elsewhere in the paper.
- 9.12 The opening phase will explain the Government’s position, the proposals and the questions on which views are sought. Engagement during the central part of the six-month period will examine the economic framework, the operation of the existing governance arrangements and the design of the proposed institutions and legislation. The closing phase will consolidate issues and identify further information required, while preserving the right to submit representations until the closing date. The phases will organise the work without limiting the subjects on which a timely representation can be made. An issue identified late in the period may require examination alongside evidence gathered earlier, and a person unable to attend the relevant thematic meeting will remain able to make a written contribution. The Committee will use the programme to identify questions which require clarification and to arrange the necessary technical input. It will avoid presenting a provisional view as a settled Government conclusion. The report will explain how the full record, including material received towards the end of the period, informed the final recommendations.

- 9.13 The Committee will maintain a work programme and a record of the issues referred for technical examination. A request for evidence will identify the policy question to which it relates. Its focus will remain the structural economic, legal and governance issues within the consultation's scope. Technical requests will be proportionate to the issue requiring explanation and will distinguish an invitation to provide evidence from a determination about its merits. The programme will record whether the information was received, what limitation remains and whether the absence affects a proposed conclusion. The Committee may use a practical case to examine how a responsibility operates, but will keep the analysis directed to the wider public framework. The resulting record will enable Government to see which proposals have been examined in depth, which relationships remain disputed and which questions require advice beyond the consultation exercise.
- 9.14 Rolling analysis may take place while the consultation remains open. Final conclusions will not be settled before the closing date. Material received at the end of the period will be included in the final assessment on the same basis as other submissions within the consultation's scope. The report will distinguish issues examined during engagement from conclusions reached after consideration of the full record. The analysis undertaken during consultation will be used to organise issues, identify material differences and request clarification where needed. It will remain capable of revision as further information is received. The Committee will distinguish a recurring concern from evidence establishing its extent, and will consider whether an apparently isolated case reveals a relevant defect in an administrative arrangement. After the closing date, the final assessment will bring those strands together and identify the basis for each recommendation. This will preserve the practical value of ongoing analysis while ensuring that the period offered to residents and stakeholders remains meaningful throughout its full six months.

Access and representation

- 9.15 The Government intends consultation to be island-wide in substance as well as geographic coverage. The programme will address the travel and access requirements of smaller communities, working people, young people, older residents and persons with disabilities. Written and assisted contributions will supplement meetings. The method used to obtain a contribution will not determine its evidential weight. The published arrangements will explain the available channels, the assistance that can be requested and the relationship between meetings and written submissions. The Committee will consider the time and place of engagement in relation to the people it is intended to reach, while recognising that no single format will provide suitable access for everyone. A contribution made with assistance will be recorded as the contributor's representation, with any material interpretation or support identified where relevant. The consultation report will describe participation and limitations in coverage, so that the reach of the exercise can be understood alongside the substance of the evidence received.
- 9.16 The Committee will engage with the GBPA and its licensees, Central Government departments, local government, business and investors, labour, environmental interests and community organisations. Participation will provide an opportunity to explain interests and evidence; it will not create a veto over the Government's policy objective. The exercise will also provide for differing views within a sector or community, rather than assuming that one submission represents all affected persons. Where an organisation provides a collective submission, the record may identify how it was prepared and the interests it represents, without assuming unanimity among all persons associated with it. The Committee will provide an opportunity for a

materially different view to be heard through the appropriate channel. Engagement with a major institution will be relevant to understanding its functions and interests, while the Government remains responsible for considering the public framework across the whole island. The report will explain material disagreements in terms of the issue requiring decision. It will not substitute the prominence or negotiating position of a participant for consideration of the policy and legal question.

- 9.17 Meeting records will identify the subjects discussed and the range of material views. They will not describe attendance as agreement or an informal discussion as a negotiated settlement. Where a technical question requires a further written submission, the Secretariat will record the referral and the material subsequently received. This will allow the consultation report to show how significant issues have been examined. The record will be sufficiently clear to connect a significant issue with the further material obtained and the treatment of that issue in the analysis. It will distinguish a factual correction from a change in policy preference and will identify where the Committee's understanding has been qualified by later evidence. Meeting notes will be used for the purpose for which they are prepared, with appropriate opportunity to resolve a material misunderstanding. The consultation report will draw on those records to describe the range of views accurately, rather than use a meeting's occurrence as evidence that participants endorsed the Government's eventual conclusion.

Treatment of evidence and options

- 9.18 The Committee will organise evidence by subject, question and affected function. It will distinguish official statistics, administrative material, legal submissions, professional assessments and representations based on direct experience. Material conflicts or limitations will be referred for appropriate examination and identified in the advice prepared for Government where they affect a conclusion. The status of a contribution will be retained when it is summarised. An official estimate will carry its reference period and coverage; a legal argument will identify the instrument or provision relied on; and an account of experience will be considered for the circumstances it describes. The Committee will not treat one form as a substitute for every other form of evidence. Where accounts conflict, the analysis will identify the nature of the disagreement and whether it can be resolved from the record or requires further advice. This will allow recommendations to reflect the actual strength and limitations of their evidential basis.
- 9.19 The Committee will not apply a predetermined scoring model or fixed appraisal weights. It will advise on the implications of the evidence for the design of reform and identify the substantive alternatives requiring ministerial and Cabinet determination. The consultation will inform how those alternatives are examined. The Government's conclusions will state the reasons for the approach selected. A reasoned assessment will identify the problem a proposal addresses, its relationship with existing responsibilities and the consequences which require Government consideration. Those questions do not amount to a fixed ranking system established in advance of consultation. Different alternatives may require different evidence, particularly where the legal means of implementation or the affected function differs. The Committee will explain its reasoning in that context and record material arguments for a different conclusion. Government will then determine the selected approach and publish the policy rationale, including any further work necessary before an operative provision can be settled.

- 9.20 Economic propositions will be considered with their enabling requirements. The absence of current demand will not be treated as sufficient to exclude a platform for which a different regulatory or development framework could create activity. Conversely, the inclusion of a sector in the Green Paper will not establish an entitlement to public support or an approval for a particular investment. The examination will ask how the proposed enabling arrangements would affect the possibility of activity and what assumptions underlie that argument. A submission may identify a regulatory permission, capability or service connection that is presently absent; the analysis will consider whether the proposed framework addresses it and what other dependencies remain. The Committee will distinguish that policy proposition from a commercial forecast or application requiring determination elsewhere. Its report will explain the conditions and limitations relevant to the argument, allowing Government to consider emerging platforms without either excluding them for lack of an existing market or treating their inclusion as a commitment to support them.
- 9.21 Governance options will be examined against the present allocation and operation of functions. Technical analysis will identify which changes can be made administratively, which require agreement, and which require legislation or other legal instruments. The relevant departments will retain responsibility for advice within their competence. The Committee will integrate those contributions for the purposes of consultation reporting. The functional analysis will connect an identified difficulty with the provision, practice or interface that would need to change. An administrative protocol may assist where existing powers are compatible, whereas a proposed reassignment may require a different instrument and transitional provision. The Committee will preserve those distinctions when presenting alternatives and will identify any issue on which the competent advice remains outstanding. This is necessary to avoid presenting a diagram of preferred institutions as a complete reform proposal. Government will receive an account of what each option would require in the framework operating in Grand Bahama and how its parts would relate.

Reporting and recommendations

- 9.22 The Committee will submit progress reports to the responsible Minister at intervals specified in its terms of reference. These reports will address consultation coverage, principal issues, referrals for technical advice and compliance with the programme. They will not pre-empt the final conclusions of consultation or present unverified representations as Government findings. The reporting arrangements will enable the Minister to identify a gap in engagement, an unresolved technical dependency or an issue which may affect completion of the work. A progress report will distinguish such administrative issues from a recommendation on the final settlement. Any provisional analysis included for the purpose of directing further work will be described accordingly. The Committee will maintain a clear record of the point at which an issue is referred, the advice requested and its subsequent treatment. This will support oversight of the consultation process without shortening the period during which substantive representations remain open.
- 9.23 After the closing date, the Committee will prepare a consultation report identifying the contributions received, the principal themes, the evidence and alternatives examined, and the issues requiring decision. It will identify areas of agreement and disagreement without treating the consultation as a plebiscite. The number of submissions is relevant to participation; it does not alone determine the legal or policy merits of an option. The report will distinguish the breadth of participation from the basis for the Committee's recommendation. A frequently expressed

concern may require attention to its nature and practical effect, while a detailed submission from a small group may identify an important legal or administrative issue. The Committee will consider both within the scope of the exercise and explain the reasoning applied. Where the available evidence does not establish the extent of a problem, that limitation will be stated alongside any relevant experience. The final account will thereby enable Cabinet to consider the quality and implications of the record without treating the exercise as a numerical contest between organised interests.

- 9.24 Recommendations will identify the relationship between the policy objective, the existing arrangements and the proposed response. Where an alternative has not been recommended, the reasons will be stated. Where a conclusion depends on further legal or technical work, the report will identify that dependency and its implications for the decision. The report will be submitted through the responsible Minister for Cabinet consideration in May and June 2027. A recommendation will identify the function affected, the proposed institutional or legal response and the relationship with the other elements of the framework. It will distinguish the decision sought from any subsequent technical step. Where alternatives could be combined, the report will explain the proposed relationship rather than require an artificial choice between complete institutional models. Where further examination is necessary, it will identify the question sufficiently precisely to permit Government to assign responsibility for resolving it. This will give Cabinet a usable account of the choices arising from consultation and the implications of proceeding with the recommended settlement.
- 9.25 The Government will publish an account of the consultation with or in support of the White Paper. The published account will explain how material representations informed the Government's conclusions. Appropriate treatment will be given to personal information, confidential commercial material and privileged legal advice. These protections will not displace the requirement to explain the public policy rationale. The account will describe the principal issues, significant alternatives and the Government's response in a form accessible to persons who did not take part in the technical discussions. Where material cannot lawfully or appropriately be reproduced, the published explanation will distinguish that protection from the public reasons for the decision. It will identify the relevant policy question and the conclusion that Government has reached without implying that confidentiality removes the need for accountability. Arrangements for publishing submissions or identifying contributors will be stated in the consultation privacy information, so that participants understand the proposed use of the material they provide.

