

Statutory Instruments of Anguilla: 77/2021

Gazette Date: 1st July, 2021

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

**QUARANTINE (COVID-19) (ARRIVING PASSENGERS HEALTH CLEARANCE) (NO. 9)
(AMENDMENT) RULES, 2021**

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 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 the Minister has exercised such powers pursuant to section 8 of the Public Health Act by enacting Public Health (COVID-19 Regulation of Ports) Regulations, 2020 (R.A. 93/2020);

AND WHEREAS section 2 of the aforementioned Regulations 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 regulated until 31 July 2021;

AND Whereas section 2 of the Public Health (COVID-19 Regulation of Ports) Regulations 2020 (R.A. 93/2020) allows for the entry into Anguilla of aircrafts, ships, vessels or boats used for the repatriation of Anguillan citizens to Anguilla;

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 section 5 of the Quarantine Act, I, DR. AISHA ANREWIN, Chief Medical Officer, by and with the approval of the Governor in Council, hereby make the Rules which shall now follow—

Interpretation

1. In these Rules the principal Rules means the Quarantine (COVID-19) (Arriving Passengers Health Clearance) Rules, 2020.

Amendment of section 1

2. The principal Rules are amended by—

(a) inserting the following new definitions in their alphabetical order—

“unvaccinated minor” means a person under the age of 18 years who has not received a full COVID-19 vaccination in accordance with subsection (2);

“unvaccinated adult” means a person over the age of 18 years who has not received a full COVID-19 vaccination in accordance with subsection (2);

(b) inserting before the existing provision, the subsection designation “(1)”; and

(c) inserting the following subsection—

“(2) A person shall be deemed to have received a full COVID-19 vaccination where the person has received—

(a) the final dose of such vaccination at least 21 days before arrival in Anguilla; and

(b) a vaccination against COVID-19 that has been approved by the Medicines and Health Care Products Regulatory Agency UK as specified in Schedule 3.”.

Amendment of section 3

3. The principal Rules are amended in section 3 by inserting the following new subsections after subsection (2)—

“(2a) A person who is a resident of Anguilla who has not received a full COVID-19 vaccination shall be granted permission to travel to Anguilla but such person shall be required to quarantine for a period of not less than 10 days or such other period specified by the Quarantine Authority under these Rules.

(2b) A person who is not a resident of Anguilla and who has not received a full COVID-19 vaccination shall not be permitted to travel to Anguilla unless such person is pregnant and such pregnant person shall comply with subsection (2c).

(2c) A person referred to in subsection (2b) shall—

(a) submit to a RT- PCR COVID-19 test on arrival in Anguilla pursuant to the section 9 and shall be required to remain on the property where he is residing in Anguilla until the results from the COVID-19 test have been received ;

(b) not be required to quarantine where they have received a negative COVID-19 test result; and

(c) submit to a RT- PCR COVID-19 test on the fourth day after such person has arrived in Anguilla.

(2d) A minor is permitted to travel to Anguilla in accordance with section 8A.

Insertion of new section 8A

4. The principal Rules are amended by inserting the following new section after section 8—

“Treatment of minors travelling to Anguilla

8A. (1) Where an unvaccinated minor who is a resident of Anguilla is travelling to Anguilla—

- (a) and such minor is unaccompanied or is travelling with an unvaccinated adult;
- (b) and such minor is coming from or is going to stay in a household or residence where all persons living in such household or residence have not received a full COVID-19 vaccination

the provisions of subsection (2) shall apply.

(2) Unvaccinated minors referred to in subsection (1) shall—

- (a) submit to a RT- PCR COVID-19 test on arrival in Anguilla pursuant to the section 9 and he shall be required to remain on the property where he is residing in Anguilla until the results from the COVID-19 test have been received; and
- (b) where such test result referred to in paragraph (a) is negative, quarantine for a period of not less than 10 days or such other period specified by the Quarantine Authority under these Rules and shall obtain a negative result to a RT- PCR COVID-19 test before such minor is permitted to leave the home, private accommodation or government facility

(3) Where an unvaccinated minor who is a resident of Anguilla is travelling to Anguilla—

- (a) with a person who has received a full COVID-19 vaccination; and
- (b) and such minor is coming from and is going to stay in a household or residence where all persons living in such household or residence have received a full COVID-19 vaccination;

the provisions of subsection (4) shall apply.

