



BERMUDA

QUARANTINE (COVID-19) (NO. 3) AMENDMENT (NO. 3) ORDER 2022

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The Minister responsible for health, in exercise of the power conferred by section 9 of the Quarantine Act 2017, being of the opinion that a public health emergency exists and after having consulted with the Chief Medical Officer, makes the following Order:

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Citation

1 This Order, which amends the Quarantine (COVID-19) (No. 3) Order 2020 (the “principal Order”), may be cited as the Quarantine (COVID-19) (No. 3) Amendment (No. 3) Order 2022.

Amends principal Order

2 The principal Order is amended by deleting “COVID-19 PCR” wherever it appears and substituting “COVID-19 NAAT”.

Amends paragraph 2

3 The principal Order is amended in paragraph 2 by—

(a) deleting the definition of “COVID-19 test” and substituting the following—

“ COVID-19 test” means either a COVID-19 antigen test or a COVID-19 NAAT test—

(a) recognised in Bermuda by the Chief Medical Officer by notice set out on the Ministry of Health website;

(b) which shall be applied in such manner and at such times, in relation to travel to Bermuda, as the Chief Medical Officer shall determine in the notice referred to in subparagraph (a);

(b) inserting in the appropriate alphabetical order the following definition—

“ COVID-19 NAAT test” means the COVID-19 Nucleic Acid Amplification Test, which is a type of viral diagnostic test for SARS-CoV-2, the virus that causes COVID-19, where the SARS-CoV-2 test specifically identifies the RNA (ribonucleic acid) sequences that comprise the genetic material (nucleic acids) of the SARS-CoV-2 virus, and includes the COVID-19 PCR test;”.

Amends paragraph 5

4 The principal Order is amended in paragraph 5—

(a) in subparagraph (1) by inserting at the beginning “Subject to paragraph 13B”;

(b) by revoking subparagraph (2)(d) and substituting the following—

“(d) attach to the Travel Authorisation Form—

(i) proof of having obtained a COVID-19 vaccination at least 14 days prior to the date of arrival in Bermuda, as provided in paragraph 6A; or

(ii) declaration of recovery from COVID-19 infection, as provided in paragraph 6B;”;

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- (c) in subparagraph (3A), by deleting “10 days” and substituting “four days”;
- (d) in subparagraph (6), by deleting “under paragraph 13A from mandatory quarantine requirements” and substituting “under paragraph 13B from the requirement to be vaccinated as provided in paragraph 6A”;
- (e) in subparagraph (6)(a), by deleting “seven days” and substituting “ten days”;
- (f) by revoking subparagraph (7).

Amends paragraph 6AA

5 The principal Order is amended in paragraph 6AA(1) by deleting “three days” and substituting “two days”.

Amends paragraph 6A

6 The principal Order is amended in paragraph 6A(1A) by deleting “18 years” and substituting “12 years”.

Inserts paragraph 6B

7 The principal Order is amended by inserting after paragraph 6A the following—

- “Residents may provide declaration of recovery from COVID-19 infection
- 6B (1) A person ordinarily resident in Bermuda who has not obtained a COVID-19 vaccination under paragraph 6A, may provide, in lieu of a certificate of vaccination, a declaration of recovery from COVID-19 infection in accordance with subparagraph (2).
- (2) A declaration of recovery from COVID-19 infection shall include—
 - (a) a positive COVID-19 test result by a registered laboratory based on a sample from the person taken not more than 180 days prior to the date of travel by the person to Bermuda; or
 - (b) a letter from a registered healthcare provider confirming—
 - (i) the COVID-19 positive diagnosis of the person no more than 180 days prior to his travel to Bermuda; and
 - (ii) that the person has subsequently recovered from COVID-19.
 - (3) A person to whom this paragraph applies who has not undergone a pre-arrival test referred to in paragraph 6 or 6AA shall, on arrival in Bermuda, undergo a COVID-19 antigen test and on the fourth day after arrival as provided in paragraph 9.”.

Amends paragraph 7

8 The principal Order is amended in paragraph 7—

- (a) by revoking subparagraph (2) and substituting the following—

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“(2) The fee referred to in subparagraph (1) is \$40 for each person two years and above who has completed the Travel Authorization form as required under paragraph 5.”;

(b) by revoking subparagraph (4).

