



EXTRAORDINARY

OFFICIAL GAZETTE

THE BAHAMAS

PUBLISHED BY AUTHORITY

NASSAU

12th November, 2021

(A)

HEALTH SERVICES (COVID 19)(PREVENTION AND MANAGEMENT OF COMMUNITY SPREAD) RULES, 2021

Arrangement of Rules

Rule	
PART I - PRELIMINARY	3
1. Citation and commencement.....	3
2. Application of Rules.....	3
3. Declaration of Covid 19 pandemic.....	3
4. Interpretation.....	3
PART II – DOMESTIC AND INTERNATIONAL TRAVEL	5
INTERNATIONAL TRAVEL	5
5. Entry requirements for citizens, legal residents and visitors.....	5
6. Requirements for issue of travel health visa.	5
7. Cruise ship passengers.....	6
8. Failure to comply with conditions of entry.....	6
DOMESTIC TRAVEL	7
9. Inter island travel.....	7
VALIDITY OF COVID 19 TEST RESULTS	7
10. Validity of Covid 19 test results.....	7
EXEMPTIONS FROM REQUIREMENT TO UNDERGO COVID 19 TESTING	8
11. Exemption where re-entry is within twenty-four hours of departure.....	8
12. Exemption for emergency travel from Second Schedule islands.....	8
13. Exemption for specified categories of persons.....	8
MANDATORY POST ENTRY COVID 19 TESTING REQUIREMENTS	9
14. Mandatory requirement for secondary testing.	9
15. Mandatory requirement for screening and testing of symptomatic persons.....	9
PART III – PREVENTION AND MANAGEMENT OF COMMUNITY SPREAD	10
OBLIGATION TO REPORT	10
16. Duty of head of household, etc., to report outbreak of Covid 19.....	10
17. Duty of operator of residential care establishment to report outbreak of Covid 19.....	10

QUARANTINE AND ISOLATION	11
18. Quarantine of persons suspected to be at risk for Covid 19.....	11
19. Imposition of screening and other restrictions and requirements.....	12
20. Screening requirements.....	12
21. Mandatory isolation of persons tested positive with Covid 19.....	13
22. Monitoring of persons in quarantine or isolation.....	14
23. Offences in respect of violation of quarantine or isolation.....	15
24. Release from quarantine or isolation.....	15
BUSINESSES OPERATIONS	15
25. Businesses.....	15
26. Residential care establishments.....	16
27. Educational instruction.....	16
28. Salons, barbershops, and spas.....	16
29. Restaurants.....	17
30. Public transportation.....	17
RELIGIOUS INSTRUCTION, SOCIAL GATHERINGS AND OTHER ACTIVITIES	17
31. Religious instruction and activities.....	17
32. Graveside funerals.....	18
33. Social gatherings.....	18
34. Recreational and competitive sporting activity or exercise.....	18
35. Professional sporting activity.....	19
36. Spectators at recreational competitive and professional sporting activity.	19
PART IV – MISCELLANEOUS	20
37. Failure to comply.....	20
38. General penalty.....	20
39. Restriction on visitation at a quarantine or isolation station.....	20
40. Causing infection to another.....	21
41. Requirement to prove vaccination.	21
42. Requirement to present negative test result.....	21
FIRST SCHEDULE	23
SECOND SCHEDULE	24

HEALTH SERVICES ACT

(CHAPTER 231)

HEALTH SERVICES (COVID 19)(PREVENTION AND MANAGEMENT OF COMMUNITY SPREAD) RULES, 2021

The Minister, in exercise of the powers conferred by section 29 of the Health Services Act (Ch. 231) makes the following rules —

PART I - PRELIMINARY

1. Citation and commencement.

- (1) These Rules may be cited as the Health Services (Covid 19)(Prevention and Management of Community Spread) Rules, 2021.
- (2) These Rules shall come into operation on the 13th day of November, 2021.

2. Application of Rules.

These Rules shall apply to all the islands of The Bahamas, unless otherwise specified and shall be read and construed in conjunction with the Health Services (Covid 19)(General) Rules, 2021.

3. Declaration of Covid 19 pandemic.

For the purposes of section 29(2)(a)(ix) of the Act, it is hereby declared that there exists in The Bahamas a pandemic of Covid 19.

