

Statutory Instruments of Anguilla: 72/2020

Gazette Date: 10th August, 2020

QUARANTINE ACT, R.S.A. C. Q5

QUARANTINE (COVID-19) (ARRIVING PASSENGERS HEALTH CLEARANCE) RULES, 2020

Rules made by the Quarantine Authority and approved by the Governor in Council under section 5(2)(c) of the Quarantine Act, (R.S.A. c. Q5).

WHEREAS the disease known as coronavirus (Covid-19) threatens the public health and safety of many territories and states around the globe resulting in widespread infection of persons and resultant deaths of many;

AND WHEREAS under and by virtue of the Public Health Act RSA c P125, the Minister responsible for health is empowered to take necessary measures to protect and preserve the public health and safety of the people of Anguilla from any infectious or notifiable disease;

AND WHEREAS the Minister has exercised such powers Pursuant to Section 8(c)(x) of the Public Health Act by enacting Public Health (Temporary Closure of Ports) Rules, 2020;

AND WHEREAS section 2 of the aforementioned Rules provides that for the purpose of preventing or controlling the spread of the Covid-19 disease, the entry or departure by aircraft, ships, vessels or boats to or from any place in Anguilla is prohibited until 30th June 2020;

AND Whereas section 2 of the Public Health (Temporary Closure of Ports) (Amendment) Rules, 2020 allows for the entry into Anguilla of aircrafts, ships, vessels or boats used for the repatriation of Anguillan citizens to Anguilla;

AND WHEREAS it is necessary to quarantine Anguillian citizens who are repatriated under section 2 of the Public Health (Temporary Closure of Ports) (Amendment) Rules, 2020;

AND WHEREAS the Government has reopened its ports to permit entry into Anguilla of pre-approved visitors;

AND WHEREAS section 5 of the Quarantine Act provides that the Quarantine Authority may make rules for the governance of places where persons or things are detained or taken for examination and of places used for the observation or isolation of persons;

AND WHEREAS the Chief Medical Officer has been appointed as the Quarantine Authority pursuant to the section 3 of the Quarantine Act;

NOW THEREFORE, by virtue and in the exercise of the powers vested in me by sections 5 of the Quarantine Act, I, DR. AISHA ANDREW, Chief Medical Officer, by and with the approval of the Governor in Council, hereby make the Rules which shall now follow—

Interpretation

I. In these Rules—

“COVID-19” means the SARS-CoV-2 virus and the COVID-19 disease;

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

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

“officer” means a health official, customs officer, immigration officer, security officer or police officer;

“PCR COVID-19 test” means the Polymerase Chain Reaction COVID-19 test;

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

“quarantine rules” means these rules including the protocols specified in the Schedule;

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

“resident of Anguilla” means an Anguillian or a person who is ordinarily resident in Anguilla.

Purpose and application

2. (1) These Rules are made for the purpose of reducing the risk of COVID-19 importation into Anguilla and to manage the risk of community transmission on Anguilla.

(2) These Rules apply to all persons travelling into Anguilla during the pandemic, and such persons shall include residents of Anguilla.

(3) The measures under these Rules are subject to review and may be varied.

Permission to repatriate or visit Anguilla

3. (1) Where a person—
- (a) who is a resident of Anguilla; and
 - (b) who is overseas;

wishes to return to Anguilla he shall prior to departing for Anguilla make an application for permission to travel and the application shall be in such form as specified by Ministry of Health.

(2) Where a person who is not a resident of Anguilla wishes to travel to Anguilla he shall prior to departing for Anguilla make an application for permission to travel and the application shall be in such form as specified by Ministry of Health.

(3) An application made under this section may be granted, denied or deferred.

Application to repatriate or to visit

4. (1) An application made under section 3 shall include the following information—
- (a) contact information, including name, address, date of birth, nationality;
 - (b) passport number;
 - (c) type of transport;

- (d) flight information, including date of travel, date of departure, airline, flight number;
- (e) intended address or addresses throughout their stay in the Anguilla;
- (f) details of travel within the fourteen days before arrival in the Anguilla;
- (g) declaration of health, including disclosure of symptoms, previous COVID-19 positive test results and close contact with known infected individuals;

(2) Where an application is made under section 3 the applicant shall upload approved documentary evidence of a negative COVID-19 test from an accredited laboratory, as provided for in section 3, undertaken no more than 5 days and no less than 3 days prior to travel to Anguilla;

(3) Where an application is made under section 3(2) the applicant shall upload proof of health or travel insurance cover, as provided for in section 7;

(4) Where an application has been granted under section 3 the applicant shall be given an electronic certificate giving authorisation to travel to Anguilla.

