



THE COMMONWEALTH OF THE BAHAMAS

GENERAL PROTOCOLS FOR BOATS, YACHTS, PRIVATE CRAFT, RECREATIONAL CRAFT, CRUISING IN, PLYING THE WATERS OF, OR SHELTERING IN THE BAHAMAS OR SEEKING TO DO SO DURING THE COVID-19 SHUT-DOWN 14 April, 2020

STATE OF EMERGENCY

The Commonwealth of The Bahamas is at present operating under a STATE OF EMERGENCY, with extraordinary powers having been conferred upon the Government to combat and contain the COVID-19 pandemic for the protection of The Bahamian People.

Herein are set forth the General Protocols which shall be the terms and conditions for all boats, yachts, private craft, and recreational craft (“boats”) including boats for hire for such purposes, that are (a) cruising in, plying the waters of, or sheltering in The Bahamas; (b) intending to visit or depart from The Bahamas; or (c) intending to transit The Territorial Waters of The Bahamas (the “boat protocols”).

These boat protocols are not exhaustive. The Government may at any time supplement, amend or rescind all or any part of such boat protocols, and issue any instructions or prohibitions with regard thereto or with regard to any boat or boats, or class of boats, or circumstance as it sees fit.

PREAMBLE

As is well known, there currently exists neither a cure for, nor a vaccine against the COVID-19 virus. The only known defense at present is minimizing interpersonal contact, keeping safe distance, and sheltering in place. For this reason The Prime Minister of The Bahamas, as the Competent Authority for The Bahamas under the Emergency Powers (COVID-19) Order has mandated a lockdown and curfew for the entirety of The Bahamas, including its Waters.

The Islands of The Bahamas represent relatively closed systems, some of them with very limited resources. As such, they may be particularly vulnerable to outside contact. Accordingly:

GENERAL PROHIBITION OF ENTRY

- (1) No boats shall enter Bahamian Waters for whatsoever purpose until further notice, without prior written consent of the Competent Authority pursuant to Par. (15) hereof.

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SELF-IDENTIFICATION

- (2) All foreign boats and all Bahamian boats on charter to foreigners, within Bahamian Waters, shall immediately declare and identify themselves to the Designated Government Contact (the “D.G.C.”) as described in Par. (19) hereof. Such declaration shall include:
- (a) the name / description / location / contact details of the boat;
 - (b) the date the boat entered Bahamas Waters, and any movements of the boat within The Bahamas;
 - (c) the names /nationalities / designation (crew, passenger) of the persons on board;
 - (d) the medical condition of the persons on board, including flu-like symptoms, if any;
- PLEASE NOTE THAT ON ACCOUNT OF THE CRISIS THE BAHAMAS DOES NOT HAVE THE CAPACITY TO SAFELY TREAT ANY FOREIGN BOAT-SOURCED MEDICAL CASES ASHORE; ARRANGEMENTS MUST BE MADE TO TREAT ANY SUCH ILLNESSES OUTSIDE OF THE BAHAMAS.

DEPARTURE FROM THE BAHAMAS – FOREIGN BOATS

- (3) In view of the significant restrictions in place, FOREIGN BOATS ARE ENCOURAGED BY THE GOVERNMENT TO DEPART THE BAHAMAS and may do so, weather and safe navigation permitting. A foreign boat departing The Bahamas must proceed DIRECTLY and NON-STOP to its destination / home port outside The Bahamas.
- (4) Any foreign boat unable to depart The Bahamas directly and non-stop to its destination outside The Bahamas, shall notify the D.G.C. and shall propose an alternative plan for consideration.

