

CIVIL SOCIETY ORGANIZATION BILL, 2014

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CIVIL SOCIETY ORGANIZATION BILL, 2014

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND REGISTRATION OF CIVIL SOCIETY ORGANIZATIONS; TO PROMOTE AND ENCOURAGE THE DEVELOPMENT OF CIVIL SOCIETY ORGANIZATIONS; TO REGULATE THEIR OPERATIONS FOR THE PURPOSES OF CREATING TRANSPARENCY AND ACCOUNTABILITY; TO ESTABLISH MINIMUM STANDARDS WHICH SHALL BE OBSERVED BY ALL CIVIL SOCIETY ORGANIZATIONS AND TO PROVIDE FOR CONNECTED PURPOSES.

Enacted by the Parliament of The Bahamas

PART I - PRELIMINARY

1. Short title and commencement.

- (1) This Act may be cited as Civil Society Organization Bill, 2014.
- (2) This Act shall come into operation on such date as the Minister may appoint by notice published in the Gazette.

2. Interpretation.

In this Act, unless the contrary intention appears—

“auditor” means a person who—

- (a) examines and reports on financial statements or accounts;
- (b) is a professionally qualified accountant; or
- (c) is an accountant licensed to practice as such under the Public Accountants Act *Ch. 364*;

- “Board of Directors”** means the Board of Directors of a Civil Society Organization appointed under section 9 of this Act;
- “By-law”** means any Bye-law made by a Civil Society Organization for its own internal regulation;
- “Civil Society Organization”** means a legal entity which is formed as a company limited by guarantee under the Companies Act Ch. 308, whose aim, nature and objects, whether direct or indirect, are consistent with the principles enshrined in the preamble to The Constitution of The Bahamas, the Universal Declaration of Human Rights and in all international and regional human rights treaties to which The Bahamas is a party;
- “financial year”** means the period used by any Civil Society Organization registered under section 6 of this Act, to estimate its annual revenue and expenditure;
- “Register”** means the Register of Civil Society Organizations established in section 5;
- “Sustainable Human Development”** includes but is not limited to any of the following—
- (a) a programme of activities by a Civil Society Organization which promotes, protects, educates and encourages respect of human rights generally and the fundamental rights and freedoms enshrined in Chapter III of The Constitution of The Commonwealth of The Bahamas in particular;
 - (b) a programme of activities which encourages, promotes, protects and develops the educational system to meet the basic needs of the Bahamian society and economy;
 - (c) a programme of activities which educates the Bahamian public or any section thereof about The Constitution of The Commonwealth of The Bahamas and laws and their constitutional and legal rights and obligations as enshrined therein;
 - (d) a programme of activities that assists communities in general, and certain marginalized groups like women and the youth in particular, in the planning, implementation and successful execution of community-based development projects;
 - (e) a programme of activities that promotes and encourages the formation and sustainable growth of social and civil society organizations, groups and societies concerned with the constitutional and legal rights of workers, and the legal rights of fishermen, farmers, women, children, the youth, the elderly, the disabled, marginalized sections of the society and other disadvantaged social groups;

- (f) a programme of activities that promotes and encourages in The Bahamas, the observance of primary and secondary health care, sanitary standards and health education;
- (g) a programme of activities that assists local, rural or urban communities in engaging in income generating production projects;
- (h) a programme of activities that promotes among Bahamians multi-cultural citizens, patriotism and national consciousness as Bahamians over and above identity at the ethnic level;
- (i) a programme of activities that promotes, protects and disseminates Bahamian culture, or the culture of a specific culture or ethnic group;
- (j) a programme of activities that promotes the participation of women in all spheres of national development, and that promotes gender awareness issues and sensitivity;
- (k) a programme of activities that aims to provide supervised micro-credit schemes to community groups for the implementation of income generating projects;
- (l) a programme of activities that preserves the significant role of community activities, leaders and other influential persons in society through the promotion of various books and other forms of literature through our schools, libraries, various media outlets including the world wide web; and
- (m) any other programme of activities which promotes sustainable human development;

“the Minister” means the Minister with responsibility for the Registry of Records.

