



BERMUDA

QUARANTINE (COVID-19) (NO. 3) 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:

PART 1
PRELIMINARY

Citation

- 1 This Order may be cited as the Quarantine (COVID-19) (No. 3) Order 2020.

Interpretation

- 2 In this Order—
“COVID-19 PCR test” means a polymerase chain reaction test for the qualitative detection of nucleic acid from SARS-CoV-2;
“Ministry of Health website” means the Ministry of Health uniform resource locator or internet address located at www.gov.bm/coronavirus;

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“quarantine” means—

- (a) staying in a place of quarantine as a Health Officer may determine, which may be—
 - (i) the house or accommodation in Bermuda at which the person to be quarantined resides; or
 - (ii) a place designated by a Health Officer as a place of quarantine;
- (b) 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; and
- (c) complying with the requirements of paragraph 11.

Application of statutory requirements

3 Any person who enters Bermuda and is landed in 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.

Exceptions to requirements of Order

4 (1) The requirements of this Order shall not apply to a person who enters Bermuda and is landed in Bermuda, who is—

- (a) a child under the age of ten years, subject to subparagraph (2);
- (b) a crew member of—
 - (i) a cargo or commercial aircraft;
 - (ii) a cargo ship; or
 - (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;
- (c) a person who has written permission of the Quarantine Authority to enter Bermuda;
- (d) a ship in transit, subject to paragraph 21.

(2) Where a parent or guardian having charge of a child under the age of ten years is required to be placed under quarantine under this Order, the child shall also be required to be placed under quarantine together with the parent or guardian.

PART 2

PRE-DEPARTURE REQUIREMENTS

Pre-departure requirements

5 (1) Each person who is not ordinarily resident in Bermuda and who intends to travel to, and be landed in, Bermuda shall, 48 hours before arrival in Bermuda, apply for Travel Authorisation by completing the Travel Authorisation Form set out on the Ministry of Health website, and by complying with requirements to—

- (a) obtain a negative COVID-19 PCR result as provided in paragraph 6;
- (b) pay the Travel Authorisation fee, as provided in paragraph 7;
- (c) provide proof of the person's health insurance cover, as provided in paragraph 8;
- (d) provide personal health information as stated on the Travel Authorisation Form.

(2) Each person ordinarily resident in Bermuda who is returning to Bermuda shall, 48 hours before arrival in Bermuda—

- (a) complete the Travel Authorisation Form set out on the Ministry of Health website;
- (b) pay the Travel Authorisation fee, as provided in paragraph 7;
- (c) provide personal health information as stated on the Travel Authorisation Form.

(3) Each person entering Bermuda shall bring with him a thermometer required for daily public health checks as provided under paragraph 16.

(4) A person not ordinarily resident in Bermuda may not be allowed to land in Bermuda if—

- (a) he has not complied with subparagraph (1);
- (b) he has a positive COVID-19 test result; or
- (c) the information he has provided on the Travel Authorisation Form indicates that he has symptoms of COVID-19 or of a communicable disease of the first or second category (as defined under section 66 of the Public Health Act 1949).

(5) Each person ordinarily resident in Bermuda who has not complied with subparagraph (2), shall be subject to the requirements of Part 5 of this Order.

Pre-departure COVID-19 test

6 (1) Each person who is not a resident of Bermuda who intends to travel to, and be landed in, Bermuda may be required, as may be determined by the Quarantine Authority

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in consultation with the Chief Medical Officer, to undergo a COVID-19 PCR test, which must be undertaken not more than five days before departure.

(2) The COVID-19 PCR test shall be performed by a registered laboratory whose professional status and practising certificates can be verified with the applicable regulatory authority in the jurisdiction where the test is undertaken.

(3) Where a person has a negative PCR COVID-19 result after undergoing a COVID-19 PCR test as required in subparagraph (1), the person shall carry the test results with him when travelling to Bermuda and shall give the test results to a Health Officer upon request.

