

PUBLIC HEALTH EMERGENCY PREPAREDNESS AND MANAGEMENT BILL, 2021

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PUBLIC HEALTH EMERGENCY PREPAREDNESS AND MANAGEMENT BILL, 2021

A BILL FOR AN ACT TO PREVENT AND MANAGE A PUBLIC HEALTH EMERGENCY IN THE BAHAMAS

Enacted by the Parliament of The Bahamas

PART I - PRELIMINARY

1. Short title and commencement.

- (1) This Act may be cited as the Public Health Emergency Preparedness and Management Act, 2021.
- (2) This Act shall come into force on such date as the Minister may appoint by Notice published in the *Gazette*.

2. Interpretation.

In this Act —

“**contamination**” means the pollution or poisoning of the sea, land, lakes or ponds by oil, biological, chemical or other contaminant;

“**epidemic**” means the widespread outbreak, spread, occurrence or recurrence of an infectious disease in a community or region at a particular time;

“**health officer**” has the meaning assigned to it under the Health Services Act;

“**infectious disease**” means —

- (a) diseases such as the plague, smallpox, yellow fever, cholera, diphtheria, typhoid fever, scarlet fever, scarlatina, mumps, measles, German measles, typhus fever, whooping cough,

hydrophobia, trachoma, puerperal fever, relapsing fever, dysentery, cerebrospinal fever, acute poliomyelitis, influenza, tuberculosis, acquired immune deficiency syndrome (AIDS), pneumonia, ebola, covid-19 or other corona viruses;

- (b) any disorder caused by a pathogenic microorganism such as bacteria, viruses, parasites or fungi that can spread directly or indirectly from one individual to another; or
- (c) such other new emergent infectious disease as may be designated by the Minister by order;

“isolation station” includes any house, part of a house, tent, vessel or other place in which any patient or contact is isolated or quarantined;

“Minister” means the Minister responsible for Health;

“pandemic” means the widespread outbreak, spread, occurrence or recurrence of an infectious disease in a number of countries or prevalent all over the world;

“public health emergency” means a pandemic or epidemic of an infectious disease, or a contamination, which has implications that pose a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability, which require immediate action.

3. Purposes of Act.

The purposes of this Act are to make provision for the implementation of policies and strategies that are reasonably required and justifiable in a democratic society —

- (a) to establish the framework for the development, effective management and carrying out of measures to mitigate or minimize the effect of a public health emergency;
- (b) to provide for a timely response to a public health emergency;
- (c) to enable normal social and commercial activities to continue during a public health emergency, subject to such terms, conditions or restrictions as may be imposed;
- (d) to protect public health and the healthcare system of The Bahamas;
- (e) to secure and preserve public safety;
- (f) to safeguard, maintain and restore the health and well-being of communities.

PART II – DECLARATION OF PUBLIC HEALTH EMERGENCY

4. Minister empowered to declare public health emergency.

- (1) When at any time, the Minister is satisfied that The Bahamas or any part thereof is threatened, or visited by, a public health emergency, the Minister may —
 - (a) after considering the written advice of the Chief Medical Officer; and
 - (b) with the written agreement of the Prime Minister,by notice published in the *Gazette* declare a public health emergency (hereinafter called “an Emergency Notice”) in respect of the whole of The Bahamas or any part thereof.
- (2) A copy of the Emergency Notice made under subsection (1), shall as soon as practicable, be laid before both Houses of Parliament, but no later than twenty-one days of publication of such declaration.
- (3) While an Emergency Notice is in force, further notices may be declared and published in the *Gazette*, modifying its effect —
 - (a) by altering its application to specified parts of The Bahamas; or
 - (b) in the case of a notice which applies to specified parts of The Bahamas, by extending its application to—
 - (i) other specified parts of The Bahamas; or
 - (ii) the whole of The Bahamas.
- (4) An Emergency Notice shall, unless sooner renewed under section 5, cease to be in force at the expiration of the earliest of the dates specified in section 6, without prejudice to the making of another Emergency Notice under section 7 before the end of the period specified in section 6.