PART II – CIVIL SOCIETY ORGANIZATIONS

3. Attributes and Characteristics of Civil Society Organizations.

Subject to Chapter 3 of The Constitution of The Bahamas, a Civil Society Organization shall have the following attributes and characteristics—

- (a) it shall be independent of Government control in its operations and management;
- (b) it shall be controlled by those who have formed them, or by boards of Management to which such people have delegated, or are required by law to delegate responsibility for control and management;

- (c) it may engage in revenue generating activities and use revenue generated solely in pursuit of its aims but shall not distribute profit or surplus to shareholders or its members;
- (d) its aim, objectives and purposes shall be to achieve sustainable human development on a voluntary and non-profit basis;
- (e) it shall act on concerns and issues which are detrimental to the well-being, circumstances or prospects of people, the environment or society as a whole;
- (f) its business and affairs shall be under the management and control of a Board of Directors, to be elected to office for a period and in the manner specified in its Articles of Association and no member of the Board of Directors or any officer or employee of the Civil Society Organization shall have any interest in using the objects, aims and purposes of the Civil Society Organization for personal gain or profit;
- (g) it shall have voluntary participation by a small or large number of its board members in all its activities and undertakings; and
- (h) its activities in The Bahamas shall be consistent with the principles and articles of The Constitution of The Bahamas.

4. Types of Civil Society Organizations.

For the purposes of this Act, there two types of Civil Society Organizations which are distinguished by their differing objectives and these are as follows—

- (a) a public benefit organization which is established in order to benefit a section of the society or the society as a whole; and
- (b) a mutual benefit organization which is established in order to advance the shared interests of its members or supporters, such as to advance the shared interests of people working in a particular profession, the businesses engaged in a particular industry, youth studying in a university, or people who are interested in a particular cultural activity, sport or hobby.

PART III – REGISTRATION AND ESTABLISHMENT OF CIVIL SOCIETY ORGANIZATIONS

5. Appointment of Registrar and Deputy Registrar of Civil Society Organizations.

- (1) The Minister may from time to time, appoint a fit and suitably qualified person to be the Registrar of Civil Society Organizations.

- (2) The Registrar-General shall act as the Registrar of Civil Society Organizations until such time as the Minister appoints a Registrar pursuant to subsection (1).
- (3) The Registrar may have a Deputy Registrar and such other staff as may enable the full and effectual discharge of his duties as provided under this Act and any Regulations made thereunder.

6. Application for registration of Civil Society Organizations.

- (1) Every Civil Society Organization desirous of being registered under this Act, shall submit to the Registrar within three months of the commencement of this Act, or within such other time as may be prescribed by notice, the documents and information referred to in subsection (2).
- (2) In support of such application, the Civil Society Organization shall furnish to the Registrar, the following documents together with its application—
 - (a) the Memorandum and Articles of Association of the Civil Society Organization, showing that it is a company limited by guarantee;
 - (b) the name and address of the Civil Society Organization;
 - (c) brief details of the aims, objectives and purposes of the Civil Society Organization, especially those relating to sustainable human development and environmental sustainability in The Bahamas;
 - (d) the organizational structure of the Civil Society Organization including the details of its membership and management, how its Directors are elected, their duties and powers and terms of office;
 - (e) the accounting and management procedures of the Civil Society Organization;
 - (f) the names, addresses and occupation of each member of the Board of Directors of the Civil Society Organization for each year, where applicable;
 - (g) the types of programmes that the Civil Society Organization intends to carry out for that year;
 - (h) the maximum annual estimated revenues and grants of the Civil Society Organization and, for a Civil Society Organization with revenues and grants of at least two hundred and fifty thousand dollars per annum, the financial statements of the Civil Society Organization for the previous financial year, duly audited by an independent auditor and for a Civil Society Organization with annual revenues and grants below two hundred and fifty thousand dollars per annum, the statement of accounts for the Civil Society Organization prepared by its accountant or bookkeeper; and
 - (i) the By-laws of the Civil Society Organization.

