



**BERMUDA**  
**1994 : 18**

**CRIMINAL CODE AMENDMENT ACT 1994**

[Date of Assent 3 June 1994]

[Operative Date 2 September 1994]

WHEREAS the European Convention of Human Rights and Fundamental Freedoms has been extended by Her Majesty to Bermuda

WHEREAS Article 8 of the European Convention on Human Rights and Fundamental Freedoms protects the right of privacy:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

**Short title**

1 This Act may be cited as the Criminal Code 1907, Amendment Act 1994.

**Interpretation**

2 In this Act, unless the context requires otherwise —

"the Code" means the Criminal Code;

"section" means section of the Code.

**Amendment to section 177**

3 Section 177 is amended as follows:

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(a) by deleting the words "Any person" at the beginning of subsection (1) and replacing them with the words "Subject to sub-section (3) hereof, any person ...";

(b) by addition of the following new sub-section:

"(3)The acts described in sub-section (1) shall not constitute an offence if committed in private by two consenting persons both above the age of eighteen years."

### **Section 179 is amended as follows**

4 Section 179 is amended as follows:

(a) by the deletion of line 1 and the substitution of the following;

"(1)subject to sub-section (2) any male persons —";

(b) by addition of the following new sub-section:

"(2)The acts described in sub-section (1) shall not constitute an offence if committed in private by consenting persons above the age of eighteen years."

### **Commencement**

5 This Act comes into operation on such day as the Minister of Human Affairs and Information may appoint by notice published in the Gazette ("commencement day").