Revokes and substitutes paragraphs 9 and 9A

9 The principal Order is amended by revoking paragraphs 9 and 9A and substituting the following—

“Arrival COVID-19 testing for residents without pre-arrival test and for medically exempt non-residents

9 (1) Subject to paragraph 18, each person, to whom subparagraphs (2) and (3) applies, that is landed in Bermuda shall—

(a) be tested for COVID-19, in the case of a person referred to in subparagraphs (2) and (3), upon arrival—

(i) at the airport, if the person has arrived by aircraft; or

(ii) in the port of entry, if the person has arrived by ship;

(b) be further tested for COVID-19, in the case of a person referred to in subparagraph (2)(a)(ii) and (b) and subparagraph (3), on the fourth day after arrival;

(c) additionally be tested for COVID-19, in the case of a person referred to in subparagraphs 2(b) and (3), on the tenth day after arrival.

(2) Each person ordinarily resident in Bermuda who has not undergone a pre-arrival COVID-19 test as provided in paragraph 6 or 6AA, shall, on the days such person is tested as provided in subparagraph (1), be required to undergo—

(a) a COVID-19 antigen test in accordance with paragraph 2A, in the case of a person—

(i) who is vaccinated as provided in paragraph 6A; or

(ii) who has recovered from COVID-19 infection and has obtained a declaration of recovery from COVID-19 infection as provided in paragraph 6B;

(b) a COVID-19 NAAT test as provided in paragraph 6, in the case of a person to whom subparagraph (a) does not apply.

(3) Each person not ordinarily resident in Bermuda who has been exempted from the requirement to be vaccinated under paragraph 13B, shall be required to undergo—

(a) a COVID-19 NAAT test as provided in paragraph 6, on arrival and on the fourth day after his arrival; and

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(b) a COVID-19 antigen test in accordance with paragraph 2A, on the tenth day after his arrival.

(4) A person referred to in subparagraphs (2)(b) and (3), as part of the public health supervision requirements under Part 5 of this Order—

(a) may, upon arrival, be fitted with a traveller wristband to be worn for the period of his quarantine until such time as he receives a negative result for the COVID-19 NAAT test he has undergone;

(b) shall, if fitted with a traveller wristband, comply with the instructions of the Health Officer regarding the terms specified for his monitoring and the use of the traveller wristband.

(5) Subject to paragraph 16, a person to whom this paragraph applies shall be released from quarantine—

(a) in the case of a person referred to in subparagraph (2)(a), when such person receives the initial negative COVID-19 test result for the test taken on arrival;

(b) in the case of a person referred to in subparagraph (2)(b), as provided in paragraph 13(3);

(c) in the case of a person referred to in subparagraph (3), as provided in paragraph 13B(5).

Arrival COVID-19 antigen testing for cargo and cruise ship crew

9A (1) Notwithstanding paragraph 4(1)(b) and (3A), a crew member of a cargo ship or cruise ship who intends to be landed in Bermuda shall, a day prior to his arriving in Bermuda undergo a COVID-19 antigen test, in accordance with paragraph 2A, and upon receipt of a negative COVID-19 antigen test result, be permitted to disembark from the ship.

(2) Where a crew member of a cargo ship or cruise ship is unable to undergo a COVID-19 antigen test a day prior to arriving in Bermuda under subparagraph (1), he may undergo a COVID-19 antigen test, in accordance with paragraph 2A, upon arrival in Bermuda before disembarking the ship, and shall be permitted to disembark from the ship upon receipt of a negative COVID-19 antigen test result. ”.

Revokes and substitutes paragraph 10

10 The principal Order is amended by revoking paragraph 10 and substituting the following—

“COVID-19 testing results time frame

10 Each person tested for COVID-19 as required under paragraph 9 shall be informed of the test results no later than—

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- (a) 4 hours after the test is conducted, in the case of a COVID-19 antigen test;
- (b) 48 hours after the test is conducted, in the case of a COVID-19 NAAT test.”.

Amends paragraph 11A

11 The principal Order is amended in paragraph 11A—

(a) by revoking subparagraph (1)(b) and substituting the following—

“(b) subject to subparagraph (2), obtain a negative COVID-19 test result, as provided under—

- (i) paragraph 6, not more than four days before his departure; or
- (ii) paragraph 6AA, not more than two days before his departure, from the port of embarkation prior to arrival in Bermuda; and”;

(b) by revoking subparagraphs (2) and (3) and substituting the following—

“(2) A person referred to in subparagraph (1), who after obtaining negative COVID-19 test results under subparagraph (1)(b)—

- (a) travels on the cruise ship for a period exceeding four days prior to arriving in Bermuda; or
- (b) travels to a port or ports outside Bermuda prior to arriving in Bermuda,

shall obtain a negative COVID-19 test result as provided under paragraph 6AA, not more than two days before his arrival in Bermuda.