5. Renewal of Emergency Notice before expiration.

- (1) The Minister may by notice published in the *Gazette*, renew an Emergency Notice before its expiry —
 - (a) on the recommendation of the Chief Medical Officer; and
 - (b) with the written agreement of the Prime Minister,if he is satisfied that the effects of the public health emergency are likely to continue to significantly impact the public health and disrupt the social, cultural and economic activity in The Bahamas.

- (2) As soon as is possible after the renewal of an Emergency Notice under subsection (1), a copy thereof shall be laid before both Houses of Parliament, but no later than twenty-one days after such renewal.

6. Expiration of Emergency Notice.

Where an Emergency Notice —

- (a) is not renewed pursuant to section 5, it expires on the day occurring not later than three months after its commencement;
- (b) is renewed pursuant to section 5, it expires on the earliest day occurring not later than three months after the most recent notice renewing it.

7. New declaration of public health emergency.

Where an Emergency Notice ceases to be in force, the Minister may —

- (a) after considering the written advice of the Chief Medical Officer;
and
- (b) with the written agreement of the Prime Minister,

by notice published in the *Gazette* declare a new public health emergency, which may be in relation to the pre-existing emergency or any other public health emergency.

8. Parliament to meet no later than twenty-one days of Emergency Notice given.

(1) Where —

- (a) the House of Assembly is adjourned until a day more than twenty-one days after the day on which an Emergency Notice is declared or renewed; and
- (b) the Senate is adjourned sine die, or to a date more than twenty-one days after the day on which an Emergency Notice is given,

the Speaker in relation to the House of Assembly, and the President in relation to the Senate, shall, as soon as is practicable after it is made —

- (i) appoint a day and time for the respective House to meet which shall not be more than twenty-one days after the day on which the notice was given; and
- (ii) both Houses shall meet and sit at the time and on the day appointed.

(2) Where an Emergency Notice is declared or renewed and Parliament —

- (a) has been prorogued until a day more than twenty-one days after the day on which the Emergency Notice is given;

- (b) has been prorogued, and the date on which it is next to meet has not been determined within a period of six months; or
 - (c) has been dissolved or has expired, and no proclamation has been made summoning it to meet on a day not more than twenty-one days after the date on which the Emergency Notice is declared,
- the Governor-General shall, by proclamation published in the *Gazette* summon Parliament and appoint a time and day for Parliament to meet and the day must be —
- (i) a day not more than twenty-one days after the day on which the notice was declared; or
 - (ii) if the notice was declared after Parliament had been dissolved or had expired and before the latest day appointed under the Parliamentary Elections Act (*Ch. 7*) for the return of the writ for the election of members of Parliament, a day not more than twenty-one days after the latest day appointed for the return of the writ of election.
- (3) Parliament shall meet and sit at the time and on the day appointed by the Governor-General.

PART III – PREPAREDNESS FOR AND RESPONSE TO A PUBLIC HEALTH EMERGENCY

9. Duty of Minister to ensure effective response to a public health emergency.

- (1) The Minister shall, after consultation with the Prime Minister, ensure that at all times The Bahamas is in a position to effectively prevent, protect against and promptly respond at a national level to a public health emergency by causing —
 - (a) a comprehensive national preparedness and response plan to be prepared and published within six months of the date of the commencement of this Act and to be renewed and updated annually thereafter (hereinafter referred to as the “National Plan”);
 - (b) the National Plan to be implemented —
 - (i) once a threat to the public health is posed to The Bahamas; or
 - (ii) a public health emergency is declared.
- (2) The National Plan shall specify in relation to the public health emergency —
 - (a) preventative plans, which shall contain —