4. Interpretation.

In these Rules —

“**accredited lab**” means a lab outside The Bahamas which is authorised in that jurisdiction to perform Covid 19 tests;

“**business**” means an organization engaged in commercial, industrial or professional activities;

“**Covid 19**” means the coronavirus disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“**Covid 19 protocols**” means the protocols provided in rules 8, 9, and 10 of the Health Services (Covid 19)(General) Rules, 2021;

“Covid-19 test” —

- (a) means any molecular test methods utilizing nucleic acid amplification (“NAAT”) or antigen tests as recommended by the World Health Organization, for the diagnosis or identification of acute infection with SARS-CoV-2 by detecting unique gene targets of one or more of specific proteins of the SARS-CoV-2 and approved by the Ministry; and
- (b) includes a rapid antigen test or a RTPCR test;

“fully vaccinated” in relation to a person means that two weeks have elapsed since the person has received the required doses of a vaccine —

- (a) authorised by the World Health Organisation or by a Stringent Regulatory Authority as defined by the Caribbean Public Health Agency; and
- (b) which has received an Emergency Use Licence (EUL) from the World Health Organisation;

“isolation station” has the meaning ascribed thereto in section 2 of the Act;

“mandatory isolation” means the separation from others of a person who has tested positive for Covid 19;

“medical officer of health” means any medical officer appointed to be a medical officer of health and includes the Chief Medical Officer and a district medical officer;

“medical practitioner” means a person who is registered to practice medicine or surgery under the Medical Act, 2014 (*No. 29 of 2014*), and who possesses the qualification under section 16 of that Act;

“Ministry” means the ministry responsible for public health;

“quarantine” means the separation from others of a person who has been exposed to Covid 19 for a period of at least fourteen days;

“residential care establishment” means an establishment which provides residential care services for compensation to persons in need of care by reason of old age, disablement, social dislocation or a past or present dependence on alcohol or drugs and is registered and licensed under the Residential Care Establishments Act (*Ch. 235A*);

“social gathering” means a gathering of persons present together in the same place in order to engage in social interaction and includes but not limited to, a wedding not held in a church, a wedding reception or a repast;

“**Surveillance Unit**” means the unit within the Ministry, headed by a medical officer of health, which collects, analyses and interprets data on infectious diseases;

“**symptomatic**” means that a person is exhibiting symptoms of Covid 19 which indicate that the person is or may be suffering from Covid 19.

PART II – DOMESTIC AND INTERNATIONAL TRAVEL

INTERNATIONAL TRAVEL

5. Entry requirements for citizens, legal residents and visitors.

Except as otherwise provided in this Part —

- (a) a citizen or legal resident of The Bahamas who presents a travel health visa; or
- (b) a visitor who —
 - (i) presents a travel health visa;
 - (ii) complies with all other legal requirements for entry pursuant to the provisions of the Immigration Act (*Ch. 191*),

shall be permitted to enter The Bahamas.

6. Requirements for issue of travel health visa.

- (1) An applicant for a travel health visa who —
 - (a) is fully vaccinated against Covid 19, shall —
 - (i) submit, via the travel health visa portal, documentary evidence that he is fully vaccinated against Covid 19;
 - (ii) undergo a Covid 19 test administered by an accredited lab no more than five days before travel is to commence; and
 - (iii) submit or cause to be submitted to the Ministry via its travel health website, results of the test, together with his contact and other required information;
 - (b) is not fully vaccinated against Covid 19, shall —
 - (i) undergo a RTPCR administered by an accredited lab; and
 - (ii) submit or cause to be submitted to the Ministry via its travel health website, results of the test, together with his contact and other required information;
 - (c) is a child, between the age of five and eleven years —

- (i) shall undergo a Covid 19 test administered by an accredited lab no more than five days before travel is to commence; and
 - (ii) the parent or guardian of that child shall submit or cause to be submitted, to the Ministry via its travel health website, results of the test, together with the parent or guardian's contact and other required information; and
- (d) is approved for a travel health visa, shall pay the fee as set out in the *First Schedule*.
- (2) A travel health visa issued to a person referred to in this rule, shall be valid for travel into The Bahamas for the period of validity of the Covid 19 test taken to obtain the travel health visa in accordance with rule 10.
- (3) The holder of a valid travel health visa shall not be required to undergo a further Covid 19 test to embark upon inter island travel where the test submitted to obtain the travel health visa is still valid at embarkation.

7. Cruise ships.

- (1) A cruise ship which is on a passenger voyage shall not be permitted to enter a port in The Bahamas (including a private stop) unless —
 - (a) the captain or master of the cruise ship transmits a crew and passenger manifest to the medical officer of health present at that port, which discloses the vaccination status of all persons prior to arriving at the port;
 - (b) all passengers who are twelve years and older were fully vaccinated prior to embarking on the cruise ship at the start of the voyage; and
 - (c) the health protocols, previously submitted by its cruise line to the Minister and approved by the Minister, has been complied with.
- (2) Paragraph (1)(b) shall not apply to —
 - (a) the crew, contractors and any non-revenue passenger of that cruise ship and whatever protocols that were previously agreed to between the Government of The Bahamas and each cruise line in relation to its crew, contractors and non-revenue passenger shall remain in effect;
 - (b) a cruise ship attempting to call at a port in an emergency, or in other exigent circumstances approved by the Government of The Bahamas;
 - (c) an unvaccinated passenger who is ineligible for the COVID 19 vaccination due to medical contraindications.
- (3) Notwithstanding rule 14, a person entering The Bahamas on a cruise ship, will be subjected to the testing requirements mandated by the cruise line and approved by the Minister.