Table 9.1: Accountability for the consultation

Stage	Lead responsibility	Record
Appointment	Cabinet	Terms of reference and membership
Engagement	Steering Committee and Secretariat	Published programme and participation record
Analysis	Secretariat with technical support	Evidence record and reasoned analysis
Reporting	Steering Committee through Minister	Progress reports and final recommendations
Policy decision	Cabinet	Decisions for the White Paper

Note: The Committee coordinates the process. It does not decide the permanent institutional settlement.

Completion and accountability

- 9.26 The Committee's mandate will conclude on acceptance of its final report and completion of the agreed handover, unless Cabinet expressly extends the term for a specified purpose. The Secretariat will transfer the consultation record to the designated custodian under approved records-management arrangements. Any extension will identify the remaining task and revised completion date. The handover will identify the custodian of the record, the reports completed and any questions expressly referred for subsequent action. Working papers will retain their status so that they are not later mistaken for Government decisions. Where the Committee's remit has included publication administration, the responsible department will assume the continuing requirements associated with the consultation account and the White Paper. The completion arrangements will consequently preserve institutional memory while bringing the temporary body's authority to an end. Any specified extension will remain distinct from a decision to establish the proposed Council or another permanent institution.
- 9.27 Responsibility for the subsequent White Paper, legislative preparation and implementation will rest with the Ministers and departments designated by Government. The Committee will not become a delivery authority through the continuation of administrative work. Any continuing institutional function will be considered under the Development Council proposal or another expressly approved arrangement. The designation of subsequent responsibilities will identify who prepares the policy statement, who obtains the required technical advice and who directs legislative preparation within the established Government processes. A remaining issue from consultation may be referred to that institution without extending the Committee's general mandate. The Government will keep an account of the connection between the consultation recommendation and the decision subsequently taken, so that the route from engagement to policy remains traceable. If a continuing advisory or executive body is selected, its functions, membership and accountability will be constituted expressly in the settlement appropriate to it.
- 9.28 The Government considers that these provisions will give the consultation a clear mandate, a fixed period and an accountable route to decisions. The proposed arrangements are set out in greater operational detail in Annex F. Views are invited on the composition, participation arrangements, reporting and safeguards necessary to support the six-month exercise. The consultation will also examine the practical operation of the proposed arrangements, including how residents can raise a concern about access to the process or the treatment of a material

representation. The terms of reference will identify the appropriate administrative route for those issues without giving the Committee authority to determine unrelated legal disputes. Material concerns about access to the process or the handling of representations will be considered during consultation, so that necessary administrative adjustments can be made while submissions remain open. The final report will record those adjustments and any material limitations which remained unresolved. The purpose is to ensure that the temporary machinery provides a complete record, a reasoned report and an orderly conclusion within the programme, while decisions on the island's permanent governance are taken through the proper institutions.

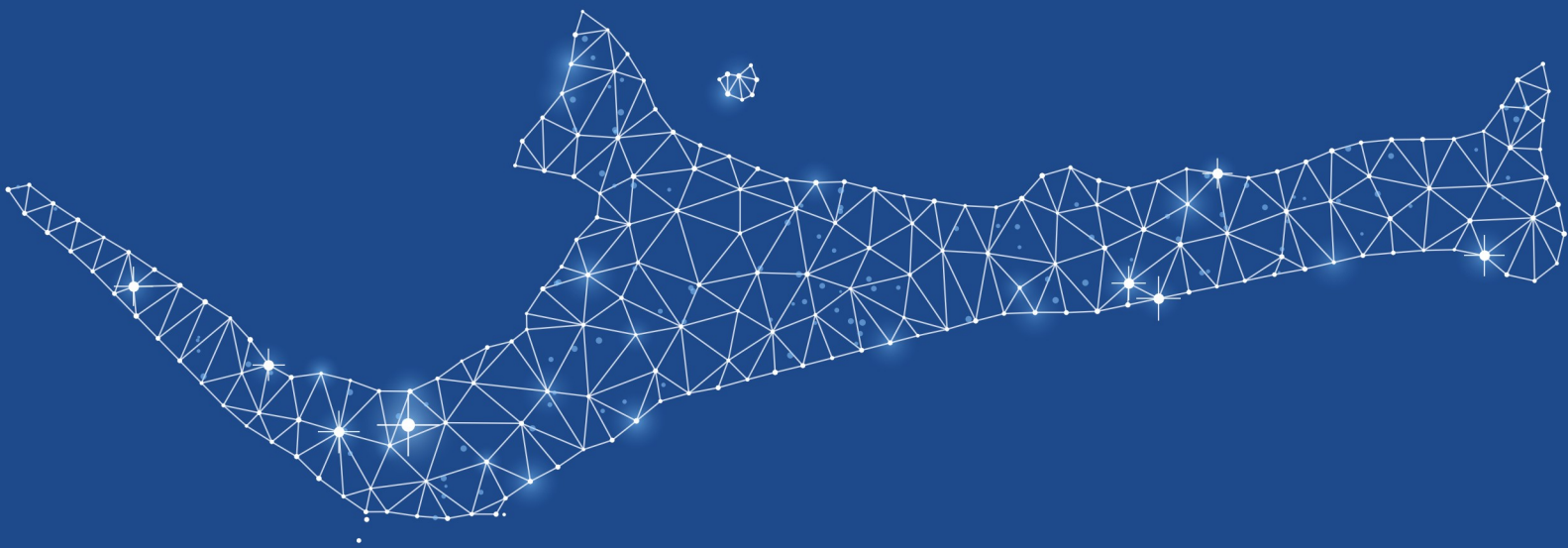
Questions for consultation

- Q9.1** Does the proposed Steering Committee remit provide an appropriate separation between consultation administration, technical advice and Government decision-making?
- Q9.2** Which institutional and technical contributions are necessary to support the Committee's work?
- Q9.3** What engagement arrangements will secure effective participation throughout Freeport, East and West Grand Bahama within the six-month period?
- Q9.4** How should the consultation record distinguish evidence, stakeholder interests and alternative proposals?
- Q9.5** What reporting and publication arrangements will provide an adequate account of how representations have informed the Government's conclusions?

GRAND BAHAMA:

CHAPTER 10: PROGRAMME FOR REFORM AND NEXT STEPS

A Framework for Stability and Growth



The proposed programme

- 10.1 The Government intends to proceed from a defined consultation to policy determination and operative reform. The proposed programme comprises Cabinet consideration of the Green Paper, a six-month consultation, a report and recommendations to Cabinet, a White Paper and the preparation and passage of the necessary legislation. Each stage has a distinct purpose and an identified route to decision. The consultation will develop the evidence and examine the choices; the report will present the issues requiring determination; and Cabinet will decide the policy to be set out in the White Paper. Legislative preparation will then establish the powers, duties and transitional provisions necessary for the selected settlement. These stages may involve preparatory work in parallel, but the status of that work will remain clear. Drafting an option for examination will not amount to selecting it before consultation is complete. The Government's programme will maintain that distinction while ensuring that the exercise leads to defined policy and operative measures.
- 10.2 The consultation is proposed to open on 1 November 2026 and close on 30 April 2027. The period will provide for engagement across the island and the technical examination of the institutional and legal proposals. Its administration will be subject to the Steering Committee's approved remit and programme. The final assessment will follow the closing date; the timetable does not imply that substantive conclusions will be settled while representations remain open. Engagement and analysis will be planned across the whole period, including arrangements for representations received towards its close. The Committee may identify the technical work required to examine a proposal while the record is being assembled, but a conclusion dependent on consultation will await the full assessment. The subsequent reporting period will bring together the material issues and the advice of the competent authorities. The six-month period is therefore an opportunity to inform design, with an identifiable point of closure and a route for taking the resulting work before Government. Publication arrangements will state the submission channels and closing requirements before the exercise begins.
- 10.3 Recommendations are proposed for Cabinet consideration in May and June 2027. The White Paper is targeted for publication on 1 July 2027. Draft legislation is targeted for completion by 31 December 2027, with passage in the first quarter of 2028. This sequence is intended to allow the new framework to be properly budgeted for in the 2028/2029 fiscal year. The latter milestones remain subject to Cabinet decisions, legal preparation and the parliamentary process. The sequence will require preparation of the consultation record, ministerial consideration of the recommendations and the legal work associated with the selected approach. The target for completing draft legislation is distinct from enactment and from the date on which particular provisions commence. The White Paper will explain that sequence and identify material dependencies, including an agreement or supporting instrument required for a proposed change. Where a subsequent milestone requires adjustment, the responsible institution will provide an account of the outstanding task and its effect on the programme. The Government's intention is to maintain a defined route to reform without representing a parliamentary decision as an administrative certainty.

Table 10.1: Proposed timetable for consultation and reform

Milestone	Proposed period or target
Consultation	1 November 2026 to 30 April 2027
Recommendations to Cabinet	May to June 2027
White Paper	1 July 2027
Draft legislation complete	31 December 2027
Passage of legislation	First quarter of 2028

Note: The six-month consultation period is proposed in full. Subsequent milestones depend on Cabinet decisions, legislative preparation and parliamentary process.

