



BERMUDA

QUARANTINE (COVID-19) (NO. 2) ORDER 2020

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The Minister responsible for health, in exercise of the power conferred by section 9 of the Quarantine Act 2017, being of the opinion that a public health emergency exists and after having consulted with the Chief Medical Officer, makes the following Order:

Citation

- 1 This Order may be cited as the Quarantine (COVID-19) (No. 2) Order 2020.

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### Interpretation

2 In this Order, “quarantine” shall be construed as provided in paragraph 5.

### Application of statutory requirements

3 Any person who enters Bermuda shall comply with applicable requirements under the—

- (a) Quarantine Act 2017 and orders made under that Act;
- (b) Public Health Act 1949 and regulations and notices made under that Act.

### Persons arriving in Bermuda to quarantine

4 Subject to paragraph 7, every person arriving in Bermuda shall place himself under quarantine for a period of not less than 14 days or for such extended period as required, in the case where paragraph 9(2) of this Order applies.

### Quarantine

5 (1) A person shall place himself under quarantine by—

- (a) wearing a mask when—
    - (i) outside the aircraft or ship;
    - (ii) in a room with any other person; or
    - (iii) in any public place;
  - (b) staying at a distance from any other person of at least—
    - (i) two metre (six feet); or
    - (ii) one metre (three feet), provided each person is wearing a mask which completely covers their nose and mouth;
  - (c) staying in a place of quarantine as provided in paragraph (2), as a Health Officer may determine;
  - (d) complying during the period of quarantine with such health measures as a Health Officer may specify as necessary to limit or prevent the spread of COVID-19.
- (2) For purposes of this Order, “a place of quarantine” includes—
- (a) the house or accommodation in Bermuda at which the person to be quarantined resides; or
  - (b) a place designated by a Health Officer as a place of quarantine.
- (3) A person required to be quarantined under this Order shall not—
- (a) leave the aircraft or ship, or a place of quarantine that has been designated by a Health Officer, except to return to the airport or a seaport to depart from Bermuda;

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- (b) use public transportation or taxis, except to return to the airport or a seaport to depart from Bermuda;
- (c) be in any public place (including but not limited to attendance at a meeting, party, school, church, grocery store, cinema, funeral, gym or restaurant);
- (d) go to a beach or park;
- (e) visit a private dwelling;
- (f) visit a long-term care facility;
- (g) visit a hospital or healthcare facility, unless requiring urgent care with appropriate protective equipment; or
- (h) do any other activity that the Health Officer may in writing direct.

(4) A person who has not landed in Bermuda pursuant to section 24 of the Bermuda Immigration and Protection Act 1956 (Transit etc.) shall place himself under quarantine as provided in this paragraph.

Quarantine at person's house or accommodation with electronic monitoring device

6 (1) Where a Health Officer determines under paragraph 5(1)(c) that a person shall be placed in quarantine at the house or accommodation in Bermuda at which the person to be quarantined resides, the person shall, for the period of the quarantine—

- (a) ensure that he complies with the requirements of paragraph 5(1) and (3), and where possible remains at his house or accommodation;
- (b) have his quarantine monitored during the period of quarantine by means of such electronic monitoring device as the Quarantine Authority may determine as appropriate; and
- (c) conduct himself during the period of quarantine as a Health Officer may require for the purpose of preventing the spread of COVID-19.

(2) A person placed in quarantine at his house or accommodation shall comply with the instructions of the Health Officer regarding—

- (a) the terms specified for his monitoring; and
- (b) the use of the electronic monitoring device.

Exceptions to mandatory quarantine requirement

7 Paragraph 4 shall not apply to a person who enters Bermuda and is landed in Bermuda, who is—

- (a) a crew member of—
  - (i) a cargo or commercial aircraft;
  - (ii) a cargo ship; or

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- (iii) an aircraft operating for the purpose of giving medical attention, delivering medical supplies to Bermuda, or airlifting a patient to or from Bermuda, which crew shall be taken to include any medical personnel on the flight;
- (b) a person who has written permission of the Quarantine Authority to enter Bermuda;
- (c) subject to paragraph 8, a ship in transit.

Ship in transit

8 (1) A conveyance operator of a ship and the crew who, for purposes of regulation 8 of the Quarantine (Maritime and Air) Regulations 2017, have entered Bermuda on transit shall—

- (a) anchor or berth the ship at a location approved by the Quarantine Authority;
- (b) remain confined to the ship for the duration of the transit stop; and
- (c) clearly display on the ship a yellow quarantine flag.

