



The Most Hon. Dr. Hubert Minnis

Prime Minister

Emergency Powers (Covid 19)

Regulations, 2020

House of Assembly

Wednesday, 18 March, 2020

Mr. Speaker:

Late last evening health officials confirmed two additional cases of individuals who tested positive for Covid-19 on New Providence.

These individuals were identified through contact tracing.

The Ministry of Health's surveillance unit has aggressively undertaken contact tracing activities for the initial case reported.

These contact tracing investigations have revealed that household members of the COVID-19 positive patient traveled to jurisdictions with known community transmission – Canada, Trinidad and Dubai.

These household contacts have been quarantined and samples taken for testing.

Other contacts, including healthcare providers, are being investigated to determine their level of exposure and risk.

A total of 30 contacts of the COVID-19 positive patient have been identified.

The Minister of Health will provide more details in his communication.

Mr. Speaker:

The Covid-19 pandemic is a threat not seen in the lifetime of most people alive today.

The world is at war with this virus.

As Prime Minister, as a medical doctor, I will do everything in my power to protect the Bahamian people.

Over several decades I have seen, treated and comforted thousands of patients.

Some were in life-and-death circumstances.

The most difficult and painful days in my life, were when a mother or child or both were lost.

I took a medical oath to save lives.

But that oath only really became real when my heart broke and I couldn't stop the tears after I lost a

patient or when I saw a mother crying because she lost her baby.

This made me even more determined to save every life I could.

This is the same resolve and determination I am bringing to this fight today.

As a doctor there were times when I had to take extraordinary measures

to save mothers and new-borns coming into the world.

As prime minister it is my mission, my determination, my responsibility to save and to protect every life I can during this crisis.

We are going to defeat this threat!

Mr. Speaker:

We are at war with this virus.

As prime minister and as a medical doctor I will lead this fight with all of my strength and determination.

We will act decisively in order to save lives and lessen the suffering of our people.

Toward this end:

Exercising his powers under the Constitution of the Commonwealth of The Bahamas, the Governor General

has issued a proclamation of emergency.

The proclamation of emergency took effect on Tuesday, March 17, 2020.

The Proclamation will give the Government necessary and emergency powers to aggressively combat the Covid-19 emergency.

I wish to state the new emergency measures we are enacting are to save lives and to protect our country.

These measures are in the Emergency Powers (Covid 19) Regulations, 2020, we are tabling today.

Mr. Speaker:

We live in an open, free democratic society.

Our freedoms and rights are protected by and enshrined in our Constitution.

Our Founders included in the Constitution the legal provision to allow the Governor General to make proclamations of emergency.

The measures we seek to invoke through these regulations derive from the authority bestowed by our supreme civic law.

Mr. Speaker:

The regulations allow for the following new authority for state.

Where a health officer has reasonable grounds to believe a person is or may be infected or contaminated with Covid-19, and the health officer considers there is a risk the person might infect or contaminate others, the health officer may order such a person detained for screening and assessment.

Following such an assessment a health officer is empowered to impose on or in relation to that person any other restriction or requirement the health officer considers necessary to remove or reduce the risk of infecting or contaminating others.

A decision to impose such a restriction or requirement may only be taken if the health officer considers the restriction proportionate to what is sought to be achieved by imposing it.

Where such a restriction or requirement is imposed on or in relation to a child, an adult responsible for the child must ensure the child complies with the restriction or requirement, insofar as the person is reasonably able to do so.

A health officer may require a person be kept in isolation, if the health officer:

- has reasonable grounds to believe a person is or may be infected or contaminated with Covid-19;
- and the health officer considers that it is necessary and proportionate to do so in order to reduce or remove the risk of the person infecting or contaminating others.

We need the power to order people into isolation to stop the spread of this virus.

Mr. Speaker:

Broader social distancing of the public is key to limiting Covid-19's spread.

Through these regulations the Prime Minister may by order cause to be revoked or suspended all permits for the use of public open spaces in any particular area, or an entire island, or the country as a whole in the interest of public health safety.

The Prime Minister may by order prohibit the assembly of two or more persons in a public place in any area specified in the interest of public health safety.

The Prime Minister may by order, impose isolation on all individuals within a particular area, island or the entire country in the interest of public health safety.

Where isolation has been imposed, the Prime Minister may:

- require the closure of all educational or religious institutions in the area specified;

- require the closure of any business or organisation that caters to the public in the areas specified, unless permitted otherwise by the order;

- prohibit the visitation by persons at all residential care establishments;

- prohibit the visitation by people at all correctional facilities;

- require every person to confine him or her self at his or her place of residence and enclosed property, unless otherwise specified by the order;

- permit the travel of persons to a grocery store, gas station, pharmacy, doctor, hospital or such other place as may be specified in the order.

Mr. Speaker:

These regulations also provide for curfews during the emergency proclamation period if deemed necessary.

The Prime Minister may by order require every person within any area specified to remain within doors between such hours as specified in the order.

The Prime Minister may by order prohibit a person from residing in or entering any area specified in the order if such person is suspected of acting or of having acted, or of being about to act, in a manner prejudicial to:

- the public safety;
- the supply or distribution of any necessity of life;
- or, the preservation of the peace.

Mr. Speaker:

These regulations give the Prime Minister, when it is deemed necessary for the emergency, the power to requisition any building, ship, aircraft or article in the country.