The decisions for Cabinet

- 10.4 The recommendations to Cabinet will address the institutional settlement, the HCA reform route, the provisions proposed for a Grand Bahama Development Act and the arrangements for transition. They will explain how the components operate together to establish transparent and equal governance and regulation across the island. Cabinet will need to consider both the purpose of each component and the combined effect of the package. A recommendation for a Council, for example, must state its relationship with the authorities retaining statutory decisions. A recommendation on HCA reform must identify the consequential measures necessary for the selected public framework. The concession provisions will need to relate to the territorial and administrative arrangements proposed for the Act. The submission will bring those connections together so that approval of a broad policy direction does not leave the allocation of a material function or the means of transition unexplained.
- 10.5 The submission will distinguish the Government's policy objective from the design decisions examined through consultation. It will identify the present functions and legal instruments affected, the proposed allocation of responsibility, the principal alternatives and the reasons for the recommended approach. Material implications for existing interests and statutory functions will be stated rather than left to be inferred from an organisational diagram. The record will indicate which issues can be determined at policy level and which require a further legal, technical or administrative step before they can take effect. It will identify the consequence of leaving an existing arrangement in place as well as the consequence of changing it. Where a proposed responsibility depends on another institution's act or on an agreement, that dependency will be explicit. The Government will also consider the explanation to be given to affected residents and enterprises, including the distinction between a decision to pursue reform and an operative change to a permission, duty or entitlement.
- 10.6 The Attorney General will advise on the legal route and the treatment of the HCA, subsequent instruments, the published arbitration record and any later relevant development. Advice on the fiscal implications of concession provisions will be obtained through the competent financial authorities. These issues form part of responsible policy determination; the Green Paper does not attempt to replace the subsequent legal and legislative work. The advice will inform the design of the measures and the sequence in which they can lawfully be implemented. Where a

policy objective can be pursued through more than one instrument, the submission will explain the implications of the alternatives rather than assume that a preferred institutional label supplies the required authority. Fiscal examination of concessions will be directed to the provisions under consideration and their administration. The Cabinet record will identify the further work assigned following a policy decision, including the institution responsible for resolving a material dependency. This will connect the consultation conclusions with the subsequent preparation of a complete legislative proposal.

The White Paper

- 10.7 The White Paper will state the Government's selected policy and the legislative and administrative measures intended to give it effect. It will explain the treatment of material consultation findings and the principal changes from the Green Paper. Where the Government has selected one mechanism over another, the reasons will be set out in relation to the island-wide policy objective and the operation of the existing framework. The statement will provide the public account against which the next stage of preparation can be understood. It will identify which proposals have been accepted, modified or replaced and explain the connection between the consultation evidence and those decisions. A conclusion will distinguish the issue settled by Government from an implementation detail still requiring technical work or a statutory instrument. The White Paper will also describe the intended sequence of change, so that an affected person can understand whether the proposed measure concerns an institutional role, a legal obligation or the procedure through which an existing function is exercised.
- 10.8 The statement will address the final form of the Development Council or other selected institutional arrangements, the relationship with Central Government and local government, the allocation of public functions and the role of the GBPA within the new settlement. It will identify the relationship between HCA reform and the proposed Development Act, including the intended approach to investment concessions throughout Grand Bahama. The description will make clear whether a body is advisory, coordinates existing authorities or exercises specified statutory powers, and will identify the accountability attached to its role. It will address how local and settlement interests are included in the island-wide approach without leaving public responsibilities dependent on an informal understanding. The treatment of the GBPA will be explained in relation to the functions and legal instruments affected. Concession policy will state the intended geographic reach and the points to be specified in legislation or administration, including the consideration of enhanced support outside Freeport and its relationship with existing lawful entitlements.
- 10.9 The consultation report will accompany or inform the White Paper. The Government will publish sufficient information to enable residents, businesses and institutions to understand the policy conclusions and the next steps. Publication of conclusions will not itself vary a legal right where an Act, agreement, regulation or other instrument is required. The operative effect will follow the appropriate legal process. The Government's publication will distinguish the policy statement from the instrument which gives a measure legal force. An intention to change a responsibility will be accompanied by an explanation of the steps required, rather than an implication that the existing authority has already ceased to act. Residents and businesses will be able to identify the continuing procedure while those steps are completed. The consultation account will provide the supporting explanation of material representations and alternatives, with the appropriate protections for information that cannot be published. Together, the documents will establish the selected direction and the basis for understanding its implementation.

Legislative preparation and transition

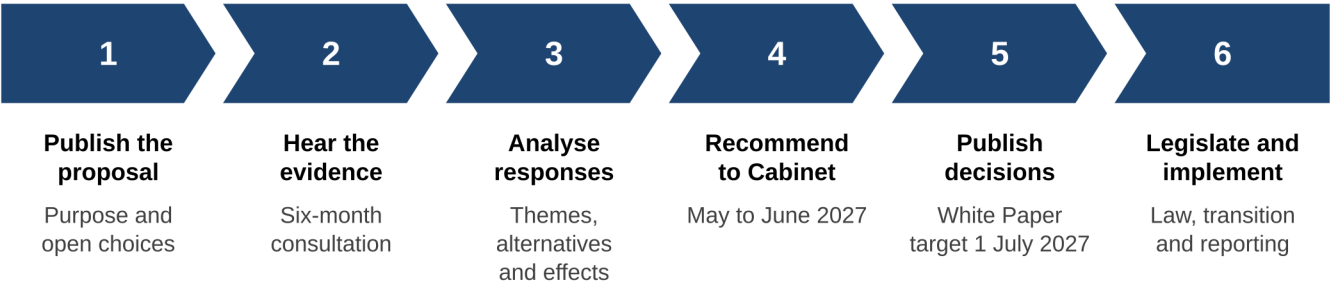
- 10.10 Legislative preparation will translate the selected policy into defined powers, duties, procedures and territorial application. It will address consequential amendments, the relationship with existing legislation and agreements, the treatment of existing permissions and obligations, and the statutory means of review. Where further regulations are necessary, the enabling provisions and intended subject will be identified. The drafting instructions will connect each proposed provision with the policy decision it implements and the existing arrangement it affects. A general coordination purpose will require a defined relationship with the decision-making powers of other authorities. A concession provision will require a clear account of eligibility, administration and the treatment of existing rights. Where regulations or subsequent orders are contemplated, the scope of the enabling power and the decisions reserved for later determination will be considered explicitly. The Government will use this stage to ensure that the statutory architecture expresses the selected settlement coherently, including the interfaces between the proposed Act and HCA reform.
- 10.11 The Government will distinguish enactment from commencement. A function may require supporting instruments, designated officers, access to records, administrative procedures and continuity arrangements before a new provision can operate effectively. The commencement programme will state what changes, when it changes and the treatment of cases already under consideration. The decision to commence a provision will consequently consider the practical conditions needed to exercise the relevant power or discharge the duty. Those conditions may differ between functions, making a stated sequence more appropriate than an assumption that every change must begin on the same day. The responsible institution will identify the process for dealing with cases received before and after the effective date. Public guidance will be aligned with the instruments in force, so that a person is directed to the authority legally able to act. The programme will preserve continuity while making the transfer or modification of responsibility visible.
- 10.12 Transition will be organised by function and instrument. The relevant authorities will identify the present and successor arrangements, existing rights and obligations, the legal steps required and the means of preserving continuity. The Government will not rely on the assumption that repeal of an enabling provision automatically resolves every associated contract, asset, liability or permission. The transition account will distinguish an interest that continues unchanged, an issue preserved for completion under the former procedure and a responsibility requiring an express successor arrangement. It will also identify any consent, instrument or administrative preparation required before the proposed change can occur. A difficulty concerning one function will be addressed in relation to its implications for the wider programme, rather than left to an informal understanding between bodies. The Government will consider the advice of the relevant authorities on those relationships and settle the sequence accordingly. This will give legal change an operational basis and enable responsibility for any outstanding issue to be identified.
- 10.13 The public explanation of transition will identify the competent authority, the application and review procedures and the effective dates of changes. This information is necessary to give practical effect to the policy direction stated in the Green Paper. It will be issued in the form appropriate to the final legal and administrative settlement. The explanation will use the transactions and service relationships familiar to the public, including where to submit an application, which body may decide it and how to challenge an error. It will distinguish a new procedure from the continuation of an existing one, and explain the treatment of applications or

obligations spanning an effective date. Where different functions commence at different times, the guidance will identify the relevant distinction without requiring the user to reconstruct the legislative programme. The purpose is to translate the selected legal settlement into a usable account of public administration, supported by officers and records capable of giving consistent information.

Consideration of representations

- 10.14 The Government invites representations on the questions in Chapters 2 to 9 and on material connections between them. Respondents may address the subjects within their knowledge or interest and may propose alternatives to the mechanisms described. The primary objective of transparent and equal island-wide governance is the basis on which those alternatives will be considered. A contribution may concern a single provision or the relationship between several proposals, such as an economic activity dependent on regulatory coordination, skills or access to services. Respondents need not prepare an institutional blueprint to explain a practical difficulty or suggest a remedy. The consultation will distinguish that experience from a general claim about the whole island, and consider whether further information is required. The Government will examine alternatives by reference to the function they address and the public purpose they serve. The final policy will explain the material choices arising from those representations and the relationship between the selected components.
- 10.15 Submissions will be considered for their relevance, supporting evidence and implications for the design and operation of reform. Consultation is not a vote on the number of submissions associated with a particular interest. The Government will examine the substantive issues raised, including the consequences for communities, businesses, existing rights and public administration. The significance of a submission may lie in the clarity of the issue it identifies or the evidence it provides, rather than the number of persons endorsing its conclusion. An institutional participant's account will be considered alongside the experience of those using the relevant procedure or service. Where interests differ, the analysis will identify the underlying policy or legal question and the consequences of available responses. The Government will retain responsibility for reaching the public decision and for explaining how the record informed it. This approach will allow consultation to influence the design of reform without presenting participation as a negotiated allocation of public authority.
- 10.16 The Committee's analysis will distinguish questions that can be resolved through the consultation record from those requiring a specific legal or technical determination. The Government's response will identify the material alternatives and explain its conclusions. For each unresolved question, the response will identify the determination required, the responsible authority and whether resolution is a condition of policy selection, legislative drafting or commencement. Where a conclusion can proceed with a defined subsequent step, that relationship will be explained. Where an unresolved question is material to the choice itself, it will be brought before Government for determination with the relevant advice. The purpose is to complete the consultation with a reasoned account of the choices and dependencies, rather than leave material issues under a general description of continuing review.

