

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

Arrangement of Order

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

EMERGENCY POWERS (COVID 19)(NO. 3) ORDER, 2020

In exercise of the powers conferred on me by the Emergency Powers (Covid 19) Regulations, 2020, I HEREBY make the following Order for every island and cay in the Commonwealth of The Bahamas —

1. Citation.

This Order may be cited as the Emergency Powers (Covid 19)(No. 3) Order, 2020.

2. Curfew.

The curfew imposed under Emergency Powers (Covid 19) (No. 2) Order, 2020 (*S.I. No. 27 of 2020*), remains in effect 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 continue their business operations by allowing their employees to work remotely from home utilizing virtual means, unless those employees 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.

- (1) All persons employed within the public service, unless specifically designated as essential workers in order 7 or designated by the permanent secretary of any Ministry as essential workers, shall work remotely from home.
- (2) All persons employed within the public service who are so designated as essential workers by the permanent secretary of the respective Ministry shall report to their place of work.

5. Closure of businesses and exceptions.

- (1) Every non-essential establishment or business shall remain closed except for those listed in Part A of the *First Schedule*.
- (2) From the 4th day of May, 2020, an establishment or business, except those listed in Part B of the *First Schedule*, may resume operations by utilizing delivery or curbside pickup in accordance with the criteria set out in Part C of the *First Schedule*.
- (3) Every establishment or business situate in one of the islands listed in the *Second Schedule* is permitted to open subject to the provisions of order 6 and 8.
- (4) The Competent Authority may amend the *First Schedule*.

6. Physical distancing protocols.

Every business establishment must —

- (a) ensure that all customers and staff maintain physical distancing of no less than six feet 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) have distance markers six feet apart, indicating where each customer must stand on a line at a check out point;
- (d) have 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 are required to report to work;
 - (b) employees of an establishment or business authorised to operate under order 5;
 - (c) for essential travel to any establishment or business referred to in the *First Schedule*;
 - (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 the exercise is conducted in one's yard or one's immediate neighbourhood and no person shall drive to any place to exercise,

Provided that such person must ensure at all times to distance himself at least six feet 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 Ministry 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; and
 - (m) Bahamas Civil Aviation Authority.
- (3) All essential workers shall at all times carry a government issued identification.

8. Requirement to wear face mask.

- (1) Every person who leaves his residence in accordance with the provisions of this order, shall wear a face mask securely fitting to his face and covering his nose and mouth, while away from his residence.
- (2) Every establishment or business shall deny entry to any person not wearing a face mask described in paragraph (1).
- (3) Every establishment or business shall —
 - (a) provide every employee with face masks described in paragraph (1); and
 - (b) require its employees to wear a face mask during operating hours.

9. Requirement to carry government issued identification.

Every person who leaves his residence in accordance with the provisions of this order, shall carry with him a government issued identification and shall produce the same for inspection when required to do so by a peace officer.

10. Provision of care in homes and residential care facilities.

- (1) Any person desirous of—
 - (a) conducting home visits for the purpose of providing medical, therapeutic or other patient care;
 - (b) providing care in a residential care establishment or facility, must submit to the Chief Medical Officer —
 - (i) a valid government issued identification;
 - (ii) a current residential address, telephone number and other contact information;
 - (iii) evidence of training and certification to provide medical or therapeutic care;
 - (iv) details regarding the care to be provided and contact information for current patients or clients, and undergo infection control protocol training provided by the Ministry of Health prior to providing any further care.
- (2) A person referred to in paragraph (1), may be required by the Chief Medical Officer to undergo Covid 19 testing from time to time.
- (3) Upon satisfaction of meeting the requirements of paragraph (1), the Chief Medical Officer may issue a letter authorising a person referred to under paragraph (1), to provide medical, therapeutic or other patient care by home visit or in a residential care establishment or facility.
- (4) No person shall permit a healthcare worker or caregiver to enter his home or a residential care establishment facility unless that healthcare worker or caregiver produces a letter of authorisation issued by the Chief Medical Officer in accordance with paragraph (3).

