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CHAPTER 237

QUARANTINE

An Act relating to quarantine.

Commencement 18th April, 1905]

*2 of 1905
26 of 1908
16 of 1909
11 of 1928
25 of 1930
8 of 1951
G.N. 7(5) of
1964
43 of 1964
E.L.A.O., 1974
5 of 1987*

**PART I
PRELIMINARY**

1. This Act may be cited as the Quarantine Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.

“health officer” means — *25 of 1930, s. 3.*

 - (a) in the case of the Port of Nassau the medical officer or any medical officer deputed by the Chief Medical Officer to discharge the duties of medical officer during his temporary absence on other duties connected with his office;
 - (b) in the case of any Out Island port at which the services of a district medical officer are available, the district medical officer;
 - (c) in all other Out Island ports, the commissioner, and includes in the case of every such officer, except a district medical officer, any person deputed by him to discharge his duties during temporary absence on other duties connected with his office;

“healthy ship” means a ship which has had on board no death from and no case of infectious or contagious disease, either before leaving the port of departure, or during the voyage, or on arrival;

“infectious or contagious disease” means any disease comprised in the First Schedule to this Act; First Schedule.

“infected place” means —

 - (a) any place in which any of the diseases specified in Part I of the First Schedule to this Act exists: First Schedule.

Provided that a place shall not be deemed infected (unless so declared by the Minister by Order) because of the existence *E.L.A.O., 1974.*

of imported cases properly isolated or because of the existence of a single case of such disease:

Provided also that in the case of smallpox a place of over one hundred thousand inhabitants shall not be regarded as an infected place unless the disease exists there in an epidemic form;

- First Schedule. (b) any place in which any of the diseases specified in Part II of the First Schedule to this Act exists in an epidemic form;
- E.L.A.O., 1974.* (c) any place which may be declared by the Minister by Order to be an infected place;
- “infected ship” means a ship on board of which any case of infectious or contagious disease is present or has occurred within the prescribed incubation period;
- “master of a ship” includes any person for the time being in command or control thereof;
- Ch. 231. “medical officer” has the meaning assigned to it by the Health Services Act;
- “medical supervision” means the prescribed periodical inspection of the crew or passengers of a ship by a health officer in accordance with the provisions of this Act, or of rules made under the authority of this Act;
- E.L.A.O., 1974.* “Minister” means the Minister responsible for Medical, Nursing and Health Services;
- “place” means any port, town, island, district, parish, village, settlement or any other clearly defined portion of territory;
- “prescribed” means prescribed by rules made under the authority of this Act;
- “quarantine” means the isolation of a ship, or of the crew or passengers thereof at the proper station;
- 26 of 1908, s. 2.* “quarantine station” means Athol Island and such other place as may from time to time be appointed by the Minister by notice in the *Gazette* and any other station which may be established or authorised to be used under the authority of this or any other Act;
- E.L.A.O., 1974.*
- 25 of 1930, s. 2.* “ship” means every description of vessel, boat or other floating craft used in navigation however propelled and includes aircraft;

“suspected ship” means a ship on board of which any case of infectious or contagious disease has occurred during the voyage, or during the stay of the ship in the port of departure, but on board of which no fresh case has occurred within the prescribed incubation period;

“visiting officer” means —

25 of 1930, s. 3.

(a) in the case of the Port of Nassau, the Comptroller of Customs or other duly appointed customs officer;

8 of 1951, s. 2.

(b) in the case of any Out Island port of The Bahamas at which there is a district medical officer, the commissioner, and includes in the case of every such officer any person deputed by him to discharge his duties during temporary absence on other duties connected with his office.

3. For the purposes of this Act a ship shall not be deemed to have come from or touched at a place, if it has merely disembarked passengers and their baggage or mails without having been in communication with the shore:

When ship not deemed to have come from or touched at a place.

Provided that the master shall produce a satisfactory certificate of non-communication signed or certified as accurate by the sanitary authority of the place in question, or a British consular officer, or shall satisfy the health officer that no such certificate was obtainable.

PART II POWERS OF THE GOVERNOR-GENERAL AND THE MINISTER

4. (1) It shall be lawful for the Minister in cases in which he may be of opinion that the ordinary provisions of this Act are inadequate, by Order to declare any place outside The Bahamas an infected place.

*Power to declare a place an infected place.
E.L.A.O., 1974.*

(2) Every such Order shall be of limited duration only and shall state therein the period for which it is limited.