Figure 10.1: The route from consultation to Government decisions



Note: Proposed sequence, with the relevant policy, legal and parliamentary decisions retained.

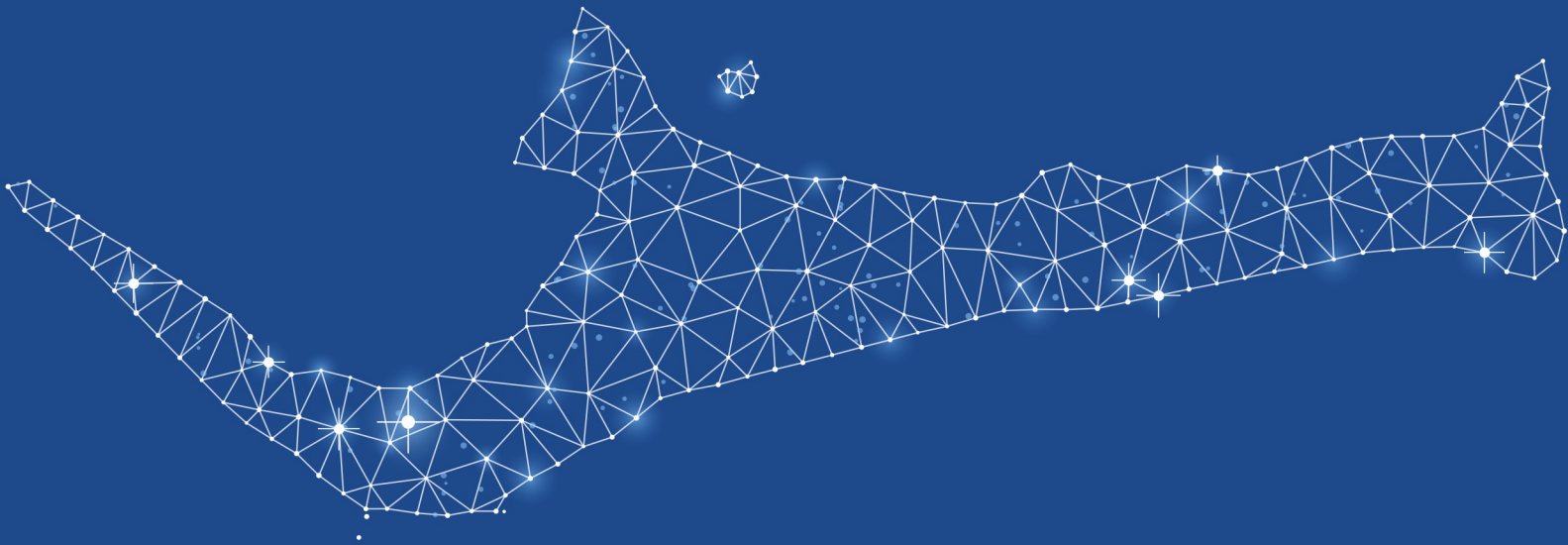
Certainty about the direction of Government policy

- 10.17 The Government’s direction is clear. Grand Bahama requires a modern framework of transparent and equal governance and regulation, applicable across the island and capable of supporting development beyond the institutional and territorial assumptions of the HCA. The policy will recognise Freeport’s economic role within that wider settlement and provide a coherent basis for opportunity in East and West Grand Bahama. The framework will make the public basis of authority, the administration of development and the relationship between common policy and local circumstances explicit. It will address the role of private commercial interests within a settlement in which public regulation is accountable to the public interest. The Government’s assessment of the HCA provides a basis for examining structural reform, while the legal means and transitional arrangements will be determined through the programme set out in this paper. The resulting approach must be capable of explaining how the whole island is governed and how its communities participate in development.
- 10.18 The consultation will inform the Government’s decisions on the design of the measures required to give effect to that direction. The proposed Steering Committee, timetable and route to Cabinet establish the process for doing so. The Government will state the conclusions in the White Paper and proceed through the legal and parliamentary stages necessary for operative reform. The Government will maintain the distinction between its stated policy direction and the operative effect of a particular legal measure throughout that programme. Stakeholders will be able to understand what is proposed, which issues remain open and how the resulting decisions are to be implemented. The consultation record will inform those decisions, with the White Paper providing the public account of the selected framework and the next steps. Completion of the process will require the relevant institutions to take the actions assigned to them, including the preparation of legislation and the arrangements necessary for lawful commencement. That is the route through which the policy direction will become an effective public settlement. Once the new framework is in place, the Government will publish an annual State of Grand Bahama Report with measurable indicators of investment, employment, infrastructure delivery and public services across the island and, where data permit, for Freeport, East Grand Bahama and West Grand Bahama separately.

GRAND BAHAMA:

ANNEXES

A Framework for Stability and Growth



Annex A – Glossary

Institutions and legal instruments

Green Paper means a Government consultation document setting out policy objectives and proposals. It identifies the institutional, legislative and administrative arrangements on which representations are invited.

White Paper means the subsequent statement of the Government's selected policy and intended measures. Publication is distinct from enactment or commencement of legislation.

The Hawksbill Creek Agreement or HCA means the agreement underlying the Freeport framework, read with amendments and related instruments. Its provisions, exemptions and obligations require their respective legal treatment.

The Grand Bahama Port Authority or GBPA is an institution within the Freeport framework. The name does not automatically include every affiliate, asset owner or service provider.

The Port Area means the legally relevant area under the HCA framework. It is distinct from census geography, local-government areas, land ownership and informal references to Freeport.

The Development Council is the proposed institution examined in Chapter 5. Its initial advisory mandate and possible permanent functions remain for determination through the reform process.

The Consultation Steering Committee is the proposed temporary body administering the six-month consultation. It is distinct from the Council and will not determine policy or exercise existing authorities' powers.

The proposed Development Act is the legislative framework under consideration for island-wide development, coordination, accountability and investment concessions. The Green Paper does not enact its provisions.

Governance and policy

A public function is a responsibility exercised under the relevant authority. Policy setting, regulation, determination, operational delivery and review remain distinct functions even where one institution performs several.

Regulatory coordination concerns the relationship between competent authorities and their procedures. It does not itself transfer statutory power or permit one institution to overrule another.

An institutional mandate defines a body's purpose, functions and authority. Informal activity or an expectation of additional work does not by itself extend that mandate.

An enabling framework comprises the rules, infrastructure, access, capabilities and administration which make an activity possible. Its absence may affect the existence of current demand.

Investment concessions are lawfully authorised relief or incentives. Eligibility, duration, conditions and administration require definition; a proposal to consider concessions creates no individual entitlement.

Transition means the legal and administrative movement to selected new arrangements, including the treatment of continuing rights, obligations, permissions, proceedings and services.

Commencement is the point at which a provision becomes operative under the relevant instrument. It can be distinct from enactment and depend on supporting arrangements.

Consultation representations comprise evidence, views and alternatives within scope. They inform Government decisions; participation does not confer decision-making authority or a veto over the stated policy objective.

Statistical and geographic terms

GDP is gross domestic product, measuring the value of production. Nominal GDP is expressed at current prices and does not measure real growth or household purchasing power.

The labour force comprises people classified as employed or unemployed under the survey definitions. The unemployment rate expresses unemployed persons as a proportion of that labour force.

Sampling variation arises from observing a sample rather than the population. A change between estimates does not, without further analysis, establish its cause or statistical significance.

Foreign entry counts are allocated by first port of entry; stopover visitors by place of stay. These different measures cannot be combined as components of one island total.

Vacant dwellings in the cited census measure are suitable accommodation unoccupied at the reference date. They do not measure dereliction, available rental supply or affordability.

A census supervisory district is a census geography. Its boundary is not assumed to coincide with the Port Area or another administrative or planning area.

A statistical baseline states the evidence at specified observation dates. Source, definition, geographic coverage and revision status form part of the measure and its interpretation.

Annex B – HCA legal framework and reform reference

B.1 Status and structure

This annex identifies the principal legal materials and the records required to design reform. It is a technical reference, not a consolidated agreement or a determination of an individual entitlement. The framework consists of agreements and variations; enabling and related legislation; subordinate instruments; and person-specific licences, approvals and contracts. A document's title or publication date does not establish its complete current effect. The legal register will record the version examined, its status and the later instruments relevant to its interpretation. The register will distinguish a legal source from a description of its operation. Where the record identifies a question rather than a settled proposition, that question will remain explicit until determined through the competent process. This permits the reform analysis to progress without presenting an incomplete historical compilation as the definitive statement of present rights.

B.2 Principal agreement instruments

The principal materials include the original scheduled agreement authorised by Chapter 261; the supplemental arrangements authorised by Chapter 262; and the further arrangements authorised by Chapter 263. These instruments address development, services, concessions and related obligations. The overall term in the original text must be distinguished from individual concession periods. [12] [13] [14]

The instrument register will identify executed texts, parties and successors, operative provisions, amendment mechanisms and relevant variations. Completed development obligations will be distinguished from continuing duties. An operational statement will record the evidence concerning present performance rather than treating historical drafting as a complete account of current arrangements. It will also record the instrument relevant to each proposed change and any dependency on another measure. This will enable the public explanation to connect a policy decision with its legal implementation while preserving a clear distinction between present authority and the arrangements proposed for the future.

