



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

16th March, 2020

**QUARANTINE (NOVEL CORONAVIRUS “2019-NCOV”) (NO. 2)
ORDER, 2020**

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SCHEDULE **2**



MINISTRY OF HEALTH

S.I. No. 20 of 2020

**QUARANTINE ACT
(CHAPTER 237)**

**QUARANTINE (NOVEL CORONAVIRUS “2019-NCOV”)
(NO. 2) ORDER, 2020**

The Minister, in exercise of the powers conferred by sections 2 and 4 and the *First Schedule* to the Quarantine Act, makes the following Order –

1. Citation.

This Order may be cited as the Quarantine (Novel Coronavirus “2019-NCOV”) (No. 2) Order, 2020.

2. Declaration of infected places outside The Bahamas.

The places specified in the *Schedule*, are hereby declared infected places for a period of six months from the date of the commencement of this Order, for the purposes of the Quarantine Act (*Ch. 237*).

SCHEDULE

(Paragraph 2)

INFECTED PLACES

Italy

Iran

South Korea

Dated this 16th day of March, 2020.

Signed

DUANE SANDS

Minister Responsible for Medical and Health Services



EXTRAORDINARY
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NASSAU

17th March, 2020



PROCLAMATION OF EMERGENCY

WHEREAS Article 29(1) of the Constitution recognizes that the Governor-General may make a proclamation that a state of public emergency exists;

AND WHEREAS Article 29(4) of the Constitution provides that a proclamation of emergency shall, unless it is sooner revoked by the Governor-General, cease to be in force at the expiration of a period of fourteen days beginning on the date on which it was made or such longer period as may be provided under paragraph (5) of this Article, but without prejudice to the making of another proclamation of emergency at or before the end of that period;

AND WHEREAS Article 29(5) of the Constitution provides that if at any time while a proclamation of emergency is in force (including any time while it is in force by virtue of the provisions of this paragraph) a resolution is passed by each House of Parliament approving its continuance in force for a further period, not exceeding six months, beginning on the date on which it would otherwise expire, the proclamation shall, if not sooner revoked, continue in force for that further period;

AND WHEREAS I am satisfied that due to the confirmation of the presence of Covid 19 in The Bahamas, a state of public emergency exists in The Bahamas as a result of the aforementioned circumstances;

NOW THEREFOR, I, The Most Honourable Cornelius Alvin Smith, Governor-General of the Commonwealth of The Bahamas, in exercise of the powers conferred upon me by Article 29 of the Constitution of the Commonwealth of The Bahamas **HEREBY DECLARE** that:

- (a) with effect from the 17th day of March, 2020, a state of public emergency exists in The Bahamas;
- (b) this proclamation of emergency shall cease to be in force at the expiration of a period of fourteen days from the date hereof, or such longer period as may be provided for by a resolution passed by each House of Parliament approving its continuance in force for a further period, not exceeding six months, beginning on the date on which it would otherwise expire, the proclamation shall if not sooner revoked, continue in force for that further period.

Dated the 17th day of March, 2020.

**Signed
CORNELIUS SMITH
Governor-General**

GOD SAVE THE QUEEN

EMERGENCY POWERS (COVID 19) REGULATIONS, 2020

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OFFICE OF THE GOVERNOR-GENERAL



S.I. No. 21 of 2020

EMERGENCY POWERS ACT
(CHAPTER 34)

EMERGENCY POWERS (COVID 19) REGULATIONS, 2020

In exercise of the powers conferred by section 3 of the Emergency Powers Act (*Ch. 34*), the Governor-General makes the following regulations —

1. Citation and duration.

- (1) These Regulations may be cited as the Emergency Powers (Covid 19) Regulations, 2020.
- (2) These Regulations shall be deemed to have come into force on the 17th day of March, 2020.
- (3) These Regulations shall cease to have effect when the proclamation of emergency in pursuant of which they have been made ceases to have effect.

2. Interpretation.

“Competent Authority” means the Prime Minister;

“Covid 19” means the novel Coronavirus (2019-n CoV);

“correctional officer” has the same meaning as in the Correctional Services Act, 2014;

“infected place” has the same meaning as in the Quarantine Act;

“isolation” in relation to a person means the separation of that person from any other person in such a manner as to prevent infection or contamination with Covid 19 —

- (a) at an isolation station as defined under the Health Services Act (*Ch. 231*);
- (b) in that person’s home;
- (c) in a hospital; or
- (d) at another suitable place;

“health officer” has the same meaning as in the Health Services Act;

“statutory purpose” means the preservation of the public health, peace, maintenance of public order and the securing and regulating of the supply and distribution of food, water, fuel, light and power and other necessities.

3. Detention of persons.

(1) Where —

- (a) the health officer has reasonable grounds to believe that a person is, or may be, infected or contaminated with the Covid 19; and
- (b) the health officer considers that there is a risk that the person might infect or contaminate others; or
- (c) a person has arrived in The Bahamas on an aircraft or ship from outside The Bahamas; and
- (d) the person has left, or the health officer has reasonable grounds to believe the person has left, an infected place within the twenty day period immediately preceding the date of the person’s arrival in The Bahamas,

the health officer may, for the purposes of screening, assessment and the imposition of any restrictions or requirements under regulation 4, impose on that person a requirement to be detained until the later of—

- (i) the end of the period of forty-eight hours beginning with the time from which the person’s detention under this regulation begins;
 - (ii) such time as any screening requirements imposed on or in relation to the person under regulation 4(1) have been complied with and the assessment referred to in that regulation carried out in relation to the person.
- (2) Where a special restriction or requirement is imposed under this regulation, the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Covid 19 constituting a serious and imminent threat to public health.

4. Imposition of restrictions and requirements.

(1) Where a person has been detained pursuant to regulation 3, the health officer may—

- (a) orally or in writing, impose on or in relation to any person one or more screening requirements to inform an assessment, of whether such person presents or could present a risk of infecting or contaminating others;
- (b) carry out such an assessment in relation to that person;
- (c) following such an assessment, orally or in writing, impose on or in relation to that person any other restriction or requirement which

the health officer considers necessary for the purposes of removing or reducing the risk referred to in subparagraph (a), including a special restriction or requirement.