(5) No person shall travel to Anguilla unless he has obtained an electronic certificate giving authorisation to travel to Anguilla.

Procedure on arrival

5. (1) Every person arriving in Anguilla shall produce a copy of his certificate giving authorisation to travel to Anguilla.

(2) Every person arriving in Anguilla shall produce to an immigration officer and a health officer at the port of entry the original copy of the negative PCR COVID-19 test result undertaken before travelling to Anguilla in accordance with section 4(2).

(3) Every person arriving in Anguilla shall complete and submit to a health officer at the port of entry, a health screening questionnaire for COVID-19.

(4) A person who is not a resident of Anguilla, who fails to produce their certificate giving authorisation to travel to Anguilla shall be refused permission to enter Anguilla by an immigration officer.

(5) A resident who fails to produce their certificate giving authorisation to travel to Anguilla shall be subject to a fine of \$ 15,000.

Pre-departure COVID-19 test

6. (1) A person who wishes to travel to Anguilla, shall undertake a PCR COVID-19 test in accordance with section 4(2) and such person shall obtain a negative COVID-19 result before travelling to Anguilla.

(2) The negative PCR COVID-19 result obtained for purposes of section 4(2) shall be set out on the official documentation of the laboratory that conducted the PCR COVID-19 test, and such documentation shall state—

- (a) the name, address, telephone number and email address of the laboratory at which the PCR COVID-19 test was conducted;
- (b) the date the PCR- COVID-19 test was conducted;
- (c) the full names, date of birth and address of the person tested for PCR COVID-19; and

(d) the results of the PCR COVID-19 test conducted in relation to that person.

(3) Where a person has a negative PCR COVID-19 result as required in section 4(2), the person shall carry the test results with him when travelling to Anguilla and shall give the test results to a health officer.

(4) An application made under section 3 may be deferred or denied in relation to a person who obtains a positive PCR COVID-19 result prior to travelling to Anguilla.

Health insurance policy

7. (1) A person who is not a resident of Anguilla who is making an application under section 3(2) shall be required to also provide evidence of his health insurance policy.

(2) The health insurance policy referred to in subsection (1) shall include insurance coverage for—

(a) COVID-19 medical costs; and

(b) full hospitalisation, doctors' visits, prescriptions and air ambulance;

for the duration of his time to be spent in Anguilla.

Polymerase Chain Reaction (PCR) COVID-19 test

8. (1) To determine if a person is infected with the COVID-19 he shall be required to undertake a PCR COVID-19 test.

(2) A test for COVID-19 that is not a PCR COVID-19 test shall not be accepted for the purpose of section 4(2).

Mandatory Testing in Anguilla

9. (1) A person who has been given authorisation to travel to Anguilla pursuant to section 3, shall on his arrival in Anguilla, be required to submit to a test to determine if he is infected with COVID-19.

(2) A person referred to in subsection (1) who obtains a negative result to a PCR COVID-19 test conducted on his arrival in Anguilla shall be required to quarantine in accordance with section 10 after which he shall be required to submit to another PCR COVID-19 test.

(3) A person referred to in subsection (1) who obtains a positive result to a PCR COVID-19 test conducted on his arrival in Anguilla shall be required to isolate in accordance with section 10 after which he shall be required to submit to another PCR COVID-19 test.

(4) A person who refuses to submit to a test as required under this section commits an offence.

Mandatory Quarantine

10. (1) Where a person is required to be in quarantine or isolation, the Quarantine Authority may require that the person—

(a) quarantines or goes into isolation at home or at a private accommodation, where the Authority determines that the home or private accommodation is suitable for quarantining or isolation; or

(b) quarantines or goes into isolation at a government facility;

under such conditions as the Quarantine Authority requires.

(2) Where a person has tested negative for COVID-19—

- (a) before arrival, in accordance with sections 4(2); and
- (b) after arrival in accordance with section 9;

he shall be required to quarantine for a period of no less than 10 days at a location approved by the Quarantine Authority.

(3) Where a person who undertakes a test on his arrival in Anguilla pursuant to section 9, tests positive for COVID- 19, the Quarantine Authority shall require that he goes into isolation until he is no longer infected with COVID- 19.

(4) Where a person is quarantined or in isolation, he shall not leave his home, private accommodation or the government facility unless—

- (a) he has submitted to a mandatory test as required pursuant to section 9(2) and (3); and
- (b) he has tested negative for COVID-19 at the end of the quarantine or isolation period.