- (i) scientific information or intelligence on an impending threat to global health;
 - (ii) a framework to prevent, or to minimize, the impact of any epidemic, pandemic or contamination in a public health emergency;
 - (iii) specific measures for the clinical management of patients who may be affected by any epidemic, pandemic or contamination in a public health emergency, where applicable;
 - (iv) identification of any drugs, medications or therapies recommended by the World Health Organisation, or other global public health institutions, for fighting any disease which may become epidemic or pandemic, or may result from contamination;
 - (v) identification of appropriate means of communication, resource management and measures to prevent or minimize societal disruption by a public health emergency;
 - (vi) identification of any inter-governmental and multi-sectoral coordination and collaboration necessary for the preparation, implementation, response and recovery phases;
- (b) preparedness plans, which shall contain —
- (i) assessment of all hazard risks and the capacity to manage and prioritise such risks;
 - (ii) plans for training and conducting simulation exercises for public health workers in preparation for a public health emergency;
 - (iii) plans for community planning and engagement including communication and other interfaces with the general public to inform them of the national plans for responding to a public health emergency and their responsibility to engage and to be prepared for a public emergency;
 - (iv) plans detailing the process for measuring performance and taking corrective action in a public health emergency;
- (c) mitigation, response and implementation plans, which shall contain the actions to be taken once a public health emergency threatens, or is declared in The Bahamas regarding —
- (i) assessing the seriousness of the threat of the public health emergency;
 - (ii) the identification and appointment of a management team and succession criteria of that team;

- (iii) defining the basic roles and responsibilities for response to the public health emergency across all levels of government and the private sector;
- (iv) the acquisition of resources and materials required to address a public health emergency;
- (v) the gathering and analysing of scientific data relating to the public health emergency;
- (vi) detailing the procedure for assessing and responding to the possible physical, psychological and economic effects on The Bahamas and possible mitigation.

10. Duty of Minister to ensure adequate healthcare and essential services in event of a public health emergency.

The Minister shall, in order —

- (a) to prevent or minimize the effects of a public health emergency; and
- (b) to manage, contain and mitigate the effects of a public health emergency,

ensure that there exists generally, an adequate —

- (i) number of health professionals and other support in the public health system;
- (ii) provision of health care facilities;
- (iii) provision of isolation stations;
- (iv) quantity of medical supplies, medication and vaccines;
- (v) supply of personal protective equipment;
- (vi) supply of medical equipment.

PART IV - MANAGEMENT OF A PUBLIC HEALTH EMERGENCY

MANAGEMENT ROLES DURING A PUBLIC HEALTH EMERGENCY

11. Roles of various bodies in managing a public health emergency.

In the management of a public health emergency in accordance with this Act —

- (a) the Prime Minister shall appoint a committee pursuant to section 12, and such committee shall have the responsibilities as specified in section 13;
- (b) the Minister shall have the duties specified in sections 14 – 18;

- (c) health officers shall have the powers specified in section 19;
- (d) the Minister shall have the powers specified in section 19 - 20;
- (e) the Rules Committee shall have the power specified in section 23;
and
- (f) the Minister may make regulations in accordance with section 28.

12. Prime Minister to appoint committee.

- (1) Upon the declaration of a public health emergency, the Prime Minister shall within seven days, appoint an *ad hoc* committee (hereinafter referred to as “the Advisory Committee”), not exceeding fourteen persons, to advise and make recommendations with respect to the public health emergency in accordance with section 13.
- (2) The Advisory Committee shall comprise of —
 - (a) the Chief Medical Officer or his designate;
 - (b) the Deputy Chief Medical Officer;
 - (c) a member of the official Opposition, nominated by the Leader of the Opposition;
 - (d) a representative of the Ministry of Finance;
 - (e) a representative of the National Emergency Management Agency;
 - (f) two registered medical practitioners;
 - (g) an epidemiologist;
 - (h) a retired justice of the Supreme Court or an attorney-at-law of at least ten years' call to the Bahamas Bar;
 - (i) a representative of civil society or of such other organization as the Prime Minister thinks fit, having regard to the role of the organization in the economic or commercial sector of The Bahamas; and
 - (j) a representative of such organization which is required by law to perform functions relating to the mitigation of, and response to, emergencies in The Bahamas;
 - (k) such other person who has expertise relating to the particular public health emergency, as the Prime Minister deems necessary.
- (3) The Advisory Committee appointed under subsection (1) shall —
 - (a) meet at regular intervals throughout the duration of the public health emergency; and
 - (b) continue to meet for a period of not less than three months after a public health emergency has ceased to exist.