B.3 Port Area geography

The Hawksbill Creek Interpretation of Agreement Act addresses treatment of land in declarations under the amended agreement. The official legislation index also identifies Port Area orders. [20] [21] The verified geographic record will connect each relevant boundary to its instrument, effective date and legal purpose. Port Area boundaries, local-government areas, settlement boundaries and land ownership are distinct layers. An economic illustration or schematic diagram does not determine title, tax liability or regulatory jurisdiction. Questions concerning inconsistent or incomplete records will be referred to the competent legal process. The geographic record will retain the purpose of each boundary and identify the relevant custodian. Where a proposed concession or duty uses a different area, the new definition will be stated expressly and connected to an administrable description. Orientation maps will remain distinct from those legal records.

B.4 Exemptions and investment incentives

The statutory record includes the 1993 extension of specified exemptions, the further 2016 extension amendment and the Grand Bahama (Port Area) Investment Incentives Act 2016. These materials concern distinct periods, beneficiaries and procedures; they do not establish a common expiry date for all rights. [15] [16] [17]

The concessions record will identify the legal basis, beneficiary category, approval, duration, material conditions, administering authority and relevant review or expiry provision. It will distinguish existing entitlements from proposed concessions under the Grand Bahama Development Act. The analysis will address overlaps and the treatment of investments outside Freeport, including the proposal for enhanced concessions in those areas. The administrative record will also identify which body can provide a determination on an individual application. Public guidance will describe general rules and transitional arrangements without implying that every enterprise in a location possesses an identical entitlement. The proposed regime will address how an applicant establishes the provision under which it seeks relief.

B.5 Functions and responsibility register

For each material function, the register will identify the source of power or duty, geographic scope, decision maker, provider, supervisory role, charging provision and route for challenge. Associated records will identify personnel, systems, service contracts and the information necessary for continuity. Present arrangements and proposed future allocations will appear separately. It will distinguish policy setting, regulatory determination, operational delivery and review even where one institution performs more than one role. Where responsibilities are shared, the record will identify the decision each institution can lawfully take and the procedure for resolving an interface. This will make the proposed responsibility schedule usable by service users as well as officials.

Interfaces for examination include licensing, planning and building control, environmental protection, utility regulation, land and investment approvals, customs and immigration administration, roads, drainage, sanitation and other local services. Inclusion does not imply that these functions presently belong to one institution. The register will establish their actual allocation and interaction. For each interface, the review will examine how a case moves between institutions and how the person affected obtains an explanation. The exercise will record current procedures before recommending a replacement. A proposed common access point will be distinguished from the authority legally empowered to determine an application or enforce a requirement.

B.6 Arbitration reference

Chapter 6 summarises the published Partial Final Award. Subsequent procedural developments will form part of the legal review. [18]

B.7 Rights and remedies

The interests inventory will distinguish property, contractual rights, concessions, permissions, liabilities and claims from public powers. It will identify the effect of each proposed measure and the applicable safeguard or remedy. Article 27 will be considered where the substance of a measure engages its provisions. [19] The analysis will make no blanket assumption about

compensation or asset transfer. It will also distinguish complaints, administrative review, statutory appeals, judicial review and contractual procedures so that the competent remedy is apparent. The inventory will record the evidence supporting each classification and any dispute which remains unresolved. A general policy consultation will not determine title, adjudicate a private claim or substitute for a statutory appeal. The selected reform measure will identify the competent process and the arrangements protecting continuity while that process remains outstanding.

B.8 Legislative and transitional provision

The transition schedule will identify the instrument changing each responsibility; commencement conditions; preservation of permissions; pending applications and proceedings; continuity of services and contracts; staff and records arrangements; fees and accrued obligations; and the accountable institution. Consent requirements and other dependencies will be recorded expressly. Responsibilities applying before and after commencement will be stated separately. Where implementation is staged, the schedule will identify the intermediate arrangements and the decision authorising movement to the next stage. The institution accountable for an unresolved transfer will remain identifiable throughout the process.

Public commencement guidance will identify what changes and what continues. The readiness assessment will establish whether the institution assuming a function has lawful authority, the necessary competence and access to the records required to act. Implementation review will identify unresolved transfers, service interruptions and corrective measures. The public guidance will explain whether an affected person must take action and the basis for any revised requirement. It will provide a clear contact and review route. Subsequent correction of an implementation defect will be recorded through the competent legal or administrative process.

B.9 Consultation and decision record

Technical submissions received during the six-month consultation will be recorded by issue, provision and proposed solution. The Consultation Steering Committee will coordinate that record while legal advice remains within the Attorney General's responsibility. The final policy explanation will distinguish the Government's objectives, evidence received, principal alternatives and reasons for the selected legal route. The Development Council remains a separate policy proposal. Neither the consultation machinery nor this reference annex establishes its statutory existence or confers permanent powers. The record will enable the policy response to explain how evidence has affected the proposed allocation of functions and the choice of legal route. It will retain material alternatives and identify questions requiring a separate determination. This account will support ministerial and Cabinet consideration without displacing their responsibility for the final policy decision.

Annex C – Geographic framework and maps

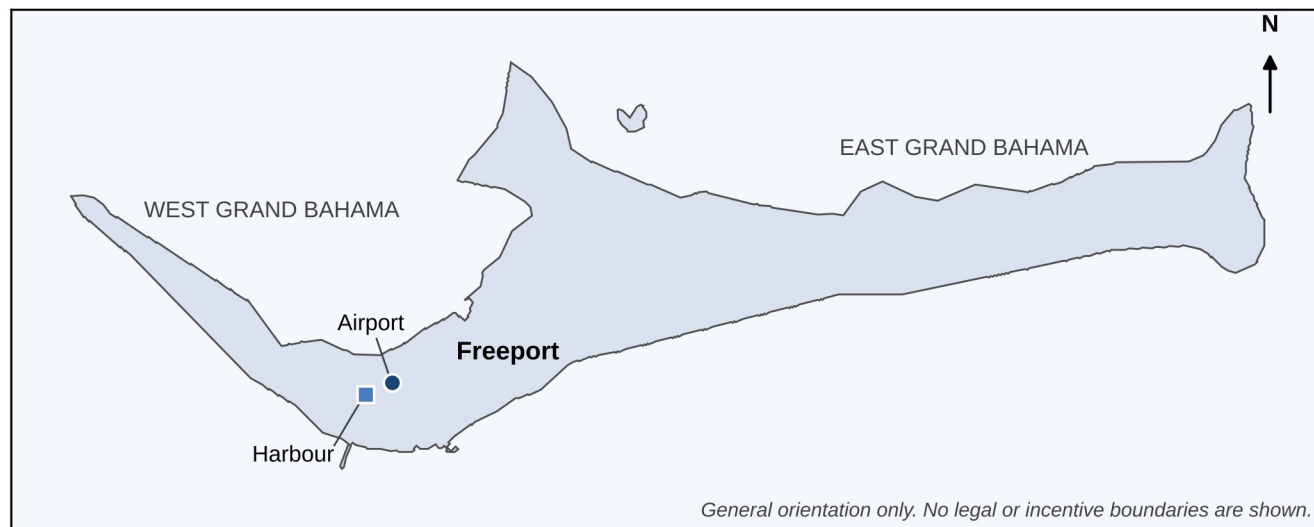
The island and its institutions

The Government's policy applies to Grand Bahama as a whole. The orientation map identifies the island and selected reference locations. It is not a legal description of the Port Area, an administrative boundary map or a statement of concession eligibility. The relationship between geography and authority must be established from the relevant instruments. A location shown for orientation does not establish the institution responsible for every activity taking place there. The policy analysis will therefore connect geographic information with the relevant legal and administrative record when a territorial distinction affects an option. This is particularly important where an institution operates in one area but the economic or service relationships under examination extend more widely.

The spatial framework will distinguish the island coastline, settlements, the legally defined Port Area, local-government areas and census supervisory districts. These layers serve different purposes. An area appropriate for statistical reporting does not determine regulatory jurisdiction, and the location of an economic connection does not establish land ownership. Each layer will identify its purpose, date and custodian. Where boundaries do not coincide, the analysis will retain the distinction rather than reassign statistics or responsibilities for convenience. A map combining several layers will explain their different status and indicate any material limitation affecting interpretation. The proposed responsibility schedule will identify the relevant geography for the function concerned.

Authoritative legal boundaries will be linked to their source instruments when they are used in the reform proposals. The Government's island-wide objective does not require the Green Paper's general map to resolve boundary or title questions which are properly determined through the competent legal and administrative process. Where the design of reform requires a precise territorial application, the responsible authorities will establish an adequate description before the provision takes effect. The consultation may identify questions requiring that work, but a general illustration will not resolve them by implication. The legal instrument and the public explanation will state the relationship between the area defined and the purpose it serves.

