



BERMUDA

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

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The Minister responsible for health, in exercise of the power conferred by section 9 and 11I 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. 3) Order 2021.

Revokes paragraph 5B and inserts Part 3A

2 The principal Order is amended—

(a) by revoking paragraph 5B;

(b) by inserting after paragraph 11 the following Part—

“PART 3A

QUARANTINE REQUIREMENTS FOR TRAVELLERS TO BERMUDA BY
SEA

Travel Authorization and quarantine for cruise ship passengers

11A (1) A cruise ship passenger who intends to travel by sea to, and be landed in, Bermuda shall, before landing in Bermuda, apply to travel to Bermuda by sea by complying with requirements to—

- (a) obtain a COVID-19 vaccination as provided under paragraph 6A;
- (b) 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) apply for Travel Authorisation by completing the Travel Authorisation (By Sea) Form set out on the Ministry of Health website.

(2) A person who has complied with the requirements of subparagraph (1) shall—

- (a) be tested as provided in paragraph 9 and shall, after the testing, place himself in quarantine on the boat he is travelling on until such time as he shall receive results of the COVID-19 testing as provided under paragraph 10; and
- (b) upon receipt of a negative COVID-19 PCR result following the COVID-19 PCR testing, be released from quarantine and be provided with a written notification of his test results, subject to paragraph 16.

(3) A person referred to in subparagraph (1) 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.

Requirements for mariners, crew and passengers of crafts and superyachts

11B (1) This paragraph applies to a person who intends to travel by sea to, and be landed in, Bermuda, who is—

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- (a) a mariner;
 - (b) a crew member of a craft or superyacht;
 - (c) a passenger of a craft or superyacht.
- (2) A person referred to in subparagraph (1) shall, before landing in Bermuda, apply to travel to Bermuda by sea by complying with requirements to—
- (a) obtain a COVID-19 vaccination as provided under paragraph 6A;
 - (b) 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) apply for Travel Authorisation by completing the Travel Authorisation (Mariners) Form set out on the Ministry of Health website.
- (3) A person who has complied with the requirements of subparagraph (2) shall—
- (a) be tested as provided in paragraph 9 and shall, after the testing, place himself in quarantine on the boat he is travelling on until such time as he shall receive results of the COVID-19 testing as provided under paragraph 10; and
 - (b) upon receipt of a negative COVID-19 PCR result following the COVID-19 PCR testing, be released from quarantine and be provided with a written notification of his test results, subject to paragraph 16.
- (4) A person referred to in subparagraph (1) 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.
- (5) A person referred to in subparagraph (3)—
- (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

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- (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.”.

Amends paragraph 6

3 The principal Order is amended in paragraph 6 by revoking subparagraph (1) and substituting the following—

“(1) Each person who intends to travel to, and be landed in, Bermuda may be required, as may be determined by the Quarantine Authority in consultation with the Chief Medical Officer, to undergo a COVID-19 PCR test, which must be undertaken—

- (a) not more than four days before departure from the last port prior to arrival in Bermuda, for a person travelling to Bermuda by sea under Part 3A;
- (b) not more than four days before arrival in Bermuda, for a person travelling to Bermuda by air under Part 4.”.

Amends paragraph 6A(3)

4 The principal Order is amended in paragraph 6A(3) by inserting at the end of the table the following vaccines—

Sinopharm/BIBP	SARS-CoV-2 Vaccine (Vero Cell), Inactivated (InCoV)
Sinovac	SARS-CoV-2 Vaccine (Vero Cell), Inactivated

Amends heading for Part 4

5 The principal Order is amended by deleting the heading for Part 4 and substituting “QUARANTINE REQUIREMENTS FOR TRAVELLERS TO BERMUDA BY AIR”.

Amends paragraph 16

6 The principal Order is amended in paragraph 16(2)(a) by inserting “11A, 11B,” after “paragraph”.

Inserts Part 7A

7 The principal Order is amended by inserting after paragraph 21 the following Part—

“PART 7A

QUARANTINE PENALTY TICKET

Interpretation

21A In this Part—

“the Act” means the Quarantine Act 2017;

“offence” has the meaning assigned to it in section 11A of the Act, and in this Order includes an offence specified in paragraph 21E(a);

“penalty” has the meaning assigned to it in section 11A of the Act, and in this Order includes a penalty specified in paragraph 21E(c);

“quarantine penalty ticket” or “ticket” has the meaning assigned to it in section 11A of the Act, and in this Order is a ticket referred to in paragraph 21B.