11. Education and religious instruction.

- (1) Subject to Part A of the *First Schedule*, all places of religious instruction or worship shall remain closed.
- (2) All educational places of instruction shall remain closed.
- (3) Paragraphs (1) and (2) do 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.

12. Restriction on social or sporting activities.

Unless otherwise exempted in Part D of the *First Schedule*, 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.

13. Restriction on international travel.

- (1) For the purposes of preventing, controlling and suppressing the spread of Covid 19 —
 - (a) no aircraft shall be permitted to bring any passengers into The Bahamas;
 - (b) all ports of entry shall be closed to regional and international seafaring and private boating;
 - (c) except with the prior written permission of the Bahamas Maritime Authority, no regional or international commercial vessel shall berth at any port; and
 - (d) no visitor shall be permitted to enter and disembark for any reason, including transiting 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 Bahamas Civil Aviation Authority;
 - (f) aircrafts, without any incoming passengers, operating for the sole purpose of evacuating persons from The Bahamas, provided that the pilot stays with the aircraft at all times; and

- (g) incoming flights for the purpose of returning citizens and legal residents of The Bahamas in accordance with the protocol set forth in Part E of the *First Schedule*.

14. Restriction on domestic travel.

- (1) 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 other than a ferry service —
 - (i) within a chain of islands which are a part of any family island;
 - (ii) to and from Harbour Island for the delivery of pharmaceuticals; and
 - (iii) to and from Bimini, for the transport of essential workers;
 - (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,

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

15. Restriction on Family Island airports.

For the purposes of preventing, controlling and suppressing the spread of Covid 19, no aircraft shall be permitted to land or depart at any Family Island airport except —

- (a) a medical emergency flight;
- (b) for the transport of freight;
- (c) for the return, from any of the Family Islands listed in the *Second Schedule*, of persons who reside in New Providence; or
- (d) any other flight,

as approved in writing by the Director of the Bahamas Civil Aviation Authority, prior to departure from any airport.

16. Closure of occasional markets and public beaches.

- (1) The Fish Fry situated at Arawak Cay and other occasional markets throughout The Bahamas shall remain close.

- (2) The Potters Cay Dock and every other dock throughout The Bahamas shall remain closed to any commercial activity and sales of any thing to the general public, including fish, conch or any other such catch.
- (3) All public beaches shall remain closed.

17. 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.

18. Public transportation.

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

19. 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.

20. 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.

21. Guidelines.

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

22. Revocation of S.I. No. 27 of 2020.

The Emergency Powers (Covid 19)(No. 2) Order, 2020 is hereby revoked.

FIRST SCHEDULE

(Order 5 (1))

PART A**BUSINESSES PERMITTED TO OPEN****FOOD AND BEVERAGE SERVICES**

- (1) 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.
- (2) Wholesale bakeries and water production companies.
- (3) Drive thru or take away food vendors from 6:00 a.m. to 7:30 p.m. but does not include roadside food vendors.
- (4) Groceries and non-alcoholic beverages mobile delivery services may operate during the hours of 9:00 am to 5:00 pm.

MEDICAL AND HEALTH SERVICES

- (5) Doctor's offices, hospitals or medical facilities provided that —
 - (a) all private medical and dental practices shall eliminate all routine and non-emergency physical encounters with patients, and shall as best as possible provide all routine and non-emergency services using virtual or remote means excluding —
 - (i) private renal dialysis facilities;
 - (ii) pediatricians, for the purposes of child vaccinations;
 - (iii) obstetricians, for ante-natal and natal care; and
 - (iv) oncologists, for imaging diagnostic services, chemotherapy and radiation therapy; and
 - (b) where physical interaction is a necessity due to a medical emergency there must be strict adherence to physical distancing and hygienic requirements.
- (6) Pharmacies from 9:00 a.m. to 3:00 p.m.
- (7) Medical supply establishments.
- (8) Subject to order 10, a person providing medical, therapeutic or other patient care whether in a person's home or in a residential care establishment or facility.

