



BERMUDA

QUARANTINE (COVID-19) (NO. 3) AMENDMENT (NO. 2) ORDER 2021

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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, which amends the Quarantine (COVID-19) (No. 3) Order 2020 (the “principal Order”), may be cited as the Quarantine (COVID-19) (No. 3) Amendment (No. 2) Order 2021.

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Amends paragraph 4

2 Paragraph 4 of the principal Order is amended—

- (a) in subparagraph (1)(a), by deleting “ten” and substituting “two”;
- (b) in subparagraph (1)(b), by inserting the following—

“(iv) a cruise ship;”;

- (c) in subparagraph (2), by deleting “ten” and substituting “two”;
- (d) by inserting after subparagraph (3) the following—

“(3A) A crew member may continue to be exempt under subparagraph (3) if he is staying in Bermuda for a period longer than 24 hours only in the case where—

- (a) he remains in quarantine on the ship he is travelling on;
- (b) he does not take shore leave; and
- (c) he complies with health requirements as may be set out in guidance on the Ministry of Health website. ”.

Amends paragraph 5

3 Paragraph 5 of the principal Order is amended—

- (a) in subparagraphs (1) and (2) by deleting “within 48 hours” and substituting “not less than 24 hours”;
- (b) by deleting subparagraph (2)(a) and substituting the following—

“(a) apply for Travel Authorisation by completing the Travel Authorisation Form set out on the Ministry of Health website; ”.

- (c) by revoking subparagraph (3) and substituting the following—

“(3) A person referred to in subparagraph (2) who fails to comply with subparagraph (2)(a) shall, upon landing in Bermuda, pay the Travel Authorisation fee as provided in paragraph 7(2)(b). ”

- (d) by revoking subparagraph (5) and substituting the following—

“(5) Each person entering Bermuda shall be subject to the requirements of Part 5 of this Order.

(6) A person seeking to be exempted under paragraph 13A from mandatory quarantine requirements shall—

- (a) apply to the Quarantine Authority for such exemption not less than seven days before departure for Bermuda and as directed on the Ministry of Health website; and

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- (b) submit his application for Travel Authorisation under either subparagraphs (1) or (2) of this paragraph only after he has received from the Quarantine Authority the exemption sought.”.

Amends paragraph 5B

4 Paragraph 5B of the principal Order is amended—

- (a) by deleting the paragraph heading and substituting “Requirements for mariners and pleasure craft crew members”;
- (b) in subparagraph (1), by deleting subparagraph (a) and substituting the following—
 - “(a) obtain a COVID-19 vaccination as provided under paragraph 6A;
 - (aa) obtain a negative COVID-19 PCR test result, as provided under paragraph 6(1B), not more than four days before his departure from the last port prior to arrival in Bermuda; and”;
- (c) by deleting “; and” at the end of subparagraph (b) and substituting a period, and by deleting subparagraph (c);
- (d) by revoking subparagraph (2) and substituting the following—

“(2) A mariner who intends to travel to Bermuda by sea and who does not have proof of obtaining a COVID-19 vaccination under paragraph 6A, shall, upon being landed in Bermuda—

- (a) be placed in quarantine on the boat he is travelling on for a period of 14 days as from the date of his last port of departure prior to arrival in Bermuda, subject to paragraph 18;
 - (b) undergo a COVID-19 PCR test at the end of the 14-day quarantine period; and
 - (c) be released from quarantine if his COVID-19 PCR test under subparagraph (b) is negative, and be provided with a written notification of his test results.
- (3) A mariner referred to in subparagraph (2)—
- (a) may, upon arrival, be fitted with a traveller wristband to be worn for the period of his quarantine as from the date of arrival in Bermuda, as part of the public health supervision requirements under Part 5 of this Order; and
 - (b) shall, if fitted with a traveller wristband, comply with the instructions of the Health Officer regarding the terms specified for his monitoring and the use of the traveller wristband.

(4) A crew member of a pleasure craft or superyacht who intends to travel to, and be landed in, Bermuda shall, before landing in Bermuda, apply for Travel

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Authorisation by completing the Travel Authorisation Form set out on the Ministry of Health website and pay the Travel Authorisation fee, as provided in paragraph 7.”.