5. Subject to the provisions of this Act it shall be lawful for the Governor-General —

Power to conclude conventions.

(a) to conclude or accede to any convention on the subject of quarantine with any country of the Commonwealth or with any foreign country;

5 of 1987, Sch.

Power to make
rules.

-
- (b) to make all rules which may be necessary for the purpose of carrying out such convention.
6. It shall be lawful for the Minister to make rules for the following purposes —
- (a) the determination of the respective incubation period of every infectious or contagious disease;
 - (b) the isolation and detention in quarantine of all persons arriving in The Bahamas suffering from any infectious or contagious disease or contracting such disease immediately after arrival or while under medical supervision;
 - (c) the isolation, detention in quarantine and medical supervision of all persons arriving in The Bahamas from any infected place or in any infected or suspected ship;
 - (d) the disinfection, and, where necessary, the destruction of any clothing, bedding or other articles belonging to or used by any of the passengers or crew of any ship arriving in The Bahamas from any infected place or in any infected or suspected ship;
 - (e) the disinfection of any ship arriving from any infected place and of any infected or suspected ship, and the destruction, in the case of plague, of all rats, and in the case of yellow fever of all mosquitoes on board any such ship;
 - (f) the disinfection of any merchandise and of any parcel mail which, in the opinion of the health officer, is likely to be infected on any ship arriving from any infected place or on any infected or suspected ship;
 - (g) the exclusion from The Bahamas in the case of plague, cholera or smallpox of any articles likely, in the opinion of the health officer, to be a source of infection;
 - (h) the disinfection, and, where necessary, the destruction of all clothing, bedding and other articles used by or in connection with any person suffering from any infectious or contagious disease, who shall be detained in quarantine or isolated on or after arrival in The Bahamas, and of the premises in which he shall have been detained or isolated;

- (i) the prohibiting or regulating the landing in The Bahamas of any person who is not a citizen of The Bahamas, suffering from any of the infectious or contagious diseases set out in the Third Schedule to this Act or as may be added thereto by the Minister by Order; *16 of 1909, s. 2.; 5 of 1987, Sch.*
- (j) to prescribe fees to be charged for services rendered under the provisions of this Act, by whom they shall be payable and, where appropriate, to whom they shall be paid; *Third Schedule.*
- (k) generally for the purposes of carrying out the provisions of this Act. *E.L.A.O., 1974.*

7. It shall be lawful for the Minister, in any emergency for which in the opinion of the Minister the provisions of this Act and of the rules made under the authority of this Act are inadequate, by Order to direct such measures to be taken during the continuance of the emergency as the nature of the case may require for the purpose of preventing the introduction or dissemination of any infectious or contagious disease. *43 of 1964, Third Sch.*

Power to make provision for emergencies.
E.L.A.O., 1974.

8. Subject to the foregoing provisions of this Act the Minister shall be the quarantine authority of The Bahamas and shall be charged with the following duties — *Minister the general quarantine authority;*

- (a) to advise the medical officer in the execution of the duties imposed upon him by this Act; *general powers and rules.*
- (b) to furnish to the health officers all such information as may be necessary to enable them to discharge their duties under this Act;
- (c) to furnish from time to time to all the health officers an adequate supply of all such drugs, disinfectants and other materials as they may require for the purposes of this Act;
- (d) to distribute all such information as may from time to time be necessary to prevent the introduction and dissemination of any infectious or contagious disease.

9. (1) It shall be lawful for the Minister from time to time on all occasions on which he may think such precaution necessary to make an order directing the health officers, in addition to any ships, which they may be *Power to direct health officer to visit arrivals from certain ports.*

otherwise required to visit under this Act, to visit on their arrival in The Bahamas all ships having sailed from or touched at any port named in the order.

(2) No ship coming from or having touched at any port named in any such order shall be admitted to pratique until visited by the health officer.

(3) Every such order shall be of limited duration only and shall state therein the period for which it is limited.

Visiting officers and health officer to be officers of the Minister.

10. It shall be the duty of all visiting officers and health officers subject to the provisions of this Act to carry out from time to time all directions they may receive from the Minister and to furnish to the said Minister from time to time all information which he may require for the purposes of this Act.

Peace officers to be officers of the Health Department.

11. For the purposes of this Act all peace officers shall be deemed to be officers of the Health Department and, subject to the rules of discipline of the police forces, shall enforce compliance with any direction or order lawfully given by the said department or by any visiting officer or health officer acting in the discharge of his duties under this Act or any rule or order made under the authority thereof.

