

ANTIGUA AND BARBUDA



PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)

(NO. 14) REGULATIONS 2021

STATUTORY INSTRUMENT

2021, NO. 71

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**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)
(No. 14) REGULATIONS 2021, made by the Board pursuant to Section 102 of the Public
Health Act, Cap. 353.**

1. Citation and commencement

(1) These Regulations may be cited as the Public Health Act (Dangerous Infectious Disease) (Amendment) (No. 14) Regulations, 2021.

These Regulations shall take effect from 8:00pm on Friday 27th August, 2021 and shall remain in force until the 10th day of September, 2021.

2. Interpretation

In these Regulations –

“principal Regulations” means the Public Health Act (Dangerous Infectious Disease) Regulations 2020, Statutory Instrument No. 16 of 2020

3. Amendment of Regulation 5A of principal Regulations

Regulation 5A of the principal Regulations is amended as follows –

- (a) by repealing paragraph 3 (Mandatory Curfew) and substituting it with the following—

“3. Mandatory Curfew

(1) A mandatory nine (9) hour curfew shall come into effect from 8:00p.m. to 5:00a.m beginning on Friday 27th August, 2021 and continuing every evening thereafter from 8:00p.m for nine (9) consecutive hours until 5:00a.m of the next day following.

(2) Subject to this regulation, the curfew period will not apply to individuals who are involved in a medical emergency.

(3) The curfew period shall not apply to persons who are employees or officers of the following—

- (a) The Royal Police Force of Antigua and Barbuda including the Fire Brigade;
- (b) The Antigua and Barbuda Defence Force;
- (c) Office of National Drug and Money Laundering Control Policy (ONDCP);
- (d) Customs and Excise Department;
- (e) Immigration Department;
- (f) The Sir Lester Bird Mount Saint John's Medical Centre;
- (g) Emergency Medical Services and E-911 Services;
- (h) Media workers and other employees of a broadcasting service to the extent that they are traveling for work;
- (i) Her Majesty's Prison;
- (j) Air Traffic Control Services;
- (k) Meteorological Services;
- (l) LIAT (1974) Ltd.
- (m) Antigua and Barbuda Port Authority;
- (n) APUA (Electricity and Water and Telecommunications), other Water services, and Telecommunications Service Providers;
- (o) Antigua and Barbuda Airport Authority;
- (p) Businesses licensed to provide private security services;
- (q) Commercial Banks and Credit Unions to the extent required to facilitate ongoing automatic banking services.
- (r) Members of Parliament,
- (s) the Treasury Department, as determined by the Accountant General;
- (t) the Inland Revenue Department, as determined by the Commissioner of Inland Revenue;
- (u) National Solid Waste Management Authority;
- (v) Healthcare workers and employees of allied health care services;
- (w) Construction workers;
- (x) Brokers and Shipping agents;
- (y) Businesses involving logistics;
- (z) Fuel manufacturers and distributors (WIOC and RUBIS);
- (aa) Hotels/Villas and ancillary staff thereof (as approved by the Ministry of Health and the Board);
- (ab) Call Centre Employees;
- (ac) Undertakers/Funeral parlours.”

- (b) by repealing paragraph 4 (Opening of businesses and conditions) and substituting it with the following—

“4. Opening of businesses and conditions

(1) Subject to the provisions of paragraphs 4A and 4B below, and the provisions of this paragraph, businesses throughout Antigua and Barbuda that have been certified and approved as COVID compliant by the Board, shall be permitted to open and to operate between the hours of 5:00am and 8:00pm daily.

(2) Registered livestock and vegetable farmers are permitted to operate in respect of their business between the hours of 4:00a.m. and 8:00p.m daily.

(3) Licensed fishermen are permitted to operate during the curfew period between the hours of 2:00a.m and 8:00p.m daily.

(4) Public transportation services may operate between the hours of 5:00am and 8:00pm., provided that the operator of the public transport and each passenger wear a face mask for the duration of the journey.

(5) Churches and Faith-Based Organisations may conduct community outreach programmes, such as, soup kitchens and the distribution of food and care packages to members of the community between the hours of 5:00 a.m. and 8:00p.m.

