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# HEALTH PROMOTION AND WELLNESS ACT, 2025

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No. 69 of 2025

## **HEALTH PROMOTION AND WELLNESS ACT, 2025**

**AN ACT TO PROMOTE HEALTHY LIFESTYLES AND WELLNESS,  
TO EMPOWER THE ADOPTION OF NATIONAL, REGIONAL AND  
GLOBAL PUBLIC HEALTH POLICIES, TO REDUCE THE  
INCIDENCE OF NON-COMMUNICABLE DISEASES AND  
PREMATURE DEATH LINKED TO UNHEALTHY FOOD  
CONSUMPTION AND HARMFUL LIFESTYLE BEHAVIOURS AND  
FOR MATTERS CONNECTED THERETO**

[Date of Assent 28<sup>th</sup> August 2025]

**Enacted by the Parliament of The Bahamas**

**WHEREAS** The Government of The Bahamas is committed to fostering health, improved quality of life and well-being of its citizens through health regulation, health promotion, behavioral interventions and environmental modifications;

**AND WHEREAS** the Government is committed to creating a food and nutrition secure nation and to promoting healthy lifestyle choices and practices;

**AND WHEREAS** research conducted in The Bahamas indicates an alarming prevalence of excessive consumption of fat, salt, and sugar, predominantly sourced from processed and ultra-processed foods;

**AND WHEREAS** the consumption of such harmful nutrients has been scientifically linked to the development of cardiovascular disease, diabetes, and other non-communicable diseases, resulting in the primary cause of disability, premature death and poor quality of life in The Bahamas;

**AND WHEREAS** global and regional mandates recommend the elimination of industrially produced trans-fatty acids and the establishment of sodium targets, through policy approaches and legislative measures, with the aim of curbing the prevalence of non-communicable diseases associated with such dietary risk factors;

**NOW THEREFOR:**

## PART I - PRELIMINARY

### 1. Short title.

This Act may be cited as the Health Promotion and Wellness Act, 2025.

### 2. Interpretation.

In this Act —

“**Commission**” means the National Food and Nutrition Commission established under section 13;

“**food**” or “**food product**” means any substance or product, whether processed, semi-processed or raw, which is intended for human consumption, and includes beverages and any substance or product which has been used in the manufacture, preparation or treatment of "food" but does not include cosmetics or tobacco or substances used only as drugs;

“**Food Safety and Quality Act**” means the Food Safety and Quality Act, 2016 (*No. 5 of 2016*);

“**food system**” means a collection of activities involving food production, processing, distribution and consumption from farm to table, including policies, infrastructure, the environment, and supply chains that influence what people eat;

“**infant**” means a child from birth to age one;

“**Minister**” means the Minister responsible for health and wellness;

“**National Food and Nutrition Security Policy and Action Plan**” means the policy of the Government that aims to ensure that every person has access to safe and nutritious food;

“**non-communicable diseases**” refers to a group of chronic conditions not caused by an infectious agent, requiring long term treatment and care, including cardiovascular disease, cancer, chronic respiratory disease, diabetes and mental health disorder;

“**nutrient**” or “**nutrients**” mean a substance that provides essential nourishment for the maintenance of life, health, growth and development;

“**ultra-processed food product**” means a group of foods industrially or otherwise manufactured which are characterized by ingredients that add, remove or alter colour, flavour, taste, texture, aroma or appearance in foods, including foods synthesized in a laboratory;

### 3. Objectives of Act.

The objectives of this Act are —

- (a) to promote healthy lifestyles and wellness throughout the general population;
- (b) to strengthen synergies to enhance coordination among government agencies in ensuring food and nutrition security in accordance with the National Food and Nutrition Security Policy and Action Plan;
- (c) to encourage the decline of non-communicable diseases and premature death, related to excessive and sustained consumption of food products which contain nutrients of public health concern;
- (d) to mandate and implement national, regional and global public health policies and measures to aid in accomplishing the goals referred to in paragraph (a) and (c).

## **PART II – DRIVE FOR HEALTH AND WELLNESS**

### **HEALTH PROMOTION AND WELLNESS PLAN**

#### **4. Minister to cause preparation of a Health Promotion and Wellness Plan.**

In carrying out the objectives of this Act, the Minister shall cause a Health Promotion and Wellness Plan (hereinafter referred to as “the Plan”) to be created and implemented.