Form and application of quarantine penalty ticket

21B (1) In accordance with section 11C(3) of the Act, a quarantine penalty ticket shall contain information as provided in paragraphs 21D and 21E of this Order and be in the form as set out under the “Publications and Forms” section on the website: www.bermudapolice.bm/.

(2) The quarantine penalty ticket shall apply to an offence referred to under paragraph 27 of this Order and listed in column 1 of the Schedule.

Procedure for issue and delivery of quarantine penalty ticket

21C (1) A police officer who has determined, pursuant to section 11E of the Act, to issue a quarantine penalty ticket to any person shall ascertain the identity of such person by requesting the name, address and date of birth of the person.

(2) A police officer issuing a quarantine penalty ticket shall—

- (a) complete the ticket and affix his signature on the summons portion of the ticket; and
- (b) deliver the summons portion of the ticket personally to the person to whom the quarantine penalty ticket has been issued.

(3) The police officer shall request the person to whom a quarantine penalty ticket has been issued to enter his signature on the information portion of the ticket and such signature shall be sufficient proof of receipt of the quarantine penalty ticket by that person.

(4) The police officer shall direct the person to whom a quarantine penalty ticket has been issued regarding the following information on the ticket—

- (a) the date by which the penalty is to be paid and the address of the magistrates’ court where payment is to be made; and

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- (b) the requirement for the person to attend the magistrates' court on a date and time as stated in the quarantine penalty ticket, with respect to a person who does not pay the penalty within 28 days after receiving the ticket or within an extended period of time as may be granted under section 11G of the Act.

Information of the offence

21D (1) In accordance with section 11C of the Act, the information portion of the quarantine penalty ticket shall be accompanied by a notification, as provided in that section, to the person to whom the quarantine penalty ticket has been issued.

- (2) The information portion of a quarantine penalty ticket shall further—
 - (a) give reasonably detailed information or particulars of the circumstances alleged to constitute the offence;
 - (b) state that proceedings will not be instituted for the offence if payment of the penalty is made within a period of 28 days from the date of issue of the quarantine penalty ticket;
 - (c) specify the amount of the penalty.
- (3) Every quarantine penalty ticket information shall be—
 - (a) signed by the police officer issuing the ticket;
 - (b) signed by the informant and sworn before a justice of the peace.

(4) A quarantine penalty ticket information need not be sworn to before the summons portion is delivered and the informant need not be the same person as issued the summons.

List of offences, descriptions and penalties

21E For the purposes of this Order and with respect to the Schedule—

- (a) a quarantine penalty ticket may be issued for the offence of breach of this Order as provided in column 1 of Part 1;
- (b) the penalty for breach of the offence under subparagraph (a) is the amount set out in column 2 of Part 1;
- (c) the offence under subparagraph (a) for which a quarantine penalty ticket may be issued includes the offences that are contrary to the provisions of this Order, as listed in column 1 of Part 2;
- (d) the description of an offence that is contrary to a provision listed in column 1 of Part 2 is the description set out in column 2 of Part 2.

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Deposit of quarantine penalty ticket with the court

21F Where a police officer has issued a quarantine penalty ticket, he shall deposit with the court the information portion of the ticket.”.

Amends paragraph 27

8 The principal Order is amended in paragraph 27—

- (a) in subparagraph (1)(b), by inserting after the word “otherwise”, the words “, without reasonable excuse,”;
- (b) in subparagraph (2), by inserting after the words “Any person who”, the words “, without reasonable excuse,”.

Insert Schedule

9 The principal Order is amended by inserting after paragraph 28 the following Schedule—

“SCHEDULE

(paragraph 21E)

OFFENCES AND PENALTIES FOR THE QUARANTINE PENALTY
TICKET

PART 1

Description of offence	Penalty
Breach of the Quarantine (COVID-19) (No. 3) Order 2020	\$500

PART 2

Paragraph	Description of offence
paragraph 11B(5)	(1) Failure of person arriving to Bermuda by sea to comply with the terms specified by a Health Officer to wear a traveller wristband for the period of his quarantine; (2) Failure of person to comply with the use of a traveller wristband
paragraph 16(1)	Failure of person to comply with public health supervision requirements for 14 days after his arrival in Bermuda
paragraph 16(2)	Failure of person to comply with public health checks as directed by a Health Officer

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Paragraph	Description of offence
paragraph 20(2)	(1) Failure of person to comply with the terms specified by a Health Officer for the use of an electronic monitoring bracelet; (2) Failure of person to comply with the use of an electronic monitoring bracelet.

Made this 12th day of August 2021

Quarantine Authority

Minister of Health

[Operative Date: 12 August 2021]