



***EXTRAORDINARY***  
**OFFICIAL GAZETTE**  
**THE BAHAMAS**  
PUBLISHED BY AUTHORITY

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NASSAU

28<sup>th</sup> May, 2025

(A)

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**ENVIRONMENTAL HEALTH SERVICES  
(FIXED PENALTY) REGULATIONS, 2025**

**Arrangement of Regulations**

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**Regulation**

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**ENVIRONMENTAL HEALTH SERVICES ACT  
(CHAPTER 232)**

**ENVIRONMENTAL HEALTH SERVICES (FIXED  
PENALTY) REGULATIONS, 2025**

The Minister in exercise of the powers conferred by section 17 of the Environmental Health Services Act (*Ch. 232*), hereby makes the following regulations  
—

**1. Citation and commencement.**

- (1) These Regulations may be cited as the Environmental Health Services (Fixed Penalty) Regulations, 2025.
- (2) These Regulations shall come into operation on the 1<sup>st</sup> day of July, 2025.

**2. Fixed penalty.**

- (1) Where a person fails to comply with an order issued under section 15 of the Act, the Director may impose a fixed penalty specified in Part A of the *Schedule* by issuing a Fixed Penalty Notice in the form set out in Part B of the *Schedule*.
- (2) A fixed penalty issued under paragraph (1) shall be immediately due and payable by the person upon whom it is imposed.

**3. Recovery of fixed penalty.**

If a fixed penalty is not paid within the time specified in the notice, the fixed penalty notice may be filed in the Magistrates Court and is deemed a complaint and summons.

**SCHEDULE  
(Regulation 2)**

**PART A**

**PENALTIES FOR NON-COMPLIANCE WITH ORDER OF DIRECTOR**

1. For emissions or discharges of any contaminant or pollutant onto land from —

- (a) Owner-occupied single dwelling residential premises used solely as a dwelling place – an initial cost of \$100 and \$50 for each day that the emission or discharge continues but not to exceed \$2,500;
  - (b) Residential premises comprising not more than two units used solely as a dwelling place – an initial cost of \$200 and \$100 for each day that the emission or discharge continues but not to exceed \$5,000;
  - (c) Residential premises comprising more than two but not more than ten units used solely as a dwelling place – an initial cost of \$500 and \$200 for each day that the emission or discharge continues but not to exceed \$7,500 ;
  - (d) Residential premises comprising more than ten but not more than twenty units used solely as a dwelling place – an initial cost of \$1,000 and \$300 for each day that the emission or discharge continues but not to exceed \$15,000;
  - (e) Residential premises comprising more than twenty units used solely as a dwelling place – an initial cost of \$2,500.00 and \$500.00 for each day that the emission or discharge continues but not to exceed \$25,000;
  - (f) Any premises used for business or commercial activity – an initial cost of \$2,500 and \$500 for each day that the emission or discharge continues but not to exceed \$25,000.
2. For emissions or discharges of contaminant or pollutant into a body of water from a vessel including inter-island cargo vessels —
- (a) under 50 feet in length – an initial cost of \$500 and \$50 for each day that the emission or discharge continues;
  - (b) 51 feet to 100 feet in length – an initial cost of \$1,500 and \$200 for each day that the emission or discharge continues;
  - (c) 101 feet to 150 feet in length – an initial cost of \$7,500 and \$300 for each day that the emission or discharge continues;

- (d) 150 feet or over in length – an initial cost of \$20,000 and \$500 for each day that the emission or discharge continues;
- 3. For emissions or discharges of contaminant or pollutant into a body of water from a vessel excluding inter-island cargo vessels —
  - (a) Commercial cargo vessels and cruise ships – an initial cost of \$25,000 and \$20,000 for each day that the emission or discharge continues up to a maximum of \$250,000.

For the purposes of this Schedule “ **vessel** ” means every description of ship, vessel or boat used in navigation, however propelled.

- 4. For emissions or discharges of contaminant or pollutant into the air from any stationary source - an initial cost of \$5,000 and \$1,000 for each day that the emission or discharge continues.

## **PART B**

### **FIXED PENALTY NOTICE**

#### **COMMONWEALTH OF THE BAHAMAS**

#### **DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES**

### **FIXED PENALTY NOTICE**

(Issued under regulation 2 of the Environmental Health Services Act, Chapter 232)

NOTICE NO.: \_\_\_\_\_

DATE OF ISSUE: \_\_\_\_\_

TIME OF ISSUE: \_\_\_\_\_

TO:

Name of Person or Entity: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

You are hereby notified that you have failed to comply with an Order issued by the Director of Environmental Health Services under section 15 of the Environmental Health Services Act.

***Nature of the Breach:***

☐ 1. Emissions or discharges of contaminant or pollutant onto land from:

\_\_\_\_\_

☐ 2. Emissions or discharges of contaminant or pollutant into a body of water from a vessel located at:

\_\_\_\_\_

☐ 3. Emissions or discharges of contaminant or pollutant into the air from a stationary source situated at:

\_\_\_\_\_

☐ Other (please specify):

\_\_\_\_\_

***Description of Order Breached:***

\_\_\_\_\_

\_\_\_\_\_

***PENALTY IMPOSED:***

Amount Due: \$ \_\_\_\_\_

(Due and payable immediately upon service of this notice)

***PAYMENT INSTRUCTIONS:***

Payment shall be made to:

Department of Environmental Health Services

*[Insert Payment Office Address or Online Portal Details]*

Failure to pay the fixed penalty may result in legal proceedings.

***ISSUED BY:***

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

***RECEIVED BY:***

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Made this 28<sup>th</sup> day of May, 2025.**

**Signed  
VAUGHN MILLER  
MINISTER RESPONSIBLE FOR THE DEPARTMENT OF  
ENVIRONMENTAL HEALTH SERVICES**