(4) An unvaccinated minor referred to in subsection (3) shall—

- (a) submit to a RT- PCR COVID-19 test on arrival in Anguilla pursuant to the section 9 and he shall be required to remain on the property where he is residing in Anguilla until results from the COVID-19 test have been received;
- (b) not be required to quarantine where they have received a negative COVID-19 test result; and
- (c) submit to a RT- PCR COVID-19 test on the fourth day after such person has arrived in Anguilla.

(5) An unvaccinated minor who is not a resident of Anguilla is not permitted to travel to Anguilla unless such minor is—

- (a) accompanied by an adult who has received a full COVID-19 vaccination; and
- (b) is coming from and is going to stay in a household or residence where all persons living in such household or residence have received a full COVID-19 vaccination.

(6) An unvaccinated minor referred to in subsection (5), who is permitted to travel to Anguilla shall—

- (a) submit to a RT- PCR COVID-19 test on arrival in Anguilla pursuant to the section 9 and he shall be required to remain on the property where he is residing in Anguilla until results from the COVID-19 test have been received;
- (b) not be required to quarantine where they have received a negative COVID-19 test result; and
- (c) submit to a RT- PCR COVID-19 test on the fourth day after such person has arrived in Anguilla.

(7) Where an unvaccinated minor who is not a resident of Anguilla is visiting a relative in Anguilla and that relative is a resident of Anguilla —

- (a) and such minor is unaccompanied;
- (b) and such minor is coming from or is going to stay in a household or residence where all persons living in such household or residence have not received a full COVID-19 vaccination

the provisions of subsection (2) shall apply.

(8) Where an unvaccinated minor who is not a resident of Anguilla is visiting a relative in Anguilla and that relative is a resident of Anguilla —

- (a) and such minor is unaccompanied;
- (b) and such minor is coming from and is going to stay in a household or residence where all persons living in such household or residence have received a full COVID-19 vaccination;

the provisions of subsection (4) shall apply.

(9) Where an unvaccinated minor obtains a positive result to a RT- PCR COVID-19 test such minor shall be required to isolate in accordance with instructions given by the Quarantine Authority until such person obtains a negative result to a RT- PCR COVID-19 test.

(10) Where a minor has received a full COVID-19 vaccination and—

- (a) where such minor is a resident of Anguilla, he is not required to quarantine; or
- (b) where such minor is not a resident of Anguilla, section 10(3) and (4) shall apply.”.

Repeal and replacement of section 9

5. The principal Rules are amended by repealing section 9 and substituting the following—

“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) An unvaccinated adult who is a resident of Anguilla who obtains a negative result to a RT-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 RT- PCR COVID-19 test.

(3) Notwithstanding subsection (2) the following shall apply to an unvaccinated adult who is a resident of Anguilla and who is pregnant --

- (a) such person shall submit to a RT- PCR COVID-19 test on arrival in Anguilla pursuant to the section 9 and shall be required to remain on the property where he is residing in Anguilla until results from the COVID-19 test have been received;
- (b) where the RT- PCR COVID-19 test is negative, such person shall not be required to quarantine; and
- (c) such person shall be required to submit to another RT- PCR COVID-19 test on the fourth day after such person has arrived in Anguilla.

(4) A person who obtains a positive result to a RT- PCR COVID-19 test conducted on his arrival in Anguilla shall be required to isolate in accordance with section 10 after which—

- (a) he shall be required to submit to another RT- PCR COVID-19 test; and
- (b) he shall obtain a negative result to the RT- PCR COVID-19 test before such person is permitted to leave the home, private accommodation or government facility.

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

Repeal and replacement of section 10

6. The principal Rules are amended by repealing section 10 and substituting the following—

“Mandatory quarantine and isolation

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) A person referred to in section 9(2) who is not pregnant, shall be required to quarantine for a period of no less than 10 days at a location approved by the Quarantine Authority and shall obtain a negative result to a RT- PCR COVID-19 test before such person is permitted to leave the home, private accommodation or government facility.