FUEL STATIONS

- (9) Gas stations in New Providence and the Family Islands except Abaco and Andros, from 6:00 am. to 5:00 p.m.
- (10) Gas stations in Abaco and Andros from 6:00 am to 7:00 pm.

RELIGIOUS ADMINISTRATION

- (11) Church administrative offices Monday through Friday, from 9:00 am to 1:00 pm.

HOTELS

- (12) Hotels, excluding any casinos, spas, gyms, discotheques and restaurants therein, however such restaurants may offer take away or room service.

IMPORT/EXPORT

- (13) Commercial ports and related businesses from 6:00 a.m. and 5:00 p.m.
- (14) Airports subject to Order 13(1)(a).
- (15) Commercial courier flights.

ELECTRONIC AND TECHNICAL SERVICES

- (16) (a) Two Way Radio Communications system providers; and
(b) Electronic communications or Technology service providers and IT support businesses,
shall be allowed to operate during the hours of 10:00 am and 5:00 pm 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.
- (17) Businesses engaged in the repair and maintenance or the provisioning of ATM machines.

FARMING, HORTICULTURE, AGRICULTURAL AND FISHERIES RESOURCE

- (18) Farms including hydroponic farms with or without live animals may operate during the hours between 6:00 a.m. and 1:00 p.m. but shall not be open to the general public.
- (19) Plant nurseries in New Providence, on Mondays and Thursdays between the hours of 6:00 a.m. and 12:00 p.m.
- (20) Animal husbandry – feeding and tending livestock for human consumption may operate during the hours between 6:00 a.m. and 1:00 p.m. but shall not be open to the general public.
- (21) Nassau Humane Society and Humane Society of Grand Bahama.
- (22) Veterinarians may operate on call and as needed to service their clients and only open the office on an emergency basis.
- (23) National Park wardens on call and only when needed.
- (24) Fishing —
 - (a) Subsistence Fishing by no more than one person or not more than two members of an immediate family during daylight hours and not later than 8:00 p.m.;
 - (b) Commercial fishing for domestic consumption only. All product must be taken directly to a processing plant and may only be sold to a wholesale distributor or grocery store, and not to the general public.

JUDICIARY

- (25) Judicial Officers acting in the course of their judicial duties.
- (26) Staff of the Office of the Judiciary who have been designated in writing as an essential worker by the Chief Justice only when acting in the course of their duties.

PROFESSIONAL SERVICES

- (27) Counsel and Attorneys when —
 - (a) required to attend an in-person court hearing;
 - (b) attending their office for the purpose of preparing for a court hearing;

- (c) advising people living in institutions or deprived of their liberty;
 - (d) discharging instructions in existing criminal or urgent civil matters or taking instructions in new criminal or urgent civil matters where this cannot be done by audio-visual means;
 - (e) assisting in the performance of urgent commercial transactions;
 - (f) acting in connection with the execution of wills subject in all cases to producing identification if requested to do so; or
 - (g) accompanying persons on bail with reporting conditions to a designated police station for the sole purpose of complying with such conditions.
- (28) Any business that provides property management and landscaping services and/or maintenance services on Monday to Friday between the hours of 9:00 am and 5:00 pm., provided that there is no contact with the general public.