#### **5. Requisites of Plan.**

- (1) The Plan must —
  - (a) identify the public health and wellness needs of the people of The Bahamas;
  - (b) include an analysis of data related to health status and determinants of health in The Bahamas;
  - (c) establish objectives and policies for —
    - (i) the promotion and protection of public health and wellness in The Bahamas, as well as the prevention of conditions that may pose a threat of harm to human health and wellness;
    - (ii) the development and delivery of evidence-based, effective public health interventions in The Bahamas;
  - (d) outline evidence-based strategies to achieve the objectives and policies identified in (c);
  - (e) identify the stakeholders, governmental agencies, technical officers and other relevant bodies involved in the work affecting public health and wellness;
  - (f) integrate strategies to promote physical activity and mental health;

- (g) determine interventions to address social determinants of health;
  - (h) integrate strategies for strengthening health education and promotion;
  - (i) specify mechanisms, with adequate safeguards against conflicts of interest, for the Minister to engage in inter-ministerial coordination, multi-sectoral collaboration and joint initiatives with relevant stakeholders for the purpose of carrying out the objectives of this Act; and
  - (j) specify the priorities, policies and programmes to be facilitated by the Commission and any other body established under section 16.
- (2) The Ministry of Health and Wellness shall allocate sufficient funding and resources for—
- (a) the implementation of the Plan;
  - (b) well equipped and sustainable health promotion and education programs referred to in section 6; and
  - (c) monitoring, evaluation of and research on the impact of health interventions, including health promotion and education.

## HEALTH EDUCATION AND PROMOTION

### **6. Health education and promotion.**

The objectives for health education and promotion shall seek to educate the public about healthy lifestyle practices, disease prevention and wellness practices, namely —

- (a) the importance and value of early detection and preventive care;
- (b) the ways for accessing reliable and accurate health and nutrition information;
- (c) mental health care, including counseling, therapy, and support for individuals with mental health conditions;
- (d) the management of chronic non-communicable diseases;
- (e) the benefit of workplace wellness programs for employees.

### **7. Minister to create unified approach to health promotion and education.**

The Minister shall —

- (a) collaborate and partner with government agencies, non-governmental organizations, healthcare providers, educational institutions, and the private sector to create a unified approach to health promotion and education;

- (b) encourage community engagement, emphasizing the importance of community involvement in the planning, implementation, and evaluation of health promotion and education initiatives to ensure they are culturally relevant and effective;
- (c) provide training and capacity-building opportunities for healthcare professionals, educators, and community leaders to enhance their skills and knowledge in health promotion and education.

## POLICY SHIFT FOR HEALTH AND WELLNESS

### **8. Duties of Minister.**

In carrying out the objectives of this Act, the Minister shall —

- (a) determine and mandate national public health policies to promote health and wellness and to support and foster healthy food environments;
- (b) cause nutrition-related food system policies to be implemented;
- (c) establish mechanisms for a comprehensive health-in-all policies approach to coordinate with all relevant stakeholders on the strategy for strengthening health promotion and education;
- (d) advance health equity for all, taking into account socio-economic status, geographic location, or other barriers;
- (e) cause the coordination of policies and programmes to be facilitated by the National Food and Nutrition Commission and by any other body established under section 16.

### **9. Power of Minister to align with and implement national, regional and global public health policies.**

- (1) The Minister may by regulations adopt and implement national, regional and global public health policies, including but not limited to —
  - (a) banning from or imposing limits on the use of specific food products in the food system that could potentially have a harmful effect on human health;
  - (b) imposing limits on specific nutrient contents in food products for consumption;
  - (c) requiring warning and other labeling provisions to inform the public about ultra-processed food products and food items containing harmful ingredients or excessive nutrients of public health concern;
  - (d) identifying food products and beverages, that pose a harmful effect on human health and in consultation with the Minister of Finance, propose fiscal measures;

- (e) adopting policies to implement practices that protect, promote and support infant and young child nutrition and health;
  - (f) prohibiting the dumping of substandard foods by importers that negatively impact health, the environment and the local community;
  - (g) adopting policies to implement healthy lifestyle behaviours.
- (2) A policy adopted in accordance with subsection (1) may address food products —
- (a) imported into The Bahamas and offered for sale, whether for wholesale, retail, donation or distribution;
  - (b) offered for consumption in a food service establishment or by some other means; and
  - (c) offered or available for consumption in a school environment, health facility or other public or private environment.