- (3) Where the aims, objectives and purposes of a Civil Society Organization require the Civil Society Organization to possess particular technical or professional qualifications or expertise, such Civil Society Organization shall be required, within two months after its registration, to submit to the Registrar satisfactory proof that its officers and employees are duly licensed or registered and comply with all the relevant laws of The Bahamas, where the practice of such profession is regulated by a specific law in The Bahamas.
- (4) For the purpose of this section—
- “environmental sustainability”** shall include but not be limited to any of the following—
- (a) a programme of activities that improves and maintains the well-being of the people and the natural environment of The Bahamas, and that meets the needs of the present generation without compromising the needs of future generations;
 - (b) a programme of activities by a Civil Society Organization which promotes, protects, educates and encourages respect, wise use, conservation and sustainable development of the natural resources of The Bahamas;
 - (c) a programme of activities which encourages, promotes and protects the biodiversity of The Bahamas and the development of the educational system or materials which are utilized to meet the basic needs of the Bahamian society; and
 - (d) a programme of activities that encourages and promotes the responsible conservation, protection and sustainable use of The Bahamas' natural environment, resources, antiquities and monuments.

7. Effect of Registration.

- (1) The Registrar shall, within such time as shall be prescribed, if he is satisfied after receipt of an application under section 6(1)—
- (a) certify that the organization making the application meets requirements of section 6;
 - (b) certify that the application complies with section 6;
 - (c) register the organization as a Civil Society Organization; and
 - (d) issue to that organization, a Certificate of Registration in the prescribed form, upon payment of the prescribed fee.

- (2) The Registrar may refuse to register a Civil Society Organization where, in the opinion of the Registrar—
 - (a) the name of the Civil Society Organization is similar to the name of another Civil Society Organization or other organization or entity as to be likely to mislead the public as to its true identity;
 - (b) the name of the Civil Society Organization is offensive to good morals; and
 - (c) the application for registration does not comply with the requirements of this Act or any Regulations made thereunder.
- (3) Where the Registrar refuses to register a Civil Society Organization under subsection (2) (c) above, he may direct the Civil Society Organization to resubmit, within such time as may be prescribed by notice, a new application complying with the requirements of this Act.
- (4) Where the Civil Society Organization complies with the Registrar's direction under subsection (3) within the prescribed time, the Registrar shall register the Civil Society Organization.
- (5) Every Civil Society Organization, or a member or officer who is aggrieved by the Registrar's refusal to register a Civil Society Organization under subsection (2) may appeal to the Supreme Court and the decision of the Supreme Court thereon shall be final.
- (6) In the month of June in each year, the Registrar shall cause to be published in the Gazette a list of all the names of every Civil Society Organization registered under this Act.
- (7) Subject to subsection (8), no Civil Society Organization or any member thereof shall enjoy any tax benefits provided under this Act unless the Civil Society Organization is registered under section 6 of this Act.
- (8) The Attorney General may, by Order published in the Gazette, prescribe the period for which the Civil Society Organization that is already existing and operating prior to the commencement of this Act, shall be required to register under section 6 of this Act.

8. Duty of Government to co-ordinate activities of Civil Society Organizations.

- (1) The Government shall designate a Ministry or Ministries to coordinate the activities of, and the relationship between, Civil Society Organizations and the Government with a view to establishing procedures for consultation and other related matters affecting sustainable human, environmental or economic development in The Bahamas.

- (2) Until such time as the Government assigns the subject of “Civil Society Organizations” to a specific Ministry, each Ministry whose mandates are shared by a Civil Society Organization will continue its interaction with said agencies pursuant to the responsibilities and functions prescribed in subsection (1).
- (3) The duties of the Ministry designated under subsection (1) shall include the following—
 - (a) maintaining a directory of the address, telephone numbers, and contact persons of every Civil Society Organization registered under this Act;
 - (b) providing assistance to organizations desirous of being registered as a Civil Society Organization under this Act and producing the guidelines that explain to such organizations the criteria for and effects of, registration, in a language which the members thereof understand;
 - (c) providing technical and other assistance, if funds allow or where possible, upon request from time to time as the occasion demands, for the institutional strengthening of Civil Society Organizations; and
 - (d) identifying, in appropriate cases, suitably qualified and experienced Civil Society Organizations to formulate, evaluate, implement or manage relevant projects funded by the Government or by local or foreign funding agencies.