8. Failure to comply with conditions of entry.

- (1) A citizen or legal resident of The Bahamas who enters The Bahamas and fails to comply with these Rules commits an offence and may be —
 - (a) detained at an appropriate place designated by the Minister; and
 - (b) screened in accordance with rule 20.
- (2) A visitor who enters The Bahamas and fails to comply with these Rules, commits an offence and shall be —
 - (a) detained at an appropriate place designated by the Minister;
 - (b) screened in accordance with rule 20; and
 - (c) liable to deportation to the last port of embarkation, at the earliest opportunity.
- (3) Where a visitor is detained at a private place, the costs associated with his detention shall be at his own expense.

DOMESTIC TRAVEL

9. Inter island travel.

- (1) A person who travels inter island as a passenger in any aircraft or vessel, from an island listed in the *Second Schedule*, shall at the point of embarkation, produce to the operator of the aircraft or vessel —
 - (a) if he is fully vaccinated, the negative results of a rapid antigen test or RTPCR test;
 - (b) if he is not fully vaccinated, the negative results of his RTPCR test; or
 - (c) proof of his exemption from the requirement to undergo a Covid 19 test.
- (2) A person who travels inter island from an island listed in the *Second Schedule* —
 - (a) and is the operator of a private aircraft or vessel on which he is travelling, shall produce the negative result of his Covid 19 test to the officer in command of the port of entry;
 - (b) shall, when asked to do so, produce the negative result of his Covid 19 test to an officer of the Royal Bahamas Police Force, the Royal Bahamas Defence Force or the Covid 19 Enforcement Unit.
- (3) A person referred to in this rule who does not comply with —
 - (a) the Covid 19 protocols as specified in the Health Services (Covid 19)(General) Rules, 2021;
 - (b) paragraphs (1) or (2);

- (c) a request made pursuant to paragraph (2)(b), commits an offence and is liable upon summary conviction to a fine not exceeding one thousand dollars.
- (4) A person who travels inter island from any island not listed in the *Second Schedule*, shall not be required to undergo a Covid 19 test.
- (6) Where the Minister makes an order restricting travel to or from any island under rule 5(2) of the Health Services (Covid 19)(General) Rules, 2021, every operator of an aircraft or vessel shall comply with that order unless exempted under rule 12.

VALIDITY OF COVID 19 TEST RESULTS

10. Validity of Covid 19 test results.

- (1) The results of a Covid 19 test administered —
 - (a) by a diagnostic facility in The Bahamas;
 - (b) by an accredited lab outside of The Bahamas, for the purpose of satisfying a requirement of entry into The Bahamas,shall be valid for a period of five days from and inclusive of the date on which the sample was taken.
- (2) A holder of a travel health visa whose journey to The Bahamas extends beyond the period of validity of a Covid 19 test, shall be permitted to enter The Bahamas provided the captain of the aircraft or vessel can prove at the point of entry into The Bahamas that —
 - (a) the aircraft or vessel's travel to The Bahamas commenced prior to the expiration of the Covid 19 test; and
 - (b) the travel to The Bahamas was direct with no prior stops to any other ports of call.

EXEMPTIONS FROM REQUIREMENT TO UNDERGO COVID 19 TESTING

11. Exemption where re-entry is within twenty-four hours of departure.

- (1) Where a person travels from The Bahamas and returns within a period of twenty-four hours, the person shall not be required to undergo a new Covid 19 test to re-enter The Bahamas.
- (2) Where a person travels from an island listed in the *Second Schedule* to any other island in The Bahamas and returns to the originating island within a period of twenty-four hours, the person shall not be required to undergo a new Covid 19 test.

12. Exemption for emergency travel from Second Schedule islands.

Where a person travels inter island from an island listed in the *Second Schedule*

- (a) for an emergency, evidenced by written confirmation from a medical officer of health, the Minister, the Commissioner of Police or an officer designated by the Commissioner of Police stating that the person has an emergency that requires inter island travel; or
- (b) as an employee of an operator of an aircraft or a vessel transporting freight or passengers in an emergency,

he shall not be required to undergo a Covid 19 test.

13. Exemption for specified categories of persons.

Notwithstanding rule 6, a person who is a pilot or crew member of a commercial air operator who is required to spend not more than one night in The Bahamas shall not be required to undergo a Covid 19 test in order to obtain a travel health visa for entry into The Bahamas.

