

**CAYMAN ISLANDS**



**Public Health Act  
(2021 Revision)**

# **CONTROL OF COVID-19 (TRAVEL) REGULATIONS, 2022**

**(SL 2 of 2022)**

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**CAYMAN ISLANDS****Public Health Act  
(2021 Revision)****CONTROL OF COVID-19 (TRAVEL)  
REGULATIONS, 2022  
(SL 2 of 2022)**

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

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**Citation**

1. These Regulations may be cited as the Control of Covid-19 (Travel) Regulations, 2022.

**Definitions**

2. (1) In these Regulations —

**“accepted test”** means an antigen-detecting rapid diagnostic test for the virus —

- (a) which has a sensitivity of at least eighty per cent and a specificity of at least ninety-seven per cent; and
- (b) which is recommended or approved for use by a national public health agency of the United States of America, the United Kingdom, the European Union, Australia, New Zealand, Jamaica or Canada;

**“approved laboratory”** means any one of the following —

- (a) United Kingdom Accreditation Service (UKAS) accredited laboratories;

- (b) laboratories of the National Health Service of the United Kingdom;
- (c) Joint Commission (JC) accredited laboratories;
- (d) Joint Commission International (JCI) accredited laboratories;
- (e) International Organization for Standardization (ISO) accredited laboratories;
- (f) Commission on Office Laboratory Accreditation (COLA) accredited laboratories;
- (g) national public health laboratories so declared or designated by the relevant laws of their respective jurisdictions; or
- (h) any other government approved providers;

**“approved vaccine course”** means —

- (a) a vaccination programme provided by the Cayman Islands Health Services Authority for use against the virus;
- (b) a vaccination programme provided by a registered practitioner, a health care facility, or a medical tourism facility for use against the virus and which is approved by the Chief Medical Officer; or
- (c) any other vaccination programme which is approved by the Chief Medical Officer for use against the virus and which is listed in a notice published by the Chief Medical Officer in the *Gazette*, in any other official Government website or in any other official means of communication;

**“Caymanian”** has the meaning assigned by section 2 of the *Immigration (Transition) Act (2021 Revision)*;

**“Cayman Islands Health Services Authority”** means the Cayman Islands Health Services Authority established under section 3 of the *Health Services Authority Act (2018 Revision)*;

**“civil partner”** has the meaning assigned by section 2 of the *Civil Partnership Act, 2020*;

**“Clerk of the Court”** means the person appointed as such under section 7 of the *Grand Court Act (2015 Revision)*;

**“Commissioner”** means the Commissioner of Police appointed under the *Police Act (2021 Revision)*;

**“customs and border control officer”** means a public officer appointed under section 6 of the *Customs and Border Control Act (2021 Revision)* and includes any police officer or other person assisting the Customs and Border Control Service in any assigned matter;

**“Customs and Border Control Service”** means the Customs and Border Control Service established under section 4 of the *Customs and Border Control Act (2021 Revision)*;



“**direct airside transit visa**” means a visa which permits the holder to pass through transit channels subject to the conditions that the holder —

- (a) remains airside of the airport; and
- (b) departs from the same airport within twenty-four hours of arrival at that airport;

“**Director of Customs and Border Control**” means the officer appointed under section 4 of the *Customs and Border Control Act (2021 Revision)* to be in control of the Customs and Border Control Service and includes any officer acting for the Director;

“**fully vaccinated**” means having completed an approved vaccine course at least fourteen days prior to arrival;

“**negative polymerase chain reaction (PCR) test**” means a test which shows that the person in respect of whom the test was administered had a swab taken from the upper airways which gave a negative result by polymerase chain reaction (PCR) testing for the detection of the virus;

“**non-securely verifiable fully vaccinated person**” means a person who has completed an approved vaccine course but whose vaccination certificate cannot be securely verified;

“**permanent resident**” has the meaning assigned by section 2 of the *Immigration (Transition) Act (2021 Revision)*;

“**registered practitioner**” means any person qualified to practise any of the professions specified in the *Health Practice Act (2021 Revision)* and registered under the *Health Practice Act (2021 Revision)*;

“**registered provider**” means a health care provider or a testing services provider —

- (a) approved by the government of the relevant jurisdiction to provide testing services for the virus; or
- (b) declared or designated by the laws of the relevant jurisdiction to provide testing services for the virus;

“**resident**” means a person who has legal and ordinary residence in the Islands in accordance with the *Immigration (Transition) Act (2021 Revision)*;

“**securely verifiable fully vaccinated person**” means a person whose vaccination certificate was issued by the Cayman Islands Health Services Authority or whose vaccination certificate can be securely verified;

“**securely verified**” means verified by employing technological solutions of international standards which are —

- (a) approved by the Medical Officer of Health; and
- (b) designed to reduce and eliminate fraud;

“**ship**” means every description of vessel used in navigation;

“**specified country**” means a country with a vaccination rate of sixty percent and above for the first dose of an approved vaccine course, as declared on the official website of the World Health Organization;

“**tourist visitor**” has the meaning assigned by section 2 of the *Immigration (Transition) Act (2021 Revision)*;

“**travel authorization**” means the document which shows that Travel Cayman has approved a person for travel to the Islands;

“**Travel Cayman**” means the agency with responsibility for processing pre-arrival applications and managing traveller protocols related to the virus;

“**travel declaration**” means the form, issued by Travel Cayman and set out on the official website of Travel Cayman, which a person under regulation 4(1) is authorized to complete under regulation 4(5);

“**unvaccinated person**” means a person who has not completed an approved vaccine course at least fourteen days prior to the person’s date of arrival in the Islands;

“**vaccination certificate**” means a document which is provided as evidence that the person in respect of whom the document is issued was administered an approved vaccine course;

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

“**World Health Organization**” means the specialized agency of the United Nations responsible for international public health.

