

**CAYMAN ISLANDS**



**Public Health Act  
(2021 Revision)**

**CONTROL AND MANAGEMENT OF  
COVID-19 (NO. 2) (AMENDMENT) (NO. 2)  
REGULATIONS, 2021**

**(SL 89 of 2021)**

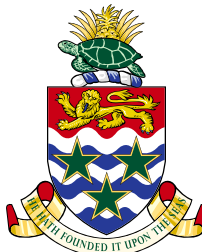
**Supplement No. 2 published with Legislation Gazette No. 73 dated 17th December, 2021.**

## PUBLISHING DETAILS

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(NO. 2) (AMENDMENT) (NO. 2) REGULATIONS,  
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**Arrangement of Regulations**

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In exercise of the powers conferred by section 34 of the Public Health Act (2021 Revision), the Cabinet makes the following Regulations —

**Citation**

1. These Regulations may be cited as the Control and Management of Covid-19 (No. 2) (Amendment) (No. 2) Regulations, 2021.

**Amendment of regulation 3 of the Control and Management of Covid-19 (No. 2) Regulations, 2021 - definition of public meeting**

2. The *Control and Management of Covid-19 (No. 2) Regulations, 2021*, in these Regulations referred to as the “principal Regulations”, are amended in regulation 3 as follows —
  - (a) in paragraph (2) as follows —
    - (i) in subparagraph (a), by inserting the word “and” at the end of the subparagraph;
    - (ii) in subparagraph (b), by deleting the words “; and” and substituting a full stop; and

- (iii) by repealing subparagraph (c); and
- (b) by repealing paragraph (4).

### **Amendment of regulation 4 - public meetings - exemptions**

3. The principal Regulations are amended by repealing regulation 4 and substituting the following regulation —

#### **“Public meetings - exemptions**

4. (1) Subject to this regulation and regulation 16, the definition of “**public meeting**” does not extend to a gathering in the indoor or outdoor area of the places specified in paragraph (2) —
- (a) where the indoor area of the public place can accommodate more than one hundred persons; or
  - (b) where the outdoor area of the public place can accommodate more than two hundred and fifty persons.
- (2) The places referred to in paragraph (1) are —
- (a) a business or office, where the business or office is being used as such;
  - (b) an educational institution, where the educational institution is being used for the purposes of providing education;
  - (c) an emergency shelter, where the premises are being used as such in the event of a threat of a disaster or in the aftermath of a disaster; and
  - (d) a church, where the church is being used for the purposes of a religious service other than a funeral service or a wedding service.
- (3) The owner or operator of a public place specified in paragraph (2)(a) or (d) respectively shall restrict the number of —
- (a) customers in a place referred to under paragraph (2)(a); or
  - (b) congregants in a church referred to under paragraph (2)(d),
- at any one time so that each customer or congregant is able to distance himself or herself at least six feet from any other person.
- (4) The social distancing requirement referred to in paragraph (3) does not apply to persons who reside at the same household.
- (5) An owner or operator who contravenes paragraph (3) commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years, or to both.”



### **Amendment of regulation 10 - restriction on visitation to a health care facility**

**4.** The principal Regulations are amended in regulation 10 as follows —

- (a) by repealing paragraph (1) and substituting the following paragraph —
  - “(1) Subject to paragraphs (2) and (2A), a person who wishes to visit a health care facility shall ensure compliance with the directions of the manager of the health care facility in relation to any social distancing requirements and the use of personal protective equipment in the health care facility.”;
- (b) in paragraph (2)(b), by deleting the word “comply” and substituting the words “ensure compliance”;
- (c) by inserting after paragraph (2) the following paragraphs —
  - “(2A) Where a person wishes to visit a patient in a health care facility, other than a patient referred to in paragraph (2), the person who wishes to visit the patient shall —
    - (a) only visit or be permitted to visit that patient where, on the day of the visit —
      - (i) an approved test administered by a registered health care facility is obtained in relation to that person and a medical certificate which shows that the person had a negative result of the approved test is provided to the manager of the health care facility or a person designated by the manager; or
      - (ii) an approved test is administered in relation to the person, whether by the person himself or herself or by another person, in the presence of a member of staff of the health care facility who is designated by the manager of the health care facility to observe such testing; and
    - (b) ensure compliance with the directions of the manager of the health care facility in relation to any social distancing requirements and the use of personal protective equipment in the health care facility.
  - (2B) The medical certificate in relation to a person referred to in paragraph (2A)(a)(i) shall specify the name and address of the registered health care facility where the test was provided.”;
- (d) in paragraph (4), by deleting the words “paragraph (1) or (2)” and substituting the words “paragraph (1), (2) or (2A)”.