Amends paragraph 6

5 Paragraph 6 of the principal Order is amended in subparagraph (1) by—

- (a) deleting “who is not a resident of Bermuda”;
- (b) deleting “five” and substituting “four”.

Revokes and replaces paragraph 7

6 The principal Order is amended by revoking paragraph 7 and substituting the following—

“Travel Authorisation fee

7 (1) Each person applying for Travel Authorisation as provided under paragraph 5, shall pay the fee set out in subparagraph (2) by electronically forwarding the applicable fee as directed on the Ministry of Health website at the time the person is submitting the Travel Authorisation Form.

(2) The fee referred to in subparagraph (1) is—

- (a) \$75 for each person two years and above who has completed the Travel Authorization form as required under paragraph 5;
- (b) \$1,000 for each person two years above who has not completed the Travel Authorization form as required under paragraph 5.

(3) A person who fails to pay the Travel Authorization fee under subparagraph (2)(b) commits an offence as provided in paragraph 27.”.

Revokes paragraph 10A

7 The principal Order is amended by revoking paragraph 10A.

Amends paragraph 11

8 The principal Order is amended in paragraph 11 by deleting “upon arrival in Bermuda,” and substituting “in accordance with guidance set out on the Ministry of Health website”.

Amends paragraph 12A

9 Paragraph 12A of the principal Order is amended—

- (a) in the paragraph heading, by deleting “Quarantine” and substituting “Mandatory quarantine”;
- (b) by revoking subparagraph (2) and substituting the following—

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“(2) Subject to subparagraph (4), a person to whom this paragraph applies shall be placed in mandatory quarantine—

- (a) for a period not exceeding 14 days, subject to paragraph 18;
- (b) at a government authorized place approved by the Quarantine Authority and the Minister responsible for national security, for the purpose.

(2A) Subject to paragraph 14B(1), a person quarantined as required under subparagraph (2) shall bear the cost for accommodation and board at the place of quarantine.”.

Amends paragraph 12B

10 Paragraph 12B of the principal Order is amended—

- (a) in the paragraph heading, by deleting the heading and substituting “Quarantine and testing for travellers with COVID-19 vaccination but no pre-arrival COVID-19 PCR test”;
- (b) by revoking subparagraph (1) and substituting the following—

“(1) A person who is landed in Bermuda who has obtained a COVID-19 vaccination, but has not conducted a pre-arrival COVID-19 PCR test, shall—

- (a) place himself in quarantine at the house or accommodation in Bermuda at which the person is residing for a period of not less than four days, as directed by a Health Officer; and
- (b) undergo a COVID-19 PCR test on or after the fourth day of his quarantine period.”.

Revokes and replaces paragraph 13

11 The principal Order is amended by revoking paragraph 13 and substituting the following paragraphs—

“Mandatory quarantine for unvaccinated traveller

13 (1) Subject to subparagraph (3), each person who travels to Bermuda by air and who does not have proof of having obtained a COVID-19 vaccination under paragraph 6A, shall, upon being landed in Bermuda, be placed in quarantine—

- (a) for a period not exceeding 14 days, subject to paragraph 18;
- (b) at a government authorized place approved by the Quarantine Authority and the Minister responsible for national security, for the purpose.

(2) Subject to paragraph 14B(1), a person to whom this paragraph applies shall bear the cost for accommodation and board at the place of quarantine.

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(3) Where a person to whom this paragraph applies receives a negative COVID-19 PCR test result on or after a period of 14 days, he shall be released from quarantine and be provided with a written notification of his test results.

Exemption from mandatory quarantine and quarantine requirements for exempted traveller

13A (1) Subject to the other provisions under this paragraph, paragraphs 12A, 13 and 14 shall not apply to a person upon being landed in Bermuda who is—

- (a) medically vulnerable as certified by a licensed physician, psychologist or local health insurer;
- (b) a caregiver that is accompanying a person under subparagraph (a);
- (c) a minor child below the age of 18 years, travelling—
 - (i) unaccompanied; or
 - (ii) with a parent or a guardian who is vaccinated.

(2) A person referred to in subparagraph (1) shall provide to a Health officer, upon arrival in Bermuda, such documentary proof of the exemption from mandatory quarantine referred to in paragraph 5(6), which he received from the Quarantine Authority .

