



BERMUDA

SUPPLY OF INFORMATION FOR CIVIL PROCEEDINGS REGULATIONS 1968

SR&O 86 / 1968

*[made under section 7 of the Police Act 1951 [repealed] and brought into operation on 9 November 1968]*

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Interpretation

- 1 In these Regulations, unless the context otherwise requires—
- “Officer-in-Charge” means the Officer-in-Charge of “A” Department, Police Headquarters, Prospect;
- “Police Service” means the Bermuda Police Service;
- “police officer” means any member of the Bermuda Police Service and includes cadets;
- “the Commissioner” means the Commissioner of Police.

*[regulation 1 amended by 1997 : 37 effective by notice in Official Gazette]*

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Who may apply; discretion of Commissioner of Police

2 Subject to the provisions of regulations 3 and 4 of these Regulations, the Commissioner may, in his absolute discretion in each case, direct the supply of information and evidence in the possession of the Police Service concerning traffic and similar accidents to bona fide parties to civil proceedings, their legal representatives, trade unions or friendly societies bona fide acting on the behalf of such parties, and to insurance companies on application, which shall be made in writing to the Officer-in-Charge.

*[regulation 2 amended by 1997 : 37 effective by notice in Official Gazette]*

Restriction on supply of information during criminal proceedings

3 No information relating to a statement made by a person charged or liable to be charged with a criminal offence shall be supplied to any person other than the person who made the statement or his legal representative while an inquest in which that statement may be evidence or a criminal proceeding against that person is contemplated or pending or while enquiries relating to the subject matter of the statement are still being conducted by the Police Service.

*[regulation 3 amended by 1997 : 37 effective by notice in Official Gazette]*

Expressions of opinion; medical reports

4 No expression of opinion by a police officer respecting the responsibility for an accident or the manner in which it occurred for recommendation of a police officer respecting the institution of a criminal proceeding or a report from a medical practitioner made in his professional capacity shall be supplied, but in the case of a medical practitioner, his name and address may be supplied.

Application fee

5 (1) An application for the supply of information under regulation 2 of these Regulations shall be accompanied by a fee of \$100.

(2) Where, after search, no information is discovered in the possession of the Police Service relating to the traffic or similar accident for the supply of which information is requested half of the application fee shall be refunded to the applicant.

*[regulation 5 amended by 1997 : 37 effective by notice in Official Gazette; regulation 5 amended by BR 15 / 2011 reg. 7 effective 1 April 2011]*

Photostat or interview to supply information

6 Information supplied pursuant to these Regulations may be made by way of photostatic reproduction of documents or by way of interview pursuant to regulation 7 of these Regulations.

Application for interview

7 The Commissioner, in his absolute discretion in each case, may grant permission to the legal representative, duly accredited, of a party to civil proceedings arising out of a traffic or similar accident, either contemplated or already instituted, to interview a police officer in connection with any matter which has arisen in the course of his normal duties

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for the purpose of taking a proof of evidence, on application, which shall be made in writing to the Officer-in-Charge.

Holding of interview

8 An interview held pursuant to a grant of permission under regulation 7 of these Regulations shall take place on police premises and in the presence of another police officer not below the rank of Inspector and the police officer interviewed shall not be asked to give any expression of opinion or to make any conjecture.

Fee for interview

9 An application for an interview under regulation 7 of these Regulations shall be accompanied by a fee of \$100.

*[Regulation 9 amended by BR 15 / 2011 reg. 7 effective 1 April 2011]*

Application for supply of proof of evidence

10 A copy of a proof of evidence taken pursuant to an application under regulation 7 of these Regulations shall be supplied to the Commissioner who, in his absolute discretion in each case, may supply a copy thereof to any other party interested in those or any other civil proceedings, on application therefor to the Officer-in-Charge.

Fee for supply of proof of evidence

11 An application for a copy of a copy of a proof of evidence under regulation 10 of these Regulations shall be accompanied by a fee of \$100.

*[Regulation 11 amended by BR 15 / 2011 reg. 7 effective 1 April 2011]*

Fees to be paid to Accountant-General

12 A fee charged pursuant to these Regulations shall be payable to the Accountant-General and a receipt shall be given therefor.

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*[Amended by:*

1997 : 37

BR 15 / 2011]