



BERMUDA

PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) (NO. 3) AMENDMENT  
(NO. 4) REGULATIONS 2020

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His Excellency the Governor, on the advice of the Minister responsible for health, and in exercise of the power conferred by section 107B of the Public Health Act 1949, makes the following Regulations:

Citation

1 These Regulations, which amend the Public Health (COVID-19 Emergency Powers) (No. 3) Regulations 2020 (“the principal Regulations”), may be cited as the Public Health (COVID-19 Emergency Powers) (No. 3) Amendment (No. 4) Regulations 2020.

Amends regulation 2

2 In regulation 2 of the principal Regulations, insert the following definition—

“curfew” means the curfew imposed by regulation 2A(1);”.

Inserts regulation 2A

3 Insert after regulation 2 of the principal Regulations—

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“Night-time curfew

2A (1) No person shall be away from his home or accommodation during the hours of 11pm to 5am, except for a medical or other emergency.

(2) Persons listed in Schedule 1 are exempt from the curfew, but only when on official business, working or travelling to and from work, and all such persons shall carry identification at all times and show to an enforcement officer on request.”.

Amends regulation 4

4 In regulation 4 of the principal regulations—

(a) in paragraphs (1), (2) and (4), delete “20” and substitute “10”;

(b) in paragraph (3)—

(i) delete subparagraph (c) and substitute—

“(c) persons while in attendance at—

(i) an indoor service or ceremony in a church or other religious establishment;

(ii) an indoor funeral service;

(iii) an indoor marriage ceremony; or

(iv) an indoor domestic partnership ceremony,

but the number of persons at the indoor service or ceremony shall not exceed 20 per cent of the indoor area’s full capacity, as calculated in accordance with guidance;”;

(ii) delete subparagraphs (d), (f), (g)(i) and (g)(ii); and

(c) after paragraph (3), insert—

“(3A) In paragraph (3)(c), a “service” or “ceremony” does not include a reception or wake.”.

Amends regulation 5

5 In regulation 5 of the principal regulations—

(a) in paragraphs (1), (2), (3), delete “midnight” and substitute “10pm”; and

(b) in paragraph (5)—

(i) insert the following definition—

“ “bar” means premises licensed under a Licence (B) (within the meaning of section 9(1)(c) of the Liquor Licence Act 1974);”;

(ii) delete the definition of “club” and substitute—

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“club” means premises licensed under a Night Club Licence, Proprietary Club Licence or Members’ Club Licence (within the meaning of paragraph (f), (g) or (h) of section 9(1) of the Liquor Licence Act 1974, respectively);”.

Inserts regulations 5B to 5E

6 After paragraph 5A of the principal Regulations, insert—

“Beauty salons, spas and barbers

5B The owner or operator of a beauty salon, spa or barber shop shall ensure that employees and clients wear masks that cover their nose and mouth at all times, including during treatment.

Gyms and sports clubs

5C The owner or operator of a gym or sports club shall ensure that, when using the indoor facilities, a distance of at least 10 feet between persons who are not members of the same household shall be maintained.

“Party bus” prohibited

5D (1) No person shall cause or allow a minibus to be used for the conveyance of passengers to or between licensed premises.

(2) No person shall travel on a minibus being used for that purpose.

(3) No person shall consume any intoxicating liquor on a minibus.

(4) In this regulation—

“intoxicating liquor” has the meaning given in section 1(1) of the Liquor Licence Act 1974;

“licensed premises” has the meaning given in section 1(1) of the Liquor Licence Act 1974;

“minibus” has the meaning given in section 2(1) of the Motor Car Act 1951.

Recreational boating

5E No person shall use a boat for recreational purposes after 6pm.”.

Amends regulation 8

7 In regulation 8(2) of the principal Regulations, delete “20” and substitute “10”.

Inserts Schedule 1

8 Insert after regulation 12 of the principal Regulations—

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“SCHEDULE 1  
PERSONS EXEMPT FROM CURFEW

Members of the Legislature etc

- 1 (1) All members of the House of Assembly and Senate.  
(2) The staff of the Premier, Ministers and the Opposition Leader.  
(3) Staff of the Legislature required when the Legislature is sitting.

Deputy Governor and Consuls

- 2 (1) The Deputy Governor and staff of Government House.  
(2) The US Consul General and staff.  
(3) Honorary Consuls.

Judiciary etc

- 3 Judges of the Supreme Court, magistrates, and court associates and lawyers required for any court proceedings.

Public service executive

- 4 The Cabinet Secretary, the Head of the Public Service, the Financial Secretary and Permanent Secretaries.

Uniformed services

- 5 Members of the Royal Bermuda Regiment, the Bermuda Police Service (including the Reserve Police and Special Constables), the Bermuda Fire and Rescue Service, and the Department of Corrections.

Health and BHB staff

- 6 Any registered health professional, ambulance driver or crew, or staff of a healthcare facility (whether employed by the Bermuda Hospitals Board, registered residential care or nursing home, or otherwise), and other staff of the Bermuda Hospitals Board or the Ministry of Health.

Border control, airport, docks and security

- 7 The following persons—
- (a) members of the Department of Customs and Department of Immigration;
  - (b) all staff employed at the LF Wade International Airport;
  - (c) passengers and crew who need to travel to and from the airport for flights during the curfew, and persons transporting them;
  - (d) stevedores, truckers and staff of Hamilton Docks;

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(e) licensed security officers.

Essential services

8 All persons working in services listed in the First Schedule to the Labour Relations Act 1975.

Media

9 Members of the print or broadcast media.

Child protection

10 Members of the Department of Child and Family Services.

Other public officers

11 Public officers not falling within the preceding paragraphs, as designated in writing by the Head of the Public Service, subject to any conditions or limitations included in the designation.

Financial services

12 (1) Persons working in the financial services sector, as designated in writing by the Minister of Finance.

(2) A designation made under, or that was deemed to be valid for the purposes of, paragraph 11(1) of Schedule 1 to the Public Health (COVID-19 Emergency Powers) Regulations 2020 shall be deemed to be valid for the purposes of subparagraph (1).

Ministerial permission

13 (1) A person not falling within the preceding paragraphs who has the written permission of the Minister of National Security, subject to any conditions or limitations in the Ministerial permission.

(2) A written permission granted under, or that was deemed to be valid for the purposes of, paragraph 12 of Schedule 1 to the Public Health (COVID-19 Emergency Powers) Regulations 2020 shall be deemed to be valid for the purposes of subparagraph (1)."

Made this 12th day of December 2020

Governor

[Operative Date: 12 December 2020]