Figure C1: Grand Bahama in geographic context



Source: Natural Earth public-domain land and reference-point layers, accessed 16 October 2026. Generalised geography and approximate facility references; no legal boundary, current operating status or site footprint. [24]

A connected development region

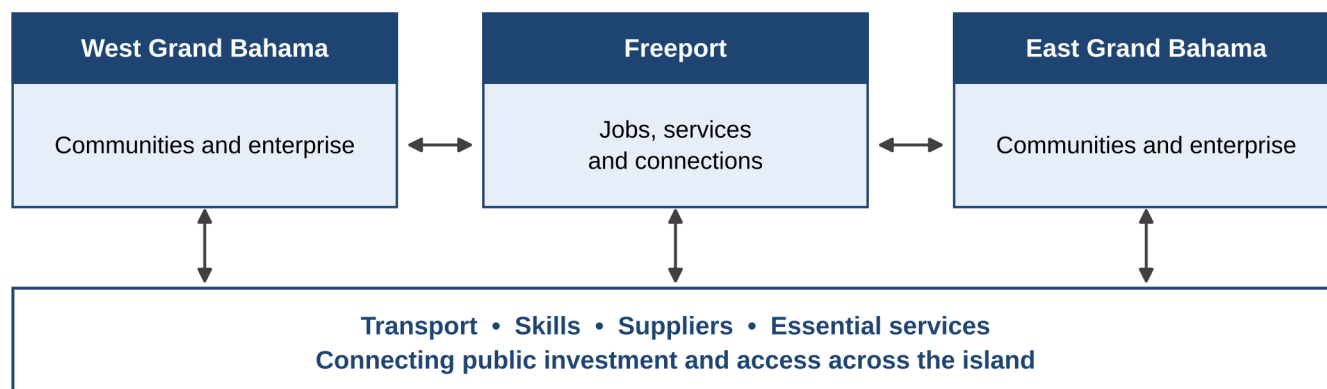
Freeport, East Grand Bahama and West Grand Bahama are used in the policy analysis to describe connected development circumstances and relationships. They do not allocate exclusive sectors to communities. Residents, enterprises, suppliers and services operate across those relationships, and the policy framework will recognise them. The consultation will examine how the proposed framework enables those connections and how residents outside the main commercial centre obtain access to opportunity. Analysis will consider where an activity takes place, where its workforce and suppliers are located, and which communities use the associated services. The same location can perform several roles; the framework will avoid treating a settlement label as an exclusive economic designation.

The relevant spatial questions include access between homes, employment and services; the relationship between productive locations and transport; infrastructure connections; and environmental systems that extend beyond a development site or administrative area. These issues are integral to the economic and infrastructure chapters. A proposal affecting one location will be considered with its consequences for the wider system. These may include access requirements, pressure on shared services and opportunities for suppliers in another community. The purpose of strategic spatial analysis is to expose those relationships before an institutional or planning decision is settled. It will not assume that benefits arise throughout the island simply because a development is located within it.

The Government will consider the spatial implications of proposed institutional and legislative arrangements. Where a concession or duty is intended to apply to a particular area, its geographical definition will require an intelligible and legally adequate basis. An enhanced concession outside Freeport, for example, must be capable of administration without relying on an informal or ambiguous boundary. The design will address investments crossing a boundary, existing enterprises undertaking expansion and the authority responsible for determining eligibility. Public guidance will distinguish a general development priority from the geographic

test applying to a particular provision. This will enable consistent administration and a clear explanation where an applicant disputes the area or rule applied.

Figure C2: Connect communities through access and services



Note: Conceptual relationships, not a map of legal boundaries or an exclusive allocation of sectors.

Use of spatial evidence

Consultation submissions may identify material discrepancies in boundaries, settlement information, access or the representation of communities. The relevant custodian will examine the source and implications of such information. A revision to a general map will not be treated as a change to a legal boundary without the necessary authority. A submission will be more useful where it identifies the source, date, purpose and consequence of the discrepancy. The consultation record will distinguish a difference in terminology from a difference affecting jurisdiction or eligibility. Issues requiring a formal determination will be referred to the competent authority while their relevance to the policy options remains visible in the analysis.

Environmental and technical mapping will retain its date, scale and limitations. Strategic mapping can identify issues for investigation but cannot provide a parcel-specific assurance of suitability or safety. The competent planning, environmental and technical processes remain relevant to particular proposals. The analysis will distinguish a broad indication of exposure from a detailed engineering or environmental assessment. Where the evidence is incomplete or at a different scale, the limitation will accompany its use. A strategic policy can establish issues requiring examination and the institution responsible, while leaving an individual proposal to satisfy the applicable technical and legal requirements. That distinction will be maintained in maps and accompanying explanations.

The maps in this paper provide structural context. They will be used to explain connections, identify geographic questions and support participation in the institutional and legislative proposals. A change in a reference map will not announce an asset transaction, operating decision or development approval. Where the subsequent White Paper relies on a geographic distinction, it will explain the purpose, source and proposed legal treatment of that distinction. The public will then be able to distinguish a general policy illustration from an area used to administer a responsibility, service standard or concession under the selected framework.

Annex D – Evidence base and sources

Statistical basis

The economic context uses published evidence from the Bahamas National Statistical Institute, the Central Bank of The Bahamas and the Ministry of Tourism. The principal period is 2021–2025. The observation date is distinguished from publication date, and the limits of geographic coverage are retained. The source register provides the publication and relevant locator. Where a publication reproduces a series from another public institution, the register identifies the relevant measure and period rather than treating publication date as the observation date. A later publication can contain an earlier observation. The baseline will retain those distinctions and record material revisions so that comparisons use a consistent series where one is available.

The GDP comparison uses one revised island series. Labour data retain the gap in 2021 and 2022 and the change to a quarterly design from July 2023. Census evidence refers to April 2022 and distinguishes private from other dwelling categories where required. Tourism entries and stopovers retain their different definitions. Construction permissions, starts and completions are not treated as the same project cohort or annual expenditure. Missing observations will remain identified as gaps. They will not be supplied through interpolation or replaced with a national estimate described as island evidence. Any comparison requiring different definitions will state that limitation alongside the result.

These series establish context. They do not provide a causal estimate of the effect of the HCA on investment or a quantified forecast of the effect of governance reform. The Government's policy assessment of the suitability of the HCA is stated as such in Chapter 1 and is not presented as a statistical result from these series. The policy analysis will explain what a measure can establish and what additional evidence is required for the question concerned. Movements in an aggregate series will not be attributed to one institution or legal provision without a supported analytical basis. This distinction permits a firm Government policy assessment while maintaining an accurate account of the statistical evidence.

Legal and institutional evidence

The legal reference account identifies the primary enactments and instruments examined and distinguishes historical text from the position requiring current legal confirmation. The published Partial Final Award is considered within the scope of its findings. Later procedural developments and the application of provisions to particular persons or measures require the relevant legal assessment. The record will connect each proposition used in policy design to its relevant source and identify the question it informs. A historical text can explain the origin of a provision without establishing every aspect of its present operation. Where later instruments or individual approvals are material, the analysis will identify that dependency rather than imply that the published reference account resolves it.

The institutional analysis will establish how functions are presently exercised and the source of authority for each. Administrative activity, ownership and statutory competence are distinct. Consultation evidence will be considered with the legal instruments and the practical operation of the system, rather than assuming an allocation from a body's name or an organisational diagram. For a shared process, the record will identify the decision taken by each body and the

relationship between them. Where actual practice differs from the apparent allocation, the discrepancy will be examined through the competent legal and administrative channels. The purpose is an evidenced description of the system against which proposed changes can be considered.

Earlier studies can inform the identification of structural questions. Their financial estimates, project assumptions and institutional descriptions do not become current evidence through repetition. Historical estimates will retain their original dates, assumptions and limitations. Their continued relevance will depend on the question being examined and the evidence supporting the original conclusion. Where an earlier study identifies a persistent institutional issue, the consultation can test whether that issue remains and how it operates today. The analysis will distinguish that use from reliance on an old estimate of activity, commercial conditions or implementation requirements. Historical material will retain its date and status in the source record.

Evidence submitted in consultation

The Steering Committee will organise submissions by subject, question and affected function. The record will distinguish official statistics, administrative material, legal submissions, professional assessments and direct experience. Important conflicts or limitations will be identified where they affect a recommendation. Organisation of the record will support examination of the substance rather than imply a hierarchy based solely on the identity of the contributor. Direct experience can identify an administrative problem even where a respondent cannot provide a legal analysis. Technical evidence may assist in establishing its cause or solution. The report will explain the treatment of material propositions and disagreements.

The Government has not fixed appraisal criteria or weights for the consultation. The evidence will inform the consideration of mechanisms capable of achieving transparent and equal governance and regulation across the island. Present demand will not be treated as a conclusive test of an economic platform where its development depends on an enabling framework. Proposed mechanisms will be considered with their dependencies and the actual arrangements they would change. Respondents can identify evidence relevant to an alternative approach and explain how its effect could be established. The final policy account will state the considerations informing the choice and the principal reasons for accepting or rejecting material alternatives.

The charts present published observations. Diagrams describe proposed institutional relationships or procedures and do not establish existing powers, forecasts or legal boundaries. The distinction between observation, Government policy assessment and a proposal for consultation is maintained throughout the paper. A diagram will therefore retain a statement of whether it describes a proposal, a conceptual relationship or an observed series. Where a statistical figure uses separate scales, different periods or measures that are not comparable, the explanation will make that distinction visible. The presentation will support interpretation without suggesting a quantified forecast or legal effect which the evidence does not establish.

Source register

[1] GDP by Island 2015–2024

Bahamas National Statistical Institute. Table A, printed page xiv, PDF page 15; national GDP share in summary findings. Revised August 2025 series.

Economic baseline and stated statistical definitions

[Open source publication](#)

[2] 2022 Census of Population and Housing First Release

Bahamas National Statistical Institute. Table 2.0, printed page 35, PDF page 42; census date 4 April 2022. The 2010–2022 comparison covers twelve years.

Economic baseline and stated statistical definitions

[Open source publication](#)

[3] 2022 Census Second Release Household and Dwelling Characteristics

Bahamas National Statistical Institute. Revised Table 1; Table 6 for tenure; Table 33 for dwelling counts. See the report's definition of vacancy.

Economic baseline and stated statistical definitions

[Open source publication](#)

[4] January 2025 Q1 Labour Force Survey Findings

Bahamas National Statistical Institute. Table I, PDF page 5. The January 2025 survey period is reported as Q1 in the release.

Economic baseline and stated statistical definitions

[Open source publication](#)

[5] Quarterly Economic Review September 2025

Central Bank of The Bahamas. Employment, printed and PDF page 7, reproducing BNSI Q2 estimates.

Economic baseline and stated statistical definitions

[Open source publication](#)

[6] Quarterly Economic Review June 2026

Central Bank of The Bahamas. Employment, printed and PDF page 6, reporting Q4 2025 and the unchanged prior-quarter rate. Publication year differs from survey year.

