

## SCHEDULE TO THE ORDER

### THE CONSTITUTION OF THE COMMONWEALTH OF THE BAHAMAS

## CHAPTER III

### PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL

#### **Protection of freedom of movement**

**25.**—(1) Except with his consent, no person shall be hindered in the enjoyment of his freedom of movement, and for the purposes of this Article the said freedom means the right to move freely throughout The Bahamas, the right to reside in any part thereof, the right to enter The Bahamas, the right to leave The Bahamas and immunity from expulsion therefrom.

(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this Article to the extent that the law in question makes provision—

- (a) which is reasonably required—
  - (i) in the interests of defence, public safety, public order, public morality, public health, town and country planning or the prevention of plant or animal diseases; or
  - (ii) for the purpose of protecting the rights and freedoms of other persons, and except so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society;
- (b) for the removal of a person from The Bahamas to be tried outside The Bahamas for a criminal offence or to undergo imprisonment in some other country in respect of a criminal offence of which he has been convicted;
- (c) for the imposition of restrictions upon the movement or residence within The Bahamas of public officers or members of a disciplined force that are reasonably required for the purpose of the proper performance of their functions; or
- (d) for the imposition of restrictions on the movement or residence within The Bahamas of any person who is not a citizen of The Bahamas or the exclusion or expulsion therefrom of any such person; or
- (e) for the imposition of restrictions on the right of any person to leave The Bahamas in the public interest, or for securing compliance with any international obligation of the Government of The Bahamas particulars of which have been laid before Parliament.

(3) Any restriction on a person's freedom of movement which is involved in his lawful detention shall not be held to be inconsistent with or in contravention of this Article.

(4) For the purposes of sub-paragraph (c) of paragraph (2) of this Article “law” in that paragraph includes directions in writing regarding the conduct of public officers generally or any class of public officer issued by the Government of The Bahamas.