

EMERGENCY POWERS (COVID 19 PANDEMIC) (STORM PREPAREDNESS) ORDER, 2020

Arrangement of Order

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

**EMERGENCY POWERS (COVID 19 PANDEMIC)(STORM
PREPAREDNESS) ORDER, 2020**

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

1. Citation.

This Order may be cited as the Emergency Powers (Covid 19 Pandemic) (Storm Preparedness) Order, 2020.

2. Application.

This Order shall apply to all islands except those listed in the *Third Schedule* to the Emergency Powers (Covid 19 Pandemic) (No. 3) Order, 2020.

3. Curfew.

- (1) There is hereby imposed extending from 10:00 p.m. to 5:00 a.m. daily with such exceptions as are permitted herein or as may be approved by the Commissioner of Police.
- (2) Notwithstanding paragraph (1), every agency, business, establishment or undertaking shall remain closed except —
 - (a) the following health care establishments —
 - (i) the Princess Margaret Hospital and other public health medical facilities;
 - (ii) the Public Hospital Authority and its agencies;
 - (iii) any public pharmacy;
 - (iv) Doctors Hospital (Shirley Street and Blake Road);
 - (v) the Lyford Cay Hospital;
 - (vi) the Rand Memorial Hospital;
 - (vii) a private medical facility for emergencies only;
 - (b) the Royal Bahamas Police Force;
 - (c) the Royal Bahamas Defence Force;
 - (d) the Customs Department;
 - (e) the following airport authorities and companies —

- (i) the Airport Authority;
- (ii) the Nassau Airport Development Company;
- (iii) the Grand Bahama Airport Company;
- (f) the National Emergency Management Agency;
- (g) the Disaster Reconstruction Authority;
- (h) the National Insurance Board;
- (i) the Department of Immigration;
- (j) the Department of Correctional Services;
- (k) the Department of Environmental Health Services;
- (l) the Metereology Department;
- (m) the Ministry of Social Services;
- (n) a waste disposal and sanitation service provider;
- (o) a business providing security services;
- (p) the Bahamas Civil Aviation Authority;
- (q) the National Food Distribution Task Force;
- (r) essential workers, including contractors or subcontractors, in any public or privately owned utility provider of water, electricity or electronic communications, for emergency and critical services only; and
- (s) the following businesses and its essential employees —
 - (i) Polymers International Ltd;
 - (ii) Grand Bahama Power Company;
 - (iii) Grand Bahama Utility Company;
 - (iv) Bradford Grand Bahama Limited;
 - (v) PharmaChem Technologies G.B. Ltd. and subcontractors;
 - (vi) Freeport Container Port Ltd;
 - (vii) Bahama Rock - Martin Marietta;
 - (viii) Buckeye Bahamas Hub Ltd and subcontractors;
 - (ix) Grand Bahama Shipyard Ltd.;
 - (x) Bahamas Industrial Technologies Ltd.;
 - (xi) Bahamian Brewery;
 - (xii) Tropical Shipping;
 - (xiii) MSC Bahamas;
 - (xiv) Freeport Aggregates Limited;
 - (xv) Quality Services Limited;
 - (xvi) Grand Bahama Airport Company; and

(xvii) Equinor South Riding Point LLC.

- (3) For the purposes of this Order, an “essential worker” means an essential or critically required employee of an agency, business, establishment or institution referred to in paragraph (2).
- (4) No person, except an essential worker shall leave his place of residence for any purpose whatsoever, other than for —
 - (a) the purpose of seeking urgent medical care at a hospital specified in paragraph (2); or
 - (c) any activity permitted by this Order.
- (5) Any person who contravenes this Order commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment for a term not exceeding eighteen months or to both in accordance with regulation 30 of the Emergency Powers (Covid 19 Pandemic) Regulations, 2020¹.

4. Hurricane preparedness.

Notwithstanding order 3, a person shall, where a tropical storm watch or warning has been declared, be permitted to make the necessary hurricane preparations to secure himself and his property including any building, vehicle, boat, crop or animal.

5. 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 orders 3 or 11 or are designated as being essential workers under order 6.
- (2) Where a business is unable to have employees work remotely from home, that business shall cease its operations.

6. Public Service.

- (1) All persons employed within the public service, unless specifically designated as essential workers in order 3 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.

¹S.I. No. 101 of 2020.

7. Diplomatic and consular offices.

Notwithstanding order 3, a diplomatic or consular office inclusive of Operation Bahamas and Turks and Caicos (OPBAT) shall be permitted to operate.

8. Food distribution.

- (1) The National Food Distribution Task Force shall be permitted to carry out the national food distribution programme.
- (2) A non governmental organisation or religious organisation shall be permitted to distribute food.
- (3) A registrant of the national food distribution programme, must when leaving his home to collect food from a food distribution centre, carry with him a valid government issued identification document and shall not be required to obtain approval from the Commissioner of Police in accordance with order 17.