**MANDATORY POST ENTRY COVID 19 TESTING
REQUIREMENTS**

14. Mandatory requirement for secondary testing.

- (1) Any person who is not fully vaccinated against Covid 19 and —
 - (a) enters The Bahamas; or
 - (b) travels inter island from New Providence,shall on the fifth day of his stay, be required to undergo a rapid antigen test and submit the result to the Ministry's via its travel health website.
- (2) A person referred to in paragraph (1), who is out to sea on the fifth day of his stay, shall be required to undergo a rapid antigen test at the first port of call thereafter and submit the result to the Ministry's via its travel health website.
- (3) Where the rapid antigen test indicates a positive result, that person shall be required to undergo a RTPCR test and submit to mandatory isolation in accordance with rule 21.
- (4) A person who fails to undergo a Covid 19 test in accordance with this rule commits an offence and is liable to a fine not exceeding one thousand dollars or to a term not exceeding one month's imprisonment.

15. Mandatory requirement for screening and testing of symptomatic persons.

- (1) Any person who has travelled to or is in The Bahamas and is symptomatic, shall forthwith —
 - (a) undergo screening and a rapid antigen test; and
 - (b) submit to quarantine in accordance with rule 18, if ordered by a medical officer of health.
- (2) Where the rapid antigen test of a symptomatic person is positive, that person shall submit to mandatory isolation pursuant to rule 21.
- (3) A person who refuses to undergo a rapid antigen test in accordance with this rule commits an offence and is liable to a fine not exceeding one thousand dollars.

**PART III – PREVENTION AND MANAGEMENT OF
COMMUNITY SPREAD**

OBLIGATION TO REPORT

16. Duty of head of household, etc., to report outbreak of Covid 19.

- (1) Where a resident of any household is symptomatic (hereinafter referred to as “the patient”), the head of the household to which such patient belongs, or his nearest relative, or other responsible adult in the house, or a person in charge of or in attendance on the patient, shall, as soon as he becomes aware or suspects that the patient is suffering from Covid 19, forthwith inform a medical practitioner that the patient is suffering or suspected to be suffering from Covid 19 and call him in to visit the patient.
- (2) Where a medical practitioner attends on a patient, he shall notify the Surveillance Unit that the patient is suffering from Covid 19 and submit —
 - (a) the patient's full name, age and sex;
 - (b) the patient's condition; and
 - (c) if applicable, a description of the situation of the patient's house.
- (3) Where a patient is not attended by a medical practitioner, the head of the household to which such patient belongs, or his nearest relative, or other responsible adult in the house, or a person in charge of, or in attendance on, the patient shall, as soon as he becomes aware or suspects that the patient is suffering from Covid 19 forthwith notify the Surveillance Unit that the patient is suffering or suspected to be suffering from Covid 19.

- (4) In the event of the death of a patient who —
 - (a) was attended by a medical practitioner at the time of his death, the medical practitioner shall inform a medical officer of health that the patient has died or is suspected by him to have died and the date of the death or suspected death.
 - (b) was not attended by a medical practitioner at the time of his death, the head of the household to which such patient belongs, or his nearest relative, or other responsible adult in the house, or a person in charge of or in attendance on the patient, shall inform a medical officer of health that the patient has died.

17. Duty of operator of residential care establishment to report outbreak of Covid 19.

- (1) Where a resident of any residential care establishment is symptomatic (hereinafter referred to as “the patient”), the operator of that establishment, shall, as soon as he becomes aware or suspects that the patient is suffering from Covid 19, forthwith inform a medical practitioner that the patient is suffering or suspected to be suffering from Covid 19 and call him in to visit the patient.
- (2) Where a medical practitioner attends on a patient, he shall notify the Surveillance Unit that the patient is suffering from Covid 19 and submit —
 - (a) the patient's full name, age and sex;
 - (b) the patient's condition; and
 - (c) if applicable, a description of the situation of the patient's house.
- (3) Where a patient is not attended by a medical practitioner, the operator shall, as soon as he becomes aware or suspects that the patient is suffering from Covid 19, forthwith notify the Surveillance Unit that the patient is suffering or suspected to be suffering from Covid 19.
- (4) In the event of the death of a patient who —
 - (a) was attended by a medical practitioner at the time of his death, the medical practitioner shall inform a medical officer of health that the patient has died or is suspected by him to have died and the date of the death or suspected death;
 - (b) was not attended by a medical practitioner at the time of his death, the operator of the residential care establishment, shall inform a medical officer of health that the patient has died.

QUARANTINE AND ISOLATION

18. Quarantine of persons suspected to be at risk for Covid 19.

Subject to rule 24, where a medical officer has reasonable grounds to believe that a person has been exposed to Covid 19 and the medical officer considers that there is a risk that the person might develop that infection, the medical officer may, for the purposes of screening, assessing and imposing requirements under rule 19, quarantine that person until the later of —

- (a) the end of the period of fourteen days beginning with the time from which the person's quarantine under this rule begins; or
- (b) such time as any screening requirements imposed on or in relation to the person under rule 19(1) have been complied with and the assessment referred to in that rule carried out in relation to the person.