PART III DUTIES AND OBLIGATIONS OF SHIPS ON ARRIVAL

Bills of Health.

12. (1) It shall be the duty of the master of any ship arriving at any port of The Bahamas, having sailed from or touched at any port outside The Bahamas, to be provided with a bill of health.

(2) Every such bill of health in the case of any port in a country of the Commonwealth shall be signed by the sanitary authority of the port and in the case of any port in any foreign country shall be signed or certified as accurate by a British consular officer, or in the case of any such port not having a British consular officer, shall be endorsed by some other competent authority with a certificate that such port has no British consular officer.

(3) Any ship not provided with a bill of health in accordance with this section shall be liable to be treated as a ship arriving from an infected port.

13. (1) It shall be the duty of every pilot who shall be engaged to take any ship into any port of The Bahamas to enquire of the master — Duty of pilots.

- (a) whether any person on board is sick of any infectious or contagious disease;
- (b) whether any person on board has been sick or has died of any infectious or contagious disease in the course of the voyage.

(2) If it shall appear that some person on board is sick of any infectious or contagious disease or that some person on board has been sick or has died of any infectious or contagious disease in the course of the voyage, it shall be the duty of the pilot —

- (a) to cause a yellow flag to be hoisted, or in case no yellow flag is on board, the national ensign of the ship at half mast;
- (b) to conduct the ship to some convenient anchorage;
- (c) to report the facts to the visiting officer, or in the case of districts not having a visiting officer, to the health officer.

(3) Any pilot who shall commit any breach of any of the provisions of this section shall be guilty of an offence against this Act.

(4) Any master who shall refuse to answer any of the inquiries of the pilot directed by this section, or who shall wilfully give a false answer to any of such inquiries or who shall refuse to comply with any direction lawfully given by the pilot in accordance with this section, shall be guilty of an offence against this Act.

14. (1) No ship arriving at any port of The Bahamas from any place outside The Bahamas, shall be brought alongside any wharf or quay until it has been admitted to pratique. Ship not to be berthed till admitted to pratique.

(2) Any master or pilot who shall bring any such ship alongside a wharf or quay in breach of this section shall be guilty of an offence against this Act.

15. (1) No person on board any ship arriving at any port of The Bahamas from any place outside The Bahamas shall land in The Bahamas without the written permission of the health officer until the ship shall have been admitted to pratique. No person to land till ship admitted to pratique.

(2) Any person who shall land or attempt to land in The Bahamas in breach of this section shall be guilty of an offence against this Act, and in addition to any penalty which he may thereby incur, may be compelled to return to the ship.

(3) Any master who shall knowingly permit any person to land in The Bahamas in breach of this section shall be guilty of an offence against this Act.

No person to board ship till admitted to pratique.

16. (1) Save as in this Act provided, no person other than a pilot or his assistant shall go on board any ship arriving at any port of The Bahamas from any place outside The Bahamas without the written permission of the health officer until the ship has been admitted to pratique.

(2) Any person who shall go on board any ship in breach of this section shall be guilty of an offence against this Act, and in addition to any penalty he may thereby incur, shall be deemed to be, and, for all the purposes of this Act, may be treated as being one of the passengers of the ship.

(3) Any master who shall knowingly permit any person to go on board any ship in breach of the provisions of this section shall be guilty of an offence against this Act.

No cargo or effects to be landed till ship admitted to pratique.

17. (1) No cargo and no baggage or other effects belonging to any seaman or passenger shall be landed from any ship arriving at any port of The Bahamas from any place outside The Bahamas without the written permission of the health officer until the ship shall have been admitted to pratique.

(2) Any person who shall land or attempt to land any cargo, baggage or other effects in breach of the provisions of this section shall be guilty of an offence against this Act.

PART IV

VISITATION OF SHIPS IN DISTRICTS HAVING A DISTRICT MEDICAL OFFICER

Scope of this Part of this Act.

18. (1) This Part of this Act shall apply only to New Providence and to such of the Out Island districts of The Bahamas as have for the time being a district medical officer.

(2) If at any time the district medical officer of an Out Island district shall be absent from such district, without leaving any duly qualified medical practitioner to discharge his duties, or if for any other reason his services are not available this Part of this Act shall not apply to such district but the visitation of vessels in any such case shall be governed by Part V of this Act.

