

Regulations of Anguilla: 9/2020

Gazette Dated: 27th March, 2020

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

PUBLIC HEALTH (TEMPORARY RESTRICTIONS ON MOVEMENT OF PEOPLE AND PUBLIC GATHERINGS) REGULATIONS, 2020

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, Evans McNiel Rogers, Minister of Health, by and with the approval of the Executive Council, hereby make the order and 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;¹

“specified period” means 27 March 2020 to 10 April 2020;

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.

Restrictions on movement of persons

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—

(a) persons working in the following establishments—

- (i) health care facilities, pharmacies, residential care facilities and suppliers of oxygen,
- (ii) the Royal Anguilla Police Force,
- (iii) Her Majesty's Prison,
- (iv) Government offices, including the judiciary,
- (v) government agencies,
- (vi) the House of Assembly,
- (vii) grocery stores or wholesale food and drink suppliers,
- (viii) restaurants and bakeries,
- (ix) gas stations,
- (x) water, electricity and telecommunication companies,
- (xi) waste disposal and sanitation companies,
- (xii) companies offering electronic communication services, including print and electronic media,
- (xiii) commercial banks, credit unions or money services businesses,
- (xiv) shipping and brokerage companies,
- (xv) radio stations,
- (xvi) mortuaries,
- (xvii) security companies,
- (xviii) construction and hardware companies;
- (xix) automotive repair and supply companies, and

(b) persons attending company meetings.

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

- (a) essential visits to a doctor, pharmacy, grocery store, wholesale food and drink suppliers, restaurant, a commercial bank, a credit union, a money services business or a gas station;

- (b) outdoor exercise for periods not exceeding an hour and a half per day between the hours of 5:00 a.m. to 6:00 p.m.; and
- (c) attending a funeral or a wedding in accordance with section 3(3).

Prohibition on public gatherings

3. (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 ft. 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 in Anguilla 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

4. (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

5. (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.

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.

Closure of places of worship and religious instruction

7. All places of worship and religious instruction shall be closed during the specified period.

Closure of day care facilities

8. All day care facilities shall be closed during the specified period.

Restriction on social activities

9. 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.

Powers of the Minister

10. The Minister may, by order—
- (a) modify the restriction on the movement of people as provided for in section 2; and
 - (b) extend the specified period.

Offence

11. 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.

Citation and commencement

12. These Regulations may be cited as the Public Health (Temporary Restriction on Movement of People and Public Gatherings) Regulations, 2020 and shall come into force on 27 March 2020.

Made by the Minister with approval of the Executive Council this 27th day of March, 2020.



Evans McNeil Rogers
Minister of Health