ADVISORY COMMITTEE

13. Role of Advisory Committee.

- (1) It shall be the role of the Advisory Committee appointed pursuant to section 12(1) to advise the **Minister** on all aspects of managing the public health emergency including —
 - (a) the imposition of restrictions necessary to mitigate the effects of the public health emergency;
 - (b) the nature and degree of risks affecting or which may affect—
 - (i) the social and economic consequences to The Bahamas;
 - (ii) the physical and psychological consequences on all persons in The Bahamas;
 - (c) the preparedness of available health facilities and the availability of qualified health care personnel to meet the additional demand for health care resulting from the public health emergency;
 - (d) to give specific advice when required by the **Minister** on any matter.
- (2) The Advisory Committee shall make a written report to the **Minister** —
 - (a) no later than seven days after its initial appointment with respect to —
 - (i) the Advisory Committee's overall assessment of the public health emergency;
 - (ii) the potential health and economic impact on the country;
 - (iii) the potential consequences arising from the public health emergency;
 - (b) every week after the initial report, advising on the progress or otherwise of any measures implemented by the Government under this Act or any other law to address and contain the public health emergency.

DUTIES OF MINISTER

14. Duty to ensure adequate support to address public health emergency.

Immediately upon becoming aware of a threatened public health emergency, the Minister shall ensure that —

- (a) there is procured permanently or temporarily, facilities with the requisite equipment and other necessities as are required to meet the demands of the public health emergency;

- (b) there exists adequate medical and other personnel to control and manage any public hospital, medical facility or isolation station for the reception of persons whose health has been adversely impacted by the public health emergency.

15. Duty to detain, isolate and care for persons suffering from an infectious disease, etc.

In addition to the Minister's duty under section 14, it shall be the duty of the Minister —

- (a) where he considers it necessary to do so, to identify and designate premises, other than a public hospital or medical facility, to be used as an isolation station to accommodate persons suffering from an infectious disease or contamination;
- (b) to cause persons suffering from an infectious disease or contamination to be segregated and detained in an isolation station;
- (c) to make provision for the necessary medical treatment and care of persons suffering from an infectious disease or contamination.

16. Duty to cause contacts of suffering persons to be traced and contacted.

- (1) The Minister shall cause the contacts of any person suffering from an infectious disease or contamination to be —
 - (a) traced and contacted;
 - (b) placed under surveillance; and
 - (c) placed under the control of a health officer.
- (2) Any person who obtains information in any form as a result of his duties being carried out under subsection (1), shall not disclose that information to any person except so far as it is required or permitted under this Act.
- (3) Any person who communicates any information in breach of subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding one year or to both such fine and imprisonment.

17. Duty to keep general public informed.

- (1) The Minister shall, in conjunction with the Chief Medical Officer and such other health officers as he deems necessary, make live, in person weekly reports to the general public providing updates generally, on all aspects of the public health emergency, including —
 - (a) any scientific data relating to the public health emergency;

- (b) the availability of resources in the country necessary to address the public health emergency with respect to the number and adequacy of —
 - (i) hospital beds;
 - (ii) critical medication; and
 - (iii) critical medical equipment;
 - (c) the margin of error with respect to the accuracy of any quantitative data given under paragraph (a);
 - (d) any new measures being implemented or to be implemented by the Government to address the public health emergency.
- (2) Notwithstanding subsection (1), where any new information or development arises that could potentially impact the general public, the Minister shall bring such information to the attention of the general public forthwith.
- (3) A report made under this section may be made available to the general public in print or electronically.

18. Duty to educate general public.

- (1) The Minister shall cause the general public to be educated generally on —
- (a) the risks to health and social effects of an infectious disease or contamination;
 - (b) the steps to be taken in the event that a person suspects he is suffering from an infectious disease or contamination;
 - (c) the ventilation, cleansing, and disinfection of all private and public premises, vehicles, vessels and aircraft;
 - (d) the cleansing and disinfection of clothing and other personal effects; and
 - (e) the social practices to be carried out by persons in public or private places to minimize or eliminate the public health emergency.
- (2) For the purposes of subsection (1), the Minister may authorize the dissemination of information by the use of printed material or electronically.