- (2) A decision to impose a restriction or requirement under paragraph (1) may only be taken if the health officer considers, when taking the decision, that the restriction or requirement is proportionate to what is sought to be achieved by imposing it.
- (3) A restriction or requirement imposed under paragraph (1) by a health officer may be varied, orally or in writing, by the health officer.
- (4) Where a restriction or requirement under paragraph (1)(c) is imposed on or in relation to a child, a person who is a responsible adult in relation to the child must ensure that the child complies with the restriction or requirement, insofar as that person is reasonably able to do so.
- (5) Where a restriction or requirement is imposed orally on a person under this regulation, or a restriction or requirement imposed under this regulation is orally varied, the person (or, in the case of a child, a person who is a responsible adult in relation to the child) must be provided with a written notification of the restriction or requirement that has been imposed or varied as soon as reasonably practicable.
- (6) Where a special restriction or requirement is imposed under paragraph (1) (c), the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Covid 19 constituting a serious and imminent threat to public health.
- (7) Paragraph (1) does not affect the exercise of any powers by virtue of regulation 5.

5. Isolation of persons suspected to be infected with Covid 19.

- (1) A health officer may require a person be kept in isolation, if the health officer —
 - (a) has reasonable grounds to believe that a person is, or may be, infected or contaminated with Covid 19; and
 - (b) considers that it is necessary and proportionate to do so in order to reduce or remove the risk of the person infecting or contaminating others.
- (2) Where a health officer has reasonable grounds to believe that a person is, or may be, infected or contaminated with Covid 19, the health officer may detain the person pending the decision of the health officer under paragraph (1).
- (3) Where paragraph (1) applies, the health officer may impose on or in relation to a person one or more screening requirements.

- (4) Where a special restriction or requirement is imposed under this regulation, the person imposing the restriction or requirement must express it to be contingent on the incidence or transmission of Covid 19 constituting a serious and imminent threat to public health.

6. Screening requirements.

- (1) For the purposes of these Regulations, the screening requirements in relation to a person means the person must —
- (a) answer questions about the person's health or other relevant circumstances, including travel history and information about other individuals with whom the person may have had contact;
 - (b) produce any documents which may assist a health officer in assessing the person's health;
 - (c) allow a public health officer, or such person designated by the public health officer to take a biological sample of the person, including a sample of the person's respiratory secretions or blood, by appropriate means including by swabbing the person's nasopharyngeal cavity, or provide such a sample; and
 - (d) provide sufficient information to enable the person to be contacted immediately by a health officer during such period as the health officer may specify.
- (2) Where a person is a child and accompanied by a responsible adult, the responsible adult must —
- (a) ensure that the child answers questions in accordance with paragraph (1)(a);
 - (b) answer the questions if the child is unable to do so or cannot reliably do so;
 - (c) produce any documents, required under paragraph (1)(b), on such child's behalf;
 - (d) allow the health officer to take a biological sample of the child, including a sample of such child's respiratory secretions or blood, by appropriate means including by swabbing such child's nasopharyngeal cavity, or provide such a sample; and
 - (e) provide information under paragraph (1)(d) to the health officer as required.

7. Power to requisition any building, ship or aircraft, etc..

- (1) Where the competent authority is satisfied that it is reasonably required for any statutory purpose so to do for the duration of the emergency or any period therein, the competent authority may give notice, in writing, to the person having control of any building, ship in The Bahamas, or of any

aircraft or article of any description in The Bahamas, of having requisitioned a building, ship, aircraft or article.

- (2) Where the competent authority requisitions any building, ship, aircraft or article under paragraph (1) the competent authority may, by itself, its servants or agents, take possession of the building, ship, aircraft or article and do to or in relation to such building, ship, aircraft or article, anything which might lawfully have been done by the owner of such building, ship, aircraft or article as if such building, ship, aircraft or article had not been requisitioned under these Regulations, and may use such building, ship, aircraft or article for any purpose for which such building, ship, aircraft or article might lawfully have been used if it had not been so requisitioned.
- (3) At the conclusion of the requisition, the competent authority shall make prompt and adequate compensation in the circumstances to the owner or occupier of such building, ship, aircraft or article.

8. Power to requisition essential services.

- (1) Where the Governor-General is satisfied that it is reasonably required so to do for the duration of the emergency or any period therein, he may give notice in writing for the requisition of any essential service to the person having the management or control of any essential service requisitioning such service with effect from such date as may be specified in such notice.
- (2) Where any essential service is requisitioned under paragraph (1), the Governor-General shall by instrument in writing appoint some person as controller of the service requisitioned.
- (3) Upon the appointment of some person as controller of any essential service, such person shall be entitled to take possession of all premises and assets of every description (other than money or securities for money) which, immediately before the giving of the notice by which such service was requisitioned, were used or intended to be used for the purposes of such service and, in relation to any premises and assets so taken possession of, and in relation to the service so requisitioned, to do or cause to be done any act or thing which might lawfully have been done by the person having control of such service if the service had not been so requisitioned.
- (4) For the purposes of these Regulations, "essential services" means any service established, maintained or operated by the Government, or by any public or private enterprise, or otherwise, for —
 - (a) the collection, storage, purification or distribution of water for use by the public or any class of the public;
 - (b) the collection, storage, treatment and disposal of sewage or garbage or refuse;

- (c) the manufacture, storage or distribution of gas for use by the public or any class of the public; or
 - (d) the removal, handling or burial of deceased persons or disposal of dead animals.
- (5) The provisions of regulation 7(3) shall apply *mutatis mutandis*.

9. Power to waive procurement rules.

- (1) In the interest in protecting the public safety and health, the competent authority, in consultation with the Minister of Finance, may by order, waive the application of any rules or law governing the procurement of goods and services.
- (2) The Minister of Finance shall within six weeks of the expiration of the Proclamation of Emergency lay a report before the House of Assembly detailing —
 - (a) the total expenditure of the goods and services procured;
 - (b) the suppliers of the goods and services procured;
 - (c) the reasons for the use of the suppliers of the goods and the providers of the services.

