

Regulations of Anguilla: 71/2020

Gazette Date: 31st July 2020

PUBLIC HEALTH ACT R.S.A. C. P125

PUBLIC HEALTH (QUARANTINE) (COVID-19) REGULATIONS, 2020

Regulations made by the Minister with approval of the Executive Council under section 8(c) of the Public Health Act, R.S.A. c. P125.

Interpretation

1. For the purpose of these Regulations—

“government facility” means a quarantine or isolation hospital established under section 8(c)(viii) of the Public Health Act;

“infectious or notifiable disease” includes COVID 19;

“isolation” means the separation people who are infected with an infectious or notifiable disease from persons who are not infected;

“Quarantine Authority” means the Chief Medical Officer as appointed under section 3 of the Quarantine Act R.S.A. c Q5;

“quarantine rules” means quarantine or isolation protocols and rules for quarantining or isolation at home or at a private accommodation or at government facility;

“quarantine” means separation or restriction of movement of persons for the purpose of observation, where such person who may have been exposed to an infectious agent or infectious or notifiable disease.

“WHO” means World Health Organisation

Quarantining or Isolation of Persons

2. (1) Where a person—

(a) has been diagnosed with; or

(b) is suspected of having;

an infectious or notifiable disease, he shall be required to be in isolation in accordance with the Quarantine Act or Public Health Act.

(2) Where a person—

(a) has been exposed to; or

(b) is at risk of being exposed to;

an infectious or notifiable disease, he shall be required to quarantine in accordance with the Quarantine Act or Public Health Act.

(3) A person may be deemed to be at risk of being exposed to an infectious or notifiable disease if that person has recently visited or lived in a place affected by a pandemic.

(4) Where it is determined that a person must go into isolation or be quarantined, he shall isolate or be quarantined—

- (a) at home or at a private accommodation, or
- (b) at a government facility.

(5) A person who is quarantined or goes into isolation pursuant to the Quarantine Act or Public Health Act shall comply with those Acts and any quarantine rules imposed by the Ministry of Health or the Quarantine Authority.

Quarantining or isolation at Government facilities

3. (1) Where it is determined that a person should go into isolation or be quarantined at a government facility, he shall remain at the facility until that person has been deemed to not be infected with an infectious or notifiable disease or for such other period as is deemed necessary by the Ministry of Health or the Quarantine Authority.

(2) A person who is quarantined or in isolation at a government facility shall—

- (a) submit to such tests as are deemed necessary to determine if he has an infectious or notifiable disease; and
- (b) comply with the quarantine rules.

Quarantining or isolation at home or at a private accommodation

4. (1) Where a person is required to go into isolation or be quarantined, permission to go into isolation or to quarantine at home or at a private accommodation may be granted in accordance with this section.

(2) Permission shall not be granted under subsection (1) unless it is determined that—

- (a) quarantining or isolation can be safely and effectively carried out at home or at a private accommodation; and
- (b) the home or private accommodation is suitable for quarantining or isolation.

(3) Where permission is granted under this section, the owner or occupier of the home or private accommodation shall permit the Quarantine Authority or such other medical or health officers to enter the home or private accommodation during the quarantine period for the purposes specified in sections 5.

(4) A person who fails to comply with subsection (3) commits an offence.

(5) A person to whom permission is granted under this section shall be required to comply with the quarantine rules.

Transfer from home or private accommodation to Government facilities

5. (1) Where a person is granted permission to isolate or to quarantine at home or private accommodation under this section 4 and—

- (a) the Quarantine Authority determines that the home or private accommodation is not suitable for isolation or quarantine; or

- (b) the person to whom permission is granted has breached the isolation or quarantine conditions;

the person shall be required to isolate or quarantine at a Government facility in accordance with directions given by the Quarantine Authority.

Quarantine Management Teams for home or private accommodation quarantine

6. (1) There shall be a quarantine management team which shall be responsible for the management of persons quarantined at home or at a private accommodation across the health districts.

