

Regulations of Anguilla: 10/2022Gazette Dated: 14th January, 2022

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

**PUBLIC HEALTH (COVID-19 VACCINATION OF WORK PERMIT HOLDERS)
REGULATIONS, 2022**

Regulations made by the Minister with approval of Executive Council under section 8(c)(xii) 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 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;

AND WHEREAS section 8(c)(xii) of the said Act provides that the Minister may, with the approval of the Executive Council, make regulations for the compulsory vaccination or inoculation of persons residing in or entering Anguilla not already vaccinated or inoculated or not sufficiently protected by previous vaccination nor inoculation, and the supply and quality of vaccine matter and serum;

AND WHEREAS the recognition of human dignity as an emanation of the specific measures which the Minister shall henceforth make;

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, 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—

“Chief Medical Officer” has the same meaning given in the Public Health Act, R.S.A. c. P125;

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

“unvaccinated person” means a person who has not obtained a COVID-19 vaccination;

“vaccination” means an approved COVID-19 vaccination as specified in the Quarantine (Arriving Passengers Health Clearance) Rules;

“work permit” means a work permit issued under Work Permit Regulations, R.R.A. C105-1.

Vaccination of work permit holders

2. (1) For the purposes of controlling, suppressing and mitigating the spread of COVID-19, work permit holders who wish to work in or continue employment in Anguilla, shall be required to obtain a vaccination in accordance with these Regulations.

Work permit not to be issued or renewed in relation to unvaccinated persons

3. (1) A person who wishes to obtain or renew a work permit to work in Anguilla shall be required to submit proof of his vaccination along with the work permit application.

(2) Where an employer submits an application—

(a) for a work permit; or

(b) to renew a work permit;

the employer shall provide proof of vaccination of the person on behalf of whom the employer is seeking to employ.

(3) A work permit shall not be granted or renewed unless the person seeking employment obtains a vaccination.

Certificates of unfitness

4. (1) Where a person who wishes to obtain or renew his work permit, believes that he is not fit to be vaccinated, he shall seek the opinion of a medical practitioner.

(2) If any medical practitioner is of the opinion that the person referred to in subsection (1) is not fit to be vaccinated, he may issue to that person a letter indicating same.

(3) Where a letter is issued to a person under subsection (2), such person shall submit same to the Chief Medical Officer or any officer designated by the Chief Medical Officer for the purpose.

Exemption from vaccination

5. (1) Where the Chief Medical Officer is notified of the unfitness of a person pursuant to section 4, he or any officer who is designated by the Chief Medical Officer for the purpose, may issue a certificate for the postponement of, or exemption from, any vaccination required under these Regulations as he thinks fit.

(2) The Chief Medical Officer shall not without good reason refuse to grant a certificate under subsection (1) where a person has been deemed unfit for vaccination by a medical practitioner.

(3) A certificate issued under subsection (1) shall remain in force for such period as may be specified therein.

(4) Before the expiry of the certificate issued under subsection (1) such person shall be examined by a medical practitioner who may certify—

(a) that person to be fit for vaccination; or

(b) that person to be unfit for vaccination.

Offences

6. Any person, who contravenes these Regulations commits an offence and is liable on summary conviction to a fine not exceeding \$5,000.

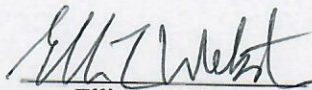
Repeal

7. The Public Health (Covid-19 Vaccination of Work Permit Holders) Regulations, 2021, (R.A. 70/2021). are hereby repealed.

Citation

8. These Regulations may be cited as the Public Health (Covid-19 Vaccination of Work Permit Holders) Regulations, 2022.

Made by the Minister with approval of the Executive Council this 14th day of January, 2022.



Ellis L. Webster
Minister of Health