19. Imposition of screening and other restrictions and requirements.

- (1) Where a person has been quarantined pursuant to rule 18, the medical officer shall —
 - (a) orally or in writing, impose, one or more screening requirements to determine whether such person presents or could present a risk of infecting others;
 - (b) carry out an assessment in relation to that person based on the result of the screening;
 - (c) based on the outcome of the assessment, orally or in writing —
 - (i) impose the continuation of the quarantine;
 - (ii) release the person from quarantine; or
 - (iii) transfer the person from quarantine to isolation.
- (2) A restriction or requirement imposed under paragraph (1) shall —
 - (a) be made where the medical officer considers the restriction or requirement appropriate;
 - (b) be varied, orally or in writing, by the medical officer.
- (3) Where a restriction or requirement under paragraph (1)(c) is imposed on or in relation to a child or any person who is mentally or intellectually incapacitated, a person who is a responsible adult in relation to the aforementioned person shall —
 - (a) ensure that there is compliance with the restriction or requirement, insofar as that person is reasonably able to do so;
 - (b) be provided with a written notification of the restriction or requirement imposed or varied as soon as reasonably practicable.

20. Screening requirements.

- (1) For the purposes of these Rules, a person required to undergo screening shall —
 - (a) answer questions in a truthful manner, about his health or other relevant circumstances, including travel history, symptoms, contact information about other individuals with whom he may have had contact;
 - (b) produce any documents which may assist a medical officer in assessing his health;
 - (c) allow a medical officer, or his designate, to take from the person a biological sample, including —
 - (i) his respiratory secretions, by appropriate means including but not limited to the swabbing of his nasopharyngeal cavity;
 - (ii) blood or saliva; and
 - (d) provide sufficient contact information to enable immediate contact by a medical officer during such period as the medical officer may specify.
- (2) Where a person is a child, or is mentally or intellectually incapacitated, and is accompanied by a responsible adult, the responsible adult must —
 - (a) ensure that the person answers questions in accordance with paragraph (1)(a);
 - (b) answer the questions, if the person is unable to do so or cannot reliably do so;
 - (c) produce any documents required under paragraph (1)(b), on such person's behalf;
 - (d) allow the medical officer to take from the child or person a biological sample, including —
 - (i) his respiratory secretions, by appropriate means including but not limited to the swabbing of his nasopharyngeal cavity;
 - (ii) blood or saliva; and
 - (e) provide information under paragraph (1)(d) to the medical officer as may be required by the medical officer.

21. Mandatory isolation of persons tested positive with Covid 19.

- (1) A medical officer of health shall require a person to be kept in isolation in accordance with this rule, if that person has tested positive for, or has been reported by a medical practitioner to be suffering from, Covid 19 and he considers it necessary and proportionate to do so in order to reduce or remove the risk of that person infecting others.

- (2) Where a medical officer of health determines that a person should be kept in isolation under paragraph (1), he shall notify that person, or where the person is a child or is mentally or intellectually incapacitated, notify a responsible adult in relation to that person, of —
 - (a) the decision requiring his isolation and the conditions of his isolation;
 - (b) the authority under which he is to be kept in isolation and the reason for his isolation;
 - (c) any steps required to be taken during isolation and by whom;
 - (d) the obligation of the medical officer of health to keep the continued isolation of that person under review;
 - (e) the penalties for —
 - (i) absconding or attempting to abscond from isolation;
 - (ii) intentionally or recklessly providing false information to the medical officer; or
 - (iii) refusing to comply with any restriction or requirement specified by the medical officer in contravention of rule 19; and
 - (f) the requirement that the responsible adult isolate in the same house or part of a house in which the infected person has been isolated, until the medical officer is satisfied that the person is no longer able to transmit Covid 19.
- (3) If in the opinion of the medical officer of health —
 - (a) such house or part of a house can be used as an effectual place for the isolation of such person, such house shall be deemed an isolation station;
 - (b) the person cannot be effectually isolated in the house or part of the house in which the person is presently located, then the medical officer of health may cause the person —
 - (i) to be removed to another isolation station or hospital and to be isolated there until he is satisfied that the person is no longer infected with or able to transmit Covid 19; or
 - (ii) to be detained until he is satisfied that the person is no longer infected with or able to transmit Covid 19, in an isolation station or hospital where the person fails to comply with any of the conditions of his isolation.
- (4) Where the medical officer of health determines that a person should be kept in isolation under this rule, he may impose on or in relation to that person, restrictions or requirements, including on-going screening requirements and tracing of contacts.