(2) The conveyance operator shall forthwith notify Bermuda Maritime Operations Centre or Bermuda Radio, on marine VHF Channel 16, in the case where the ship in quarantine is required to shift anchorage as a result of—

- (a) weather disturbances; or
- (b) other circumstances (such as where an anchor drags or does not hold),

and the Bermuda Maritime Operations Centre shall advise the Quarantine Authority and direct the ship in accordance with any additional requirements the Quarantine Authority may impose.

(3) The conveyance operator who, for purposes of the ship and crew, needs to take on fuel, food or water shall notify Bermuda Maritime Operations Centre of the need.

(4) In this paragraph “conveyance operator” has the meaning given in regulation 2 of the Quarantine (Maritime and Air) Regulations 2017.

Replacement of quarantine with public health supervision, active monitoring or isolation

9 (1) A person subject to quarantine under paragraph 4, may, during the period of quarantine, be placed under public health supervision, active monitoring or isolation as provided under Part 3 of the Public Health (COVID 19) Regulations 2020, and may, during the period of quarantine, undergo such medical inspections and examinations required under regulation 8 of those Regulations, as the Quarantine Authority or Public Health Officer may direct.

(2) A person referred to under subsection (1), who is placed under public health supervision, active monitoring or isolation and who upon being medically examined, is found to test positive for COVID-19, shall be placed under isolation for an extended period

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at a place approved by the Quarantine Authority until such time as the person is found to test negative for COVID-19.

### Persons unable to quarantine

10 A person who has satisfied a Health Officer that he is unable to comply with quarantine requirements under paragraph 5 or 6 shall—

- (a) comply with such directions as the Health Officer may give; and
- (b) quarantine to the best of his ability as directed by the Health Officer.

### Persons who refuse to undergo quarantine

11 Any person not belonging to Bermuda and not resident in Bermuda who has arrived by aircraft or ship, and who refuses to undergo quarantine as required by a Health Officer under paragraph 5 shall be placed in quarantine at a place designated by the Health Officer for the purpose until such time as he is able to board a returning flight or ship to his place of origin.

### Detention of persons refusing to undergo quarantine

12 For the avoidance of doubt, where a person not belonging to Bermuda and not resident in Bermuda fails to comply with the requirements of a Health Officer under paragraph 5, Regulations 19(2) and 20 of the Quarantine (Maritime and Air) Regulations 2017 shall apply.

### COVID-19 Health and Travel Information Form

13 For the purposes of this Order, each person arriving in Bermuda shall complete the COVID-19 Health and Travel Information Form as produced by the Chief Medical Officer and shall fully state in the form—

- (a) any illhealth conditions he is afflicted with and the dates relating to the conditions;
- (b) his travel history for the 14 days prior to arrival in Bermuda;
- (c) sufficient information to enable him to be contacted immediately;
- (d) such other information related to the persons exposure to COVID-19 as may be required in the form.

### Duty of Public Health Officer

14 A Public Health Officer responsible for a person quarantined or placed in public health supervision, active monitoring or isolation under this Order, shall notify the person as provided under regulation 12 of the Public Health (COVID 19) Regulations 2020.

### Avoiding serious risk to public health

15 Where a person is placed under public health supervision, active monitoring or isolation for an extended period as provided in paragraph 9(2) of this Order, such placement

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of the person must be expressed by the Public Health Officer as necessary to prevent the risk of transmission of COVID-19 constituting a serious risk to public health.

### Offences

16 Any person who contravenes the provisions of this Order commits an offence under section 11 of the Quarantine Act 2017.

### Revocation of Orders and Savings

17 (1) The following Orders are hereby revoked—

- (a) Quarantine (COVID-19) Order 2020;
- (b) Quarantine (Incoming Traveller) Order 2020;
- (c) Quarantine (Extension of Quarantine) Order 2020.

(2) Where under the Orders referred to in subparagraph 1, a determination, designation or decision—

- (a) was made by the Quarantine Authority, such determination, designation or decision shall continue to have force as if made by the Quarantine Authority under this Order;
- (b) was made by a Public Health Officer, Health Officer or medical practitioner, such determination, designation or decision shall continue to have force as if made by the Public Health Officer, Health Officer or medical practitioner under this Order.

Made this 5th day of June 2020

Quarantine Authority

Minister of Health

[Operative Date: 05 June 2020]