Economic baseline and stated statistical definitions

[Open source publication](#)

[7] Total Foreign Arrivals to Grand Bahama by Air and Sea 1971–2025

Ministry of Tourism Research and Statistics. Grand Bahama annual table, PDF page 5. Entry counts by first port; subject to revision.

Economic baseline and stated statistical definitions

[Open source publication](#)

[8] Stopover Visitors by Major Islands 1974–2025

Ministry of Tourism Research and Statistics. Grand Bahama row; allocation by place of stay. Subject to revision.

Economic baseline and stated statistical definitions

[Open source publication](#)

- [9] **Quarterly Statistical Digest August 2026**
Central Bank of The Bahamas. Tables 8.7, 8.9 and 8.11, PDF pages 102, 104 and 106. Construction values are published in B\$ thousands and converted to millions here.
Economic baseline and stated statistical definitions
[Open source publication](#)
- [10] **Preliminary Results Labour Force Survey May 2023**
Bahamas National Statistical Institute. PDF page 1 confirms this was the first labour-force survey since November 2019.
Economic baseline and stated statistical definitions
[Open source publication](#)
- [11] **Preliminary Results Labour Force Survey Fourth Quarter 2023**
Bahamas National Statistical Institute. PDF page 2 describes the new survey design beginning July 2023 and states that it is not comparable with previous surveys.
Economic baseline and stated statistical definitions
[Open source publication](#)
- [12] **Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Act, Chapter 261**
Statute Law of The Bahamas. Sections 2–3; Schedule, clauses 1–3, especially clause 3(1); printed pages 3–23
Original scheduled agreement; historical text, not a consolidated statement of every later change.
[Open source publication](#)
- [13] **Hawksbill Creek (Amendment of Agreement) Act, Chapter 262**
Statute Law of The Bahamas. Schedule, particularly clauses 2(3), 2(11), 2(16) and 2(18); printed pages 5–9
1960 supplemental arrangements and historic amendment wording; particular present application requires legal review.
[Open source publication](#)
- [14] **Hawksbill Creek (Amendment of Agreement) (No. 2) Act, Chapter 263**
Statute Law of The Bahamas. Act 48 of 1965; Schedule, housing and community-service provisions; printed pages 4–12
Authorising enactment and scheduled supplemental text; executed 1966 agreement and later variations require authentication.
[Open source publication](#)
- [15] **Hawksbill Creek (Extension of Tax Exemption Period) Act, Chapter 265**
Statute Law of The Bahamas. Section 3; printed page 3, LRO 1/2006
1993 extension of defined expiring exemptions; does not establish the current entitlement of each beneficiary.
[Open source publication](#)
- [16] **Hawksbill Creek (Extension of Tax Exemption Period) (Amendment) Act 2016, No. 8**
Official Gazette of The Bahamas. Section 3; page 2; assent 24 June 2016
Three-month continuation of defined exemptions from 4 February 2016; historical step, not an all-concessions expiry statement.
[Open source publication](#)
- [17] **Grand Bahama (Port Area) Investment Incentives Act, Chapter 261A**
Statute Law of The Bahamas. Sections 3–6 and 14; LRO 1/2017, including Act 33 of 2016
Published revised text; later amendments, orders, approvals and beneficiary-specific conditions require confirmation.
[Open source publication](#)

- [18] Government of the Commonwealth of The Bahamas v Grand Bahama Port Authority Limited: Partial Final Award, 27 February 2026**
Arbitral Tribunal; published by the Office of the Prime Minister. Paragraphs 219–227 (printed pages 70–71), 364–373 (printed pages 135–138); signed page 139
Primary signed award. Does not verify subsequent procedural developments or determinations.
[Open source publication](#)
- [19] The Constitution of the Commonwealth of The Bahamas**
Statute Law of The Bahamas. Article 27, protection from deprivation of property; printed page 38 onwards
Constitutional framework; application to specific reform measures requires legal advice.
[Open source publication](#)
- [20] Hawksbill Creek Interpretation of Agreement Act, Chapter 264**
Statute Law of The Bahamas. Sections 2–3
Interpretive provisions concerning land declarations; map and title consequences require instrument-level verification.
[Open source publication](#)
- [21] Legislation index by category**
Office of the Attorney General and Ministry of Legal Affairs, The Bahamas. Hawksbill Creek Acts and Port Area orders; Grand Bahama (Port Area) Investment Incentives entries
Discovery index for instruments; the index does not itself resolve current legal effect or completeness.
[Open source publication](#)
- [22] Certificate of Environmental Clearance Process**
Department of Environmental Planning and Protection. PDF pages 1–3; preliminary review, environmental documentation, determination and consultation stages
Supports descriptions of the published national environmental clearance process. Does not determine any individual Grand Bahama project's approval status or replace legal review of current legislation.
[Open source publication](#)
- [23] The Commonwealth of The Bahamas' Third Nationally Determined Contribution (NDC 3.0)**
Climate Change and Environmental Advisory Unit, Office of the Prime Minister. October 2025; introduction, printed pages 5–6; adaptation chapter; financing chapter
Supports the national policy context of adaptation, infrastructure, coastal ecosystems and conditional implementation. No national numerical target is presented as a Grand Bahama-specific funded commitment.
[Open source publication](#)
- [24] Natural Earth vector land populated places airports and ports**
Natural Earth and NACIS. 10m GeoJSON layers; Grand Bahama context extracted for general orientation, accessed 16 October 2026
Public-domain geometry and reference locations only. No legal boundary, ownership, current operation, capacity or completion status is established.
[Open source publication](#)

Annex E – Consolidated consultation questions

Respondents may address any question, suggest alternatives or provide evidence on connections between chapters. The wording and identifiers below match the chapter questions.

Chapter 2 Economic and institutional context

- Q2.1** What additional evidence is material to the economic, social and institutional context of the proposed reforms? Please specify the period, geography and source.
- Q2.2** Which existing allocations or overlaps of functions require particular examination in developing an island-wide framework?
- Q2.3** What evidence is needed to understand differences in participation and access across Freeport, East and West Grand Bahama?
- Q2.4** How can the relevant geographic and administrative information be presented accurately for the purposes of consultation?

Chapter 3 Economic Development and Bahamian Participation

- Q3.1** What institutional, regulatory or service changes would most effectively connect existing economic activity with new opportunities across Grand Bahama?
- Q3.2** For an emerging economic platform, which enabling arrangements could establish a market that does not presently exist, and what technical evidence would substantiate that pathway?
- Q3.3** What changes to maritime, logistics and manufacturing processes would enable Bahamian enterprises, including those outside Freeport, to enter associated supply chains?
- Q3.4** What arrangements would increase Bahamian participation in visitor expenditure while safeguarding community interests, environmental quality and public access?
- Q3.5** Which aviation and technology activities warrant further development work, and what permissions, capabilities and complementary services would they require?
- Q3.6** What governance, resource information and access arrangements are necessary to develop marine-based opportunities while sustaining existing livelihoods?
- Q3.7** What specific changes to skills provision, procurement and access to employment would enable sustained Bahamian ownership, participation and progression?
- Q3.8** How can the proposed island-wide concessions framework, including possible enhanced concessions outside Freeport, best support productive activity and a wider distribution of economic opportunity?

Chapter 4 Infrastructure, Public Services and Resilient Communities

- Q4.1** Where do divided or overlapping responsibilities impede access to infrastructure or public services, and how can those interfaces be made clear across Grand Bahama?
- Q4.2** What electricity service standards, customer protections and allocation of regulatory responsibilities are necessary to support reliability, affordability and the energy transition?
- Q4.3** What changes to transport planning and service arrangements would improve access between settlements, employment, public services and markets?

- Q4.4** How can responsibilities for water, wastewater, drainage and waste management be coordinated while reflecting different settlement conditions and household circumstances?
- Q4.5** What arrangements are necessary to secure usable digital connectivity and accessible public administration, including during service disruption?
- Q4.6** How can the proposed spatial and housing approach provide clearer development requirements while protecting affordability, public access and opportunities across the island?
- Q4.7** What mix of facilities, outreach, transport and assisted access would provide more effective community services, particularly for smaller settlements and residents requiring additional support?
- Q4.8** What institutional arrangements and public information are required to strengthen environmental protection, emergency continuity and accountability for service provision?

Chapter 5 The Proposed Grand Bahama Development Council

- Q5.1** Which substantive advisory tasks would add most value to the reform programme, and how should the initial mandate distinguish them from decisions reserved to existing institutions?
- Q5.2** What membership and appointment arrangements would combine effective representation across Grand Bahama with the expertise and capacity required for timely recommendations?
- Q5.3** Which chairing arrangement would provide effective access to Government and confidence in the impartial conduct of the Council's work?
- Q5.4** What provisions for declarations of interest, confidential information, publication and recorded disagreement are required for the proposed advisory role?
- Q5.5** What secretariat and participation arrangements would enable the initial mandate to be completed proportionately and within a defined period?
- Q5.6** What specific continuing functions, if any, would justify retaining a Council after its advisory phase, and what legal and accountability arrangements would those functions require?

Chapter 6 Reform of the Hawksbill Creek Agreement

- Q6.1** Which public functions require statutory clarification, reassignment or stronger accountability to implement transparent and equal governance throughout Grand Bahama? Please identify the present institution, source of authority where known, and practical change proposed.
- Q6.2** How can targeted amendment, repeal with consequential provision, or a comprehensive successor framework best give effect to the Government's policy objective? Which combination of legal instruments is appropriate for particular functions?
- Q6.3** Which existing licences, approvals, concessions, contracts and other lawful interests require express savings or transitional provisions, and what treatment would provide clear administration during the change?
- Q6.4** What provisions are required to identify public-service duties, enforce service standards and publish the respective responsibilities of Central Government, local government, the GBPA and other competent bodies?
- Q6.5** What separation, disclosure, reasons and review requirements are needed where commercial interests coexist with public decision-making functions?