9. Permitted activities.

- (1) Notwithstanding order 3 —
 - (a) a healthcare worker may conduct home visits to members of the general public for the purpose of providing medical or therapeutic care;
 - (b) a person required to tend to a farm or sheltered animals shall be permitted to do so;
 - (c) the essential personnel of a print or electronic news media business may operate;
 - (d) a hotel may be permitted to operate, subject to the following conditions —
 - (i) guests shall not be permitted to leave the premises except as permitted by this Order;
 - (ii) indoor dining, casinos, discos, gyms, spas, salon services are prohibited;
 - (e) the following businesses shall be permitted to operate and open to the general public between the hours of 6:00 am and 9:00 pm —
 - (i) a grocery store;
 - (ii) a water depot and a water production company;
 - (iii) a pharmacy;
 - (iv) a gas station; and
 - (v) a hardware store;

- (f) a person shall be permitted to leave his home to obtain water from a public standpipe between the hours of 6:00 am and 9:00 pm;
- (g) a manufacturer may continue the production of goods to be delivered to a food store or mail boat for inter-island trade on Mondays through Fridays between the hours of 6:00 am and 6:00 pm provided that the manufacturer does not open to the general public;
- (h) a wholesale grocer or baker shall be permitted to operate for the purposes of wholesale delivery to food distribution centre, the Department of Corrections, a retail grocer or to a mail boat for family island supply;
- (i) a commercial bank or credit union may open Monday through Friday between the hours of 8:00 am and 5:00 pm;
- (j) a laundromat shall be permitted to operate daily between the hours of 6:00 am and 9:00 pm subject to protocols approved by the Ministry of Health including —
 - (i) fifty percent occupancy;
 - (ii) a control person at each entrance ensuring sanitisation as persons enter;
 - (iii) no congregating of persons inside or outside of the laundromat;
- (k) general insurers, brokers and agents shall be permitted to open daily between the hours of 8:00 am and 5:00 pm;
- (l) a commercial fishing business shall be permitted to operate to deliver its catch to a processing plant;
- (m) a restaurant in Abaco shall be permitted to operate utilizing takeaway and curbside only from Monday through Friday between the hours of 6:00 am and 7:00 pm; and
- (n) the following agencies, businesses, establishments or institutions shall be permitted to operate —
 - (i) ports of entry, container ports, freight forwarders and private terminals for the conduct, where applicable, of basic port maintenance services (inclusive of garbage removal), domestic trade, imports and exports of containerised freight, and the import, treatment, bunkering and export of oil products;
 - (ii) any public or privately owned terminal and ancillary or support services for the receipt of imported wholesale petroleum products for domestic consumption, for the purpose of the storage and onward delivery of the same to

any public or private entity for utility or retail distribution throughout The Bahamas over land or by barges;

(iii) a business engaged in inter-island transportation of freight.

- (2) A hotel referred to in paragraph (1)(d), shall provide the Commissioner of Police with the names of all employees reporting to work for the duration of this Order.

10. Legal services.

- (1) Notwithstanding order 3, a counsel and attorney shall be permitted to operate when —
- (a) 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;
 - (b) acting in connection with the execution of wills subject in all cases to producing identification if requested to do so.
- (2) For the avoidance of doubt, a counsel and attorney shall work remotely in accordance with order 5 and may attend his office only for the purpose of collecting files and other items necessary to enable him to work from home and in accordance with paragraph (1).

11. Construction.

Construction activity may be permitted —

- (a) Mondays to Fridays between the hours of 7:00 am and 5:00 pm; and
- (b) Saturdays, between the hours of 7:00 am and 1:00 pm.

12. Funerals and weddings.

- (1) Notwithstanding order 3, a funeral that was prearranged to be held between Tuesday the 18th day of August, 2020 and Tuesday the 25th day of August, 2020 may be held provided that the funeral service is conducted at the graveside and is limited to five persons exclusive the officiant and mortuary workers.
- (2) No person shall host or attend a wedding.

13. Religious instruction.

Notwithstanding order 3, a place of religious instruction that conducts services on —

- (a) Saturdays, shall be permitted to operate on Saturday the 22nd day of August, 2020;

- (b) Sundays, shall be permitted to operate Sunday the 23rd day of August, 2020,

via live stream between the hours of 7:00 a.m. and 1:00 pm. from their place of instruction, provided that not more than ten persons shall be permitted to participate in such service.

14. Exercise.

Notwithstanding order 3, a person is permitted to exercise —

- (a) in his immediate neighbourhood between the hours of 5:00 am and 8:00 am; and
(b) at any time in his yard.

15. Restriction on domestic and international travel.

Orders 20A, 21, 21A, 22, 25, 26, 27, 28 and 28A of the Emergency Powers (Covid 19 Pandemic) (No. 3) Order, 2020 shall apply with respect to domestic and international travel into and out of the islands to which this Order applies.

16. Power to stop vehicles.

A peace officer shall be empowered to —

- (a) require a motorist to stop his vehicle;
(b) question an occupant of a vehicle on his purpose for travel, his intended destination and whether or not he has obtained approval under order 17.

17. Event of necessity or emergency.

In the event of a necessity or emergency, a person shall seek the permission of the Commissioner of Police to leave his place of residence by calling 311 or the nearest police station.

18. Issue of notice.

Order 37 of the Emergency Powers (Covid 19 Pandemic)(No.3) Order, 2020 shall apply *mutatis mutandis* in respect of a contravention of this Order.

19. Emergency Powers (Covid 19 Pandemic)(No. 3) Order, 2020.

For the avoidance of doubt —

- (a) this Order shall apply to every establishment or business permitted to operate pursuant to order 5 of the Emergency Powers (Covid 19 Pandemic)(No. 3) Order, 2020;

- (b) the Emergency Powers (Covid 19 Pandemic)(No. 3) Order, 2020 as amended from time to time, shall continue to have effect subject to this Order and shall continue in force at the expiration of this Order; and
- (c) orders 3, 4, 5, and 6 of the Emergency Powers (Covid 19 Pandemic) (No. 3) Order, 2020, shall apply for the duration of this Order.

Made this 19th day of August, 2020



PRIME MINISTER