19. Every ship arriving at any port of The Bahamas, to which this Part of this Act applies, from any place outside The Bahamas, shall be visited on its arrival by a visiting officer.

Every ship to be visited on arrival by visiting officer.

20. It shall be the duty of the visiting officer on visiting any ship under the provisions of section 19 of this Act —

Duties of visiting officer.

- (a) to inspect all persons on board, and any part of the ship that he may think necessary;
- (b) to inspect the bill of health and any other document belonging to the ship which he may think necessary;
- (c) to ascertain the name of the port from which the ship sailed on the voyage and of all other ports at which she may have touched in the course of the voyage;
- (d) to make strict inquiries as to the state of health of all persons on board before leaving the port of departure, during the voyage and on arrival;
- (e) to make any other inquiries that he may think necessary.

21. If the visiting officer, after making the inspections and inquiries authorised by section 20 of this Act is satisfied —

When visiting officer should admit ship to pratique.

- (a) that the ship is a healthy ship within the meaning of this Act;
- (b) that she has not come from or touched at an infected place or any port from which the health officer has been ordered to visit arrivals under section 9 of this Act;
- (c) that she carries a bill of health in accordance with section 12 of this Act;
- (d) that no further inquiries are necessary,

he shall in every such case admit the ship to pratique.

When he should report to medical officer.

- 22.** If the visiting officer shall be of the opinion —
- (a) that she has come from or touched at an infected place, or a place from which the health officer has been ordered to visit arrivals under section 9 of this Act;
 - (b) that she is a suspected or an infected ship within the meaning of this Act;
 - (c) that she has no bill of health in accordance with section 12 of this Act;
 - (d) that further inquiries are necessary,

he shall in every such case cause the yellow flag to be hoisted or if there is no yellow flag on board the national ensign of the ship at half mast and shall make a report to the district medical officer in accordance with the form given in the Second Schedule to this Act.

Second Schedule.

Duties of medical officer.

23. (1) If the medical officer on receiving the report of the visiting officer shall be of opinion that no further inquiry is necessary and that the ship is entitled to be admitted to pratique, he shall direct the visiting officer to admit the ship to pratique.

(2) In all other cases he shall himself without delay visit the ship and shall make all such further investigations as he may think necessary.

(3) If he shall thereupon be of opinion that the ship is entitled to be admitted to pratique, he shall admit the ship to pratique.

(4) In all other cases he shall take all such measures as may be prescribed by rules made under the authority of this Act.

(5) Upon being satisfied that all the prescribed measures have been taken and all the prescribed conditions complied with, he shall admit the ship to pratique.

In certain cases visiting officer and medical officer to visit together.

- 24.** In the following cases, that is to say —
- (a) where it is known that the ship has come from or touched at an infected place or at any port from which the health officer has been ordered to visit arrivals under section 9 of this Act;
 - (b) where it is known that the ship is an infected or suspected ship;

- (c) where, in the case of New Providence, the ship is anchored at South West Bay, Cochrane’s Anchorage or Salt Cay Anchorage,

the visiting officer and the medical officer shall visit the ship together and sections 19 to 23 of this Act inclusive shall apply to every such visit with such modifications as may be necessary under the circumstances.

25. Any master or other person who upon the visit of the visiting officer or of the health officer —

Offences by masters of ships.

- (a) shall refuse to permit, or shall in any way obstruct the inspection of himself or any person on board, or of any part of the ship;
- (b) shall refuse to produce the bill of health or any other document belonging to the ship that may be in his possession or power;
- (c) shall refuse to answer or shall wilfully give a false answer to any question put to him,

shall be guilty of an offence against this Act.

26. (1) In the event of any case of disease occurring on board any ship in any port to which this Part of this Act applies after such ship has been visited by the proper officer or officers, it shall be the duty of the master —

Outbreak of disease occurring after arrival of ship.

- (a) to report the case to the health officer;
- (b) to prevent any person from landing until he shall have been examined by the health officer.

(2) Any master who shall wilfully commit any breach of the provisions of this section shall be guilty of an offence against this Act.

(3) Any person who having been prohibited by the master from landing under the provisions of this section, shall wilfully land or attempt to land in breach of such prohibition, shall be guilty of an offence against this Act.

27. (1) It shall be the duty of the health officer on receiving notice or becoming otherwise aware of the existence of any case of disease on board any ship under the circumstances specified in section 26 of this Act immediately to visit the said ship.

Duty of health officer in such cases.