(4) The negative PCR COVID-19 result obtained for purposes of this paragraph shall be set out on the official documentation of the laboratory that conducted the COVID-19 test, which documentation shall state—

- (a) the name, address, telephone number and email address of the laboratory at which the COVID-19 PCR test was conducted;
- (b) the date the COVID-19 PCR test was conducted;
- (c) the full names, date of birth and address of the person tested for COVID-19 PCR;
- (d) the results of the COVID-19 PCR test conducted in relation to that person.

Travel Authorisation fee

7 Each person applying for Travel Authorisation or completing a Travel Authorisation Form as provided under paragraph 5, shall, at the time he is submitting the Travel Authorisation Form, also electronically forward the following fees as directed on the Ministry of Health website—

- (a) a fee of \$75 for each person 10 years and above;
- (b) a fee of \$30 for each child under the age of 10 years.

Health insurance policy

8 Each person who is not a resident of Bermuda and who intends to travel to, and be landed in, Bermuda may be required, at the time he is submitting the Travel Authorisation Form as provided under paragraph 5, to also provide evidence of the person's health insurance policy that includes insurance coverage for—

- (a) COVID-19 medical costs; and
- (b) full hospitalization, doctors' visits, prescriptions and air ambulance.

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PART 3
ARRIVAL PROCEDURES

Arrival COVID-19 PCR testing

9 (1) Each person that is landed in Bermuda shall, upon arrival, be tested for COVID-19—

- (a) at the airport, if the person has arrived by aircraft; or
- (b) in the port of entry, if the person has arrived by ship.

(2) The COVID-19 PCR test to be conducted under subparagraph (1) shall be such test as shall be approved by a Health Officer and shall either be—

- (a) the nasopharyngeal swab;
- (b) an oropharyngeal swab; or
- (c) a saliva test.

COVID-19 test results time frame

10 Each person tested for COVID-19 as required under paragraph 9 shall be informed of the test results no later than 24 hours after the test is conducted.

Wearing of masks and physical distancing

11 Each person shall, upon arrival in Bermuda,—

- (a) wear a mask when—
 - (i) outside the aircraft or ship;
 - (ii) in a room with any other person; or
 - (iii) in any public place;
- (b) stay 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.

PART 4
QUARANTINE REQUIREMENTS FOR TRAVELLERS

Quarantine for travellers with pre-departure COVID-19 PCR test

12 (1) Each person who—

- (a) had conducted a pre-departure COVID-19 PCR test as required under paragraph 6 and had obtained a negative PCR COVID-19 result; and

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- (b) has undergone the COVID-19 PCR testing upon arrival as required under paragraph 9—

shall place himself in quarantine at the house or accommodation in Bermuda at which the person is residing until such time as he shall receive results of the COVID-19 testing as provided under paragraph 9.

(2) Subject to paragraph 16, where a person receives a negative COVID-19 PCR result following the COVID-19 PCR testing, he shall be released from quarantine and be provided with a written notification of his test results.

Quarantine and testing for travellers without pre-departure COVID-19 test

13 (1) A person who is landed in Bermuda without having conducted a pre-departure COVID-19 PCR test shall undergo COVID-19 PCR testing and be quarantined as provided in this paragraph.

(2) A person to whom this paragraph applies shall undergo a COVID-19 PCR test—

- (a) upon arrival, as provided under paragraph 9; and
- (b) on the third day after arrival.

(3) A person to whom this paragraph applies shall place himself in quarantine at the house or accommodation in Bermuda at which the person is residing until the person receives a negative COVID-19 result, which shall not be less than three days after his arrival.

Quarantine requirements for travellers refusing to be tested on arrival

14 (1) A person who refuses to be tested as provided in Part 4, shall—

- (a) place himself in quarantine at the house or accommodation in Bermuda at which the person is residing for a period of 14 days as from the date of arrival in Bermuda; and
- (b) be required to undergo a COVID-19 PCR test at the end of the quarantine period,

and shall be released from quarantine only if he receives a negative COVID-19 PCR test result.

(2) Where, at the end of the 14 days of quarantine, the person further refuses to be tested as required under subparagraph (1)(b), the person shall be required to undergo quarantine for another 14 days.

Compliance with public health supervision requirements

15 A person to whom this Part applies shall comply with public health supervision requirements as provided in Part 5 of this Order.