PART IV – MANAGEMENT OF CIVIL SOCIETY ORGANIZATIONS

9. Appointment and remuneration of Executive Officer and other staff.

- (1) Unless otherwise provided in its Memorandum and Articles of Association or By-laws, the Board of Directors of a Civil Society Organization may appoint and employ, at such remuneration and subject to such terms and conditions as it thinks fit, a suitably qualified, fit and proper person to be the Executive Officer of the Civil Society Organization.
- (2) Unless otherwise provided in its Memorandum and Articles of Association or By-laws, the person appointed under subsection (1) may, with the approval of the Board of Directors, appoint and employ, at such remuneration and subject to such conditions as the Board thinks fit, such other officers, employers and agents as he considers necessary for the proper performance of the Civil Society Organization's aims objectives and purposes.

- (3) The person appointed as an Executive Officer of the Civil Society Organization pursuant to subsection (1) shall be—
 - (a) subject to the general policy directions of the Board of Directors; and
 - (b) responsible for the day to day management of the affairs of the Civil Society Organization, including the organization of staff in accordance with the general terms and conditions of service, established by the Board of Directors.

10. Policy-making organ of Civil Society Organizations.

- (1) Every Civil Society Organization registered under this Act shall subject to its Memorandum and Articles of Association or By-laws, have a Board of Directors or other committee or governing body and such Board of Directors, committee or governing body shall be the principal policy-making organ of the Civil Society Organization.
- (2) The Composition of the Board of Directors, committee or governing body referred to under subsection (1) shall be prescribed in the Memorandum and Articles of Association or By-laws of the Civil Society Organization.
- (3) The Memorandum and Articles of Association or By-laws of the Civil Society Organization shall specify—
 - (a) the manner of electing the Chairman of the Board of Directors, committee or other governing body of the Civil Society Organization;
 - (b) the period for which the Chairman shall be appointed;
 - (c) the period and place at which the Board, committee or other governing body shall meet to transact the business of the Civil Society Organization;
 - (d) the disqualifications if any, which a person may have in order to be ineligible to become a Director;
 - (e) the allowances if any, which may be paid to the Director;
 - (f) the person to whom the Board, committee or other governing body may delegate its powers to in respect of managing the affairs of the Civil Society Organization.

PART V – FINANCIAL PROVISIONS AND EXEMPTIONS

11. Exemptions for duly registered Civil Society Organizations.

- (1) Subject to subsection (7), every Civil Society Organization that is registered under section 6 of this Act shall apply to the Minister of Finance

to be exempted from the payment of or any duty or imposts levied by the Government from time to time.

- (2) Every Civil Society Organization that is registered under section 6 of this Act, shall so long as it continues to adhere to all requirements prescribed under this Act, shall upon its application to the relevant authorities, enjoy the following benefits—
 - (a) duty exemption on imported goods for the benefit and development of its projects and programmes;
 - (b) exemption from work permit fees for foreign volunteers;
 - (c) tax exemption on international grants and gifts.
- (3) Subject to subsection (4), where any Civil Society Organization registered under section 6 of this Act is involved in the management and disbursement of monies on credit for projects to individuals or community-based groups, such monies and any interest derived therefrom shall not be liable to the taxes, duties and imposts levied by the Government from time to time.
- (4) Subsection (3) shall only be applicable where the monies disbursed by the Civil Society Organization and any interest derived therefrom are approved by the Ministry of Finance to be exempted from taxes, duties and imposts levied by the Government from time to time.
- (5) The Minister shall, after consultation with the Minister responsible for Finance, make Regulations to give effect to the provisions of this section.

12. Accounts and Audit.

- (1) Every Civil Society Organization registered under this Act shall keep accounts and other records in relation to its business and shall, subject to subsection (2), prepare annually, a statement of accounts in a form which conforms to the best national commercial and accounting standards.
- (2) The accounts of every Civil Society Organization registered under this Act shall be audited annually by an auditor appointed in each year by its Board of Directors, committee or governing body.
- (3) The provisions of this section shall be subject to section 6(2)(h) of this Act.
- (4) Within four months after the end of each financial year, every Civil Society Organization registered under this Act shall cause to be made and submitted to the Registrar—
 - (a) a statement of its accounts prescribed under subsection (1);
 - (b) a certified copy of its financial statements; and
 - (c) a report dealing generally with the programme of activities and policies of the Civil Society Organization during that financial year.

- (5) The documents submitted to the Registrar under subsection (4) shall be open to inspection by any person upon payment of the prescribed fee to the Registrar.
- (6) The Registrar shall publish in the Gazette, and in at least one local newspaper in daily circulation throughout The Bahamas, in the month of September each year, a copy of the financial statements and other documents submitted to him by every Civil Society Organization under subsection (4).