10. Power to waive fees.

The competent authority may by order waive or vary the payment of any fees for the testing and medical services rendered at any public hospital or health care facility in relation to Covid 19.

11. Reporting requirements.

The Minister of Health, the Managing Director of the Public Hospitals Authority and the person charged with responsibility for directing the day to day operations of any other entity or public body charged with responsibility for protocols with respect to Covid 19, shall report to the competent authority during the continuance of the public emergency.

12. Revocation or suspension of permits for use of public open spaces.

The competent authority may by order, cause to be revoked or suspended all permits for the use of public open spaces in any particular area, or an entire island or the country as a whole in the interest of public health safety.

13. Prohibition of assembly.

The competent authority may by order prohibit the assembly of two or more persons in a public place in any area specified, in the interest of public health safety.

14. Imposed social distancing or isolation.

- (1) The competent authority may by order, impose isolation on all individuals within a particular area, island or the entire country in the interest of public health safety.
- (2) Where isolation has been imposed, the competent authority may —
 - (a) require the closure of all educational or religious institutions in the area so specified;
 - (b) require the closure of any business or organization that caters to the general public in the areas so specified, unless permitted otherwise by the order;
 - (c) prohibit the visitation by persons at all residential care establishments;
 - (d) prohibit the visitation by persons at all correctional facilities;
 - (e) require every person to confine himself at his place of residence, unless otherwise specified by the order;
 - (f) permit the travel of persons to a grocery store, gas station, pharmacy, doctor, hospital or such other place as may be specified in the order.
- (3) An order made pursuant paragraph (1)(e), shall not prohibit a person from going outdoors within the enclosed yard space of that person's residence.
- (4) The competent authority may by order issue guidelines on social distancing and isolation, which shall have the force of law.

15. Curfew.

The competent authority may, by order, require every person within any area specified in the order to remain within doors between such hours as may be specified in the order, and any person who within any area so specified is or remains outdoors between such hours without a permit in writing from the competent authority, or some person duly authorized by the competent authority, commits an offence.

16. Restriction of access to any area.

- (1) The competent authority may, by order, prohibit a person from residing or entering any area specified in the order if such person is suspected of acting or of having acted, or of being about to act, in a manner prejudicial to —
 - (a) the public safety;
 - (b) the supply or distribution of any necessity of life; or
 - (c) the preservation of the peace,

and the competent authority is satisfied that it is desirable that such person should be prohibited from residing in or entering any particular area, the competent authority may, by order, prohibit him from residing or entering any such area or areas as may be specified in the order.

- (2) Upon the making of an order under paragraph (1), the person to whom the order relates shall, if he resides in any area so specified, leave that area within such time as may be specified in the order, and shall not subsequently reside in or enter any area so specified during such time as may be specified in the order.

17. Power to stop, detain and arrest.

- (1) Where an authorized person has reasonable cause to believe that a person is in violation of these Regulations, he may stop, detain, question and arrest such person if he considers it necessary so to do.
- (2) Any person who assaults, obstructs, hinders or resists or uses any threatening or abusive language or aids or incites any other person to assault, obstruct, hinder or resist any authorized person in the execution of his duty under this regulation, commits an offence.
- (3) For the purposes of these Regulations, an authorised person means —
 - (a) any member of the The Royal Bahamas Police Force or a peace officer; or
 - (b) any person authorized by the competent authority to do the act in relation to which the expression is used.

18. Obstruction.

No person shall obstruct any health officer, public officer, any member of the Royal Bahamas Police Force, the Defence Force, any peace officer, or any correctional officer, acting in the course of his duty as such, or any person exercising any powers or performing any duties conferred or imposed on him by or under any of these Regulations, or otherwise discharging any lawful functions in connection with the performance of any statutory purpose.

19. Publication of false statements.

No person shall publish or cause to be published, posted or re-posted, over any media platform inclusive of social media, any purported news or report, or purported statement of fact, knowing or have reasonable cause to suspect that the same —

- (a) is untrue or false; or
- (b) may incite public fear, panic or ethnic hatred.

20. Governor-General may authorise international or regional forces.

The Governor-General may authorize such international or regional military or police forces as may be requested by the Government to serve as peace officers and assist in —

- (a) the storage, safe keeping or distribution of relief supplies;
- (b) the provision of any essential services; and
- (c) the maintenance of public order.

21. Publication of order.

- (1) Any order made pursuant to these Regulations may be published —
 - (a) by announcement on any television or wireless transmission by any media duly licensed to operate for transmission and reception in The Bahamas;
 - (b) by notice affixed to the outside of magistrate courts, police stations located in the area of The Bahamas and to the outside of every Administrator's office on the Family Islands to which the order applies; or
 - (c) by notice on the official website of the Government, except that as soon as practicable thereafter the order shall be published in the Gazette.
- (2) The means of authentication for notices published pursuant to subsection (1) shall be —
 - (a) in the case of media announcements under paragraph (1)(c)(i), the voice of the Prime Minister;
 - (b) in the case of posted notices under subsection (1)(c)(ii), the actual or electronic signature of the Prime Minister.
- (3) Notwithstanding the provisions of section 31 and 32 of the Interpretation and General Clauses Act (*Ch. 2*), an order made under these Regulations shall have effect notwithstanding that the order has not been published in the gazette or laid before the House of Assembly.

22. Repugnancy with other enactments.

These Regulations shall have effect notwithstanding anything inconsistent therewith contained in any enactment, and any provision of an enactment which may be inconsistent with these Regulations or any such order made in accordance with these Regulations shall, whether or not that provision has been amended, modified or suspended in its operation under section 3 of the Act, to the extent of such inconsistency have no effect so long as these Regulation or any such order remains in force.

23. General penalty.

Any person who contravenes the provisions of any of these Regulations or any order made or notice given thereunder or incites or attempts to incite any other person to contravene any of these Regulations or any order made or notice given thereunder commits an offence and is liable upon summary conviction before a magistrate to a fine not exceeding ten thousand dollars or to a term of imprisonment for a term not exceeding eighteen months or to both.