PART 5

PUBLIC HEALTH SUPERVISION REQUIREMENTS FOR TRAVELLERS

Public health supervision during first 14 days after arrival

16 (1) Each person who is landed in Bermuda shall comply with public health supervision requirements for 14 days after his arrival in Bermuda.

(2) Public health supervision shall include conducting—

- (a) COVID-19 PCR tests on the third day, seventh day and fourteenth day after the person's arrival in Bermuda;
- (b) daily public health check as directed by a Health Officer,

and reporting the findings of the tests and checks conducted as provided in subparagraph (3).

(3) The COVID-19 PCR tests and the daily public health checks required under subparagraph (2) shall be communicated between the person under public health supervision and a Health Officer—

- (a) by means of an online application; or
- (b) by such other means as the Health Officer may determine.

(4) A person under public health supervision shall comply with the instructions of the Health Officer regarding the terms specified for his monitoring.

Use of electronic monitoring device

17 A person under public health supervision shall be monitored during the period of public health supervision as the Quarantine Authority may determine as appropriate, which may include the use of an electronic monitoring device.

PART 6

QUARANTINE AND PUBLIC HEALTH MEASURES FOR TRAVELLERS WHO RECEIVE POSITIVE PCR COVID RESULT

Application of Public Health (COVID 19) Regulations 2020 to traveller with positive PCR COVID result

18 (1) A person who is landed in Bermuda who—

- (a) following COVID-19 PCR tests conducted under Parts 3, 4 and 5 of this Order (or COVID-19 PCR tests conducted at any other time) receives a positive PCR COVID result;
- (b) is a close contact of a person who has a positive PCR COVID-19 result; or
- (c) is symptomatic,

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shall be subject to public health supervision, active monitoring or isolation as provided under Part 3 of the Public Health (COVID 19) Regulations 2020.

- (2) A person referred to under subsection (1)—
 - (a) may be placed under public health supervision, active monitoring or isolation for a period of 14 days at such person's home or accommodation; and
 - (b) if found not improved after treatment under subparagraph (a), may be placed under isolation for an extended period at a place approved by the Quarantine Authority until such time as the person is found to have a negative PCR COVID-19 result.

Cost of treatment and accommodation

19 A person referred to in paragraph 18 who is made subject to public health supervision, active monitoring or isolation as provided under Part 3 of the Public Health (COVID 19) Regulations 2020 shall bear the costs of all treatment received and the costs for accommodation and board.

Electronic monitoring device for traveller with positive PCR COVID result

20 (1) A person referred to in paragraph 18 may, for the purpose of monitoring his public health supervision, active monitoring or isolation as provided under Part 3 of the Public Health (COVID 19) Regulations 2020, be required to be fitted with an electronic monitoring bracelet.

(2) A person fitted with an electronic monitoring bracelet under subparagraph (1) 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 bracelet.

PART 7

SHIP IN TRANSIT

Ship in transit

21 (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.

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(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.

PART 8
MISCELLANEOUS

Persons unable to quarantine

22 A person who has satisfied a Health Officer that he is unable to comply with quarantine requirements under this Order 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 give false information or refuse to undergo quarantine

23 Any person not belonging to Bermuda and not ordinarily resident in Bermuda who has arrived by aircraft or ship, and who—

- (a) has given false information when completing the Travel Authorisation Form under paragraph 5; or
- (b) refuses to undergo quarantine as required by a Health Officer under this Order,

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 and such person shall bear all costs for accommodation and board while on quarantine.

Detention of persons refusing to undergo quarantine

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

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Duty of Public Health Officer

25 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

26 Where a person is placed under public health supervision, active monitoring or isolation for an extended period as provided in paragraph 18(2)(b) of this Order, such placement 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

27 Any person who—

- (a) gives false information when completing the Travel Authorisation Form under paragraph 5; or
- (b) otherwise contravenes the provisions of this Order,

commits an offence under section 11 of the Quarantine Act 2017.

Revocation of Order and Savings

28 (1) The Quarantine (COVID-19) (No. 2) Order 2020 is hereby revoked.

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

- (a) 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) 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 1st day of July 2020

Quarantine Authority

Minister of Health

[Operative Date: 01 July 2020]