(3) A person referred to in subparagraph (1) who is not ordinarily resident in Bermuda and who does not have proof of obtaining a COVID-19 vaccination under paragraph 6A, shall not be landed in Bermuda and shall be required to remain on the boat he is travelling on, in the case where—

- (a) he is over the age of 12 years; or
- (b) he is under the age of 12 years and he is accompanied by a parent or guardian who does not have proof of obtaining a COVID-19 vaccination thereof.

(4) A person referred to in subparagraph (1) who is ordinarily resident in Bermuda and who does not have proof of—

- (a) obtaining a COVID-19 vaccination as provided in paragraph 6A; or
- (b) having recovered from COVID-19 infection and having obtained a declaration of recovery from COVID-19 infection as provided in paragraph 6B,

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shall be placed in quarantine as provided in paragraph 13. ”.

Amends paragraph 11B

12 The principal Order is amended in paragraph 11B—

(a) by revoking subparagraph (2)(b) and substituting the following—

“(b) obtain a negative COVID-19 test result, as provided under—

(i) paragraph 6, not more than four days before his departure; or

(ii) paragraph 6AA, not more than two days before his departure,
from the port of embarkation prior to arrival in Bermuda; and”;

(b) by revoking subparagraphs (3) and (4) and substituting the following—

“(3) Subject to paragraph 13B(7), a person referred to in subparagraph (1) who is not ordinarily resident in Bermuda and who does not have proof of obtaining a COVID-19 vaccination under paragraph 6A, shall not be landed in Bermuda and shall be required to remain on the boat he is travelling on, in the case where—

(a) he is over the age of 12 years; or

(b) he is under the age of 12 years and he is accompanied by a parent or guardian who does not have proof of obtaining a COVID-19 vaccination thereof.

(4) A person referred to in subparagraph (1) who is ordinarily resident in Bermuda and who does not have proof of—

(a) obtaining a COVID-19 vaccination as provided in paragraph 6A; or

(b) having recovered from COVID-19 infection and having obtained a declaration of recovery from COVID-19 infection as provided in paragraph 6B,

shall be placed in quarantine as provided in paragraph 13. ”;

(c) in subparagraph (5), by deleting “subparagraph (4)” and substituting “subparagraphs (3) and (4)”.

Revokes paragraphs 12 and 12B

13 The principal Order is amended by revoking paragraphs 12 and 12B.

Amends paragraph 13

14 The principal Order is amended in paragraph 13—

(a) by revoking subparagraph (1) and substituting the following—

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“(1) Subject to subparagraph (3), each person who travels to Bermuda by air—

- (a) who does not have proof of having obtained a COVID-19 vaccination under paragraph 6A;
- (b) who does not have proof of having recovered from COVID-19 infection and having obtained a declaration of recovery from COVID-19 infection under paragraph 6B; or
- (c) who has not been exempted from the requirement to be vaccinated under paragraph 13B,

shall, upon being landed in Bermuda, be placed in quarantine for a period not exceeding four days as provided in this paragraph.”;

(b) by revoking subparagraph (1A) and substituting the following—

“(1A) A traveller referred to in subparagraph (1) shall—

- (a) be placed in quarantine for a period of four days at the house or accommodation in Bermuda at which the traveller is residing and the traveller shall be released from quarantine if he receives a negative result for the COVID-19 NAAT test conducted on the fourth day after his arrival in Bermuda; and
- (b) undergo a COVID-19 antigen test on the 10th day after his arrival in Bermuda, subject to paragraph 18.”;

(c) in subparagraph (1BA)—

- (i) in subparagraph (a), by deleting “10 days” and substituting “four days”;
- (ii) by revoking subparagraph (b) and substituting the following—

“(b) be released from quarantine if he receives a negative result for the COVID-19 NAAT test conducted on the fourth day after his arrival in Bermuda; and

- (c) undergo a COVID-19 antigen test conducted on the 10th day after the traveller’s arrival in Bermuda, subject to paragraph 18.”;

(d) in subparagraph (1C) by—

- (i) deleting “A Health Officer shall” and substituting “The Health Officer may”;
- (ii) deleting “or place of quarantine”;

(e) in subparagraph (1D)—

- (i) by deleting “18 years” and substituting “12 years”;
- (ii) by deleting “traveller shall” and substituting “traveller”;

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- (iii) in subparagraph (a), by inserting at the beginning “shall”;
- (iv) in subparagraph (b), by inserting at the beginning “may”;
- (f) by revoking subparagraph (3) and substituting the following—

“(3) Where a person to whom this paragraph applies receives a negative COVID-19 NAAT test result on or after a period of four days, he shall—

- (a) be released from quarantine and be provided with a written notification of his test results; and
- (b) undergo a COVID-19 antigen test conducted on the 10th day after his arrival in Bermuda, subject to paragraph 18.”.