(2) If it shall appear on examination that the disease is an infectious or contagious disease, the health officer shall suspend the ship from further pratique.

(3) Every such ship shall thereupon be deemed to be and shall be dealt with in all respects in the same manner as a ship arriving with a case of infectious or contagious disease on board.

PART V
VISITATION OF SHIPS IN DISTRICTS NOT
HAVING A DISTRICT MEDICAL OFFICER

Scope of this Part of this Act.

28. This Part of this Act shall apply only to such of the Out Island districts of The Bahamas as have not for the time being a district medical officer.

Every ship to be visited on arrival by health officer.

29. Every ship arriving from outside The Bahamas at any port to which this Part of this Act applies, shall be visited immediately upon its arrival by a health officer.

Duty of health officer on visiting ship.

30. It shall be the duty of the health officer, on visiting any ship under the provisions of section 29 of this Act —

- (a) to inspect all persons on board and any part of the ship that he may think necessary;
- (b) to inspect the bill of health and any other document belonging to the ship which he may think necessary;
- (c) to ascertain the name of the port from which the ship sailed on the voyage and of all other ports at which she may have touched in the course of the voyage;
- (d) to make strict inquiries as to the state of health of all persons on board before leaving the port of departure, during the voyage and on arrival;
- (e) to make any other inquiries that he may think necessary.

Conditions of admission to pratique.

31. (1) If the health officer, after making the inspections and inquiries authorised by section 30 of this Act shall be satisfied —

- (a) that the ship is a healthy ship within the meaning of this Act;
- (b) that she has not come from or touched at an infected place;

- (c) that she carries a bill of health in accordance with the provisions of this Act;
- (d) that no further inquiries are necessary, he shall admit the ship to pratique.

(2) In all other cases he shall take all such measures as may be prescribed by rules made under the authority of this Act.

(3) Upon being satisfied that all the prescribed measures have been taken and all the prescribed conditions complied with, he shall admit the ship to pratique.

32. Any master or other person who, upon the visits of a health officer —

Offences by masters of ships.

- (a) shall refuse to permit or shall in any way obstruct the inspection of himself or of any person on board, or of any part of the ship;
- (b) shall refuse to produce the bill of health or any other document belonging to the ship that may be in his possession or power;
- (c) shall refuse to answer or shall wilfully give a false answer to any question put to him,

shall be guilty of an offence against this Act.

33. (1) In the event of any case of disease occurring on board any ship in any port to which this Part of this Act applies after such ship shall have been visited by the health officer, it shall be the duty of the master —

Outbreak of disease occurring after arrival of ship.

- (a) to report the case to a health officer;
- (b) to prevent any person from landing until he shall have been examined by a health officer.

(2) Any master who shall wilfully, commit any breach of the provisions of this section shall be guilty of an offence against this Act.

(3) Any person who having been prohibited by the master from landing under the provisions of this section shall wilfully land or attempt to land in breach of such prohibition, shall be guilty of an offence against this Act.

34. (1) It shall be the duty of a health officer on receiving notice or becoming otherwise aware of the existence of any case of disease on board any ship under the circumstances specified in section 33 of this Act, immediately to visit the said ship.

Duty of health officer in such cases.

(2) If it shall appear on examination that the disease is an infectious or contagious disease, he shall suspend the ship from further pratique.

(3) Every such ship shall thereupon be deemed to be and shall be dealt with in all respects in the same manner as a ship arriving with a case of infectious or contagious disease on board.

PART VI DETENTION IN QUARANTINE

Place of performance of quarantine.

35. Subject to the approval of the health officer, all persons ordered to be detained in quarantine may perform such quarantine at the option of the master of the ship on which they shall have arrived in The Bahamas either on board the ship or at the quarantine station appointed for the purpose.

Provision of additional accommodation in emergency.

36. In any case of emergency for which the accommodation provided in any established quarantine station shall prove to be inadequate, or for which there is no established quarantine station, it shall be lawful for the health officer, if circumstances do not permit of his obtaining the authorisation of the Minister under section 7 of this Act, to hire or otherwise obtain such additional accommodation as may be necessary:

E.L.A.O., 1974.

Provided that in every such case the health officer shall at the earliest opportunity report the circumstance to the Minister.

Appointment and duties of health guards.

37. (1) In all cases in which any ship or any person is detained in quarantine, it shall be lawful for the health officer to appoint such number of persons as may be necessary to act as health guards.

