



## **BERMUDA**

### **EXPUNGEMENT OF CONVICTIONS (CRIMINAL RECORDS) REGULATIONS 2023**

**BR 87 / 2023**

The Minister responsible for legal affairs, in exercise of the power conferred by section 10 of the Expungement of Convictions Act 2020, makes the following Regulations:

#### **Citation**

1 These Regulations may be cited as the Expungement of Convictions (Criminal Records) Regulations 2023.

#### **Inserts section 6A**

2 The Expungement of Convictions Act 2020 is amended by inserting the following after section 6—

#### **“Criminal record of applicant**

6A (1) Where an applicant’s criminal record for a relevant offence (of the possession of cannabis) does not specify the amount of cannabis, that amount is deemed to be less than or equal to the statutory threshold provided in Schedule 8 to the Misuse of Drugs Act 1972.

(2) Where an applicant’s criminal record for a relevant offence (of the possession of cannabis) contains an additional element to the sentence, such additional element shall be expunged in addition to the basic sentence.

(3) For the avoidance of doubt, the conviction, sentence and any additional element to such sentence for a relevant offence (of the possession of cannabis) shall be expunged from the criminal record of a person granted an expungement order.

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(4) Subsection (1) applies to a conviction that occurred prior to the coming into operation of the Misuse of Drugs (Decriminalisation of Cannabis) Amendment Act 2017 (20 December 2017), the penalty of which did not exceed a fine of \$1,000, or a 12-month conditional discharge.”.

**Amends the Schedule**

3 The Schedule to the Expungement of Convictions Act 2020 is amended by deleting the word “simple”.

Made this 3rd day of November 2023

Minister of Legal Affairs and Constitutional Reform

[Operative Date: 03 November 2023]