Dated the 17th day of March, 2020.

**Signed
CORNEILUS SMITH
Governor-General**



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THE BAHAMAS
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NASSAU

18th March, 2020

EMERGENCY POWERS (COVID 19) REGULATIONS, 2020

Arrangement of Regulations

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OFFICE OF THE GOVERNOR-GENERAL



S.I. No. 22 of 2020

**EMERGENCY POWERS ACT
(CHAPTER 34)**

EMERGENCY POWERS (COVID 19) REGULATIONS, 2020

In exercise of the powers conferred by section 3 of the Emergency Powers Act (*Ch. 34*), the Governor-General makes the following regulations —

1. Citation.

These Regulations may be cited as the Emergency Powers (Covid 19) (Amendment) Regulations, 2020.

2. Amendment of regulation 19 of S. I. No. 21 of 2020.

Paragraph (a) of regulation 19 of the Emergency Powers (Covid 19) Regulations is amended by the deletion of the word "or" appearing at the end thereof and the substitution of the word "and".

Dated the 18th day of March, 2020.

Signed
CORNELIUS A. SMITH
Governor-General



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NASSAU

19th March, 2020

**EMERGENCY POWERS (COVID 19)(NO. 1) ORDER,
2020**

Arrangement of Order

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OFFICE OF THE PRIME MINISTER

S.I. No. 23 of 2020

**EMERGENCY POWERS (COVID 19) REGULATIONS, 2020
(CHAPTER 34)**

EMERGENCY POWERS (COVID 19)(NO. 1) ORDER, 2020

In exercise of the powers conferred on me by regulation 14 of the Emergency Powers (Covid 19) Regulations, 2020, I HEREBY make the following Order —

1. Citation and duration.

- (1) This Order may be cited as the Emergency Powers (Covid 19)(No. 1) Order, 2020.
- (2) This Order shall come into force at 9:00 a.m. on the 20th day of March, 2020 and shall expire at 9:00 a.m. on the 31st day of March, 2020.

2. Curfew.

A curfew is hereby imposed extending each night from 9:00 p.m. to 5:00 a.m. with such exception as may be approved by the Commissioner of Police.

3. Imposition of orders.

For every island and cay of the Commonwealth of The Bahamas, for a period of eleven days commencing the 20th day of March, 2020 —

- (1) All establishments, institutions, businesses, offices, stores and organizations shall suspend operations to the general public except for the following —
 - (i) wholesale or retail grocery stores and Farmers' Markets from 6:00 a.m. to 5:00 p.m.;
 - (ii) doctor's offices, hospitals or medical facilities;
 - (iii) pharmacies from 6:00 a.m. to 5:00 p.m.;
 - (iv) gas stations from 6:00 a.m. to 5:00 p.m.;
 - (v) medical supply establishments;
 - (vi) hotels;
 - (vii) banks from 9:00 a.m. to 5:00 p.m.;

- (viii) commercial ports and related businesses from 6:00 a.m. to 5:00 p.m.;
- (ix) airports;
- (x) laundromats and wash houses for hygienic purposes from 6:00 a.m. to 5:00 p.m.;
- (xi) drive thru or take away food vendors from 6:00 a.m. to 7:30 p.m.;
- (xii) construction companies carrying out any construction work from 6:00 a.m. to 7:00 p.m.
- (xiii) such other businesses or undertakings as may be specifically exempted in writing by the Competent Authority,

Provided that the owner or operator of the establishment specified in (i) – (xiii) restrict the number of customers inside their place of business at any one time so that each customer is enabled to distance himself at least three to six feet (3 - 6 ft.) from any other person.

Every person in such establishment or business must distance themselves from other persons at a minimum of three to six (3 - 6 ft.) feet from any other such person.

- (2) No person shall host or attend —
 - (i) a private party which includes any person from outside of the immediate household of the house occupant;
 - (ii) a recreational or competitive sporting event;
 - (iii) a wedding which hosts ten or more persons other than the bride, bridegroom, official witnesses and the marriage officer;
 - (iv) a banquet, ball or reception;
 - (v) any social event;
 - (vi) a funeral, except ten members of the immediate family and at least one officiant and essential mortuary staff; or
 - (vii) a meeting of a fraternal society, private or social club or civic association or organization.
- (3) No person shall offer for hire or seek to travel on any —
 - (i) public bus transportation;
 - (ii) mail boat, sailing inter island, except for transport of freight; or
 - (iii) inter island private commercial sea transport that is non-essential;

Provided that the Competent Authority may vary any of the requirements above by Order.

- (4) No person shall visit any place of quarantine or isolation station.
- (5) No person shall be permitted to visit any detainee in a correctional facility nor more than one person at any time shall visit a patient in a hospital or residential care establishment or facility.
- (6) Subject to the provisions of this Order, every person shall remain in the confines of their dwelling home, inclusive of their yard space.

I HEREBY further order that —

- (7) Nothing in this Order shall —
 - (a) affect the function by essential officers of the The Royal Bahamas Police Force, The Royal Bahamas Defence Force, Fire Services, the Department of Correctional Services, the National Insurance Board, the Department of Social Services, the Department of Environmental Health Services, the Department of Immigration, the Customs Department, waste and sanitational workers, and staff within any hospital or health care or medical facility;
 - (b) affect the function by essential officers of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media;
 - (c) prohibit religious or educational instruction, worship or other activity by electronic or virtual means;
 - (d) prohibit individual attendance at a church for private individual prayer while maintaining social distancing.
- (8) Subject to paragraph 3(1) herein, all other establishments, institutions, businesses or offices inclusive of the Public Service (as may be authorised by the respective Permanent Secretary) shall work from home and such establishments, institutions, businesses or offices shall maintain only essential staff for the performance of core functions while adhering at all times to social distancing as prescribed above.
- (9) Any person, company or organization who contravenes any order given herein is liable upon summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding eighteen months or to both.

Made this 19th day of March, 2020.

