



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

22nd December, 2021

**HEALTH SERVICES (COVID 19)(GENERAL)
(AMENDMENT) RULES, 2021**

Arrangement of Rules

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**HEALTH SERVICES ACT
(CHAPTER 231)**

**HEALTH SERVICES (COVID 19)(GENERAL)
(AMENDMENT) RULES, 2021**

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

1. Citation.

These Rules may be cited as the Health Services (Covid 19)(General) (Amendment) Rules, 2021.

2. Amendment of rule 4 of the principal Rules.

Rule 4 of the principal Rules is amended by the deletion of the terms “Covid 19 test”, “facility” and “fully vaccinated” and the substitution of the following —

“**Covid 19 test**” —

- (a) means any molecular test methods utilising nucleic acid amplification (“NAAT”) as —
 - (i) recommended by the World Health Organisation 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 virus; and
 - (ii) approved by the Ministry; and
- (b) includes a rapid antigen test or a RTPCR test;

“**facility**” includes —

- (a) a diagnostic facility as registered and licensed by the Hospital and Health Care Facilities Licensing Board; and
- (b) a collection site that is —
 - (i) authorised by the Hospital and Health Care Facilities Licensing Board to operate as a remote collection site;
 - (ii) approved by the Ministry to operate as a remote collection site on a Family Island;

“**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; or
- (b) which has received an emergency use license (EUL) from the World Health Organisation; or
- (c) which has received an emergency use authorisation (EUA) from the Food and Drug Administration (FDA);”.

3. Revocation and replacement of rule 6 of the principal Rules.

Rule 6 of the principal Rules is revoked and replaced as follows —

“6. Appointment and functions of Advisory Committee.

- (1) The Minister shall appoint an advisory committee comprising of —
 - (a) persons with the following expertise —
 - (i) epidemiology;
 - (ii) supplies management and logistics;
 - (iii) health services administration at the primary and tertiary levels;
 - (iv) public health;
 - (v) management of infectious diseases;
 - (vi) laboratory management and pharmaceutical management; and
 - (b) such other medical or other professionals as the Minister may deem necessary.
- (2) The functions of the Committee are —
 - (a) to advise the Minister on —
 - (i) the current epidemiological status inclusive of key indicators of the outbreak of Covid 19;
 - (ii) the implementation of measures to guard against the spread or recurrence of Covid 19;
 - (iii) the implementation of measures to manage the Covid 19 pandemic;
 - (iv) the modification or discontinuation of measures in place pursuant to paragraphs (b) and (c);
 - (v) the sufficiency of hospital, medicinal and pharmaceutical supplies and testing capacity; and

- (vi) the sufficiency of personal protective equipment, human and technological resources
- (b) to review and decide an application made pursuant to rule 36A of the Health Services (Covid 19) (Prevention and Management of Community Spread) Rules, 2021.
- (3) The Committee may make such recommendations to the Minister as it considers necessary.”.

4. Revocation and replacement of rule 8 of the principal Rules.

Rule 8 of the principal Rules is revoked and replaced —

“8. Physical distancing protocols.

- (1) Every person shall practice physical distancing of not less than six feet between himself and others who are not of the same household whenever he is away from his residence.
- (2) Every business shall —
 - (a) ensure that all customers and staff maintain physical distancing between themselves and others of not less than six feet while inside or awaiting entry outside the business;
 - (b) determine the number of persons permitted in the business at any one time on the basis of one person for every thirty square feet of floor space which is unoccupied by furnishings, fixtures or machinery and is accessible to the public;
 - (c) have distance markers six feet apart, indicating where each customer is to stand on a line awaiting entry or check out.
- (3) Notwithstanding paragraph (1) —
 - (a) every educational institution shall ensure there is spacing of at least three feet between persons in a classroom or a distribution of a minimum of one student per seven to twelve square feet of the student occupied surface area of the classroom;
 - (b) a taxi, private or public bus service shall operate provided such service is operated at fifty percent of normal seating capacity of the taxi or bus;
 - (c) every restaurant shall ensure that seating is arranged so that there is spacing of at least —
 - (i) for indoor dining, six feet between each dining party; or

- (ii) for outdoor dining, three feet between each dining party.”.

5. Revocation and replacement of rule 12 of the principal Rules.

Rule 12 of the principal Rules is revoked and replaced as follows —

“12. Responsibility of airline and vessel operators.

- (1) The operator of an aircraft or vessel, whether commercial or private, shall not permit any person to board that aircraft or vessel without the passenger first presenting —
 - (a) where the travel originates outside of The Bahamas and the person is a —
 - (i) citizen or legal resident, the documents required by rule 5(2) of the Health Services (Covid 19) (Prevention and Management of Community Spread) Rules, 2021;
 - (ii) a visitor, a travel health visa issued in accordance with rule 6 of the Health Services (Covid 19)(Prevention and Management of Community Spread) Rules, 2021;
 - (b) where the Health Services (Covid 19)(Prevention and Management of Community Spread) Rules, 2021 requires a negative result of a Covid 19 test for travel, a copy of that result;
 - (c) where applicable, written confirmation that the person is exempted from the requirement to undergo testing or to obtain a travel health visa in accordance with the Health Services (Covid 19)(Prevention and Management of Community Spread) Rules, 2021.
- (2) The operator of an aircraft or vessel, whether commercial or private, shall ensure —
 - (a) that a passenger continues to wear his face mask throughout the journey; and
 - (b) proper and timely sanitisation of the aircraft or vessel.
- (3) An operator of an aircraft or vessel who permits a person to travel contrary to paragraph (1), commits an offence and is liable upon summary conviction to a fine not exceeding two thousand dollars, and a fine not exceeding three hundred dollars in respect of each passenger carried in violation thereof.

- (4) The operator or owner of an aircraft or vessel transporting persons into The Bahamas shall report to the Surveillance Unit as soon as practicable but no later than upon arrival in The Bahamas, the details of any passenger exhibiting symptoms of Covid 19.”.

6. Revocation and replacement of rule 16 of the principal Rules.

Rule 16 of the principal Rules is revoked and replaced as follows —

“16. Licensed and authorised testing and collection.

- (1) No person shall —
 - (a) conduct a Covid 19 test unless licensed by the Hospital and Health Care Facilities Licensing Board;
 - (b) serve as or operate a collection site for Covid 19 tests unless authorised by the Hospital and Health Care Facilities Licensing Board to operate as a remote collection site.
- (2) For the purposes of this rule, “collection site” includes a mobile or temporary Covid 19 test service.
- (3) Any person who administers or conducts Covid 19 tests or serves as a collection site for Covid 19 test, and is not licensed or authorised to do so, commits an offence and is liable upon summary conviction to a fine not exceeding two thousand dollars for each contravention.”.