

Regulations of Anguilla: 46/2021Gazette Dated: 6th May, 2021

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

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

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. (1) In these Regulations—**

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

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

“specified period” means 23:59 on 6 May 2021 to 23:59 on 13 May 2021.

(2) A person is “fully vaccinated” where a minimum of 21 days has passed since receiving the final dose of the COVID-19 vaccine.

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 and private waste disposal and sanitation services;
- (l) mortuaries and coroners;
- (m) security companies;
- (n) Water Corporation;
- (o) Electricity companies;

¹ “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.

- (p) Telecommunications companies;
- (q) Radio;
- (r) any other government department as directed by the Deputy Governor and that is not specified in this subsection;
- (s) private health care facilities;
- (t) the House of Assembly and the Judiciary;
- (u) grocery stores or wholesale food and drink suppliers;
- (v) restaurants, bakeries, food van and food vendors;
- (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) Hardware Suppliers;
- (hh) Construction companies;
- (ii) Finance and Insurance Companies;
- (jj) Law Offices and other legal firms;
- (kk) Retail sales for electronic, office supplies and stationary;
- (ll) Automotive repair, supply and cleaning companies;
- (mm) Landscaping and gardening companies;
- (nn) hotels, villas, guest houses and other accommodation that are open and occupied by guests;
and

(oo) Anguilla Air and Sea Ports Authority;

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

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

- (a) essential visits to any of the establishments referred to in section 2 (2);
- (b) attending a funeral or a wedding in accordance with section 8(4); or
- (c) outdoor exercise for periods not exceeding an hour and a half per pay day between the hours of 6:00 am to 6:00 pm; and
- (d) visits between friends and family members not exceeding 12 persons where all 12 persons have been fully vaccinated.

(4) For the avoidance of doubt, unvaccinated minors are not permitted under subsection (3).

Hours of operation for establishments referred to in section 2

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

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

Restrictions on movement of persons

4. (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 6 am to 6 pm.

(2) Notwithstanding subsection (1) the restriction on movement does not apply to persons working in the establishments referred to in section 2(2) paragraphs (a) to (ee), (nn) and (oo) 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

5. (1) Grocery stores 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

6. 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

7. (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.

Restriction on public gatherings

8. (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 to exercise, pursuant to section 2(3)(c) such persons are prohibited from assembling in groups exceeding 5 persons in any public place during the specified period.

(3) The maximum number of persons permitted in any establishment referred to in section 2 shall be determined in accordance with section 6.

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

Indoor mass gatherings of fully vaccinated persons

9. (1) Persons who are fully vaccinated are permitted to have indoor gatherings in accordance with this section.

(2) The maximum number of persons permitted to gather under this section is 12 persons.

(3) Where persons are permitted to gather under this section such persons must at all times comply with—

(a) the physical distancing requirements set out in section 6(a); and

(b) the wearing of masks requirements set out in section 7.

(4) Persons permitted to gather under this section shall at all times have in their possession valid proof of full vaccination issued by the Ministry of Health.

(5) Notwithstanding subsection (1) mass gatherings of 12 or less fully vaccinated persons is not permitted in restaurants or bars.

- (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.

Offence

15. 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

16. The Public Health (Temporary Restriction of Movement of People and Public Gatherings) Regulations, 2021(38/2021) is repealed.

Citation and commencement

17. These Regulations may be cited as the Public Health (Temporary Restriction on Movement of People and Public Gatherings) (Step 1) Regulations, 2021 and shall come into force on 7 May 2021.

Made by the Minister with approval of the Executive Council this 6th day of May, 2021.



Dr. Ellis Lorenzo Webster
Minister of Health