13. Duty to implement Internal Accounting and Administrative Procedures.

- (1) Every Civil Society Organization registered under this Act shall implement internal accounting and administrative procedures necessary to ensure the transparent and proper use of its financial and other resources.
- (2) Every Civil Society Organization registered under this Act shall, in addition to complying with the requirements of subsection (1), also comply with the following additional requirements—
 - (a) submit to the designated Ministry of Government, the document it submits to the Registrar pursuant to sections 6 (2) and 12(1);
 - (b) utilize its financial and other resources for the attainment of its aims, objectives and purpose;
 - (c) take steps to train its officers and employees so that they become efficient and professional in delivering programmes of activities of the Civil Society Organization.
- (3) Every Civil Society Organization registered under this Act which fails to comply with the requirements under this section shall—
 - (a) have its Certificate of Registration cancelled by the Registrar; and
 - (b) lose all the tax exemption privileges granted to Civil Society Organizations under this part:

Provided that before making a decision whether to cancel the Certificate of Registration of a Civil Society Organization under paragraph (a) above, the Registrar shall first make an independent investigation, either on his own motion or at the request of the designated Ministry of Government, and shall allow the Civil Society Organization to present its case.
- (4) Any Civil Society Organization that is aggrieved by the Registrar's decision to cancel its Certificate of Registration may appeal such decision to the Supreme Court, whose decision thereon shall be final.

14. Engaging in income-generating projects.

Every Civil Society Organization registered under this Act may engage in any commercial income-generating project provided that is—

- (a) authorized by its Articles and Memorandum of Association or its By-Laws;
- (b) exclusively used for the furtherance of its aims, objectives and purposes.

PART VI – UMBRELLA ORGANIZATION OR APEX BODY OF CIVIL SOCIETY ORGANIZATIONS

15. Establishment and Functions of Umbrella Organization or Apex Body.

- (1) There shall be an Umbrella Organization or Apex Body of all registered Civil Society Organizations in The Bahamas which shall be called Civil Society Bahamas and this body shall be composed of such member representatives of all Civil Society Organizations which exist in The Bahamas.
- (2) The Apex Body shall be a registered Civil Society Organization whose functions are to—
 - (a) co-ordinate, assist and promote the development of all registered civil society organizations; and
 - (b) perform such functions as may be determined by its constituent members.
- (3) Without prejudice to the provisions of subsection (1), the Apex Body shall—
 - (a) encourage and support the development of the Civil Society Organizations sector;
 - (b) keep a list of all Civil Society Organizations in the country, registered or non-registered and to be the voice of Civil Society Organizations in The Bahamas;
 - (c) be a clearing-house for information from —
 - (i) The Government of The Bahamas; and
 - (ii) international organizations, foundations and nations, to Civil Society in The Bahamas.

16. Election of officers of Civil Society Bahamas.

- (1) The Officers of Civil Society Bahamas shall be elected by the current registered members of the organization, each member having only one vote.
- (2) The Officers of the Apex Body shall be elected at the first meeting of the body and shall hold office for an initial period of two years in accordance with the By-Law of the Apex Body.
- (3) Every officer of The Apex Body may be elected for unlimited terms except the President, who shall only be elected for two consecutive terms at a time.
- (4) The Officers of Civil Society Bahamas shall consist of—
 - (a) a President;
 - (b) a Vice-President;
 - (c) a Secretary;
 - (d) an Assistant Secretary;
 - (e) a Treasurer;
 - (f) an Assistant Treasurer; and
 - (g) ten additional Officers, namely, the President of The Bahamas Christian Council, the Presidents of the registered National Umbrella Trade Unions in The Bahamas, the Chairman of The Bahamas Chamber of Commerce and the President of The College of The Bahamas.

