

GOOD SAMARITAN (FOOD DONATION] ACT, 2015

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WHEREAS it is expedient to provide for the donation of food for persons in need:

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-

1. Short Title.

This Act may be cited as the Good Samaritan (Food Donation) Act, 2015

2. Interpretation.

In this Act-

“donate” includes the distribution of food donated by others, who are licensed under the Public Health (Food) Regulations 1950 without payment or other reward; and

“personal injury” includes-

- (a) pre-natal injury,
- (b) impairment of a person's physical or mental condition; and
- (c) disease.

3. Protection of food donor.

- (1) A donor does not incur any civil liability in respect of any death or personal injury that results from the consumption of donated food where the food was-
 - (a) donated in good faith for a charitable or benevolent purpose and with the intention that the recipient of the food would not have to pay for the food; and
 - (b) safe to consume at the time it left the possession or control of the food donor

- (2) Where the food is of a nature that required it to be handled in a particular way to ensure that it remained safe for consumption after leaving the possession or control of the donor, the donor shall not incur any civil liability if he informs the person to whom the food is donated of the manner in which the food is to be handled to ensure safety.
- (3) Where the food is of a nature that it must be consumed within a particular period of time after leaving the possession or control of the donor, the donor shall not incur any civil liability if he informs the person to whom the food is donated of the time within which the food is to be consumed to ensure its safety.

4. Commencement

This Act will come into force upon the Royal Assent.