- (6) Every business owner—

(a) shall ensure that the business and every customer or client of a business observe the social distancing protocol and wear a face mask in accordance with the established protocol while conducting said business;

(b) who fails to ensure that staff and officers of the business and customers or clients of a business comply with the conditions set out in this subparagraph commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for 6 months or to both such fine and imprisonment.”

- (c) by repealing paragraph 4A (Closure of Bars and Clubs) and substituting it with the following—

“4A. Closure of Bars, Clubs and Cinemas

(1) All Bars Clubs and Cinemas throughout Antigua and Barbuda shall remain closed until the 10th September, 2021.

(2) A person who opens, operates, or permit the operation of a Bar, Night Club or Cinema contrary to subparagraph (1) commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for 6 months or to both such fine and imprisonment.”

(d) by repealing paragraph 4B (Operation of restaurant businesses) and substituting it with the following—

“4B. Operation of restaurant businesses

- (1) The owner or operator of a restaurant business shall not permit “in-house” dining services.
- (2) The owner or operator of a restaurant business that has been certified and approved as COVID compliant may only offer pick-up or take-out services.
- (3) An owner or operator of a restaurant business that fails to comply with the provisions of this paragraph commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment.”

(e) by inserting after paragraph 4B the following new paragraph—

“4C. Closure of Gyms, similar facilities and summer camps

- (1) All gyms, similar facilities and summer camps throughout Antigua and Barbuda shall remain closed until the 10th September, 2021.
- (2) No gym shall be permitted to operate or offer any services contrary to sub-paragraph (1).
- (3) A person who opens or permit the opening or operation of a gym contrary to sub-paragraph (2) commits an offence and is liable on summary conviction to a fine of \$5,000.00. ”

(f) by repealing paragraph 12 (Physical exercise and sporting competitions) and substituting the following—

“12. Physical exercise and sporting competitions

- (1) A person may, during the period 5:00a.m to 8:00p.m. each day, walk, jog, run, cycle or perform any other physical activity which may lawfully be carried on.
- (2) All competitive sporting events shall be approved by the Ministry for Sports.
- (3) Spectators shall not be allowed at approved sporting events.”

(g) by repealing paragraph 16 (Electronic monitoring) and substituting the following—

“16. Electronic monitoring

- (1) A person who is required to remain in quarantine shall be monitored by an electronic device or wrist band approved by the Ministry of Health.
- (2) The use of an electronic monitoring device or wrist band approved by the Ministry of Health under sub-paragraph (1) shall be solely for the purpose of preventing the transmission of the Coronavirus COVID-19 into the community.
- (3) The electronic monitoring device shall be used to monitor –
 - (i) whether the person has left the designated quarantine area; and
 - (ii) the health status of the person.
- (4) The electronic monitoring shall be terminated immediately on the expiration of the quarantine period.
- (5) All information obtained from the electronic monitoring shall be stored in a secure manner for the duration of the quarantine.
- (6) A person who tampers with or removes the electronic monitoring device issued by the Health Authority commits an offence and is liable on summary conviction to a fine not exceeding five thousand (\$5,000.00) dollars or to imprisonment for six (6) months or to both such fine and imprisonment.”.
- (h) by repealing paragraph 20(Covid-19 testing requirements for unvaccinated frontline workers and tourism stakeholders) and substituting the following—

“20. COVID-19 Testing requirements for unvaccinated frontline, Public Service, Statutory Corporation or government owned company workers

- (1) All unvaccinated frontline Public Service, Statutory Corporation, government owned company workers are required to be tested for COVID-19 at least once in every 14-day period.
- (2) The cost of the fortnightly COVID-19 testing shall be free.
- (3) Every frontline Public Service, Statutory Corporation or government owned company worker being tested pursuant to this paragraph shall submit the results of each test to the Chief Medical Officer at the Ministry of Health Headquarters or her designee.
- (4) An unvaccinated frontline Public Service, Statutory Corporation or government owned company worker shall be permitted to work between testings unless otherwise notified by the Chief Medical Officer or her designee.
- (5) An unvaccinated frontline Public Service, Statutory Corporation or government owned company worker who fails to comply with these COVID-19 testing requirements shall not be permitted to enter the workplace and shall not be paid for the period of non compliance.”.

Made the 27th day of August, 2021.



Eustace Lake
Chairman of the Central Board of Health