FURTHER RESTRICTIONS – RESTRICTION OF MOVEMENT, FOREIGN BOATS

FOR AS LONG AS FOREIGN BOATS REMAIN IN THE WATERS OF THE BAHAMAS SUBJECT TO THE EMERGENCY POWERS in place, until further notice such foreign boats shall comply with the following restrictions:

- (5) All foreign boats shall shelter-in-place where they are.
- (6) All foreign boats and those on board shall avoid interpersonal contact with people ashore. If food and/or provisions must be taken on, communication shall be by telephone, and deliveries by dropoff without interpersonal contact. Any re-supply of fuel shall be similarly treated. THOSE ON BOARD SHALL REMAIN ON BOARD. THOSE ASHORE SHALL REMAIN ASHORE.
- (7) On no account shall foreign boats travel from one island of The Bahamas to another.
- (8) On no account shall foreign boats take on passengers or visitors in The Bahamas for any reason. On no account shall any such passengers or visitors be transported from one place or island to another.
- (9) All foreign boats shall remain in place. There shall be no boating, cruising, fishing, day trips or other movement of any kind.

FURTHER RESTRICTIONS – RESTRICTION OF MOVEMENT, BAHAMIAN BOATS

Boats belonging to Bahamians or Bahamian residents whose boats have a regular berth or place in The Bahamas shall comply with the following restrictions:

- (10) All boats and those on board shall avoid interpersonal contact with foreign boats and any persons on board or from such foreign boats. If food and/or provisions must be supplied to foreign boats, communication shall be by telephone, and deliveries shall be by dropoff without interpersonal contact. Any re-supply of fuel shall be similarly treated.
- (11) On no account shall Bahamian boats travel from one island of The Bahamas to another without prior written consent of the Competent Authority pursuant to Par. (15) hereof.
- (12) On no account shall Bahamian boats take on passengers or visitors in The Bahamas for any reason without prior written consent of the Competent Authority pursuant to Par. (15) hereof.
- (13) On no account shall any such passengers or visitors be transported from one place or island to another without prior written consent of the Competent Authority pursuant to Par. (15) hereof.
- (14) In order to minimize interpersonal contact and to respect the lockdown and curfew requirements, Bahamian boats shall not engage in boating, cruising, day trips or other movement. However, Bahamian boats may engage in subsistence fishing and local fishing for sustenance only (no sports fishing) at allowable times only and with all possible precautions (including Pars. (10) to (13) hereof), and only with the boat departing from and returning to the same location.

APPLICATION TO GOVERNMENT

- (15) IF A BOAT WISHES TO SEEK AN EXCEPTION TO THE TERMS AND CONDITIONS OF THESE BOAT PROTOCOLS, the boat's owner / operator may apply to the Government in writing by e-mail to primeminister@bahamas.gov.bs with copy to the Designated Government Contact (the "D.G.C.") as described in Par. (19) below.
- (16) An application to seek an exception as cited in Par. (15) shall include:
 - (a) the name / description / location / contact details of the boat;
 - (b) the date the boat entered Bahamas Waters, and any movements of the boat within The Bahamas;
 - (c) the names /nationalities / designation (crew, passenger) of the persons on board;
 - (d) the medical condition of the persons on board, including flu-like symptoms, if any; and
 - (e) the exception to these boat protocols sought by the applicant, the reasons for seeking such exception, and the action proposed (in sufficient detail as to allow for a decision to be made).
- (17) The Government may accept or reject such application and in this regard may request of the owner such additional information as it deems necessary. The Government may from time to time supplement, amend, alter or rescind any conditions it places on a boat's movements or operation.

EMERGENCY POWERS

- (18) All ships upon entry into Bahamas Territorial Waters until departure therefrom shall be subject to the Emergency Powers Act and Regulations for the duration of such Act and Regulations.

DESIGNATED GOVERNMENT CONTACT

- (19) With the exception of an Application - which shall be addressed in accordance with Par. (15) and which shall be copied to the D.G.C. - all correspondence hereunder shall be addressed to the co-Designated Government Contacts as follow:

Cmdr. Berne Wright, The Port Controller
Port Department, Ministry of Transport
Prince George's Dock
P.O. Box N8175
Nassau, N.P., The Bahamas
E-Mail: bernewright@bahamas.gov.bs
Phone: (+1-242) 376-3371

and:

Capt. Dwain E. Hutchinson (Advisor)
Director, The Bahamas Maritime Authority
Shirlaw House 226 Shirley Street
P.O. Box N-4679
Nassau, N.P., The Bahamas
E-Mail: Director@bahamasmaritime.com
Phone: (+1-242) 424-1937; (+44-7960) 032-283
