

Regulations of Anguilla: 38 /2021

Gazette Dated: 27<sup>th</sup> April , 2021

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

**PUBLIC HEALTH (TEMPORARY RESTRICTIONS ON MOVEMENT OF PEOPLE AND PUBLIC GATHERINGS) REGULATIONS, 2021**

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

WHEREAS the disease known as coronavirus (COVID-19) has been declared a global pandemic which 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 the rate of infection and territorial spread of the COVID-19 disease has been confirmed to now be present in the territory;

AND WHEREAS under and by virtue of the Public Health Act R.S.A. 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 in consequence of the global spread of the infectious disease known as COVID-19 it has become necessary for the Minister to take certain measures;

AND WHEREAS section 2 of the Public Health Act R.S.A. c. P125 provides that the duties, powers and functions of the Minister shall extend to and include all matters relating to promotion or preservation of the health of the people of Anguilla;

AND WHEREAS section 3(c) of the aforesaid Act provides that in the exercise of his duties, powers and functions under section 2 of the Act the Minister shall have power to make such orders and issue such directions as he deems advisable for the abatement of any nuisance or the removal of any condition which, in his opinion, is or may become injurious to the public health or in respect of any other matter that, in his opinion, is necessary for the purpose of this Act;

AND WHEREAS section 8 of the said Act provides that the Minister may, with the approval of the Executive Council, make regulations for the proper execution and carrying out of the purposes and provisions of the Act generally and in particular with respect to certain specified matters;

NOW THEREFORE, by virtue and in the exercise of the powers vested in me by sections 2 and 8 of the Public Health Act, I, Dr. Ellis Lorenzo Webster, Minister of Health, by and with the approval of the Executive Council, hereby make the Regulations which shall now follow:

**Interpretation**

1. In these Regulations—

“licensed premises” has the same meaning as in the Liquor Licences Act R.S.A. c. L75;<sup>1</sup>

“money services business” has the meaning given in the Money Services Business Act, R.S.A. c. M104;

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<sup>1</sup> “licensed premises” means the room, house, building or place in respect of which a licence shall have been issued to sell liquor therein by retail and, for the purposes of this Act, shall include any premises with respect to which a beer licence or a restaurant licence shall be issued.

“outdoor space” means—

- (a) the fenced area outside a person’s place of residence; or
- (b) the outside area of a person’s place of residence that is located within the boundaries of his property;

“specified period” means 23:59 on 27 April 2021 to 23:59 on 6 May 2021.

**Shelter in place**

2. (1) Every person shall remain confined to their place of residence, inclusive of their outdoor space, during the specified period.

(2) Subsection (1) does not apply to persons working in the following establishments—

- (a) Health Authority of Anguilla;
- (b) pharmacies and suppliers of oxygen;
- (c) residential care facilities private and public;
- (d) the Royal Anguilla Police Force and Anguilla Fire and Rescue Services;
- (e) Her Majesty’s Prison and the Zenaida Haven Residential Centre;
- (f) Ministry of Health;
- (g) Disaster management;
- (h) Governor’s Office and the Attorney General’s Chambers;
- (i) Immigration;
- (j) Customs;
- (k) Government waste disposal and sanitation services;
- (l) mortuaries;
- (m) security companies;
- (n) Water Corporation;
- (o) Electricity companies;
- (p) Telecommunications companies;
- (q) Radio;
- (r) General Post Office;
- (s) private health care facilities;
- (t) the House of Assembly;
- (u) grocery stores or wholesale food and drink suppliers;

- (v) restaurants and bakeries;
- (w) gas stations;
- (x) private suppliers of water;
- (y) private commercial cleaning companies;
- (z) commercial banks and money services businesses;
- (aa) shipping and brokerage companies;
- (bb) Department of Social Development;
- (cc) Department of Probation;
- (dd) Treasury;
- (ee) Inland Revenue;
- (ff) fishing and agricultural industry;
- (gg) hotels, villas, guest houses and other accommodation that are open and occupied by guests;
- (hh) Anguilla Air and Sea Ports Authority;

who are permitted to leave their place of residence to work in accordance with sections 3, 4 and 5.

(3) Notwithstanding subsections (1) and (2), a person may leave their place of residence for the purpose of—

- (a) essential visits to a grocery store, a wholesale food and drink supplier, a restaurant, a commercial bank, a money services business or a gas station;
- (b) essential visits to a doctor, pharmacy or other health care provider for the purpose of receiving medical care including vaccinations;
- (c) attending a funeral or a wedding in accordance with section 9(3).

#### **Hours of operation for establishments referred to in section 2**

3. (1) The establishments referred to in section 2(1), paragraphs (r) to (ff) shall be permitted to open to the public between the hours of 6 am to 4 pm.

(2) The establishments referred to in section 2(1) paragraphs (n) to (q) are not permitted to open to the public.

(3) A person who causes an establishment to open in contravention of this section commits an offence.

#### **Staffing and service restrictions**

4. (1) In relation to the following establishments, only technical staff are permitted to report to work—

- (a) Water Corporation

- (b) Electricity companies
- (c) Telecommunications companies

(2) In relation to radio stations only technical staff, disc jockeys, news reporters and announcers are permitted to report to work.