- (5) The medical officer of health shall give to a person who is required to be kept in isolation, an isolation card that outlines the circumstances of the isolation including —
- (a) the place of isolation;
 - (b) the length of time he will be in isolation; and
 - (c) any restrictions or requirements that the person must adhere to, and the isolation card shall be signed by that person and a copy retained by the medical officer of health.

22. Monitoring of persons in quarantine or isolation.

- (1) A person placed in quarantine or isolation, shall be monitored by persons authorized for tracing contacts of infected persons, the Ministry's, the Covid 19 Enforcement Unit, the Royal Bahamas Police Force or the Royal Bahamas Defence Force.
- (2) A medical officer of health shall, as a condition to monitoring under paragraph (1), require a person placed in quarantine or isolation to provide information to persons referred to in paragraph (1).

23. Offences in respect of violation of quarantine or isolation.

A person kept in quarantine or isolation by a medical officer of health under these Rules, who —

- (a) absconds, or attempts to abscond from quarantine or isolation;
- (b) intentionally or recklessly provides false information to the medical officer; or
- (c) fails to comply with any condition, restriction or requirement of his quarantine or isolation imposed by the medical officer,

commits an offence and is liable upon summary conviction to a fine not exceeding one thousand dollars or a term of imprisonment not exceeding two years or to both such fine and imprisonment.

24. Release from quarantine or isolation.

The medical officer shall issue a 'release from isolation letter' where he is satisfied the contact tracing, screening and monitoring indicate that the quarantined or isolated person is no longer at risk or infected with Covid 19.

BUSINESS OPERATIONS

25. Businesses.

- (1) Subject to the provisions in this Sub Part, this rule shall apply to all businesses.
- (2) Subject to paragraph (3), a business shall not operate unless that business —
 - (a) prepares a protocol document containing guidelines relevant to that business as issued or approved by the Ministry;
 - (b) completes the Ministry's workplace assessment online survey; and
 - (c) ensures that every employee has a copy of the approved protocol document to enable the employee to familiarise himself with the requirements of the protocols.
- (3) A business shall have a grace period of twenty-one days from the date of the commencement of these Rules in which it may continue to operate, pending compliance with the requirements of paragraph (2).
- (4) The Ministry may review, or cause the review of, any business to determine compliance with its protocol document, these Rules and the Health Services (Covid 19)(General) Rules, 2021.
- (5) A business which fails to comply with this rule may be subject to —
 - (a) on a first offence, to a fine not exceeding five thousand dollars;
 - (b) on a second offence, to a fine not exceeding ten thousand dollars;
 - (c) on a third or further offence, the suspension of its business licence for a period not exceeding three months.
- (6) The Minister may, on the advice of the Chief Medical Officer, order the closure of any business due to —
 - (a) an outbreak, spread or recurrence of Covid 19; or
 - (b) non-compliance with the Covid 19 protocols.
- (7) The determination to close any business pursuant to paragraph (6), shall be contingent on the full evaluation and assessment by the Surveillance Unit.

26. Residential care establishments.

- Every residential care establishment shall —
- (a) limit visiting hours to 8:00 am to 4:00 pm daily;
 - (b) ensure that all persons entering and remaining in the establishment shall adhere to all Covid 19 protocols;

- (c) have at least one isolation area that is clearly identified and appropriately equipped as may be specified by the Minister;
- (d) ensure that all employees are either fully vaccinated or submit to Covid 19 testing every three days; and
- (e) adhere to any guidelines issued or approved by the Ministry.

27. Educational instruction.

- (1) An educational institution may operate, provided —
 - (a) that all persons entering and remaining on the campus shall adhere to all Covid 19 protocols;
 - (b) that there is at least one isolation area that is clearly identified and appropriately equipped; and
 - (c) that all persons adhere to all guidelines issued or approved by the Ministry.
- (2) A person is permitted to operate a home school programme provided that any guidelines issued by the Ministry of Education are adhered to.

28. Salons, barbershops, and spas.

- (1) A hair stylist, barber or other cosmetologist may operate subject to being certified by the Ministry.
- (2) The operator of a salon, barbershop or spa shall ensure that the occupancy of the salon, barbershop or spa does not exceed one patron per service provider at any time.

29. Restaurants.

- (1) A restaurant may operate utilising inside dining, provided that —
 - (a) all patrons are fully vaccinated or have a valid negative rapid antigen test result;
 - (b) the maximum seating shall be fifty percent of the seating capacity of that restaurant with a minimum of thirty square feet per person;
 - (c) seating is arranged in accordance with physical distancing protocols;
 - (d) masks are worn by staff in accordance with the protocols;
 - (e) masks are worn by patrons when dining, at all times except when eating or drinking; and
 - (f) tables, chairs and other implements used by patrons are sanitised after each use.