17. Establishment of Civil Society Secretariat.

- (1) There shall be a Civil Society Secretariat established in the Office of the Prime Minister with a Director, who shall be responsible for—
 - (a) coordinating the transfer of information to and from Civil Society Bahamas and the Government of The Bahamas;
 - (b) organizing monthly meetings with Civil Society Bahamas, its agents and The Government of The Bahamas;
 - (c) negotiating on behalf of Civil Society Bahamas for the funding of its programmes and the programmes of its member organizations;
 - (d) collaborating with Civil Society Bahamas on design of 'Request For Proposals' that member organizations can bid on and execute;
 - (e) consulting with Civil Society Bahamas on matters relating to the development of civil society, civil society organizations, and the registration, encouragement and development of Civil Society Organizations.
- (2) The Director of the Civil Society Secretariat shall be responsible for—

- (a) connecting Civil Society Bahamas with all International Corporations planning to do business in The Bahamas;
- (b) discussing the projects of all Civil Society Organizations and the ways that all Civil Society Organizations shall prepare to provide funding to the Umbrella Organization for its continued development of Civil Society, in accordance with all Civil Society Organizations' corporate social responsibility and international obligations to developing countries.

18. International Civil Society Organizations.

- (1) Any international, regional or intergovernmental organization operating in The Bahamas as a Civil Society Organization whose programme of activities falls within the definition of “sustainable development” shall be required to register under section 6 of this Act.
- (2) The Minister may exempt any intergovernmental organization referred to in subsection (1) from registering under section 6 of this Act.
- (3) Any international organization which intends to operate in The Bahamas as a Civil Society Organization shall—
 - (a) not be entitled to any exemption from taxes and duties as provided under this Act, unless it is registered hereunder; or
 - (b) be obligated to collaborate and partner with local Civil Society Organizations whose mandate coincide with the specifics of their proposed projects.

19. Freedom of Civil Society Organization to assemble and associate.

- (1) Every Civil Society Organization registered under this Act may, subject to Article 24 of The Constitution of The Bahamas, associate with any other Civil Society Organization, within or outside The Bahamas, for the purpose of forming Associations, Federation or Networks.
- (2) Every Association, Federation or Network established pursuant to subsection (1) shall be required to be register under section 6 of this Act and upon registration, the provisions of this Act shall apply to it as if it were a Civil Society Organization.

PART VII – MISCELLANEOUS

20. Power of Minister to make Regulations and Rules.

The Minister may make Regulations and Rules generally in order to give effect to this Act.

OBJECTS AND REASONS

The Civil Society Organization Bill 2014 seeks to provide for the establishment and registration of Civil Society Organizations, promote and encourage the development of Civil Society Organizations, regulate the operations of Civil Society Organizations for the purposes of creating transparency and accountability, establish minimum standards which shall be observed by all Civil Society Organizations and provide for connected purposes.

This Bill is comprised of six Parts.

Part I which is headed "Preliminary", consists of Clauses one and two which respectively makes provision for the Short title and commencement, and the Interpretation provisions setting out all the defined terms and corresponding definitions used throughout this Bill.

Part II which is headed "Civil Society Organizations" consists of Clauses three and four which respectively makes provision for the Attributes and Characteristics of Civil Society Organizations and the types of Civil Society Organizations.

Part III which is headed "Registration and Establishment of Civil Society Organizations" consists of Clauses five through eight which respectively makes provision for the appointment of the Registrar and Deputy Registrar of Civil Society Organizations, Application for the registration of Civil Society Organizations, Effect of Registration and the Duty of The Bahamas Government to co-ordinate activities of Civil Society Organizations.

Part IV which is headed "Management of Civil Society Organizations" consists of Clauses nine and ten which respectively makes provision for the appointment and remuneration of the Executive Officer and other staff and the Policy-Making Organ of Civil Society Organizations.

Part V which is headed "Financial Provisions" consists of Clauses eleven through fourteen which respectively makes provision for the Exemptions for duly registered Civil Society Organizations, Accounts and Audit, Duty of Civil Society Organizations to implement internal accounting and administrative procedures and providing for Civil Society Organizations to engage in income-generating projects.

Part VI which is headed "Umbrella Organization or Apex Body of Civil Society Organizations" consists of Clauses fifteen through nineteen which respectively makes provision for the establishment and functions of Umbrella Organization or Apex Body of Civil Society Organizations in The Bahamas, the Election of officers of Civil Society Bahamas, the establishment of Civil Society Secretariat, provisions prescribing

the registration of International Civil Society Organizations and the freedom of Civil Society Organizations to assemble and associate.

Part VII which is headed "Miscellaneous" consists of Clause twenty which vests the Minister with the power to make Regulations and Rules generally in order to give effect to the provisions of this Bill.