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SEXUAL OFFENCES (AMENDMENT) BILL, 2009

A BILL FOR AN ACT TO AMEND THE SEXUAL OFFENCES ACT

Enacted by the Parliament of The Bahamas

1. Short title.

This Act, which amends the Sexual Offences Act¹, may be cited as the Sexual Offences (Amendment) Act, 2009.

2. Amendment of section 3 of the principal Act.

Section 3 of the principal Act is amended by the deletion of the words "who is not his spouse".

3. Insertion of new section 5E into the principal Act.

The Sexual Offences Act is amended by the insertion immediately after section 5D of the following new section –

"5E. Limitation of time for proceedings for summary offences.

Notwithstanding the limitation of time for proceedings for summary offences in the Criminal Procedure Code (Ch. 91), the limitation of time for an offence triable summarily under this Act shall be two years."

4. Repeal of section 15 of the principal Act.

Section 15 of the principal Act is repealed.

OBJECTS AND REASONS

This Bill seeks to amend the definition of "rape" in section 3 of the Sexual Offences Act to make provision for a person to be liable for the rape of his spouse regardless of whether the parties to a marriage were living apart at the time that the offence was committed. Consequently section 15 is repealed.

This Bill also seeks to remove the time restriction of six months (imposed by the Criminal Procedure Code (Ch. 91)) for summary offences.