Amends paragraph 13A

15 The principal Order is amended in paragraph 13A(1)(c) by deleting “18 years” and substituting “12 years”.

Revokes and substitutes paragraph 13B

16 The principal Order is amended by revoking paragraph 13B and substituting the following—

“Exemption from requirement to be vaccinated for person not ordinarily resident in Bermuda

13B (1) Subject to paragraph 5(6) and to the other provisions under this paragraph, paragraph 5(1)(e) shall not apply to a person who is not ordinarily resident in Bermuda, upon being landed in Bermuda, who is—

- (a) medically unable to have the COVID-19 vaccine as certified by a licensed physician;
- (b) a minor child below the age of 12 years, travelling—
 - (i) unaccompanied; or
 - (ii) with a parent or a guardian who is vaccinated.

(2) A person referred to in subparagraph (1)(a) shall provide to a Health officer, upon arrival in Bermuda, such documentary proof of the exemption from the requirement to be vaccinated referred to in paragraph 5(6), which he received from the Quarantine Authority.

(3) Notwithstanding paragraph 5(1)(a) and subject to paragraph 18, a person referred to in subparagraph (1)(a) shall—

- (a) undergo a COVID-19 NAAT test with respect to—
 - (i) a pre-arrival test, as provided under paragraph 6;
 - (ii) an arrival test, which shall be conducted after the person is landed in Bermuda as provided under paragraph 9(3); and

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- (iii) a further test conducted on the fourth day after the person's arrival in Bermuda; and
 - (b) undergo a COVID-19 antigen test, in accordance with paragraph 2A, on the tenth day after the person's arrival in Bermuda.
- (4) A minor child referred to in subparagraph (1)(b) shall undergo a pre-arrival COVID-19 NAAT test under subparagraph (3)(a)(i).
- (5) A person referred to in subparagraph (1)(a) shall, after testing as required in subparagraph (3)—
 - (a) place himself in quarantine at the accommodation at which he is residing in Bermuda until such time as he shall receive results of the COVID-19 NAAT testing conducted on the fourth day as provided under subparagraph (3)(a)(iii);
 - (b) upon receipt of a negative COVID-19 NAAT result, be released from quarantine and be provided with a written notification of his test results, subject to the results for the COVID-19 antigen test conducted under subparagraph (3)(b).
- (6) Each minor child under the age of 12 years who is travelling with a person referred to under subparagraph (1)(a) and each minor child who shall be residing in the same house or accommodation in Bermuda as such person—
 - (a) shall be placed in quarantine in the same house or accommodation as the person for the applicable period of quarantine, in accordance with subparagraph (5);
 - (b) may be fitted with a traveller wristband.
- (7) A person not ordinarily resident in Bermuda who intends to travel by sea to, and be landed in, Bermuda under paragraph 11B, who seeks to be exempted from the requirement to be vaccinated as provided in subparagraph (1)(a), shall—
 - (a) comply with subparagraph (2), requiring documentary proof of the exemption from the requirement to be vaccinated referred to in paragraph 5(6);
 - (b) comply with subparagraph (3), requiring COVID-19 NAAT and COVID-19 antigen tests;
 - (c) place himself in quarantine on the boat he is travelling on until—
 - (i) such time as he shall receive results of the COVID-19 NAAT testing conducted on the fourth day as provided under subparagraph (3)(a)(iii); and
 - (ii) upon receipt of a negative COVID-19 NAAT result following the COVID-19 NAAT testing, he is released from quarantine.”.

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Revokes and substitutes paragraph 17

17 The principal Order is amended by revoking paragraph 17 and substituting the following—

“Use of electronic monitoring device and wristbands

17 A person under public health supervision shall be monitored during the period of public health supervision as the Chief Medical Officer may determine as appropriate, which may include the use of—

- (a) an electronic monitoring device; or
- (b) a wristband.”.

Commencement

18 This Order shall come into operation on 7 March 2022.

Made this 7th day of March 2022

Quarantine Authority

Minister of Health

[Operative Date: 07 March 2022]