POWERS OF HEALTH OFFICERS

19. Powers of health officers during a public health emergency.

Where a public health emergency has been declared under this Act, a health officer is empowered by this Act —

- (a) to detain any person who he has reasonable grounds to believe is or may be infected with an infectious disease or contaminated for the purposes of screening, assessment or the imposition of any requirement under paragraphs (c) and (d);
- (b) orally or in writing, to impose on, or in relation to any person, one or more screening requirements to assess whether such person presents or could present a risk of infecting or contaminating others;
- (c) to carry out an assessment specified in paragraph (b) in relation to any person;
- (d) following such an assessment, to orally or in writing, impose on or in relation to that person any other restriction or requirement which the health officer considers necessary for the purpose of removing or reducing the risk referred to in paragraph (a), including a special restriction or requirement;
- (e) to do all things as are necessary for the detention and isolation of any such persons as may be prescribed.

POWERS OF MINISTER

20. Minister may make Orders.

- (1) Subject to subsection (2), the Minister may, after consultation with the Prime Minister, by order, impose restrictions or requirements in the interest of public health, in any settlement, island or for the whole of The Bahamas threatened or affected by a public health emergency —
 - (a) order the closure of public and private businesses and institutions, including places of educational and religious instruction, public and private beaches and parks;
 - (b) prohibit or restrict ground transportation, inter island or international travel;
 - (c) prohibit or restrict private and public social gatherings, events and activities;
 - (d) impose social distancing or isolation on all persons within any particular area, island or the whole of The Bahamas;
 - (e) mandate the wearing of masks or other protective wear in public;
 - (f) mandate sanitation measures for individuals, businesses and public places or facilities;
 - (g) impose curfews or lockdowns on a specific island, region, community or settlement;

- (h) impose a restriction or requirement relating to the handling, transport, burial or cremation of dead bodies or the handling, transport or disposal of human remains;
 - (i) prohibit or limit the levy of charges for necessary public health services;
 - (j) requisition any building, ship or aircraft for the duration of any public health emergency pursuant to regulations made by the Minister;
 - (k) requisition essential services for the duration of any public health emergency or for any period thereof and to use such services for the purposes of preventing or mitigating the effects of an infectious disease or contamination pursuant to regulations made by the Minister;
 - (l) create offences and provide penalties for breach of any order made pursuant to this section;
 - (m) provide for the execution and enforcement of restrictions and requirements imposed by or under any order pursuant to this section.
- (2) The **Minister** shall only make an order under this section where the restriction or requirement is —
- (a) reasonably required and justifiable in a democratic society;
 - (b) expressed to be contingent on there being a serious or imminent threat to public health at the time when the order is imposed;
 - (c) expressed to remain in force for no more than sixty days.
- (3) An order made under this section shall be reviewed by the Advisory Committee at intervals of not more than twenty-one days and the Advisory Committee shall inform the **Minister** of its determination.
- (4) In accordance with the Advisory Committee's determination, the **Minister** may continue, modify or rescind the order as the case may be.
- (5) An order made under this section shall be published in the *Gazette* and tabled in both Houses of Parliament as soon as is reasonably practicable.
- (6) Any order pursuant to this section may be made by announcement on any television or wireless transmission by any media duly licensed to operate for transmission and reception in The Bahamas, except that as soon as practicable thereafter the order —
- (a) shall be published in the *Gazette*;
 - (b) may be affixed to the outside of a magistrate court, police station located in the area of The Bahamas affected and to the outside of every Administrator's office on the Family Islands to which the order applies;

- (c) may be posted on an official website of the Government;
 - (d) may be made available electronically by the office of the Minister.
- (7) The means of authentication of an order made pursuant to subsection (6) shall be —
- (a) in the case of media announcements, the voice of the Minister;
 - (b) in the case of posted notices, the actual or electronic signature of the Minister.
- (8) Notwithstanding the provisions of sections 31 and 32 of the Interpretation and General Clauses Act (*Ch. 2*), an order made under this Act shall have effect notwithstanding that the order has not been published in the Gazette or laid before the House of Assembly.