- Q6.6** What legal and operational commencement conditions are necessary to maintain services, preserve valid permissions and resolve pending applications, enforcement cases and proceedings?

Chapter 7 The Proposed Grand Bahama Development Act

- Q7.1** Which functions, cooperation duties and accountability provisions require inclusion in a Grand Bahama Development Act, and which can be implemented under existing powers?
- Q7.2** What legal effect and review procedures would make an island-wide strategy an effective reference for planning, infrastructure and development decisions?
- Q7.3** How should concessions throughout Grand Bahama and possible enhanced concessions outside Freeport be structured to address their intended development constraints?
- Q7.4** What evidence and eligibility provisions are appropriate for expansion, restoration, small enterprises and emerging economic platforms, including those dependent on a new enabling framework?
- Q7.5** Which verifiable provisions for Bahamian employment, skills, suppliers and ownership would produce sustained participation in the activities supported?
- Q7.6** What award periods, scheme review, disclosure and proportionate non-compliance provisions would give clear expectations while protecting public resources?
- Q7.7** How should decisions, review mechanisms and transitional provisions operate where a proposed concession regime interacts with existing approvals and rights?

Chapter 8 Transparent and Equal Governance throughout Grand Bahama

- Q8.1** Which legal instruments, administrative records and operational evidence are required to verify the present allocation and exercise of development-related functions?
- Q8.2** Which functions can be administered coherently through coordination or common standards, and which require a change in statutory responsibility to implement island-wide equal governance?
- Q8.3** How should local government and settlement participation be incorporated into island-wide strategy, service priorities and review?
- Q8.4** What common access, service-standard and redress arrangements would provide clear and consistent administration across Grand Bahama?
- Q8.5** What record-keeping, information-sharing, resource and audit provisions are necessary for the proposed allocation of functions?
- Q8.6** What legal safeguards, continuity arrangements and readiness conditions are required before responsibilities, records, assets or staff are transferred?
- Q8.7** What evidence and considerations would assist Government in selecting and subsequently reviewing the institutional arrangements that give effect to its stated policy objective?

Chapter 9 Governance of the consultation

- Q9.1** Does the proposed Steering Committee remit provide an appropriate separation between consultation administration, technical advice and Government decision-making?

- Q9.2** Which institutional and technical contributions are necessary to support the Committee's work?
- Q9.3** What engagement arrangements will secure effective participation throughout Freeport, East and West Grand Bahama within the six-month period?
- Q9.4** How should the consultation record distinguish evidence, stakeholder interests and alternative proposals?
- Q9.5** What reporting and publication arrangements will provide an adequate account of how representations have informed the Government's conclusions?

Annex F – Consultation arrangements and Steering Committee terms of reference

Purpose and duration

The consultation will address the design and implementation of the policy framework set out in the Green Paper. The primary objective is transparent and equal governance and regulation throughout Grand Bahama. The proposed opening date is 1 November 2026 and the proposed closing date is 30 April 2027. The Steering Committee will complete its final report in time to support the proposed May and June 2027 Cabinet consideration. The programme will preserve the full period for representations and allow technical work to proceed alongside engagement. Final recommendations will be prepared after the closing date and will address the complete record rather than only the submissions received during the opening phase.

The Committee's establishment will be subject to Cabinet-approved terms of reference. Its mandate will expire on acceptance of its final report and completion of the handover, unless Cabinet expressly extends it for a stated task and period. The Committee will not become a permanent institution through the continuation of administrative activity. Any extension will identify the outstanding work, the authority responsible and a revised completion date. Administrative support can continue for an expressly defined handover without creating a substantive development mandate. The terms will also identify the custodian receiving the record so that responsibility remains clear after the Committee concludes its work.

Proposed remit

The Committee will coordinate the engagement programme, organise the receipt and analysis of representations, obtain or refer issues for technical examination, and prepare the consultation report and recommendations for submission through the responsible Minister. It will identify the institutional and legislative questions requiring decision and provide an account of the evidence and material alternatives. It will maintain an issues schedule showing the subject under consideration, the technical contribution required and the treatment of material alternatives. That schedule will support progress reporting and preparation of the final advice. It will not rank responses by the prominence of the contributor or treat organised representation as evidence of agreement by an entire community.

The remit excludes regulatory decisions, the determination of individual permissions, the granting of concessions, alteration of existing rights and binding decisions on the institutional settlement. The Committee will not exercise the functions of Cabinet, Parliament, the Attorney General, a regulator or a competent department. It is distinct from the Development Council proposal examined in Chapter 5. An issue outside the remit will be referred to the competent institution with its status recorded. A referral will not suspend a statutory process or promise a particular outcome. The Committee can examine a recurring issue for its policy implications while the individual case continues through the applicable procedure.

Membership and Secretariat

Cabinet will designate the Chair and appoint members on the recommendation of the responsible Minister. The proposed membership will provide coordination across the Office of the Prime Minister, the ministry responsible for Grand Bahama, the Office of the Attorney

General and the departments relevant to local government, development policy and concession administration. Technical officers and advisers may be invited for issues within their competence. The appointments will provide the capacity to coordinate the work and produce reasoned advice. Participation in a technical session will be identified separately from Committee membership. The appointment arrangements will also state the reporting relationship through which recommendations and unresolved issues reach Ministers.

The appointment instrument will specify quorum, attendance, the recording of advice and disagreement, conflicts of interest, vacancies and reporting. Invitations to stakeholder or technical sessions will not constitute appointments or delegations of authority. A designated Secretariat will maintain the consultation programme, submission record, meeting papers, minutes and technical referrals. The Secretariat will distinguish a stakeholder submission, departmental advice and a collective recommendation in the record. It will maintain the basis on which an issue was referred and the material returned. Where members disagree on a substantive recommendation, the report will record that difference and its reasons rather than infer unanimity from attendance.

Engagement programme

The programme will cover Freeport, East Grand Bahama and West Grand Bahama through community meetings, thematic discussions, technical engagement and written representations. The arrangements will address access for smaller settlements and people unable to attend a particular meeting, including persons with disabilities and contributors affected by work, transport or caring responsibilities. The programme will identify how assisted and written contributions relate to the thematic discussions. It will also provide opportunities for differing views within a sector or settlement to be heard. An inability to attend a meeting will not exclude a relevant submission or reduce its treatment solely because it was made through another channel.

The opening phase will explain the policy position, proposals and scope. The central phase will examine the substantive issues. The closing phase will consolidate issues requiring further examination without closing the record before 30 April 2027. Rolling analysis will support the work, while final recommendations will follow consideration of the full record after the closing date. Issues requiring clarification can be referred during the period so that technical work does not accumulate entirely after closure. Where a material alternative emerges late, the final report will explain its examination and any remaining dependency. The timetable will not be used to present an unexamined proposal as settled Government policy.

The publication page, submission channels, contact arrangements, meeting dates and venues will be confirmed for the public launch. The public information will specify accepted formats, acknowledgement arrangements, accessibility support and the treatment of late submissions. The public arrangements will explain which institution receives and acknowledges responses and how a contributor can seek assistance. They will distinguish a consultation submission from an application, complaint or statutory appeal requiring a different route. The handling of late material will be stated clearly, including whether it can be considered without delaying the programme. Administrative clarification will not alter the closing date by implication.

Records and handling of information

The Secretariat will maintain a record sufficient to show the subject, source and treatment of material representations. It will distinguish attendance from agreement, direct evidence from an estimate, and technical advice from a Committee recommendation. Material submitted on behalf of a sector or community will not be assumed to represent every affected person. Where a respondent supplies evidence concerning a particular function, the record will connect that evidence to the policy question and any referral for examination. It will retain material limitations and disagreements. This will enable the report to explain the reasoning behind a recommendation without reproducing every submission or treating volume as a measure of legal or policy merit.

A consultation-specific privacy notice will be confirmed before responses are collected. It will identify the responsible institution, the purpose and basis of handling, access, retention and the relevant contact arrangements. The notice will explain publication of responses or names and the treatment of confidential material in accordance with applicable Bahamian requirements. The notice will be available through the channels used to invite participation and will explain the treatment of meeting contributions as well as written responses. Information handling will be organised around the consultation's stated purposes. The administrative arrangements will identify who can access the record and who is responsible for decisions about publication or disclosure.

Respondents will be advised to avoid unnecessary personal information and to identify confidential commercial material separately with reasons. Appropriate legal, personal and commercial protections will apply. The published response will nevertheless explain the public policy rationale and the material evidence on which the Government's conclusions rest. A request for confidentiality will be recorded with its stated reason and referred for appropriate consideration; it will not be assumed to determine every disclosure question. Where protected material informs a recommendation, the public account will explain the relevant policy reasoning to the extent permitted. The consultation will maintain a usable public explanation while observing the protections applicable to the underlying information.

Reporting and completion

Progress reporting will address coverage, issues considered, technical referrals and adherence to the programme. The final report will identify participation, principal themes, material evidence and alternatives, issues of agreement and disagreement, and recommendations requiring Government determination. It will distinguish unresolved technical or legal questions and explain their relevance. The report will connect recommendations to the relevant proposal and explain the principal reasons for the approach advanced. It will identify dependencies between institutional and legal measures and the implications of work still outstanding. Progress reports will describe the consultation's administration without pre-empting that final assessment or attributing a Committee view to Government.

The report will be submitted through the responsible Minister for Cabinet consideration in May and June 2027. Following acceptance of its final report, the Committee will complete the agreed records handover and conclude its mandate. The Government will publish an account of consultation with or in support of the White Paper targeted for 1 July 2027. Subsequent policy, legislative and implementation responsibilities will rest with the designated Ministers and

departments. The handover will identify the responsible custodian, outstanding referrals and the material required for subsequent policy and legislative preparation.