(3) A person who has received an exemption from mandatory quarantine referred to in subparagraph (2) shall—

- (a) place himself in quarantine at the house or accommodation in Bermuda at which the person is residing, under such conditions as a Health Officer may in writing specify, for a period of 14 days as from the date of arrival in Bermuda;
- (b) be required to undergo a COVID-19 PCR test on such day or days within the period of 14 days from the date of arrival in Bermuda, as the Chief Medical Officer may determine as provided in paragraph 16(2)(a); and
- (c) conduct public health checks as provided under paragraph 16(2)(b) and as a Health Officer may in writing direct.

(4) A person under quarantine as provided in subparagraph (3) shall not depart from the place of quarantine during the 14 day period of quarantine, except as directed in writing by a Health Officer.

(5) Where the person under quarantine as provided in subparagraph (3) receives the additional negative COVID-19 PCR test result on or after the 14th day, he shall be released from quarantine and be provided with a written notification of his test results.”.

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Revokes and replaces paragraph 14

12 The principal Order is amended by revoking paragraph 14 and substituting the following—

“Mandatory quarantine for travellers refusing to comply with Part 5

14 (1) A person who has obtained a COVID-19 vaccination as provided under paragraph 6A, but who, upon arrival in Bermuda, refuses to be tested and to comply with public health supervision requirements for 14 days as provided in Part 5, shall be placed in mandatory quarantine—

- (a) for a period not exceeding 14 days, subject to paragraph 18;
- (b) at a government authorized place approved by the Quarantine Authority and the Minister responsible for national security, for the purpose.

(2) Subject to paragraph 14B(1), a person to whom subparagraph (1) applies shall bear the cost for accommodation and board at the place of quarantine.

(3) Where, at the end of the 14 days of mandatory quarantine, the person further refuses to be tested as required under Part 5, the person shall be required to undergo mandatory quarantine for another 14 days and subparagraph (2) shall apply.”.

Inserts paragraphs 14A and 14B

13 The principal Order is amended by inserting after paragraph 14 the following paragraph—

“Child under 18 years to quarantine together with parent or guardian

14A Where a parent or guardian having charge of a minor child under the age of eighteen years with whom he is travelling, and such parent or guardian is required to be placed under—

- (a) quarantine under Part 4; or
- (b) isolation under Part 6,

the minor child shall also be required to be placed under quarantine or isolation, as the case may be, under the terms of quarantine or isolation applicable to the parent or guardian.

Application of, and expiry date for, paragraphs 12A, 13, 13A and 14

14B (1) The provisions of paragraphs 12A(2A), 13(2), and 14(2) relating to responsibility for the cost of accommodation and board at a mandated place of quarantine shall apply to the persons referred to in those paragraphs, except as otherwise provided in guidance published on the Ministry of Health website with respect to persons holding Bermudian status who—

- (a) left Bermuda before 6 May 2021; or

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(b) made travel reservations between 6 May 2021 and 15 June 2021 for travel outside Bermuda beginning on or before June 19.

(2) The provisions of paragraphs 12A, 13, 13A and 14 shall cease to have effect on 30 September 2021.”.

Amends paragraph 16

14 Paragraph 16(2)(a) of the principal Order is amended by inserting “12B,” and “, 13A”, in the appropriate numerical order.

Amends paragraph 18

15 Paragraph 18(2) of the principal Order is amended by deleting subparagraph (a) and substituting the following—

“(a) may be placed under public health supervision, active monitoring or isolation for a period of 14 days—

(i) at such person’s home or accommodation; or

(ii) at a place approved by the Quarantine Authority; and ”.

Amends paragraph 27

16 Paragraph 27 of the principal Order is amended—

(a) by revoking subparagraph (1)(a) substituting the following—

“(a) fails to complete, or gives false information when completing, the Travel Authorisation Form under paragraph 5;

(aa) fails to comply with the requirement to pay the Travel Authorisation fee under paragraph 7(2)(b);

(ab) refuses to, or without reasonable excuse omits, to comply with a requirement to quarantine as directed by a Health Officer or other person acting under such authority; or ”;

(b) in subparagraph (2), by deleting “paragraph 10A(1)” and substituting “this Order”.

Commencement

17 This Order shall come into effect on 20 June 2021.

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Made this 18th day of June 2021

Quarantine Authority

Minister of Health

[Operative Date: 20 June 2021]