

CAYMAN ISLANDS



**Public Health Law
(2002 Revision)**

**PREVENTION, CONTROL AND
SUPPRESSION OF COVID-19 (PARTIAL
LIFTING OF RESTRICTIONS) (NO.5)
REGULATIONS, 2020**

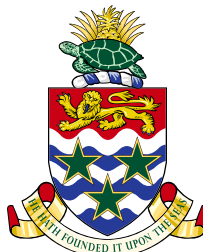
(SL 128 of 2020)

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Public Health Law (2002 Revision)

PREVENTION, CONTROL AND SUPPRESSION OF COVID-19 (PARTIAL LIFTING OF RESTRICTIONS) (NO.5) REGULATIONS, 2020

(SL 128 of 2020)

In exercise of the powers conferred by section 34 of the Public Health Law (2002 Revision) the Cabinet makes the following Regulations —

Citation

1. These Regulations may be cited as the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.5) Regulations, 2020.

Definitions

2. In these Regulations —

“**a person designated by the Medical Officer of Health**” includes the Director of the Sister Islands Health Services, where the Director of the Sister Islands Health Services is designated by the Medical Officer of Health;

“**contact**” means being closer than six feet to a person in isolation or quarantine for more than five minutes;

“**festive ceremony**” means a ceremony to celebrate a locally recognised religious event or a public general holiday and includes an agricultural show;

“**manager**”, in relation to a health care facility or residential home care facility, includes the owner;

“**public place**” means any highway, street, public park or garden, any sea beach and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; and includes any open space and any premises to which, for the time being, the public have or are permitted to have access, whether on payment or otherwise;

“**relative**”, in relation to a detainee in a prison or place of detention, means the detainee’s —

- (a) spouse or civil partner;
- (b) child;
- (c) parent or legal guardian;
- (d) brother or sister;
- (e) grandparent;
- (f) grandchild; or
- (g) friend;

“**virus**” means the virus known as SARS-CoV-2 which causes the disease known as Covid-19; and

“**visit**” means —

- (a) in relation to a place, to enter into that place; and
- (b) in relation to a person, to have contact with that person.

Definition of public meeting

3. (1) For the purposes of these Regulations “**public meeting**” means, subject to regulation 5, a gathering of more than five hundred persons in any public place for the purposes of engaging in the following activities —
- (a) leisure, recreational or spiritual activities including those organised by service clubs, faith-based organisations, community organisations and civic organisations;
 - (b) parades and social activities related to such parades, including carnivals, stage shows and parties;
 - (c) concerts;
 - (d) conventions;
 - (e) conferences;
 - (f) graduations; and
 - (g) fundraisers.
- (2) In the definition of “public meeting”, “**person**” does not include a person employed to provide the activities specified in the definition.



- (3) The definition of “public meeting” does not extend to any activity in a business office or an educational institution.

Prohibition on holding of public meeting, procession or festive ceremony

4. (1) For the purposes of preventing, controlling and suppressing the spread of the virus, no person shall hold any public meeting, procession or festive ceremony unless permitted by regulations.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Weddings and funerals

5. (1) For the purposes of preventing, controlling and suppressing the spread of the virus in the Islands, no person shall —
 - (a) host or attend a wedding which hosts more than five hundred persons other than the bride, bridegroom, official witnesses and the marriage officer; or
 - (b) host or attend a funeral where there are more than five hundred persons other than six pallbearers, at least one officiant and essential mortuary staff.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Wearing of masks

6. (1) Subject to paragraph (2), a person over the age of ten years old who is indoors at a public place may cover his or her mouth and nose with a mask or cloth face covering but is not required to do so.
- (2) Notwithstanding paragraph (1), the owner or operator of —
 - (a) a health care facility;
 - (b) a residential home care facility;
 - (c) a prison or place of detention;
 - (d) an airport; or
 - (e) such other public place as may be specified by notice by the Medical Officer of Health,may require that any person who visits any of such places shall wear a mask and a person who refuses to do so shall be refused entry.
- (3) The Medical Officer of Health shall issue written guidance on the use of masks or cloth face coverings by children over the age of ten years old.
- (4) An owner or operator of a public place shall not refuse entry to a person on the grounds either that the person —
 - (a) is wearing a mask or cloth covering; or

- (b) subject to paragraph (2), is not wearing a mask or cloth face covering.
- (5) The notice under paragraph (2)(e) and the guidance under paragraph (3) shall be published in the *Gazette*, in any other official Government website or official means of communication.
- (6) This regulation is subject to regulation 12.