**10. Minister to coordinate with relevant ministers to fulfil objectives of Act.**

In order to fulfil the objectives of this Act, the Minister shall consult with relevant ministers to coordinate and develop policy and legislation within their respective portfolios.

**11. Duty of Minister prior to implementing a public health policy.**

Prior to the Minister implementing a public health policy pursuant to section 9, the Minister shall ensure that measures have been taken —

- (a) to cause a public education campaign to be conducted on the health benefits of any policy to be implemented;
- (b) to create awareness of the negative impact of failure to implement the policy;
- (c) to collaborate and coordinate with all relevant stakeholders, and ministries and departments of government to achieve the objectives of the policy;
- (d) to strengthen the institutional capacity to accomplish the objectives of the policy.

**12. Stakeholders, agencies, etc. to comply with Act.**

Stakeholders, agencies, technical officers and other relevant bodies identified in the Plan shall ensure that steps are taken to comply with this Act by including, but not limited to —

- (a) inter-ministerial collaboration to maximise efficiencies and improve the food and nutrition environment within The Bahamas; and

- (b) sharing information and resources relative to the implementation of the Plan.

## **PART III – ESTABLISHMENT AND ROLE OF NATIONAL FOOD AND NUTRITION COMMISSION IN HEALTH AND WELLNESS**

### **13. Establishment of National Food and Nutrition Commission.**

- (1) There is hereby established a National Food and Nutrition Commission, (hereinafter referred to as “the Commission”) which shall have the duties and powers specified in this Act.
- (2) The provisions of the *Schedule* have effect with respect to the Commission.

### **14. Functions of Commission.**

The functions of the Commission shall be —

- (a) to act as the advisory and advocacy body on food and nutrition in collaboration with all other relevant bodies (including the division of the ministry responsible for dietary care and nutritional counseling) to improve the national nutrition and health status;
- (b) to coordinate mechanisms, with adequate safeguards against conflicts of interest, to ensure that all agencies of government and society are engaged in supporting the achievement of certain aspects of the Plan and the National Food and Nutrition Security Policy and Action Plan;
- (c) to implement a national nutrition surveillance system including comprehensive food system assessments and provide necessary recommendations;
- (d) to provide regular information and advice to the Minister on the status of food and nutrition within the national implementation strategy;
- (e) to liaise with professional bodies at the national, regional and international levels in matters related to food and nutrition;
- (f) to review, update and facilitate the implementation of food and nutrition guidelines, policies and recommendations.

### **15. Powers of Commission.**

The Commission shall have power —

- (a) in collaboration with governmental agencies and non-governmental organizations, to implement, coordinate, and promote programs and initiatives, to provide affordable access to nutritious foods;
- (b) to require any person to furnish the Commission with information, records and samples that are necessary to enable the Commission to monitor food and nutrition matters;
- (c) to direct any organisation implementing a food and nutrition programme to implement the programme in a manner that ensures compliance with the objectives of the Act;
- (d) to designate authorised officers to ensure compliance with this Act;
- (e) to perform such other acts related to food and nutrition as may be necessary.

**16. Commission may appoint special committees.**

The Commission may appoint special committees of experts to advise it on any specific matter.

## **PART IV – MISCELLANEOUS**

**17. Minister may establish other bodies to promote health and wellness.**

Notwithstanding section 13, the Minister may in carrying out the objectives of this Act, establish such other bodies as may be necessary for achieving the promotion of health and wellness.

**18. Act not to derogate from other Acts.**

For the avoidance of doubt, nothing in this Act shall derogate from the functions and powers of—

- (a) the Director of Food Safety and Quality, under the provisions of the Food Safety and Quality Act;
- (b) the Minister, under section 8 of the Food Safety and Quality Act; or
- (c) the Director of Standards under the provisions of the Standards Act.