(3) Where a person arriving in Anguilla on or after 30 June 2021—

- (a) submits evidence of having received a full COVID-19 vaccination; and
- (b) has obtained a negative result to a RT- PCR COVID-19 test specified in section 9, on his arrival in Anguilla;

he shall not be required to quarantine under these Rules but he shall be required to remain on the property where he is residing in Anguilla until results from the COVID-19 test specified in section 9 have been received.

(4) A person who—

- (a) before 30 June 2021, has obtained a negative RT- PCR COVID-19 test specified in section 9 and was required to quarantine under these Rules;
- (b) produces evidence of having received a full COVID-19 vaccination and the final dose of such vaccination was administered at least 21 days before 30 June 2021; and
- (c) obtains a negative result to a RT- PCR COVID-19 test conducted on or after 30 June 2021;

shall be permitted to leave his home, private accommodation or government facility before the expiry of the quarantine period specified by the Quarantine Authority.

(5) Where a person obtains a positive result to a RT- PCR COVID-19 test conducted in Anguilla, the Quarantine Authority shall require that he goes into isolation until he is no longer infected with COVID-19.

(6) Where a person is quarantined or in isolation, the Quarantine Authority shall not authorise that person to leave his home, private accommodation or the government facility unless—

- (a) he has submitted to a RT- PCR COVID-19 test; and
- (b) he has tested negative for COVID-19.

(7) Where a person is required to quarantine or go into isolation the Quarantine Authority may require a person who is in quarantine or isolation to pay the fees specified in Schedule 2.

(8) Notwithstanding subsection (7), the following persons shall be exempt from the fees specified in Schedule 2—

- (a) persons required to travel overseas on official Government business;
- (b) returning students sponsored by the Government of Anguilla; and
- (c) medical returnees referred overseas by the Health Authority of Anguilla and
- (d) private patients referred for services overseas which are not available in Anguilla;
- (e) any person who, no less than 3 weeks prior to his date of arrival in Anguilla, has been fully vaccinated.

(9) Persons referred to in subsection (8) (d) shall only be exempt under subsection (8) where the Chief Medical Officer is satisfied that the patient has been referred for services overseas by a registered medical practitioner.

(10) The exemption from fees specified in subsection (8)(e) shall apply to persons entering Anguilla on and after June 20, 2021.

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

(12) A person in isolation or quarantine who, without authorisation from the Quarantine Authority leaves his home, private accommodation or government facilities shall be subject to a fixed penalty imposed under section 13.

(13) A person who refuses to go into isolation or quarantine in accordance with this section or the instruction of the Quarantine Authority, commits an offence.”.

Amendment of section 13

7. The principal Rules are amended in section 13(1) by deleting the phrase “10(5a)” and substituting the phrase “10(12)”.

Amendment of section 15

8. The principal Regulations are amended in section 15 by deleting the phrase “30 June 2021” and substituting the phrase “31 July 2021”.

Amendment of Schedule 2

9. The principal Rules are amended in the heading of Schedule 2 by deleting the phrase “(section 10(4A) and substituting the phrase “(section 10(7))”.

Insertion of new Schedule 3

10. The principal Rules are amended by inserting the following new Schedule after Schedule 2—

“SCHEDULE 3
(Section 1(2)(b))

APPROVED COVID-19 VACCINATIONS

The following vaccinations against COVID-19 that have been approved by the Medicines and Health Care Products Regulatory Agency UK—

- 1) Pfizer/BioNtech also known as Comirnaty
- 2) Oxford/AstraZeneca also known Vaxzevria
- 3) Janssen/Johnson and Johnson
- 4) Moderna.

Repeal

11. The Quarantine (COVID-19) (Arriving Passengers Health Clearance (Amendment) (No. 9) Rules 65/2021 are hereby repealed.

Citation

12. These Rules may be cited as the Quarantine (COVID-19) (Arriving Passengers Health Clearance (Amendment) (No. 10) Rules, 2021.

Rules made by the Quarantine Authority and approved by Governor in Council on 1st July , 2021.


Dr. Aisha Andrewin
QUARANTINE AUTHORITY