- (2) A restaurant shall be permitted to operate utilising outside dining provided that all Covid 19 protocols are adhered to by staff and patrons and tables, chairs and other implements used by patrons are sanitised after each use.

30. Public transportation.

Subject to guidelines issued by the Ministry, a taxi service, private or public bus service shall operate at fifty percent of normal seating capacity.

RELIGIOUS INSTRUCTION, SOCIAL GATHERINGS AND OTHER
ACTIVITIES

31. Religious instruction and activities.

- (1) A church or place of religious instruction or worship may conduct services including a wedding or a funeral in accordance with the protocols established by The Bahamas Christian Council and approved by the Ministry.
- (2) A funeral service conducted in a church or a place of religious instruction shall be conducted without the presence of the remains in an urn or a casket inside the church.
- (3) Notwithstanding paragraph (1), a church or place of religious instruction or worship on an island listed in the *Second Schedule* may conduct services provided that —
 - (a) attendance is limited to thirty-three percent of the occupancy of the facility where the service is being conducted;
 - (b) the protocols established by The Bahamas Christian Council and approved by the Ministry are adhered to.

32. Graveside funerals.

A funeral service may be held at a graveside provided that all attendees and officiants adhere to —

- (a) the Covid 19 protocols; and
- (b) any protocols issued by the Bahamas Christian Council and approved by the Ministry are complied with.

33. Social gatherings.

- (1) A person may host or attend a social gathering at a private residence with not more than twenty persons or at a facility provided that —
 - (a) all attendees are fully vaccinated; and
 - (b) all Covid 19 protocols are adhered to.

- (2) A person may host or attend a social gathering held outdoors —
 - (a) provided that all attendees are either fully vaccinated or present a negative Covid 19 test;
 - (b) subject to adherence to all Covid 19 protocols.
- (3) For the purposes of this rule, a “facility” includes any venue, including a hotel, convention hall, ballroom, meeting rooms or other spaces, utilised for the hosting of a social gathering.
- (4) A person who hosts or attends a social gathering contrary to this rule commits an offence and is liable upon summary conviction —
 - (a) in the case of a host, to a fine not exceeding two thousand dollars and three hundred dollars for each person in attendance; and
 - (b) in the case of an attendee, to a fine not exceeding three hundred dollars.

34. Recreational and competitive sporting activity or exercise.

- (1) A group recreational and competitive sporting activity may be held provided that —
 - (a) persons engaged in active participation, coaches and persons officiating the sporting activity are fully vaccinated and present a negative Covid 19 result prior to the sporting activity;
 - (b) the number of persons intended to engage in active participation for any team sport is limited to the number of persons necessary for team play in that sport; and
 - (c) all persons, including team members, staff and officials who are not engaged in active participation, wear face masks at all times and remain physically distanced in accordance with the Covid 19 protocols.
- (2) A person may engage in indoor group exercise activity subject to rule 9(4) (a) of the Health Services (Covid 19)(General) Rules, 2021, provided that the group is limited to not more than ten persons.
- (3) A sporting activity promoted by an educational institution shall be conducted in accordance with guidelines or protocols as issued or approved by the Ministry pursuant to rule 25 of the Health Services (Covid 19)(General) Rules, 2021.

35. Professional sporting activity.

- (1) The Minister may authorise the hosting of a professional sporting activity subject to the compliance by the promoters and participants with these Rules.

- (2) A promoter of a professional sporting activity shall apply in writing to the Minister for authorisation and such application shall propose the creation of a bubble providing —
- (a) for the location of the activity;
 - (b) for the number of persons per team including the officials, players, coaches, trainers, strength coaches, equipment managers, security and front-office personnel;
 - (c) for the accommodation of the persons referred to in paragraph (b);
 - (d) for the frequency of Covid 19 testing of the persons referred to in paragraph (b);
 - (e) for the number of guests per team member provided that number does not exceed four;
 - (f) that the venue for the sporting activity has sufficient capacity to enable adherence to physical distancing protocols pursuant to rule 8 of the Health Services (Covid 19)(General) Rules, 2021.
- (3) A person eligible for inclusion in a bubble must be fully vaccinated and maintain negative Covid 19 test results.
- (4) Where a person in the bubble is suspected to have been exposed to Covid 19, or tests positive for Covid 19, that person shall be quarantined, screened or isolated in accordance with rules 18 to 24.

36. Spectators at a sporting activity.

- Spectators at a recreational competitive or professional sporting activity shall —
- (a) if fully vaccinated, present proof of vaccination upon entry to the sporting activity;
 - (b) if not fully vaccinated, present a negative Covid 19 test result upon entry to the sporting activity;
 - (c) wear a face mask, when not eating or drinking;
 - (d) comply with all other Covid 19 protocols.