Signed
HUBERT A. MINNIS
Prime Minister



EXTRAORDINARY
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THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

20th March, 2020

**EMERGENCY POWERS (COVID 19)
(AMENDMENT) (NO. 2) REGULATIONS, 2020**

Arrangement of Regulations

1. Citation.....2
2. Insertion of new regulation 24 into S. I. No. 21 of 2020.....2

OFFICE OF THE GOVERNOR-GENERAL



S.I. No. 25 of 2020

**EMERGENCY POWERS ACT
(CHAPTER 34)**

**EMERGENCY POWERS (COVID 19) (AMENDMENT) (NO. 2)
REGULATIONS, 2020**

In exercise of the powers conferred by section 3 of the Emergency Powers Act (*Ch. 34*), the Governor-General makes the following regulations —

1. Citation.

These Regulations may be cited as the Emergency Powers (Covid 19) (Amendment) (No. 2) Regulations, 2020.

2. Insertion of new regulation 24 into S. I. No. 21 of 2020.

The Emergency Powers (Covid 19) Regulations is amended by the insertion of the following new regulation—

“24. Flee clauses.

Wherever there is a provision (a “flee clause”) in a trust instrument governed by Bahamian law to the effect that the trust in question shall, in the event of a proclamation of a state of emergency in The Bahamas, cease to have —

- (a) Bahamian law as its governing law;
- (b) The Bahamas as its forum and situs of administration; or
- (c) as its trustee a trustee in The Bahamas,

such trust instrument shall be treated (despite any provision in the trust instrument that might be considered a contrary provision) as having from its date contained immediately thereafter the following provision —

“Provided always that the flee clause does not extend to the proclamation of a state of emergency as a result of a pandemic; and provided further that any actions carried out without taking account of such proviso shall be null and void from the outset.”

Dated the 19th day of March, 2020.

Signed
CORNELIUS SMITH
Governor-General



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

20th March, 2020

(A)



OFFICE OF THE PRIME MINISTER

EXEMPTED BUSINESSES AND UNDERTAKING

Pursuant to Order 3(1)(xiii) of the Emergency Powers (Covid 19) (No. 1) Order, 2020, I HEREBY exempt the following businesses and undertakings from the provisions of Order 3 as specified, namely —

- (1) a business licensed to provide security guard;
- (2) a life and health insurance broker and agency from 9:00 a.m. to 5:00 p.m.;
- (3) a wholesale bakery from 9:00 a.m. to 5:00 p.m.;
- (4) a hardware store, for the purposes of taking purchase orders from licensed contractors and delivery to the job-site from 9:00 a.m. to 5:00 p.m.;
- (5) a credit union from 9:00 a.m. to 5:00 p.m.; and
- (6) Arawak Port Development Company, New Providence,

provided that only essential workers necessary for the performance of the core functions are utilized while adhering to at all times, the social distancing requirements specified in the Order.

Dated the 20th day of March, 2020.

Signed
HUBERT MINNIS
Prime Minister



OFFICE OF THE PRIME MINISTER

EXEMPTED BUSINESSES AND UNDERTAKINGS (NO. 2)

Pursuant to Order 3(1)(xiii) of the Emergency Powers (Covid 19) (No. 1) Order, 2020, I HEREBY exempt the following businesses and undertakings from the provisions of Order 3 as specified, namely —

- (1) The Bahamas Red Cross;
- (2) any water depot facility from 9:00 a.m. to 5:00 p.m.;
- (3) Freeport Container Port;
- (4) Freeport Harbour Company;
- (5) The Bridge Authority;
- (6) Cloud Carib Limited,

provided that only essential workers necessary for the performance of the core functions are utilized while adhering at all times to the social distancing requirements specified in the Order.

Dated the 20th day of March, 2020.

Signed
HUBERT MINNIS
Prime Minister



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

20th March, 2020

(B)

**QUARANTINE (NOVEL CORONAVIRUS "2019-
NCOV") (NO. 3) ORDER, 2020**

Arrangement of Paragraphs

Paragraphs

- | | |
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| 2. Declaration of infected places outside The Bahamas..... | 2 |

SCHEDULE 2

INFECTED PLACES 2



MINISTRY OF HEALTH

S.I. No. 26 of 2020

**QUARANTINE ACT
(CHAPTER 237)**

**QUARANTINE (NOVEL CORONAVIRUS "2019-NCOV")
(NO. 3) ORDER, 2020**

The Minister, in exercise of the powers conferred by sections 2 and 4 and the *First Schedule* to the Quarantine Act, makes the following Order —

1. Citation.

This Order may be cited as the Quarantine (Novel Coronavirus "2019-NCOV") (No. 3) Order, 2020.

2. Declaration of infected places outside The Bahamas.

The places specified in the *Schedule*, are hereby declared infected places for a period of six months from the date of the commencement of this Order, for the purposes of the Quarantine Act (*Ch. 237*).

SCHEDULE

(Paragraph 2)

INFECTED PLACES

United Kingdom

Members of the Europe Union

Ireland

Dated the 20th day of March, 2020.

Signed

DR. DUANE SANDS

Minister Responsible for Medical and Health Services



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

23rd March, 2020

EMERGENCY POWERS (COVID 19)(NO. 2) ORDER, 2020

Arrangement of Order

Order

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OFFICE OF THE PRIME MINISTER

S.I. No. 27 of 2020

EMERGENCY POWERS (COVID 19) REGULATIONS, 2020 (CHAPTER 34)

EMERGENCY POWERS (COVID 19)(NO. 2) ORDER, 2020

In exercise of the powers conferred on me by the Emergency Powers (Covid 19)(No. 2) Order, 2020, I HEREBY make the following Order for every island and cay in the Commonwealth of The Bahamas —

1. Citation and duration.

- (1) This Order may be cited as the Emergency Powers (Covid 19)(No. 2) Order, 2020.
- (2) This Order shall come into force at 9:00 a.m. on the 24th March, 2020 and shall expire at 9:00 a.m. on the 31st March, 2020.

2. Curfew.

A curfew is imposed every day for twenty-four hours except as provided herein or as may be approved by the Commissioner of Police.