TRAVEL SERVICES

- (29) Rental car businesses may be open to the general public during the hours of 8:00 a.m. and 1:00 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

- (30) Pet food stores.
- (31) Business to Business Suppliers of cleaning chemicals may operate during the hours of 9:00 a.m. and 2:00 p.m. provided that such entities shall be closed to the general public.
- (32) Janitorial and similar services supplied to businesses may operate during the hours of 9:00 a.m. and 5:00 p.m. to ensure that other businesses are sanitized and cleaned, as may be essential to its clients.
- (33) Pool maintenance and supplies businesses may operate during the hours of 9:00 a.m. and 5:00 p.m. or any lesser period as may be determined by such business.
- (34) Funeral homes and all public and private cemeteries.
- (35) Fabric stores for the purpose of the sale of materials approved by the Competent Authority to an approved manufacturer for the use of

- constructing hygienic, surgical or face masks between the hours of 9:00 am and 1:00 p.m., and shall not be open to the general public.
- (36) Manufacturers of hygienic, surgical or face masks as approved by the Competent Authority, for sale by home delivery or sale to grocery stores, pharmacy and the medical profession between the hours of 9:00 am and 5:00 pm.
 - (37) Auto part stores, including mechanical work servicemen, in New Providence, on Tuesdays between the hours of 8:00 am and 5:00 pm.
 - (38) Auto dealerships under contract for the servicing of Government vehicles, between the hours of 7:00 am and 5:00 pm.
 - (39) Hardware, lumber, plumbing, home and hurricane awnings and protection businesses, in New Providence, on Wednesdays and Fridays between the hours of 8:00 am and 8:00 pm.
 - (40) Hardware, lumber, plumbing and electrical stores on Family Islands that cater to construction shall be permitted to open Monday to Friday between the hours of 7:00 am and 5:00 pm.
 - (41) Subject to construction industry protocols that cover transportation, the use of personal protective equipment, physical distancing, cleaning and disinfection protective and other measures, construction is permitted —
 - (a) in New Providence and Grand Bahama between the hours of 7:00 am and 5:00 pm; and
 - (b) in all other Family Islands.
 - (42) The Bahamas Red Cross.
 - (43) Freeport Container Port.
 - (44) Freeport Harbour Company.
 - (45) The Bridge Authority.
 - (46) Cloud Carib Limited.
 - (47) A business licensed to provide security guard services.

INDUSTRIAL MANUFACTURERS

The following industrial manufacturers are permitted to open but only to maintain industrial equipment, conduct any essential business or service, and utilizing only essential workers:

- (48) Polymers International Ltd.;

- (49) Grand Bahama Power Company;
- (50) Bradford Grand Bahama Limited;
- (51) PharmaChem Technologies G.B. Ltd.;
- (52) Freeport Container Port Ltd, as already provided in Order 16(2)(c);
- (53) Bahama Rock - Martin Marietta;
- (54) Buckeye Bahamas Hub Ltd;
- (55) Grand Bahama Shipyard Ltd., (including the take away food service Antoni's located on the premises);
- (56) Bahamas Industrial Technologies Ltd.;
- (57) Bahamian Brewery;
- (58) Freeport Aggregates Limited;
- (59) Quality Services Limited;

PERSONAL SERVICES

- (60) 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 9:00 am to 2:00 pm.

DIPLOMATIC COOPERATION

- (61) AUTECH Naval Base, OPBAT, Customs and Border Protection;
- (62) Consular Officers, Diplomatic Security Agents, Embassy and Security Personnel may operate during the hours of 9:00 a.m. to 5:00 p.m. or in an emergency, with the permission of the Commissioner of Police.

SECURITY SERVICES

- (63) Jacks Bay Development Ltd., may continue to operate to provide its in-house security;
- (64) 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.

FINANCIAL SERVICES

- (65) Clearing banks and the Post Office Savings Banks from 9:00 a.m. to 1:00 p.m.;
- (66) Money transmission businesses, between the hours of 9:00 to 1:00 pm, which are operating from premises which are stand alone, meaning that clients can enter without the need to go through another premises, and which are unconnected to, or to be found within, any other business premises.
- (67) Life, health and general insurance companies, broker and agents may open Monday to Friday from 9:00 am to 1:00 pm.
- (68) Financial services, limited to only Senior Officer 1 and Senior Officer 2, compliance officer and money laundering reporting officer, together with not more than ten employees, Monday to Friday between the hours of 9:00 am and 3:00 pm.