(2) It shall be the duty of all persons so appointed under the directions of the health officer to carry out and enforce the provisions of this Act and of all rules made under the authority thereof, and they shall be entitled to use all such reasonable force as may be necessary for the purpose.

38. Any health guard who shall —

Offences by health guards.

- (a) desert from duty;
- (b) negligently fail to attend at the place assigned to him;
- (c) permit or connive at any breach of any of the provisions of this Act, or of any rule made under the authority thereof,

shall be guilty of an offence against this Act.

39. Any person who shall wilfully obstruct or interfere with, or shall wilfully refuse or neglect to carry out the lawful directions of any health guard acting in discharge of his duties under this Act shall be guilty of an offence against this Act.

Offences against health guards.

40. (1) It shall be the duty of the master of every ship detained in quarantine —

Duties of master of ship detained in quarantine.

- (a) to proceed with the ship to the quarantine station;
- (b) during the day to hoist and keep flying a yellow flag;
- (c) during the night to hoist and keep alight a quarantine light;
- (d) to prevent any person on board from leaving the ship without the written authority of the health officer;
- (e) to prevent any person from coming on board the ship without the written authority of the health officer;
- (f) to prevent the landing of any cargo or any article on board the ship without the written authority of the health officer.

(2) Any master who shall wilfully commit a breach of the provisions of this section shall be guilty of an offence against this Act.

41. (1) It shall be the duty of every person in charge of a quarantine station in which any person shall be detained —

Duties of person in charge of quarantine station.

- (a) during the day to hoist and keep flying a yellow flag;
- (b) to prevent any person detained in the station from departing from the precincts thereof without the written authority of the health officer;

(c) to prevent any person from entering the station without the written authority of the health officer.

(2) Any person wilfully committing any breach of the provisions of this section shall be guilty of an offence against this Act.

Duties of persons detained in quarantine.

42. (1) It shall be the duty of every person detained in quarantine —

(a) if the quarantine is to be performed at a quarantine station to proceed thereto according to the directions of the health officer, and there remain until the completion of the quarantine or until he shall be otherwise discharged therefrom by the health officer;

(b) if the quarantine is to be performed on board ship, to remain on board ship until the completion of the quarantine or until he shall be otherwise discharged therefrom by the health officer.

(2) Any person wilfully committing any breach of any of the provisions of this section shall be guilty to an offence against this Act.

Power to employ compulsion in certain cases.

43. In the following cases, that is to say —

(a) if the master of any ship ordered to be detained in quarantine, or any person ordered to be detained in quarantine, shall refuse or neglect to proceed to the quarantine station according to the directions of the health officer;

(b) if any ship or any person detained in quarantine shall depart from the quarantine station without the written permission of the health officer, and if the master of the said ship or the said person on being directed to return to the said quarantine station shall refuse or neglect to do so,

it shall be lawful for the health officer or any person whom he may call to his assistance to enforce the removal of the said ship or the said person according to his directions, and to use all necessary means for the purpose.

44. (1) Any person who shall knowingly go on board any ship detained in quarantine or who shall enter any quarantine station in which any person may be detained in quarantine without the written permission of the health officer shall be guilty of an offence against this Act.

No unauthorised person to board ship in quarantine or enter quarantine station.

(2) Every such person, in addition to any penalty to which he may be liable under this Act, shall be deemed to be a person ordered to be detained in quarantine, and shall be detained accordingly, unless the health officer shall otherwise order.

45. Any person who shall knowingly —

- (a) assist any person detained in quarantine in unlawfully departing from the ship or station in which he is so detained;
- (b) land or attempt to land or assist in landing any cargo or other article on board any ship detained in quarantine without the written permission of the health officer,

Assisting unlawful departures or landing of cargo.

shall be guilty of an offence against this Act.

**PART VII
MEDICAL SUPERVISION**

46. This Part of this Act shall apply only to New Providence and to such of the Out Island districts of The Bahamas as have for the time being a district medical officer.

Scope of this Part of this Act.

47. (1) It shall be the duty of all persons subjected to medical supervision in lieu of quarantine to present themselves daily for medical inspection in such manner, at such place and at such times as shall be directed by the health officer.

Duty of persons under medical supervision.

(2) Any person wilfully committing any breach of any of the provisions of this section shall be guilty of an offence against this Act, and in addition to any penalty which he may thereby incur shall forfeit any deposit, which he may have been required to make as a condition of such supervision.