**Amendment of regulation 11 - restriction on visitation to a residential home care facility**

5. The principal Regulations are amended in regulation 11 by repealing paragraph (1) and substituting the following paragraphs —

“(1) A person who wishes to visit a residential home care facility shall —

(a) only visit or be permitted to visit the facility where, on the day of the visit —

(i) an approved test administered by a registered health care facility is obtained in relation to that person and a medical certificate which shows that the person had a negative result of the approved test is provided to the owner or operator of the residential home care facility or a person designated by the owner or operator; or

(ii) an approved test is administered in relation to the person, whether by the person himself or herself or by another person, in the presence of a member of staff of the residential home care facility who is designated by the owner or operator of the residential home care facility to observe such testing; and

(b) ensure compliance with the directions of the manager of the residential home care facility in relation to any social distancing requirements and the use of personal protective equipment in the residential home care facility.

(1A) The medical certificate in relation to a person referred to in paragraph (1)(a)(i) shall specify the name and address of the registered health care facility where the test was provided.”.

**Amendment of regulation 12 - Restriction on visitation of a detainee in a prison or place of detention**

6. The principal Regulations are amended in regulation 12 as follows —

(a) by repealing paragraph (1) and substituting the following paragraphs —

“(1) A person who wishes to visit a detainee in a place of detention or a prison must be a relative of the detainee and shall —

(a) only visit or be permitted to visit the detainee in the place of detention or the prison where, on the day of the visit —

(i) an approved test administered by a registered health care facility is obtained in relation to that person and a medical certificate which shows that the person had a negative result of the approved test is provided to —





- (A) in the case of a place of detention, the Medical Officer of Health or a person designated by the Medical Officer of Health; and
  - (B) in the case of a prison, the Director of Prisons or a person designated by the Director of Prisons; or
  - (ii) an approved test is administered in relation to the person, whether by the person himself or herself or by another person, in the presence of —
    - (A) in the case of a place of detention, a member of staff of the place of detention who is designated by the Medical Officer of Health to observe such testing; and
    - (B) in the case of a prison, a member of staff of the prison who is designated by the Director of Prisons to observe such testing;
  - (b) in the case of a place of detention, ensure compliance with the directions of the Medical Officer of Health in relation to any social distancing requirements and the use of personal protective equipment in the place of detention; and
  - (c) in the case of a prison, ensure compliance with the directions of the Director of Prisons in relation to any social distancing requirements and the use of personal protective equipment in the prison.
- (1A) The medical certificate in relation to a person referred to in paragraph (1)(a)(i) shall specify the name and address of the registered health care facility where the test was provided.”; and
- (b) in paragraph (2), by deleting the word “comply” and substituting the words “ensure compliance”.

### **Amendment of Schedule 3 - ticket offences and fines**

7. The principle Regulations are amended in Schedule 3 as follows —

- (a) by inserting after item 15 the following —

<b>Column 1</b> <b>Summary Offence</b>	<b>Column 2</b> <b>Relevant Regulation</b>	<b>Column 3</b> <b>Fine</b>
15A. Visiting a patient other than a patient who has tested positive for the virus and who is in a health	10(4)	\$500;

care facility without a negative result of an approved test.		
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(b) by deleting item 16 and substituting the following —

<b>Column 1 Summary Offence</b>	<b>Column 2 Relevant Regulation</b>	<b>Column 3 Fine</b>
16. Visiting a residential home care facility without a negative result of an approved test.	11(3)	\$250; and

(c) by deleting item 18 and substituting the following —

<b>Column 1 Summary Offence</b>	<b>Column 2 Relevant Regulation</b>	<b>Column 3 Fine</b>
18. Visiting a detainee in a place of detention or a prison without a negative result of an approved test.	12(4)	\$250.

**Made in Cabinet the 17th day of December, 2021.**

**Kim Bullings**  
*Clerk of the Cabinet*