(3) The post office is permitted to only offer the following services—

- (a) MoneyGram; and
- (b) processing of packages containing pharmaceuticals, health care and nutritional products.

#### **Restrictions on movement of persons**

5. (1) Where a person is permitted to leave their place of residence in accordance with section 2(2) and 2(3), he shall only be able to do so during the hours of 6am to 6 pm.

(2) Notwithstanding subsection (1) and (2) the restriction on movement referred to in subsection (1) does not apply to persons working in the establishments referred to in section 2(2) paragraphs (a) to (q), (gg) and (hh) who—

- (a) are required to work outside the period specified in subsection (1); and
- (b) have left their place of residence to report to work.

#### **Restrictions in relation to grocery shopping and gas stations**

6. (1) Groceries stores, wholesale food and drink suppliers and gas stations are permitted to open to the public between the hours of 6 am and 4 pm.

(2) No more than one person per household is permitted to shop, at any one time, at any of the establishments referred to in subsection (1).

(3) Where a person wishes to shop at any of the establishments referred to in subsection (1) he is only permitted to shop at a grocery store, wholesale food and drink supplier or gas station located near his residence.

#### **Physical distancing requirements**

7. Every establishment permitted to operate under section 2 shall—

- (a) endeavour to facilitate physical distancing of no less than 3 feet between persons inside the establishment;
- (b) determine the number of persons that may be permitted in any establishment at any one time by permitting one person for every 30 square feet of floor space; and
- (c) within 24 hours of the commencement of these Regulations, place distance markers 3 feet apart on the floor space of such establishments, indicating where customers must stand while waiting inside the establishment.

#### **Wearing of masks compulsory**

8. (1) Where a person is permitted to leave their place of residence pursuant to section 2, he shall wear a mask where he is in close proximity or is likely to be in close proximity to a person not living in his household.

(2) The mask shall be worn to cover his nose and mouth.

**Prohibition on public gatherings**

9. (1) Where a person is permitted to leave their place of residence pursuant to section 2, such persons shall at all times, endeavour to remain 3 feet away from any other person.

(2) Where a person is permitted to leave their place of residence pursuant to section 2(3)(a) and (b) such persons are prohibited from assembling in groups exceeding 5 persons in any public place during the specified period.

(3) Notwithstanding subsection (2), the maximum number of persons permitted to assemble for the purpose of a funeral or a wedding is 12 persons.

(4) For the avoidance of doubt, subsection (2) does not prohibit the assembly, for work purposes, of persons referred to in section 2(2).

**Prohibition of restaurant sit-down services**

10. (1) No restaurant shall offer sit-down services during the specified period.

(2) For the avoidance of doubt, restaurants are only permitted to offer take-out services during the specified period.

(3) No restaurant shall allow the congregation of more than 5 persons at the restaurant at any particular time.

**Closure of licensed premises**

11. (1) Licensed premises shall be closed during the specified period.

(2) Subsection (1) does not apply to grocery stores or wholesale food and drink suppliers which have been licensed to sell liquor by retail or wholesale.

**Closure of schools, places of worship and day care facilities**

12. The following places shall be closed during the specified period—

- (a) schools, public and private;
- (b) places of worship and religious instruction; and
- (c) day care facilities.

**Restriction of visitors at residential homes, hospitals and prison**

13. No person is permitted to visit persons housed at the following places during the specified period—

- (a) The Princess Alexandra Hospital;
- (b) Her Majesty's Prison;
- (c) The Zenaida Haven Residential Centre; and
- (d) Residential homes or other medical or care home facilities.

**Restriction on social activities**

14. For the avoidance of doubt—

- (a) no person shall—
  - (i) host a private party which includes any person not living in the household, or
  - (ii) attend a private party not held in their household.
- (b) no person shall host or attend—
  - (i) a recreational or competitive sporting event,
  - (ii) a banquet, ball or reception,
  - (iii) a meeting of a fraternal society, private or social club or civic association or organisation,
  - (iv) a funeral, exceeding 12 persons including 1 officiant and essential mortuary staff,
  - (v) a wedding, comprising more than 12 persons including the bride, the bridegroom, the official witnesses and the marriage officiant, or
  - (vi) any other social event.

#### **Exercise and Recreation**

15. (1) No person is permitted to exercise outside or engage in any recreational activities other than in their outdoor space.

(2) Where the outdoor space is communal, persons are required to maintain a physical distance of no less than 3 feet between persons.

#### **Offence**

16. Any person who fails or neglects to carry out or infringes any provisions of these regulations, is guilty of an offence and is liable upon summary conviction to a fine of \$2,500 or to imprisonment for a term of 6 months or to both.

#### **Repeal**

17. The Public Health (Temporary Restriction of Movement of People and Public Gatherings) Regulations, 2021(34/2021) is repealed.

#### **Citation and commencement**

18. These Regulations may be cited as the Public Health (Temporary Restriction on Movement of People and Public Gatherings) Regulations, 2021 and shall come into force on 27 April 2021.

Made by the Minister with approval of the Executive Council this 27<sup>th</sup> day of April, 2021.



Dr. Ellis Lorenzo Webster  
**Minister of Health**