(5) A person who is required to be in quarantine or isolation under this section shall do so in accordance with the quarantine rules and any other directions given by the Quarantine Authority.

(6) A person who under this section refuses to go into isolation or quarantine commits an offence.

Compliance with instructions given by an officer

11. A person who is travelling to Anguilla as permitted under the Public Health (Temporary Closure of Ports) Regulation, 2020 and these rules, shall be required to comply with any instructions given by—

- (a) any officer at the port or government facility; and
- (b) the Quarantine Authority, or any person acting under the instruction of the Quarantine Authority.

Carrier's liability for persons without proper documents

12. (1) It shall be the duty of the captain of the ship or aircraft from which a person disembarks, to satisfy himself that such person is in possession of a certificate giving authorisation to travel to Anguilla.

(2) Where the captain of the ship or aircraft transports a person to Anguilla and that person is not in possession of a certificate giving authorisation to travel to Anguilla, the captain of the ship or aircraft shall be subject to a fine of \$ 10,000.

(3) A fine shall not be payable under subsection (2) where the captain of the ship or aircraft can demonstrate that prior to that person boarding the ship or aircraft, the person being transported presented to him or his agents, a certificate giving authorisation to travel to Anguilla.

Offences

13. (1) A person who—

- (a) fails to comply with any direction given by the Quarantine Authority or any officer; or
- (b) fails to comply with the quarantine rules;

commits an offence pursuant to section 7(2) of the Quarantine Act.

Repeal of Quarantine (COVID) Rules, 2020

14. The Quarantine (COVID) Rules, 2020 are hereby repealed.

Commencement and expiration

15. These Rules shall come into force on 31 July and expire on 31 October 2020.

Citation

16. These Rules may be cited as the Quarantine (COVID) (Arriving Passengers Health Clearance) Rules, 2020.

SCHEDULE

Appendix 1

QUARANTINE PROTOCOL FOR HOME QUARANTINE

Mandatory Quarantine Protocol for Home/Self-Quarantine

All persons permitted to be placed in home/self-quarantine must sign the quarantine agreement agreeing to the terms and condition of quarantine under the current Covid-19 response protocol as follows:

- I. Persons allowed self-quarantine will be taken directly to their dwelling from port of entry via private transportation in conjunction with, and approval by, the Covid-19 response team.
- II. Persons will comply with assigned Public Health Officials to ensure routine monitoring (via telephone/unannounced home visit) during the quarantine/isolation period.
- III. Persons shall agree to adhere to the Ministry of Health guidelines for home quarantine /quarantine in non-health care settings.
- IV. Persons must understand that they are not allowed to leave approved dwelling without authorization from an assigned Public Health personnel/Quarantine Authority.
- V. Persons may not adjust/rearrange approved mechanism for the provision of basic supplies (clothing, food, hand hygiene supplies, medication and available laundry services) without prior approval from assigned Public Health personnel/Quarantine Authority.
- VI. Persons will notify the assigned Public Health personnel/Quarantine Authority if situation(s) in private dwelling has/have changed (e.g. support person no longer available, additional occupant moved in etc.).
- VII. Persons agree that types of security monitoring applications (e.g. Cell phone tracking, CT cameras etc.) may be applied as necessary to ensure compliance with quarantine measures.
- VIII. Persons understand that linkages will be made with current psychosocial team operating under the Ministry of Social Development for the provision of material and psychosocial support as needed.
- IX. Any person(s) found to have or develop a high temperature $\geq 100^{\circ}\text{f}$ or show any other signs of Covid-19 virus will be immediately isolated in an appropriate facility. He or she will be tested for virus that causes COVID-19 and are then expected to adhere to further isolation/quarantine management as deemed necessary.
- X. Persons must be made aware that the Ministry of Health will enforce more stringent measures as permissible under the law, if quarantine/isolation is violated.
- XI. Persons must be made aware that to exit from quarantine/isolation the following conditions must be met:
 - Documentation of at least 10 days of normal temperature and no respiratory or gastrointestinal symptoms, including physical examination by rapid response team
 - Negative PCR testing or negative test in accordance with approved national testing protocols
 - Signature of section dealing with exit from quarantine in the Quarantine Agreement.

Appendix 2

QUARANTINE PROTOCOL FOR GOVERNMENT QUARANTINE FACILITY

Quarantine Protocol for Government Quarantine Facility

All persons selected to be placed in government mandatory quarantine must sign the quarantine document agreeing to the terms and condition of quarantine under the current Covid-19 response protocol.

