



EXTRAORDINARY
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**EMERGENCY POWERS (COVID 19)
(AMENDMENT) (NO. 2) REGULATIONS, 2020**

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OFFICE OF THE GOVERNOR-GENERAL



S.I. No. 25 of 2020

**EMERGENCY POWERS ACT
(CHAPTER 34)**

**EMERGENCY POWERS (COVID 19) (AMENDMENT) (NO. 2)
REGULATIONS, 2020**

In exercise of the powers conferred by section 3 of the Emergency Powers Act (*Ch. 34*), the Governor-General makes the following regulations —

1. Citation.

These Regulations may be cited as the Emergency Powers (Covid 19) (Amendment) (No. 2) Regulations, 2020.

2. Insertion of new regulation 24 into S. I. No. 21 of 2020.

The Emergency Powers (Covid 19) Regulations is amended by the insertion of the following new regulation —

“24. Flee clauses.

Wherever there is a provision (a “flee clause”) in a trust instrument governed by Bahamian law to the effect that the trust in question shall, in the event of a proclamation of a state of emergency in The Bahamas, cease to have —

- (a) Bahamian law as its governing law;
- (b) The Bahamas as its forum and situs of administration; or
- (c) as its trustee a trustee in The Bahamas,

such trust instrument shall be treated (despite any provision in the trust instrument that might be considered a contrary provision) as having from its date contained immediately thereafter the following provision —

“Provided always that the flee clause does not extend to the proclamation of a state of emergency as a result of a pandemic; and provided further that any actions carried out without taking account of such proviso shall be null and void from the outset.”

Dated the 19th day of March, 2020.

Signed
CORNELIUS SMITH
Governor-General