**19. Conflicts of interest.**

Any person —

- (a) whose business, service, product, practice, policy, objective is to be regulated by this Act; or
- (b) who is a representative or member of an organisation or entity that  
—

- (i) supports or is supported or funded by;
  - (ii) controls or is controlled by;
  - (iii) established or was established by;
  - (iv) represents or is represented by,
- an entity regulated by this Act,

shall not participate in the policy decision making, development of standards or any related matter governed by this Act.

## **20. Regulations.**

The Minister may make regulations —

- (a) advancing health-enabling nutrition environments;
- (b) prescribing healthy newborn and infant feeding practices;
- (c) prescribing the functions and powers of authorised officers;
- (d) prescribing anything which by the provisions of this Act may be or is to be prescribed; and
- (e) for giving effect to and carrying out the purpose, intention and provisions of this Act.

## **SCHEDULE**

(section 13(2))

### NATIONAL FOOD AND NUTRITION COMMISSION

#### **1. Constitution of Commission.**

- (1) The Commission shall consist of not more than five members appointed by the Minister comprising—
  - (a) one person qualified as having had experience in or having shown capacity and competency in public health policy;
  - (b) two persons registered as a dietitian or nutritionist in accordance with the provisions of the Health Professionals (General) Regulations, one having shown capacity and competency in public health nutrition;
  - (c) one person as having had experience in or having shown capacity and competency in food science;
  - (d) one person as having had experience in or having shown capacity and competency in agriculture.
- (2) The Minister shall appoint a suitably qualified person to have responsibility for the day to day operations of the Commission and such person shall be an ex officio member of the Commission.
- (3) The Chief Medical Officer shall be the leading technical advisor to the Commission.

#### **2. Tenure of office.**

- (1) A member shall hold office for a term of three years and shall be eligible for reappointment.
- (2) A member may at any time resign his membership by notice in writing addressed to the Minister.

#### **3. Termination.**

The Minister may terminate the appointment of a member if the Minister is satisfied that the person —

- (a) has been absent for more than three consecutive meetings, of which he has had notice, without the permission of the Commission or without reasonable cause;
- (b) has become bankrupt or made arrangements with the members creditors;
- (c) is incapacitated by physical or mental illness;

- (d) has been in The Bahamas or in any other jurisdiction convicted of a criminal offence involving fraud or dishonesty or found liable in a civil or regulatory action for activities involving fraud or dishonesty; or
- (e) is otherwise unable or unfit to discharge the functions of the position to which that person was appointed.

**4. Staff of Commission.**

- (1) The Commission shall consist of such number of public officers or persons engaged as the Commission considers necessary.
- (2) The Commission shall designate suitably qualified persons to be authorised officers for the purposes of ensuring compliance with this Act or any other Act.
- (3) An authorised officer must possess a certificate of appointment and shall present a national identification card upon request.
- (4) An authorised officer may, in performing any functions of the Commission —
  - (a) at reasonable times enter and search premises and examine a document or an article found on the premises that has a bearing on the inspection;
  - (b) assess the adequacy of the diets provided by an institution;
  - (c) require information to be given about a document or an article by —
    - (i) the owner of the premises;
    - (ii) the person in control of the premises;
    - (iii) a person who has control of the document or article; or
    - (iv) any other person who may have the information.
- (5) An authorised officer shall furnish the Commission with a written report and any other information relating to an inspection, that the Commission may require.

**5. Funds of Commission.**

The funds of the Commission shall consist of such moneys as may be payable to the Commission from moneys appropriated by Parliament.

**6. Minister may give directions to Commission.**

The Minister may give to the Commission such general or special directions with respect to the exercise of the powers and functions of the Commission as the Minister may consider necessary and the Commission shall comply with all such directions.

7. **Publication.**

The appointment termination death or resignation of any member of the Commission shall be published promptly in the Gazette.

8. **Procedure of Commission.**

Subject to the provisions of this Act, the Commission may determine its own procedure.

9. **Accounts, audit and reports.**

The Commission shall keep proper records and make regular reports to the Minister on the progress of the functions and work of the Commission.