- I. Persons will be taken to the quarantine site(s) via transportation in conjunction with and approval by the Covid-19 response team.
- II. Persons will be monitored daily in accordance with the established quarantine guidelines.
- III. Any person(s) found to have or develop a high temperature $\geq 100^{\circ}\text{F}$ or show any other signs of Covid-19 will be immediately isolated to an appropriate facility. He or she will be tested for the virus that causes COVID-19 virus using PCR technology. Such a person may be moved to another site designated for such persons pending result of the PCR test. A decision will be made by the CMO/Rapid Response Team on further isolation/quarantine and management of this person.
- IV. A decision on continued quarantine measures for other persons at that site will be made depending on the results of the PCR test of the individual.
- V. Meals and general supplies will be arranged on a case by case basis.
- VI. Laundry will be taken care of on a case by case basis utilizing best safety practices to prevent COVID-19 spread.
- VII. Waste disposal for persons in isolation will be done using the existing waste disposal agreement for our current isolation unit at Health Authority of Anguilla.
- VIII. Appropriate security will be provided in conjunction with the Royal Anguilla Police Force as well as the engagement of other security outfits.
- IX. Other forms of security applications (eg. Cell phone tracking, CT cameras etc.) maybe applied as necessary to ensure compliance with quarantine measures.
- X. Linkages will be made with current psychosocial team operating under the Ministry of Social Development for the provision of material and psychosocial support as needed.
- XI. Persons will be liable for damages caused by deliberately defacing the building or any item of furniture or equipment and shall be prosecuted in accordance with the law of the State.
- XII. Relatives and friends will not be allowed to visit persons while in quarantine/isolation.
- XIII. Relatives and/or friends will be allowed to drop-off essential items to persons in facility at a pre-arranged time and a pre-arranged destination, noting that health personnel are forbidden to accept responsibility for any item of personal property of any occupant of this facility.
- XIV. Unaccompanied minors will not be housed in facility unless otherwise deemed necessary by law. In these cases the necessary supervision will be put in place for such individuals.

Persons understand that to exit from quarantine the following conditions must be met

- Documentation of at least 10 days of normal temperature and no respiratory or gastrointestinal symptoms including physical examination by rapid response team
- Negative PCR test or negative test in accordance with approved national testing protocols
- Sign the exit part of the Quarantine Agreement Document (See Appendix 2).

Appendix 3

Quarantine Government Facility Rules

1. The Quarantine Authority is the Quarantine Manager and is considered the chief personnel responsible for daily operations of quarantine: their decision is final.
2. Other person designated by the Quarantine Manager will be responsible for this facility in the absence of the Quarantine Manager.
3. Persons housed at this facility will be under Mandatory quarantine and will only be allowed to leave this compound upon release/completion of quarantine or upon the expressed consent of the Rapid Response Physician at this facility.
4. The Quarantine Manager and members of the Team are forbidden to accept responsibility for any item of personal property of any occupant of this Facility.
5. For the safety of all residents, persons are required to adhere to all directives given from time to time by the Quarantine Manager/designate or Health Professional.
6. Any person whether an occupant of the facility or not, is liable for damages caused from deliberately defacing the building or any item of furniture or equipment and shall be prosecuted in accordance with the law of the State.
7. The use of violence, profane language and illegal drugs will not be accepted at this facility. These will be reported accordingly to the Royal Anguilla Police Force (RAPF).
8. The use of alcoholic beverages and drunkenness will not be permitted.
9. Firearms and ammunition, and other forms of weapons will not be allowed at this facility.
10. All occupants using this facility must be registered.
11. No pets or domestic animals will be allowed in this facility per property rules.
12. Areas within the facility designated as "restricted areas" should be strictly followed by occupants (pool, gym).
13. All occupants will be confined to assigned rooms and attached patios only, no visiting of other residents on site. However, residents will be allowed outdoor exercise for a period of 1 hour a day per a regulated schedule. Exercise in onsite gym and pool is prohibited.

Essential Items Occupants Should Bring to the Designated Facility

Occupants are asked to carry the following items to the Designated Facility—

- Toiletries- e.g. toothbrush, toothpaste, mouthwash, bath soap, deodorant, body lotion
- Food for a minimum of one-week (suggested items- Crix, tina, sardine, snacks, Peanut Butter)
- Water for drinking
- Laundry detergent
- Books, games, entertainment
- Medication
- Diaper and other baby needs if the occupant has a baby.

Rules made by the Quarantine Authority and approved by Governor in Council on 4th day of August, 2020


Dr. Aisha Andrewin
QUARANTINE AUTHORITY