



BERMUDA

PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 4)  
REGULATIONS 2021

BR 20 / 2021

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

Citation

1 These Regulations, which amend the Public Health (COVID-19 Emergency Powers) Regulations 2021 (“the principal Regulations”), may be cited as the Public Health (COVID-19 Emergency Powers) Amendment (No. 4) Regulations 2021.

Amends regulation 2

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

“curfew” means the curfew imposed by regulation 3(1);”.

Inserts regulation 3

3 After regulation 2 of the principal Regulations, reinsert—

“Night-time curfew

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

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

PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 4)  
REGULATIONS 2021

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Amends regulation 6

4 In regulation 6 of the principal Regulations, in paragraphs (1), (3) and (4), delete “midnight” and substitute “11pm”.

Inserts Schedule 1A

5 After the revoked Schedule 1 to the principal Regulations, insert—

“SCHEDULE 1A

PERSONS EXEMPT FROM CURFEW

Members of the Legislature, etc

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

Deputy Governor and Consuls

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

Judiciary etc

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

Public service executive

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

Uniformed services

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

Health and BHB staff

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

Funeral home staff

7 Funeral directors, morticians and other staff of a funeral home.

PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 4)  
REGULATIONS 2021

---

Border control, airport, docks and security

8 The following persons—

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

Essential services

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

Media

10 Members of the print or broadcast media.

Child protection

11 Members of the Department of Child and Family Services.

Other public officers

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

Financial services

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

(2) A designation—

- (a) made under paragraph 12(1) of the revoked Schedule 1 to these Regulations;
- (b) made under paragraph 12(1) of Schedule 1 to the Public Health (COVID-19 Emergency Powers) (No. 3) Regulations 2020; or
- (c) made under, or that was deemed to be valid for the purposes of, paragraph 11(1) of Schedule 1 to the Public Health (COVID-19 Emergency Powers) Regulations 2020,

shall be deemed to be valid for the purposes of subparagraph (1).

PUBLIC HEALTH (COVID-19 EMERGENCY POWERS) AMENDMENT (NO. 4)  
REGULATIONS 2021

---

Ministerial permission

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

(2) A written permission—

- (a) granted under paragraph 13(1) of the revoked Schedule 1 to these Regulations;
- (b) granted under paragraph 13(1) of Schedule 1 to the Public Health (COVID-19 Emergency Powers) (No. 3) Regulations 2020; or
- (c) granted under, or that was deemed to be valid for the purposes of, paragraph 12 of Schedule 1 to the Public Health (COVID-19 Emergency Powers) Regulations 2020,

shall be deemed to be valid for the purposes of subparagraph (1).”.

Made this 3rd day of March 2021

Governor

[Operative Date: 03 March 2021]