3. Work remotely from home.

- (1) All businesses and offices may only continue their business operations by allowing their employees to work remotely from home utilizing virtual means, unless those workers are permitted to work under Order 5 or are designated as being essential workers under Order 7.
- (2) Where a business is unable to have employees work remotely from home, that business shall cease its operations.

4. Public Service.

All persons employed within the public service, unless specifically designated as essential workers, shall work remotely from home.

5. Closure of businesses and exceptions.

- (1) Every non-essential establishment, or business shall remain closed except for the following —
 - (a) wholesale or retail grocery stores and Farmers' Markets from 6:00 a.m. to 7:00 p.m., the first two shopping hours to be reserved for seniors, disabled persons and essential workers;
 - (b) doctor's offices, hospitals or medical facilities;

- (c) pharmacies from 6:00 a.m. to 5:00 p.m.;
- (d) gas stations from 6:00 a.m. to 5:00 p.m.;
- (e) medical supply establishments;
- (f) hotels, excluding any casinos, spas, gyms, discotheques and restaurants therein, however such restaurants may offer take away or room service;
- (g) banks from 9:00 a.m. to 5:00 p.m.;
- (h) commercial ports and related businesses from 6:00 a.m. to 5:00 p.m.;
- (i) airports subject to Order 10(1)(a);
- (j) commercial courier flights;
- (k) drive thru or take away food vendors from 6:00 a.m. to 7:30 p.m.;
- (l) pet food stores;
- (m) such other businesses or undertakings as may be specifically exempted in writing by the Competent Authority,

Provided that the owner or operator of the establishment specified in (a) – (m) shall adhere to physical distancing protocols.

- (2) Subject to Order 16(2)(j), all works of construction of any sort (apart from urgent home plumbing, electrical or roof repairs) shall cease as of 7:00 p.m. from the 24th day of March, 2020.

6. Physical distancing protocols.

Every business establishment must —

- (a) ensure that all customers and staff maintain physical distancing of no less than six feet (6 ft.) in or outside their business;
- (b) determine the number of persons that may be permitted in the establishment at any one time by permitting one person for every thirty square feet of store space;
- (c) within twenty-four hours of the commencement of this Order, place distance markers six feet apart, indicating where each customer must stand on a line at a check out point;
- (d) within twenty-four hours of the commencement of this Order, place distance markers six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

7. Shelter in place.

- (1) In an effort to prevent the spread of Covid 19, every person shall remain confined to their place of residence (inclusive of their yard space) to avoid

contact outside of their family except —

- (a) essential workers, who report to work;
- (b) workers required to work under Order 5;
- (c) for essential travel to the doctor, grocery store, bank, pharmacy or to refuel;
- (d) for outdoor exercise, whether alone or together with family members living under the same roof, not exceeding an hour and a half per day between the hours of 5:00 a.m. to 9:00 p.m.,

Provided that such person must ensure at all times to distance himself at least six feet (6 ft.) from any other person.

- (2) For the purposes of this order, an “essential worker” includes essential officers of —
 - (a) The Royal Bahamas Police Force;
 - (b) The Royal Bahamas Defence Force;
 - (c) Fire Services;
 - (d) the Department of Correctional Services;
 - (e) the National Insurance Board;
 - (f) the Department of Social Services;
 - (g) the Department of Environmental Health Services;
 - (h) the Department of Immigration;
 - (i) the Customs Department;
 - (j) waste disposal and sanitation companies;
 - (k) any hospital, health care or medical facility;
 - (l) essential officers of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media;
- (3) All essential workers shall at all times carry personal identification.

8. Education and religious instruction.

- (1) All religious and educational places of instruction or worship shall remain closed.
- (2) Paragraph (1) does not prohibit —
 - (a) any activity referred to therein by electronic or virtual means;
 - (b) individual attendance at a church for private individual prayer while maintaining physical distancing.

9. Restriction on social activities.

No person shall host or attend —

- (a) a private party which includes any person from outside of the immediate household of the house occupant;
- (b) a recreational or competitive sporting event;
- (c) a wedding which hosts ten or more persons other than the bride, bridegroom, official witnesses and the marriage officer;
- (d) a banquet, ball or reception;
- (e) any social event;
- (f) any other ceremony of public worship in any facility or public place which involves the participation of any member of the general public or a congregation;
- (g) a funeral, except ten members of the immediate family and at least one officiant and essential mortuary staff; or
- (h) a meeting of a fraternal society, private or social club or civic association or organization.

10. Restriction on international travel.

- (1) For the purposes of preventing, controlling and suppressing the spread of Covid 19, with immediate effect —
 - (a) except with the prior written permission of the Competent Authority, all airports including private airports and fixed-base operations (FBOs) shall be closed to incoming international flights carrying any visitor;
 - (b) all sea ports shall be closed to regional and international seafaring and private boating; and
 - (c) no visitor shall be permitted to enter and disembark for any reason, including transitting through The Bahamas.
- (2) The restriction contained in paragraph (1) does not apply to —
 - (a) outgoing flights or outgoing ships, as the case may be;
 - (b) cargo flights or cargo ships, as the case may be;
 - (c) commercial courier flights;
 - (d) emergency medical flights;
 - (e) emergency flights approved by the Civil Aviation Authority.

11. Restriction on domestic travel.

No person shall offer for hire or seek to travel on any —

- (a) mail boat, sailing inter island, except for transport of freight; or
- (b) inter island private commercial sea transport,

provided that the Competent Authority may vary any of the requirements above by Order.

12. Closure of occasional markets and public beaches.

- (1) The Fish Fry situated at Arawak Cay and other occasional markets throughout The Bahamas shall close.
- (2) The Potters Cay Dock and every other dock throughout The Bahamas shall be closed to any commercial activity and sales of anything to the general public, including fish, conch or any other such catch.
- (3) All public beaches shall be closed.

13. Restriction on road traffic.

- (1) No person shall drive a vehicle on any public or private road for a purpose other than stated in Order 5 or 7.
- (2) The Royal Bahamas Police Force shall have powers to stop any vehicle and inquire as to the purposes for which that vehicle is being utilized; and to arrest anyone found in violation of this restriction.
- (3) For the purposes of this Order, "vehicle" includes a motor vehicle or motor bike.