Restriction on visitation to a place or a facility of quarantine or isolation

7. (1) With the exception of —
- (a) the Medical Officer of Health or a person designated by the Medical Officer of Health for the purposes of surveillance or management of a person in quarantine or isolation; or
 - (b) any person who has the written permission of the Medical Officer of Health or a person designated by the Medical Officer of Health,
- no person shall, subject to paragraph (2), visit or permit another person to visit a place or a facility of quarantine or isolation, or a person in a place or a facility of quarantine or isolation.
- (2) With the exception of the persons referred to in paragraph (1)(a) or (b), a person at a private residence shall not permit another person to visit a private residence where the private residence has been specified by the Medical Officer of Health as a place or facility of quarantine or isolation.
 - (3) Where a private residence which is specified under paragraph (2) is part of a multi-dwelling premises, paragraphs (1) and (2) do not apply to any other units and common areas of the multi-dwelling premises.
 - (4) Notwithstanding paragraph (1)(b), where a person provides food, grocery and medication delivery services to a private residence which is specified under paragraph (2) —
 - (a) the person who provides any of those services shall not require the written permission of the Medical Officer or a person designated by the Medical Officer of Health; and
 - (b) the person at the private residence shall ensure that the person who is providing any of those services does not enter the private residence or have contact with that person or any other person at the private residence.
 - (5) A person under paragraph (1)(b) shall comply with the directions of the Medical Officer of Health in relation to the use of personal protective equipment in the place or facility of quarantine or isolation.
 - (6) This regulation shall not apply to persons who are required to visit a place or a facility of quarantine or isolation or a person in that place or facility, in order to prevent or mitigate risk of injury to persons or property or risk of death.



- (7) A person who contravenes paragraph (1), (2), (4)(b) or (5) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Restriction on visitation to a health care facility

- 8.** (1) Subject to paragraph (2), a person who wishes to visit a health care facility shall comply with the directions of the manager of the health care facility in relation to the use of personal protective equipment in the health care facility.
- (2) Where a person wishes to visit a patient who has tested positive for the virus and who is in a health care facility the person who wishes to visit the patient shall —
- (a) only visit or be permitted to visit that patient with the written permission of the Medical Officer of Health; and
- (b) comply with the directions of the manager of the health care facility in relation to the use of personal protective equipment in the health care facility.
- (3) This regulation shall not apply to persons who are required to visit a health care facility or a person in that facility, in order to prevent or mitigate risk of injury to persons or property or risk of death.
- (4) A person who contravenes paragraph (1) or (2) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Restriction on visitation to a residential home care facility

- 9.** (1) A person who wishes to visit a residential home care facility shall —
- (a) be tested for the virus within three days prior to the date of the intended visit; and
- (b) only visit or be permitted to visit after such test has been declared to be negative by the Medical Officer of Health; and
- (c) comply with the directions of the manager of the residential home care facility in relation to the use of personal protective equipment in the residential home care facility.
- (2) This regulation shall not apply to persons who are required to visit a residential home care facility or a person in that facility, in order to prevent or mitigate risk of injury to persons or property or risk of death.
- (3) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Restriction on visitation of a detainee in a prison or place of detention