21. Prime Minister may modify or defer statutory requirements.

- (1) During a public health emergency, the Prime Minister may, by order published in the *Gazette*, on the recommendation of the respective Minister responsible for the administration of an enactment —
- (a) modify with prospective effect, any requirement or restriction imposed by any enactment for which the Minister has responsibility; or
 - (b) defer the implementation of any enactment for the period of the public health emergency and for any further extended period but not exceeding sixty days after the expiration of the Emergency Notice or any renewal thereof,
- hereinafter referred to as a “modification order”.
- (2) A respective Minister shall not recommend the making of a modification order of any enactment under subsection (1) unless in his opinion —
- (a) the effect of the modification order of any enactment is likely to be necessary to enable the effective management of the public health emergency;
 - (b) the effects of the public health emergency, might be such that the requirement or restriction would be impossible to comply with, or fully comply with; and
 - (c) the modification to be made goes no further than would be reasonably required and justifiable in a democratic society.
- (3) A modification of a requirement or restriction under subsection (1)(a) may be —
- (a) absolute or subject to conditions;

- (b) an alternative means of complying with the requirement or restriction;
- (c) a substitution of a discretion whether to enforce the requirement or restriction,

and such modification shall not extend beyond a period of sixty days after the expiration of the Emergency Notice or any extension thereof.

- (4) A modification order made pursuant to this section shall not authorize —
 - (a) the release of a person from custody or detention;
 - (b) the unlawful detention of any person;
 - (c) the breach of a person’s right or freedom guaranteed by the Constitution, except where any restrictions of such right or freedom is in the interest of public health, is reasonably justifiable in a democratic society and is authorized by Articles 21(2)(a), 22(5)(a), 23(2)(a), 24(2)(a), 25(2)(a); or
 - (d) a modification of a requirement or restriction imposed by the Constitution or the Parliamentary Elections Act (*Ch. 7*).

22. Prime Minister to make reports.

- (1) The Prime Minister shall make live, in-person weekly reports to the general public providing updates generally on all aspects of the economic and social impact of the public health emergency, including —
 - (a) the overall risk of the public health emergency to the general public;
 - (b) the progress of any measures put in place to contain or mitigate the public health emergency and the reason for such measures;
 - (c) the short and long term mitigation plans under consideration in addressing the public health emergency;
 - (d) any negative consequences that are foreseeable to any person, place or thing and how the Government intends to mitigate such negative consequences if possible.
- (2) Notwithstanding subsection (1), where any new information or development arises that could potentially impact the general public, the Prime Minister shall bring such information to the attention of the general public forthwith.
- (3) A report made under this section shall be made available to the general public in writing via social media and any official government website.

POWER OF RULES COMMITTEE

23. Rules Committee may modify Rules of Court.

While an Emergency Notice is in force, the Rules Committee of the Supreme Court may, in any particular case, modify any rule of court, and to any extent, that it thinks necessary in the interest of justice to mitigate the effects of the public health emergency.

PART V - MISCELLANEOUS

24. Review of modification orders.

- (1) The Minister responsible for the administration of an enactment modified pursuant to section 21, shall —
 - (a) keep such modification under review; and
 - (b) keep the Prime Minister informed of the operation of the modification made in connection with the enactment.
- (2) If the respective Minister is satisfied that the modification, or other action relating to the enactment is no longer necessary for the purpose of the public health emergency, the Prime Minister shall by order published in the *Gazette* revoke the order.
- (3) Every modification made while an Emergency Notice is in force, must be laid in the House of Assembly as soon as practicable after it is made.
- (4) A modification made shall be disallowed if, within seven days after the day on which it is laid, the House of Assembly resolves to disallow it.
- (5) An order disallowed under this section is revoked at the close of the day after the day on which the House of Assembly resolves to disallow it.