(2) The team shall make periodic checks at homes or private accommodation for the purposes specified below—

- (a) carry out house inspections;
- (b) evaluate health status of patients (telephone and physical visits);
- (c) administer any treatment, medicine or other medical care to persons;
- (d) administer tests to determine if a person has an infectious or notifiable disease;
- (e) liaise with the rapid response team;
- (f) facilitate contact tracing;
- (g) provide psychosocial support; and
- (h) determine compliance with the quarantine rules.

Testing before leaving quarantine

7. (1) Where a person is quarantined, he shall not leave his home, private accommodation or the government facility unless he has tested negative for an infectious disease or notifiable disease.

(2) A person who fails to comply with subsection (1) commits an offence.

Quarantining in relation to COVID-19

8. (1) Where in relation to the COVID-19 pandemic, a person is required to quarantine or to go into isolation pursuant to the Quarantine Act or the Public Health Act, he shall do so in accordance with this section.

(2) A person who is travelling to Anguilla—

- (a) from a place that is deemed to be a low risk location;
- (b) who has tested negative for the PCR Covid-19, 3 to 5 days before his arrival in Anguilla; and
- (c) who has not visited any high risk locations in the 14 days prior to his arrival in Anguilla;

shall comply with the restrictions specified in subsection (3).

(3) The restrictions referred to in subsection (2) are as follows—

- (a) the person shall be eligible for mandatory quarantining or isolation at home or at a private accommodation for at least 10 days where the Quarantine Authority deems the home or private accommodation to be suitable for isolation or quarantining;
 - (b) the person shall submit to observation by a health personnel;
 - (c) the person shall be transferred to government facilities if he is found to be breach of home or private accommodation quarantining or isolation conditions.
- (4) A person who is quarantined in relation to COVID-19 shall—
- (a) quarantine for a period of not less than 10 days; and
 - (b) test negative for COVID-19 before he is permitted to leave his home or the government facility.
- (5) A person who is in isolation in relation to COVID-19 shall—
- (a) remain in isolation for such period as deemed necessary by the Quarantine Authority; and
 - (b) test negative for COVID-19 before he is permitted to leave his home or the government facility.
- (6) For the purpose of this section—
- “low risk location” means a country or region where the prevalence of active COVID-19 cases is under 0.2%;
- “high risk location” means a country or region where the prevalence of active COVID-19 cases is 0.2% or over 0.2%.
- (7) In relation to COVID-19, the quarantine rules are the Quarantine (COVID) (Arriving Passengers Health Clearance) Rules, 2020.

COVID 19 testing by private laboratories

9. (1) No private medical laboratory shall conduct a COVID-19 test in Anguilla unless such laboratory has been authorised to conduct such tests by the Ministry of Health.

(2) Notwithstanding that the Ministry of Health has not yet approved any private medical laboratory to do testing for COVID 19, where a private medical laboratory does such testing on a person and the result of such testing is a positive result, that laboratory and the person so tested shall immediately report and forward the results to the Chief Medical Officer and the Ministry of Health.

(3) Where a private medical laboratory or a person fails to report and forward results in accordance with subsection (2), the owner or operator of the laboratory or the person, as the case may be, commits an offence and is liable on summary conviction to a fine of \$50,000 dollars and to imprisonment for a term of 6 months.

Offences

10. (1) A person who fails to comply with the following sections commits an offence under section 11(f) of the Public Health Act—

- (a) section 3 (2) (a);
- (b) section 4(3);

(c) section 7(1); and

(d) section 8.

(2) A person who fails to comply with the quarantine rules commits an offence under section 7(2) of the Quarantine Act.

Repeal

10. The Public Health (Quarantine) Regulations is hereby repealed.

Commencement and expiration

11. These Regulations shall come into force on 31 July 2020 and shall expire on 31 October 2020.

Citation

12. These Regulations may be cited as the Public Health (Quarantine) (COVID-19) Regulations, 2020.

Made by the Minister with approval of the Executive Council this day of , 2020.



Dr. Ellis L. Webster
Minister of Health