10. (1) A person who wishes to visit a detainee in a prison or place of detention must be a relative of the detainee and shall —
- (a) be tested for the virus within three days prior to the date of the intended visit; and
 - (b) only visit or be permitted to visit after such test has been declared to be negative by the Medical Officer of Health.
- (2) A person under paragraph (1) shall comply with —
- (a) the directions of the Director of Prisons in relation to the use of personal protective equipment in the prison; and
 - (b) the directions of the Medical Officer of Health in relation to the use of personal protective equipment in the place of detention.
- (3) This regulation shall not apply to persons who are required to visit a prison or place of detention or a person in either of those places, in order to prevent or mitigate risk of injury to persons or property or risk of death.
- (4) A person who contravenes paragraph (1) or (2) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Exercise and sports

11. (1) A person may exercise at any time but shall be subject to the public meeting requirements in these Regulations.
- (2) Sports shall be permitted provided that no more than five hundred persons shall be permitted at any time as spectators or as participants of the relevant sport.
- (3) A person who contravenes paragraph (1) or an organiser of a sporting event who contravenes paragraph (2) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Public Transport

12. (1) An operator of a taxi or an omnibus shall only drive such taxi or omnibus on the condition that all persons, including the driver of the taxi or omnibus, shall wear masks or cloth face coverings when in the taxi or omnibus.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.
- (3) For the purpose of this regulation —
- “**omnibus**” includes a school vehicle; and
 - “**school vehicle**” means a vehicle used for the conveyance of school children for hire or reward.



Scuba diving and snorkelling in the Islands

- 13.** (1) A person who wishes to rent scuba or snorkelling equipment to a customer for a scuba diving or snorkelling activity, including for training in scuba diving or snorkelling, shall comply with the following requirements —
- (a) the person shall, prior to renting any shared scuba or snorkelling equipment, register with the Department of Environmental Health, for the purposes of monitoring and ensuring compliance with this regulation;
 - (b) the person shall ensure that all shared scuba and snorkelling equipment is cleaned each day using an agent approved for use against the virus by the Director of Environmental Health of the Department of Environmental Health;
 - (c) where the person rents any shared scuba equipment to a customer, the person shall not rent the same shared scuba equipment to another customer until three days has elapsed; and
 - (d) the person shall comply with the written guidelines issued by the Director of Environmental Health of the Department of Environmental Health under paragraph (3).
- (2) Paragraph (1) does not apply to dive tanks.
- (3) For the purposes of preventing, controlling and suppressing the spread of the virus, the Director of Environmental Health of the Department of Environmental Health shall issue written guidelines on the use of shared scuba or snorkelling equipment, including a list of agents approved for use against the virus.
- (4) The guidelines under paragraph (3) shall be published in the *Gazette*, in any other official Government website or official means of communication.
- (5) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Prohibition on use of hookah, shisha pipes or water pipes

- 14.** (1) An owner or operator of a business shall not use or permit the use of a hookah, shisha pipe or water pipe at the place of business.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Police powers

- 15.** (1) A police officer may require a person to answer any questions to enable the police officer to ascertain who the person is and whether the person is complying with these Regulations, and where the person does not satisfy the police officer that they are complying with these Regulations, the police officer may —

- (a) detain the person and inform the Medical Officer of Health or a person designated by the Medical Officer of Health of the fact that a person has been so detained; and
 - (b) convey the person to a facility of quarantine or isolation, if so directed by the Medical Officer of Health.
- (2) The powers in paragraph (1) may be exercised where a person is at any place.
 - (3) For the purposes of exercising the powers in paragraph (1), a police officer may enter any place or facility of quarantine or isolation, including a private residence so designated under these Regulations, or multi-dwelling premises in which such a private residence is located.
 - (4) A police officer may use reasonable force, if necessary, in the exercise of the powers under this regulation.

Repeal of the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) Regulations, 2020

- 16.** *The Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) Regulations, 2020* are repealed.

Expiry

- 17.** These Regulations shall continue in force until 30th November, 2020 or until such later date as the Cabinet may specify by notice in the *Gazette*, in any other official Government website or official means of communication.

Made in Cabinet the 2nd day of October, 2020.

Davina Wilson
Acting Clerk of the Cabinet