(3) It shall be lawful for any health officer to whom any person shall have been ordered to present himself for medical supervision, if such person shall refuse or neglect so to present himself, in his discretion to order such person to be detained in quarantine.

Duty of health officer.

48. It shall be the duty of any health officer to whom any person shall have been ordered to present himself for medical supervision —

- (a) to inspect the person so presenting himself, or in the event of such person failing to present himself to visit such person;
- (b) to report the result of such inspection or visit to the Minister, and in cases where the order shall have been made by another health officer, to such other health officer;
- (c) in the event of any such person developing symptoms of a disease of doubtful character, to detain such person, if he shall think fit, in temporary quarantine in accordance with this Act until he shall be able to ascertain the nature of the disease;
- (d) in the event of any such person developing symptoms of an infectious or contagious disease, to detain such person in quarantine in accordance with this Act.

Power to isolate, elsewhere than in quarantine station.

49. (1) It shall be lawful for the health officer in either of the cases specified in section 48 of this Act, if he shall be satisfied that the isolation of the person developing the disease may be satisfactorily secured in some place other than the quarantine station, to allow such person to remain in or be removed to such other place, and to take all such measures for enforcing the proper isolation of such person as he may deem necessary.

(2) Any person who shall wilfully interfere with or obstruct the isolation of any such person as directed by the health officer shall be guilty of an offence against this Act.

PART VIII INTERINSULAR PROTECTION

Duty of health officer on outbreak of disease.

50. It shall be the duty of the health officer of any district of The Bahamas in which there shall occur an outbreak of any infectious or contagious disease to notify such outbreak to the Minister at the first opportunity.

Power to detain ships and persons.

51. (1) It shall be lawful for the health officer of any such district in his discretion to prevent any ship or any person from departing from any part of his district in

which such outbreak shall have occurred to any other part of The Bahamas, during the continuance of the outbreak, and to use all such necessary means as may be in his power for the purpose of securing the detention of such ship or person.

(2) Any person who shall wilfully disobey the directions of any health officer acting in the execution of the powers conferred upon him by this section, shall be guilty of an offence against this Act.

52. (1) It shall be lawful for the Minister in the event —

Power of Minister to declare district infected.
E.L.A.O., 1974
First Schedule.

- (a) of any outbreak of any of the diseases specified in Part I of the First Schedule to this Act occurring in any district of The Bahamas;
- (b) of any outbreak of any of the diseases specified in Part II of the First Schedule to this Act occurring in any district of The Bahamas in an epidemic form,

to make an Order declaring such district an infected district.

(2) Every such Order shall be of limited duration only, and shall state therein the period for which it is limited.

53. When any district of The Bahamas has been declared an infected district under section 52 of this Act, all ships arriving from such district at any port of The Bahamas shall, for the purposes of this Act, be deemed to be and shall be dealt with in all respects in the same manner as ships arriving from an infected place outside The Bahamas.

Ships from infected district, how dealt with.

54. (1) It shall be the duty of the master of any ship arriving at any port of The Bahamas from any other district of The Bahamas on board of which —

Outbreak of disease on ship arriving from another district of The Bahamas.

- (a) any person shall be suffering from any disease;
- (b) any person shall fall sick of any disease while the ship is in port,

to report the matter to the health officer, and not to allow any person to land without the written permission of the health officer.

(2) If on examination by the health officer such person appears to be suffering from any infectious or contagious disease, the ship shall, for the purposes of this Act, be deemed to be and shall be dealt with in all respects as being an infected ship arriving from a port outside The Bahamas.

(3) Any master who shall wilfully commit any breach of any of the provisions of this section shall be guilty of an offence against this Act.

(4) Any person who, having been prohibited by the master of any ship from landing under the provisions of this section, shall wilfully land or attempt to land in breach of such prohibition shall be guilty of an offence against this Act.

PART XI CHARGES AND EXPENSES

Expenses of
disinfection.

55. (1) The expenses of disinfecting, fumigating or otherwise cleansing any ship or premises in accordance with this Act or rules made under the authority thereof shall be a debt to the Crown from the owner or agent of the said ship or from the owner or occupier of the said premises.

(2) The said expenses may be collected and sued for by the health officer on behalf of the Crown and when collected shall be paid into the Consolidated Fund.

(3) It shall be lawful for the health officer in the case of ship to detain such ship until the said expenses are paid.

(4) The master of any ship detained by a health officer under the provisions of this section who shall escape or attempt to escape from such detention shall be guilty of an offence against this Act.