14. Public transportation.

No person shall offer for hire or seek to travel on any public bus transportation.

15. Restriction on visitation.

No person shall visit or be permitted to visit —

- (a) any place of quarantine or isolation station;
- (b) a patient in a hospital or residential care establishment or facility;
- (c) a detainee in a correctional facility.

16. Exempted businesses and undertakings.

- (1) Any business or undertaking exempted pursuant to Order 3(1)(xiii) of the Emergency Powers (Covid 19)(No. 1) Order, 2020 shall cease operations with effect from the 24th day of March, 2020, unless otherwise continued to be exempted as specified in paragraph (2).
- (2) The businesses and undertakings that are exempted as referred to in paragraph (1) are —
 - (a) any water production and depot facility from 9:00 a.m. to 5:00 p.m.;
 - (b) The Bahamas Red Cross;
 - (c) Freeport Container Port;
 - (d) Freeport Harbour Company;
 - (e) The Bridge Authority;

- (f) Cloud Carib Limited;
- (g) a business licensed to provide security guard services;
- (h) a credit union;
- (i) a commercial bakery;
- (j) only construction companies carrying on hurricane relief reconstruction and restoration efforts in the islands of Grand Bahama, Abaco and their respective cays.

17. Penalty.

Any person, company or organization who contravenes any order given herein is liable upon summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding eighteen months or to both.

18. Guidelines.

The Competent Authority may issue guidelines to provide for further clarification on these Orders.

19. Revocation of S. I. No. 23 of 2020.

The Emergency Powers (Covid 19)(No. 1) Order, 2020 is hereby revoked.

Made this 23rd day of March, 2020

Signed
HUBERT MINNIS
Prime Minister



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

25th March, 2020

**EMERGENCY POWERS (COVID 19) (NO. 2)
(AMENDMENT) ORDER, 2020**

Arrangement of Order

Order

1.	Citation and duration.....	2
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3.	Amendment of Order 7 of the principal Order.....	2
4.	Amendment of Order 10 of the principal Order.....	2
5.	Amendment of Order 11 of the principal Order.....	3



OFFICE OF THE PRIME MINISTER

S.I. No. 28 of 2020

**EMERGENCY POWERS (COVID 19) REGULATIONS, 2020
(CHAPTER 34)**

**EMERGENCY POWERS (COVID 19) (NO. 2)
(AMENDMENT) ORDER, 2020**

In exercise of the powers conferred on me by the Emergency Powers (Covid 19) Regulations, 2020, I **HEREBY** make the following Order—

1. Citation and duration.

- (1) This Order, which amends the Emergency Powers (Covid 19) (No. 2) Order, may be cited as the Emergency Powers (Covid 19) (No. 2) (Amendment) Order, 2020.
- (2) This Order shall be deemed to have come into force at 9:00 a.m. on the 24th day of March, 2020 and shall expire on the 31st day of March, 2020.

2. Amendment of Order 5 of the principal Order.

Paragraph (1) of Order 5 of the principal Order is amended —

- (a) by the deletion of subparagraph (g) and the substitution as follows —

“(g) clearing banks and the Post Office Savings Banks from 9:00 a.m. to 1:00 p.m.;

“(gg) private international banks, trust companies or any of its branches or affiliates only for the purpose of the conduct of any urgent international transaction by a Senior 1 and Senior 2 as identified to the Central Bank of The Bahamas together with one IT specialist if necessary.”.

3. Amendment of Order 7 of the principal Order.

Paragraph (2) of Order 7 of the principal Order is amended by the insertion immediately after subparagraph (l) of the following new paragraph —

“(m) Civil Aviation Authority.”.

4. Amendment of Order 10 of the principal Order.

Order 10 of the principal Order is amended—

- (a) in paragraph (1)(b), by the deletion of the words “all sea ports” and the substitution of the words “all ports of entry”;
- (b) in paragraph (1)(e), by the deletion of the full stop at the end thereof and the substitution of the following — “; or”
- (c) by the insertion immediately after paragraph (1)(e) of the following new paragraph —
 - “(f) aircraft without incoming visitors operating for the sole purpose of evacuating persons from The Bahamas, provided that the pilot remains with the aircraft at all times.”.

5. Amendment of Order 11 of the principal Order.

Order 11 of the principal Order is amended—

- (a) in paragraph (b), by the insertion immediately after the word “transport” of the words “other than a ferry service within a chain of islands which are a part of any family island;”; and
- (b) by the insertion immediately after paragraph (b) of the following new paragraph—
 - “(c) commercial or general aviation aircraft operated by —
 - (i) an Air Operator Certificate (AOC) holder; or
 - (ii) a general aviation aircraft owner or pilot, flying inter island except for a medical emergency or the transport of freight.”.

Made this 25th day of March, 2020

Signed
HUBERT MINNIS
Prime Minister



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

25th March, 2020

(A)



OFFICE OF THE PRIME MINISTER

EXEMPTED BUSINESSES AND UNDERTAKINGS

Pursuant to Order 5 (1) (m) of the Emergency Powers (Covid 19) (No. 2) Order, 2020 I HEREBY exempt the following businesses or undertakings from the provisions of Order 5—

ELECTRONIC AND TECHNICAL SERVICES

- (1) Two Way Radio Communications system providers;
- (2) Electronic communications or Technology service providers and IT support businesses;

shall be allowed to operate during the hours of 10:00 a.m. to 5:00 p.m. or when needed in an emergency PROVIDED THAT the above entities shall not be open to the general public, but shall provide business to business support to its various clients remotely or on call, as may be required. All protocols stipulated in the Order, including physical distancing, are to be maintained;

- (3) Businesses engaged in the repair and maintenance or the provisioning of ATM machines. All protocols stipulated in the Order, including physical distancing, are to be maintained.

