



*EXTRAORDINARY*

**OFFICIAL GAZETTE**

**THE BAHAMAS**

PUBLISHED BY AUTHORITY

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NASSAU

30<sup>th</sup> March, 2020

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# EMERGENCY POWERS (COVID 19) (SPECIAL PROVISIONS) ORDER, 2020

## Arrangement of Order

### Order

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**OFFICE OF THE PRIME MINISTER**

S. I. No. 32 of 2020

**EMERGENCY POWERS (COVID 19) REGULATIONS, 2020  
(CHAPTER 34)**

**EMERGENCY POWERS (COVID 19) (SPECIAL  
PROVISIONS) ORDER, 2020**

In exercise of the powers conferred by the Emergency Powers (Covid 19) Regulations<sup>1</sup>, I **HEREBY** make the following order —

**1. Citation and duration.**

- (1) This Order may be cited as the Emergency Powers (Covid 19) (Special Provisions) Order, 2020.
- (2) This Order shall be deemed to have come into force on the 17<sup>th</sup> day of March, 2020.

**2. Interpretation.**

For the purposes of this Order, “document” includes a form, application, affidavit or report.

**3. Suspension of certain obligations under enactments.**

- (1) The requirement under any enactment —
  - (a) to file a document with;
  - (b) to pay a fee to;
  - (c) to renew a license, visa, or permit issued by,any government entity, statutory body or regulator shall be suspended from the 17<sup>th</sup> day of March, 2020 for the duration of the state of public emergency and thirty days thereafter.
- (2) The provisions of paragraph (1) shall not apply to —
  - (a) the Customs Management Act, 2011 (*No. 30 of 2011*);
  - (b) the Value Added Tax Act, 2014 (*No. 32 of 2014*);
  - (c) the Real Property Tax Act (*Ch. 375*);
  - (d) the National Insurance Act (*Ch. 350*).
- (3) For the avoidance of doubt, the provisions of paragraph (1) shall not apply to an obligation to make a payment into court for —
  - (a) child support and maintenance; and

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<sup>1</sup>S. I. No. 21 of 2020.

- (b) any other civil payment ordered to be paid into court.

#### **4. Limitation Act.**

Any limitation of time provided under the Limitation Act (*Ch. 83*) is suspended from the 17<sup>th</sup> day of March, 2020 for the duration of the state of public emergency and extending thirty days thereafter.

#### **5. Register of Beneficial Ownership Act.**

The period of transition referred to in section 18 of the Register of Beneficial Ownership Act, 2018 (*No. 38 of 2018*) is suspended for the duration of the state of public emergency and for sixty days thereafter.

#### **6. Companies Act and International Business Companies Act.**

- (1) A requirement under the Companies Act (*Ch. 308*) to —
  - (a) pay any fee in accordance with the *Third Schedule* thereof;
  - (b) make any payment instalment in an arrangement thereunder; or
  - (c) file any declaration or document in accordance therewith,is suspended from the 17<sup>th</sup> day of March, 2020 for the duration of the state of public emergency and extending fourteen days thereafter.
- (2) A requirement under the International Business Companies Act (*Ch. 309*) —
  - (a) to pay any fee; or
  - (b) to file any declaration or document,is suspended from the 17<sup>th</sup> day of March, 2020 for the duration of the state of public emergency and extending fourteen days thereafter.

#### **7. Common seal of company.**

From the 17<sup>th</sup> day of March, 2020 and for the duration of the state of public emergency and extending fourteen days thereafter, any document —

- (a) purporting on its face to be a deed shall be conclusively deemed to be a deed notwithstanding that no seal is actually impressed thereon or affixed thereto;
- (b) required by any company incorporated under the Companies Act or the International Business Companies Act to have its common seal affixed shall be conclusively deemed to have met that requirement notwithstanding that no such common seal is actually impressed thereon or affixed thereto, as long as the intention to affix the said seal is declared in the relevant document.

**8. Insurance premiums.**

- (1) In respect of any health, medical and life insurance policy, the obligation to pay any insurance premium under any policy of insurance is suspended from the 17<sup>th</sup> day of March, 2020 for the duration of the state of public emergency and extending sixty days thereafter.
- (2) Should any insured event occur giving rise to the liability of the insurer to pay a claim to the insured, the insurer shall honour the claim and only deduct the renewal fee and any deductible from the money paid under the claim.

**9. Public parks.**

All public parks shall be closed.

**Made this 30<sup>th</sup> day of March, 2020**

**Signed  
HUBERT MINNIS  
Prime Minister**