



SUPPLEMENT PART I
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

11th August, 2022

No. 32

EVIDENCE (AMENDMENT)(NO. 2) ACT, 2022

Arrangement of Sections

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No. 34 of 2022

EVIDENCE (AMENDMENT)(NO. 2) ACT, 2022

AN ACT TO AMEND THE EVIDENCE ACT TO PROVIDE FOR THE PRESUMPTION OF DEATH WHERE A PERSON DISAPPEARED IN CIRCUMSTANCES OF PERIL

[Date of Assent - 11th August, 2022]

Enacted by the Parliament of The Bahamas

1. Short title.

This Act may be cited as the Evidence (Amendment)(No. 2) Act, 2022.

2. Insertion of new section 93A into Chapter 65.

The Evidence Act is amended by the insertion immediately after section 93 of the following new section—

“93A. Presumption of death where person disappeared in circumstances of peril.

- (1) Where any person is proved to have disappeared in circumstances of peril and the person has not been heard of or from for two years or more since the disappearance and after proper inquiry made by or on behalf of those who naturally would have heard of or from the person if the person had been alive, the court shall presume, until the contrary is shown, that the person is dead and the court in such a case may presume the time of death of that person to be the date of the peril.
- (2) For the purpose of this section “circumstances of peril” includes a natural disaster such as a hurricane.”.