If such requisition is ordered, at the conclusion of the requisition it shall be ensured that there is prompt and adequate compensation in the circumstances to the owner or

occupier of such building, ship, aircraft or article.

Mr. Speaker:

The regulations give the Governor General authority to requisition essential services for the period of the emergency proclamation or a period therein.

Where any essential service is requisitioned the Governor General shall by instrument in writing appoint

some person as controller of the service.

“Essential services” mean any service established, maintained or operated by the Government, or by any public or private enterprise, or otherwise, for:

- the collection, storage, purification or distribution of water for use by the public;

- the collection, storage, treatment and disposal of sewage or garbage or refuse;

- the manufacture, storage or distribution of gas for use by the public;

- or, the removal, handling or burial of deceased persons or disposal of dead animals.

Mr. Speaker:

Through these regulations and in the interest of protecting public safety and health, the Prime Minister in consultation with the Minister of Finance may by order waive the application of any rules or law governing the procurement of goods and services.

The Minister of Finance shall within six weeks of the expiration of the proclamation of emergency lay a

report before the House of Assembly
detailing:

- the total expenditure of the goods and services procured;
- the suppliers of the goods and services procured;
- the reasons for the use of the suppliers of the goods and the providers of the services.

The Prime Minister also may by order waive or vary the payment of any fees for the testing and medical services rendered at any public hospital or healthcare facility in relation to Covid-19.

Mr. Speaker:

There has been a problem in The Bahamas for some time with the creation and spread of malicious fake news.

We live in a free and open society where citizens have a right to express their opinions.

A free press plays a vital role in protecting our freedoms.

I am pleased that the political party I have the privilege of leading freed the broadcast media from state control.

Sadly, today, the malicious creation of misinformation for the purpose of

creating harm, chaos, violence and disorder is deeply worrisome.

There are people who create such misinformation and disinformation for malicious reasons.

The spread of malicious fake news has the potential to: cause violence; runs on financial institutions and/or critical food and medical supplies.

Such fake news may cause widespread panic that prevents citizens from following directions designed to protect their lives during a crisis.

Under these regulations, no person shall publish or cause to be published, posted or re-posted over any media platform, inclusive of social media, any purported news or report or purported statement of fact, knowing or having reasonable cause to suspect the same

is: untrue or false; or may incite public fear, panic or ethnic hatred.

Mr. Speaker:

We do not know what new problems may emerge during this emergency period.

Out of an abundance of caution, a provision exists in these regulations by which the Governor General may authorize international or regional

military or police forces as may be requested by the Government to serve as peace officers and assist in:

- the storage, safe keeping or distribution of relief supplies;
- the provision of any essential services;
- and the maintenance of public order.

Mr. Speaker:

I have outlined the major components of these regulations.

Some of these provisions may be invoked. Some may not.

We have brought forward these regulations to have the legal powers necessary at hand to respond quickly and decisively to this crisis.

Mr. Speaker:

We must all play a major role in the days and weeks ahead.

We must stay united.

The Government is using the full capacity of the law and state to win this fight against the virus.

Each Bahamian can be part of the battle by rejecting the spirit of

negativity that has infected too much of our public conversation.

Do not join them.

I am so proud of our health professionals, who labour long hours to care for the sick and to ease the suffering of those in pain.

They spend long hours at work away from their families trying to keep us safe.

Let us value their sacrifice.

Let us thank them for their service.

Let us pray that God gives them
extra wisdom, energy and
understanding to lead us to better
outcomes.

If we keep a unity of spirit and
purpose during this crisis we will come
out of it better as a people.

Bahamians built this archipelago
with their hands generation by
generation.

Each time we have faced a crisis,
our unbreakable Bahamian spirit has
come to the fore.

We have worked together.

We have helped each other.

There is no fight we cannot
overcome when we stand together,

united across this blessed and beautiful archipelago.

Mr. Speaker:

We can and we will co-operate with others in fighting this deadly invader.

As one people we must make the best use of what we have.

We must once again rely on the resilience, the imagination, the love and the faith which have defined us

and sustained us over many generations.

Now is not the time for panic but for discipline.

Now is not the time for selfishness but for sharing.

We must remain calm.

We must be civil with one another as we, together, face this challenge.

It is going to be difficult, but all things come to an end and so this crisis will also end.

Mr. Speaker:

I wish to end with these words of hope from Psalm 46:

1 God is our refuge and strength, an ever-present help in trouble.

2 Therefore we will not fear, though the earth give way and the mountains fall into the heart of the sea,

3 though its waters roar and foam and
the mountains quake with their
surging.

4 There is a river whose streams make
glad the city of God, the holy place
where the Most High dwells.

5 God is within her, she will not fall;
God will help her at break of day.

6 Nations are in uproar, kingdoms fall;
he lifts his voice, the earth melts.

7 The LORD Almighty is with us; the
God of Jacob is our fortress.

8 Come and see what the LORD has done, the desolations he has brought on the earth.

9 He makes wars cease to the ends of the earth. He breaks the bow and shatters the spear; he burns the shields with fire.

10 He says, "Be still, and know that I am God; I will be exalted among the nations, I will be exalted in the earth."

11 The LORD Almighty is with us; the God of Jacob is our fortress.

Thank you, Mr. Speaker.