PART B

(Order 5(2))

BUSINESSES EXCLUDED FROM PART C

The following establishments or businesses are not permitted to resume operation using the delivery and curbside pick up criteria set forth in Part C of this *Schedule* —

- (a) a gaming house operator

PART C

(Order 5(2))

DELIVERY AND CURBSIDE CRITERIA AND PROTOCOLS**DELIVERY**

A business resuming operations via delivery should meet the following criteria and protocols at a minimum —

- (a) utilize gloves and other protocols in handling and delivery of goods;
- (b) upon arrival at the customer's destination, the delivery person shall call, text or email the customer to announce delivery of the goods;

- (c) ensure that there is no person-to-person contact utilizing practices such as —
 - (i) leaving the delivery outside the door with the driver waiting an effective distance away from the door;
 - (ii) waiting at an effective distance away from the door to make a visual confirmation that the parcel has been received; and
 - (iii) taking an image of the customer collecting the package, as an additional precaution and to confirm receipt.

CURBSIDE PICKUP

A business resuming operations via curbside pick-up should meet the following criteria —

- (a) the customer shall place an order remotely, either through an online store, social media page, app or telephone;
- (b) the business shall issue an invoice to the customer and the customer shall pay by electronic or digital platform, or in cash at the time of pick up via placing the cash in an envelope in a secure bin provided by the business which must be sanitized after every use;
- (c) the business shall schedule a same day or other day pick up;
- (d) all orders shall be filled in store by essential staff, who must practise Covid 19 safety and physical distancing protocols;
- (e) staff must wear personal protection equipment while filling orders;
- (f) the customer will call the store when they are outside;
- (g) a member of staff of the business shall place the goods in the trunk of the customer's vehicle, if possible, while continuing to practice physical distancing at all times;
- (h) all customers are encouraged to remain in their vehicles.

PART D

(Order 12)

PERMITTED SOCIAL OR SPORTING ACTIVITIES

The following social activities are permitted —

- (a) training of professional and elite athletes

PART E
(Order 13(2)(g))

**PROTOCOL FOR THE RETURN OF CITIZENS AND LEGAL
RESIDENTS OF THE BAHAMAS**

- (1) Any —
 - (a) citizen of The Bahamas;
 - (b) legal resident of The Bahamas; or
 - (c) home owner qualifying for economic permanent residency,shall be permitted entry into The Bahamas by international air travel to New Providence or Grand Bahama subject to the satisfaction of this protocol.
- (2) A person referred to in paragraph (1) who is desirous of returning to The Bahamas must make contact and register with the Bahamas Embassy or Consulate nearest to him.
- (3) A person referred to in paragraph (1), shall be required —
 - (a) to undergo a RTPCR COVID 19 molecular diagnostic test administered by —
 - (i) an accredited lab, prior to returning to The Bahamas; or
 - (ii) the Ministry of Health upon arrival; and
 - (b) to submit or cause to be submitted to the Office of the Chief Medical Officer at the Ministry of Health, the results of the test together with his contact information.
- (4) Any aircraft or airline proposing to travel to New Providence or Grand Bahama to return a person referred to in paragraph (1), is required to apply to the Department of Civil Aviation for the necessary approvals prior to departure.
- (5) Every person returning to The Bahamas shall —
 - (a) be required to be quarantined for a period of fourteen days either at their residence or where that person is unable to safely quarantine at their residence, at a facility to be determined by the Ministry of Health; and
 - (b) be subject to mandatory quarantine verification monitoring by the Ministry of Health.

SECOND SCHEDULE

(Order 5(3))

The following islands are permitted to resume normal commercial activity subject to the requirements of orders 6 and 8.

Mayaguana
Inagua
Crooked Island
Acklins
Long Cay
Rum Cay
Ragged Island.

Made this 8th day of May, 2020



PRIME MINISTER