General
expenses.

56. There shall be payable out of the Consolidated Fund by warrant in the usual manner all expenses of and incidental to the following purposes —

- (a) the hire of health guards;
- (b) the hire of nurses or attendants on sick persons detained in any quarantine hospital or otherwise isolated in accordance with this Act;

- (c) the provision of additional accommodation under section 36 of this Act;
- (d) the maintenance of sick or destitute persons detained in any quarantine station;
- (e) the provision of disinfectants, drugs and hospital accessories required for the purpose of this Act;
- (f) the destruction of clothes, bedding or other articles under the authority of this Act;
- (g) the distribution of public information under section 8 of this Act.

**PART X
GENERAL OFFENCES, PROCEDURE AND
PENALTIES**

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| <p>57. Any person wilfully committing any breach of any of the provisions of any rule made under the authority of this Act shall be guilty of an offence against this Act.</p> | <p>Offences against rules.</p> |
| <p>58. Any person wilfully obstructing or interfering with any health officer acting in the discharge of his duties under this Act or any rule made under the authority thereof, shall be guilty of an offence against this Act.</p> | <p>Obstructing health officer.</p> |
| <p>59. Any person guilty of an offence against this Act shall be liable to a penalty of two hundred dollars, or in default of payment to be imprisoned for six months.</p> | <p>Penalties for offences.
<i>5 of 1987, s. 2.</i></p> |
| <p>60. All offences against this Act shall be triable summarily.</p> | <p>All offences triable summarily.</p> |
| <p>61. All sums recoverable under this Act shall be recoverable summarily.</p> | <p>All sums recoverable summarily.</p> |
| <p>62. In any case in which it is provided in this Act that any fees or expenses shall be recoverable from the owner of agent of any ship, the court before which such fees or expenses are sought to be recovered shall have power at any stage of the proceedings and at any time after judgment so long as such judgment shall remain in force, to arrest the ship, and in default of payment of any sum due on such judgment, to sell the ship or any of her appurtenances in satisfaction thereof.</p> | <p>Enforcement of sums due against ship.</p> |

Protection of
officers.

63. (1) No proceedings shall be taken by any person aggrieved against any health officer, visiting officer, health guard, peace officer or any other persons acting in the execution or intended execution of any of the powers conferred upon him by this Act, unless due notice in writing shall have been given to such officer or other person, or served at his usual place of residence, specifying the grounds of complaint of such person aggrieved, and unless one month, or, in the case of persons resident in an Out Island district, six weeks have elapsed since the receipt of service of such notice.

(2) On the receipt of such notice any such officer or other person may tender amends, and if on the trial of the case it shall be determined that such tender was sufficient, he shall be entitled to judgment.

(3) All such proceedings shall be commenced within three months of the receipt of service of such notice, and shall be confined to the grounds of complaint specified in such notice.

(4) In any such proceedings the defendant may plead the general issue, and under such plea may give any special matter of defence, excuse or justification in evidence.

(5) In any such proceedings it shall be a defence that the defendant acted in good faith and with reasonable and probable cause.

Mode of setting
value of property
destroyed.

64. The value of any clothing, bedding or other articles destroyed by any health officer in accordance with the provisions of this Act, shall be determined by such health officer and in every such case the determination of the health officer shall be final.

FIRST SCHEDULE (Sections 2 and 52)**PART ONE**

Plague.	Yellow fever.
Cholera.	Smallpox.

PART TWO

Scarlet fever or scarlatina.	Whooping cough.
Diphtheria.	Chicken pox.
Typhoid or enteric fever.	Measles.

Any other disease declared to be an infectious or contagious disease for the purpose of this Act by the Minister by Order. *E.L.A.O., 1974.*

SECOND SCHEDULE (Section 22)**REPORT BY VISITING OFFICER TO MEDICAL OFFICER**

Name of ship.
 Number of crew.
 Number of passengers.
 Port of departure.
 Ports touched at on voyage.
 Health of crew.
 (A) In port of departure.
 (B) During voyage.
 (C) On arrival.
 Health of passengers.
 (A) In port of departure.
 (B) During voyage.
 (C) On arrival.
 Condition of bill of health.
 Reason why visit of health officer thought necessary.

THIRD SCHEDULE (Section 6(1))*16 of 1909, s. 2.*

Plague.	Smallpox.
Cholera.	Trachoma.
Yellow fever.	