



BERMUDA

SUMMARY OFFENCES AMENDMENT ACT 2010

2010 : 6

WHEREAS it is expedient to amend the Summary Offences Act 1926;

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 Summary Offences Amendment Act 2010.

Repeals and replaces section 7

2 Section 7 of the Summary Offences Act 1926 is repealed and replaced by the following—

“Restriction on the making of noise

7 (1) Except under the authority and in accordance with the terms of a permit issued by the Commissioner of Police, a person commits an offence if—

- (a) the person unreasonably causes noise which disturbs or annoys any person in the vicinity, or is likely to disturb or annoy any person in the vicinity, by—
 - (i) operating, or causing or allowing to be operated, any amplifier or loud speaker so as to amplify the sound made by the playing of any musical instrument or by the human voice or so as to amplify any other sound; or
 - (ii) playing or operating, or causing or allowing to be played or operated, any radio, television, music player or other device designed or adapted for the transmission of sound; and

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(b) the sound in question is heard from a distance exceeding 100 feet from the source of the sound.

(2) The issue of a permit by the Commissioner of Police under subsection (1) shall not affect any right or liability of any person under any Act or at common law.

(3) Any person who between the hours of midnight and six o'clock in the morning unreasonably causes any noise by singing, shouting or other means whatsoever in such a manner as disturbs or annoys, or is likely to disturb or annoy, any person in the vicinity commits an offence.

(4) A person shall not be convicted of an offence under this section unless it is proved that after having been required to desist by a police officer, or by any other person in the vicinity, he continued to make such noise.”.

[Assent Date: 19 March 2010]

[Operative Date: 19 March 2010]