25. Notice of Resolution to disallow immediate modification orders.

- (1) If the House of Assembly resolves to disallow a modification order made pursuant to section 21, the Clerk of the House of Assembly shall promptly give written notice of the disallowance to the Prime Minister and the Attorney-General.
- (2) A written notice made under subsection (1) shall —
 - (a) show the date on which the Resolution was agreed to and be accompanied by the text of the Resolution;
 - (b) be conclusive evidence of the day on which the Resolution was agreed to; and

(b) be printed and published in the *Gazette*.

26. Modification order to include intended effect.

Where a person's rights, available remedies or causes of action under an enactment are to be affected by a modification order, the intended effects of such order shall be set forth therein.

27. Chief Medical Officer to keep Emergency Notice under review.

- (1) The Chief Medical Officer shall keep under review and keep the Prime Minister and the Minister informed of the public health emergency out of which any notice given under this Act arose.
- (2) If the Chief Medical Officer is satisfied that the threat or effect of the public health emergency is not likely to continue to impact the public health and disrupt the social, cultural and economic activity in The Bahamas, the Prime Minister shall be notified and he shall promptly revoke the Notice.

28. Minister may make Regulations.

The Minister, in consultation with the Prime Minister, may make regulations specifically for the management of a public health emergency —

- (a) to impose restrictions and requirements on health officers in the exercise of their duties;
- (b) to do all things as are considered necessary for the detention and isolation of persons;
- (c) to provide for offences relating to the violation of any isolation imposed by a health officer;
- (d) to provide for the remand of persons at designated isolation stations and for their release;
- (e) to set screening requirements for, and the taking of biological samples from, infected persons or persons reasonably believed to be infected with an infectious disease or suffering from contamination;
- (f) to set standards for and to regulate the sector of persons providing medical, therapeutic and other patient care to infected persons;
- (g) to provide for the processes for the requisition of any building, ship, aircraft or essential services for the duration of any public health emergency or for any period thereof and to use such services for the purposes of preventing or mitigating the effects of a public health emergency;
- (h) to provide for the process for the waiver of any procurement rules;
- (i) generally, for the better carrying out of the purposes of this Act.

OBJECTS AND REASONS

This Bill seeks to, *inter alia*, put in place a statutory framework to address, manage and mitigate public health emergencies that may arise from the spread of an infectious disease or contamination.

Part II of the Bill (clauses 4 - 8) empowers the Minister of Health, after considering the written advice of the Chief Medical Officer, and with the written agreement of the Prime Minister, to declare a public health emergency. A declaration or a renewal must be laid before both Houses of Parliament as soon as is possible, but no later than twenty-one days thereof.

Part III of the Bill (clause 9) provides that the Prime Minister shall cause a National Plan to be prepared and published within six months of the date of the commencement of this Bill. The National plan shall include preventative plans, preparedness plans and mitigation, response and implementation plans.

Part III of the Bill (clause 10) also provides for the Minister of Health to ensure that there exists generally, an adequate number of health professionals and other support, health care facilities, medical supplies, medication and vaccines, personal protective equipment, and medical equipment in order to prevent, manage, contain and mitigate the effects of a public health emergency.

Part IV of the Bill (clauses 11 – 23) provides specifically for the management of a public health emergency by the various bodies. By virtue of clause 12 of the Bill, upon the declaration of a public health emergency, the Prime Minister shall appoint an Advisory Committee to advise the Prime Minister and Minister of Health on all aspects of managing the public health emergency.

Clauses 14 - 18 of the Bill provides for the various duties to be performed by the Minister of Health in managing the public health emergency. Clause 19 of the Bill provides for the powers of health officers in managing a public health emergency. Clauses 20 - 22 of the Bill provides for the powers and duties of the Prime Minister in managing a public health emergency. Clause 23 of the Bill provides for the powers of the Rules Committee of the Supreme Court, while an emergency notice is in force.

Part V of the Bill (clauses 24 – 28) provides for certain miscellaneous provisions with respect to modifications orders made under this Bill and review of the Emergency Notice. Clause 28 of the Bill provides for the Minister, in consultation with the Prime Minister, to make various regulations for the management of a public health emergency.