PART IV – MISCELLANEOUS

37. Failure to comply.

Any owner, manager or operator who fails to comply with —

- (a) any Covid 19 protocol;
- (b) rules 25, 26, 27, 28, 29, 30, 33, 34 and 35,

commits an offence in each case and is liable upon summary conviction —

- (i) on a first offence, to a fine of two thousand dollars;
- (ii) on a second offence, to —
 - (aa) a fine of ten thousand dollars; or
 - (bb) the closure of the business owned, managed or operated by that person, for a period not exceeding one month; or
 - (cc) both such fine, and closure of the business;
- (iii) on a third or subsequent offence, to —
 - (aa) a fine of twenty thousand dollars; or
 - (bb) the closure of the business owned, managed or operated by that person, for a period not exceeding four months; or
 - (cc) both such fine, and closure of the business.

38. General penalty.

- (1) Any person who contravenes any rule herein commits an offence.
- (2) Any person who commits an offence for which no penalty is otherwise provided in these Rules, is liable upon summary conviction to a fine not exceeding one thousand dollars or to a term of imprisonment not exceeding twelve months or to both.

39. Restriction on visitation at a quarantine or isolation station.

No person shall visit or be permitted to visit any place of quarantine or isolation station.

40. Causing infection to another.

Where a person knows or reasonably believes he is infected with Covid 19 and intentionally causes another to be exposed or infected, that person commits an offence and upon summary conviction is liable to a fine not exceeding one thousand dollars in respect of each person who has been exposed or infected.

41. Requirement to prove vaccination.

- (1) The manager of a restaurant or the host of a social gathering for which persons in attendance are required to be fully vaccinated, shall only allow entry of a person into that restaurant or social gathering where the manager or host is satisfied on the presentation of the proof of vaccination, that the person is fully vaccinated.
- (2) A person who attends a restaurant or social gathering on the basis that he is fully vaccinated, shall furnish to the manager of the restaurant or the

host of the social gathering, documentary evidence that he is fully vaccinated.

- (3) For the purposes of this rule, “documentary evidence” in relation to proof of vaccination of a person includes vaccination documentation issued by an approved authority in the jurisdiction in which that person has been vaccinated and such documentation may be electronic or in hard copy.
- (4) A manager who allows entry into a restaurant or social gathering in contravention of paragraph (1), commits an offence and is liable upon summary conviction to a fine not exceeding two thousand dollars and not exceeding three hundred dollars for each person in attendance.
- (5) A person who enters a restaurant or attends a social gathering in contravention of paragraph (2), commits an offence and is liable upon summary conviction to a fine not exceeding three hundred dollars.

42. Requirement to present negative test result.

- (1) The manager of a restaurant or host of a social gathering for which persons in attendance are required to present a valid negative Covid 19 test result, shall only allow entry of that person into that business, event or social gathering where the manager or host is satisfied on the presentation of the result that the person is free from Covid 19.
- (2) A person who attends a restaurant or social gathering on the basis that he is free from Covid 19, shall furnish to the manager of the restaurant, or the host of the social gathering documentary evidence of his negative Covid 19 test result.
- (3) For the purposes of this rule, “documentary evidence” in relation to a negative Covid 19 test result includes the report issued by a diagnostic facility in the jurisdiction in which that person has been tested and such documentation may be electronic or in hard copy.
- (4) A manager or host who allows entry into a restaurant or social gathering in contravention of paragraph (1), commits an offence and is liable upon summary conviction to a fine not exceeding two thousand dollars and not exceeding three hundred dollars for each person in attendance.
- (5) A person who enters a restaurant or attends a social gathering in contravention of paragraph (2), commits an offence and is liable upon summary conviction to a fine not exceeding three hundred dollars.

FIRST SCHEDULE

(rule 6)

Fees For Travel Health Visa To Enter The Bahamas

For Fully Vaccinated Person

Citizen or Resident	Nil
Visitor from North America (USA and Canada)	\$40.00
Visitor from any other country	\$50.00

For Person Applying With A RTPCR test

Citizen or Resident	\$40.00
Visitor from North America (under 5 days' stay)	\$40.00
Visitor from North America (over 5 days' stay)	\$60.00
Visitor from any other country	\$70.00

Fees For Travel Health Visa For Inter-island Travel

Citizen or Resident	Nil
Fully Vaccinated Non-Citizen or Non-Resident	Nil
Unvaccinated Non-Citizen or Non-Resident	\$25.00

Note: No fee is payable for a travel health visa for a child 11 years or younger or for the pilot or crew of a commercial air operator.

SECOND SCHEDULE

(rules 9, 11(2), 12, 31)

Islands

Acklins

Berry Islands

Crooked Island

Eleuthera

Inagua

New Providence

Made this 12th day of November, 2021

Signed

MICHAEL DARVILLE

Minister Responsible Public Health