FARMING, HORTICULTURE, AGRICULTURAL AND FISHERIES RESOURCE

- (4) Farms including hydroponic farms with or without live animals may operate during the hours between 6:00 a.m. -1:00 p.m. but shall not be open to the general public;
- (5) Animal husbandry – feeding and tending livestock for human consumption may operate during the hours between 6:00 a.m. -1:00 p.m. but shall not be open to the general public;
- (6) Nassau Humane Society;
- (7) Humane Society of Grand Bahama;
- (8) Veterinarians may operate on call and as needed to service their clients and only open the office on an emergency basis;
- (9) National Park wardens on call and only when they may be needed;
- (10) Fishing:
 - (a) Subsistence Fishing during daylight hours and not later than 8 p.m.;
 - (b) Commercial fishing until the 1st April, 2020. All product must be taken directly to a processing plant and may only be sold to a Wholesale distributor, and not to the general public.

PROFESSIONAL SERVICES

- (11) Lawyers while discharging instructions of existing criminal matters or taking instructions in new criminal matters; only where this cannot be done by audio-visual means with the assistance of the Department of Corrections;
- (12) Any businesses that provide property management and/or maintenance services, not involving dealings with the general public may operate PROVIDED THAT the above businesses shall not be open to the general public. All protocols stipulated in the Order, including physical distancing are to be maintained.

TRAVEL SERVICES

- (13) Rental car businesses may be open to the general public during the hours of 8 a.m. to 1 p.m. to allow only for the return of car rentals and the extension of any rental contracts that may be required in light of the Order.

OTHER SERVICES

- (14) Groceries and non-alcoholic beverages mobile delivery service may operate during the hours of 9:00 a.m. to 5:00 p.m. All protocols stipulated in the Order and physical distancing requirements are to be maintained;
- (15) Business to Business Suppliers of cleaning chemicals may operate during the hours of 9 a.m. to 2 p.m. PROVIDED THAT such entities shall be closed to the general public;
- (16) Janitorial and similar services supplied to Businesses may operate during the hours of 9:00 a.m. to 5:00 p.m. to ensure that other businesses are sanitized and cleaned, as may be essential to its clients;
- (17) Pool maintenance and supplies businesses may operate during the hours of 9 a.m. to 5 p.m. or any lesser period as may be determined by such business. All protocols stipulated in the Order, including physical distancing are to be maintained;
- (18) Funeral homes and all public and private cemeteries. All protocols stipulated in the Order, including physical distancing are to be maintained.

INDUSTRIAL MANUFACTURERS

The following industrial manufacturers are permitted to open but only to maintain industrial equipment, and utilizing only essential workers:

- (19) Polymers International Ltd.;
- (20) Grand Bahama Power Company;
- (21) Bradford Grand Bahama Limited;
- (22) PharmaChem Technologies G.B. Ltd.;
- (23) Freeport Container Port Ltd, as already provided in Order 16(2)(c);
- (24) Bahama Rock - Martin Marietta;
- (25) Buckeye Bahamas Hub Ltd;

- (26) Grand Bahama Shipyard Ltd., (including the take away food service Antoni's located on the premises);
- (27) Bahamas Industrial Technologies Ltd.;
- (28) Bahamian Brewery;
- (29) Freeport Aggregates Limited;
- (30) Quality Services Limited.

PERSONAL SERVICES

- (31) Non-Profit Organizations, Churches and Civic Organizations, utilizing only essential persons, who provide food packages to persons in need. The said entities may operate during the hours of 9 a.m. and 2 p.m. All protocols stipulated in the Order, including physical distancing are to be maintained.

DIPLOMATIC COOPERATION

- (32) AUTECH Naval Base, OPBAT, Customs and Border Protection;
- (33) Consular Officers, Diplomatic Security Agents, Embassy and Security Personnel may operate during the hours of 9 a.m. to 5 p.m. or in an emergency, with the permission of the Commissioner of Police.

SECURITY SERVICES

In addition to and without derogating from any that are listed in the Order, the following security related services are permitted to operate as contemplated under Order 16(2)(g):

- (34) Jacks Bay Development Ltd., may continue to operate to provide its in-house security;
- (35) Commonwealth Brewery may continue to operate only as needed to permit its security manager and other in-house security personnel to secure sites and respond to any emergency as needed.

Where possible, only essential workers necessary for the performance of the core functions of the businesses itemized above are to be utilized, while adhering at all times to physical distancing requirements specified in the Order.

Entities listed herein shall seek approval from the Commissioner of Police, if and as required, pursuant to Order 2 and 13.

Dated the 25th day of March, 2020

Signed
HUBERT MINNIS
Prime Minister

**EMERGENCY POWERS (COVID 19)
(AMENDMENT) (NO. 3) REGULATIONS, 2020**

Arrangement of Regulations

Regulation

1.	Citation.....	2
2.	Insertion of new regulation 19A into S.I. No. 21 of 2020.....	2

S.I. No. 30 of 2020
Extraordinary
dated 27.3.2020

**EMERGENCY POWERS ACT
(CHAPTER 34)**

**EMERGENCY POWERS (COVID 19)
(AMENDMENT) (NO. 3) REGULATIONS, 2020**

In exercise of the powers conferred by section 3 of the Emergency Powers Act (*Ch. 34*), the Governor-General makes the following regulations —

1. Citation.

These Regulations may be cited as the Emergency Powers (Covid 19) (Amendment) (No. 3) Regulations, 2020.

2. Insertion of new regulation 19A into S.I. No. 21 of 2020.

The Emergency Powers (Covid 19) Regulations, 2020 is amended by the insertion immediately after regulation 19 of the following new regulation —

“19A. Power to suspend or apply enactments.

- (1) Subject to paragraph (2), the Competent Authority may by order, provide for —
 - (a) the suspension of the operation or part thereof of any enactment; and
 - (b) the application of any enactment or part thereof with or without modification.
- (2) An order to suspend or apply an enactment under paragraph (1) shall only be made to defer any obligation —
 - (a) on any person or legal entity to do any act or thing required by any enactment;
 - (b) on any government entity or statutory corporation to carry out any function imposed by any enactment,

which by virtue of the public emergency cannot physically be done.”.

Made this 27th day of March, 2020


GOVERNOR-GENERAL