- (2) For the purposes of regulation 3(1)(b), a person has close ties to the Islands if the person —
- (a) owns property in the Islands;
  - (b) owns a business in the Islands; or
  - (c) is the spouse, civil partner, parent, step-parent, grandparent, brother, sister, child, step-child or grandchild of a Caymanian or resident of the Islands.
- (3) For the purposes of paragraph (2)(c) —
- (a) a parent, grandparent, brother or sister of a Caymanian or resident of the Islands means a parent, grandparent, brother or sister, including a half-brother or half-sister, of the Caymanian or resident;
  - (b) a child of a Caymanian or resident of the Islands means the biological child or the adopted child of the Caymanian or resident, regardless of the age of the individual who is the biological child or the adopted child;
  - (c) a step-child of a Caymanian or resident of the Islands means a child of one of the parties to a marriage or a civil partnership where one of the parties to the marriage or the civil partnership is a Caymanian or a resident of the Islands, regardless of the age of the individual who is the step-child; and





- (d) a grandchild of a Caymanian or resident of the Islands includes a grandchild of the Caymanian or resident regardless of the age of the individual who is the grandchild.
- (4) For the purpose of the definition of the words “**direct airside transit visa**”, “**airside**” means any part of the airport that is inaccessible to the general public but that is accessible to international arriving or international transiting passengers.
- (5) For the purposes of these Regulations, a reference to “**departure**” or “**departure of the person’s flight to the Islands**” includes the departure of any connecting flights or transit flights for the purposes of the journey to the Islands, where —
  - (a) the duration of the layover between those flights is no more than twelve hours; or
  - (b) notwithstanding subparagraph (a) —
    - (i) the duration of the layover between those flights is no more than twenty-four hours; and
    - (ii) the relevant person is the holder of a direct airside transit visa issued by the relevant jurisdiction.

### **Restrictions on arrival of unvaccinated persons to the Islands**

3. (1) The categories of unvaccinated persons who may be allowed entry into the Islands in accordance with this regulation are as follows —
- (a) an unvaccinated person who is a Caymanian or resident of the Islands; and
  - (b) an unvaccinated person who has close ties to the Islands.
- (2) Subject to paragraph (7), and notwithstanding any other law, where a person under paragraph (1) is five years or older and wishes to enter the Islands, the following shall apply —
- (a) no earlier than the day prior to the departure of the person’s flight to the Islands —
    - (i) a sample from the upper airways to be tested for the virus by a polymerase chain reaction (PCR) test; or
    - (ii) an accepted test administered by a registered provider, shall be obtained in relation to the person; and
  - (b) upon arrival in the Islands, a customs and border control officer shall be provided with a medical certificate which —
    - (i) shows that the person had —
      - (A) a negative polymerase chain reaction (PCR) test for the virus of a sample from the upper airways; or

- (B) a negative result of an accepted test administered by a registered provider,  
no earlier than the day prior to the departure of the person's flight to the Islands; and
- (ii) specifies the name and address of the approved laboratory or registered provider where the test was provided.
- (3) Subject to paragraph (7), and notwithstanding any other law, where a person under paragraph (1) arrives in the Islands that person shall be required by a customs and border control officer —
- (a) to complete a medical and travel questionnaire in such form as is provided by the Medical Officer of Health; and
- (b) to undergo a medical examination if the customs and border control officer considers that it is necessary.
- (4) Where a person under paragraph (1) wishes to travel to the Islands, the following shall apply —
- (a) no less than five days prior to departing for the Islands, an application for travel authorization in the form set out in Schedule 1 shall be made in relation to the person and submitted in the manner specified on the official website of Travel Cayman;
- (b) travel authorization shall be obtained in relation to the person; and
- (c) a copy of the person's travel authorization (whether printed or electronic) and, where applicable, the original copy of the negative result of a polymerase chain reaction (PCR) test or an accepted test shall be provided to a customs and border control officer at the port of entry.
- (5) Subject to paragraph (7), upon arrival of a person under paragraph (1) in the Islands, the person shall —
- (a) remain in isolation for a period of not less than fourteen days at a private residence or such other place or facility of quarantine or isolation as specified by the Medical Officer of Health; and
- (b) be subject to such directions as are provided by the Medical Officer of Health until the person receives a negative result in relation to the polymerase chain reaction (PCR) test administered to the person prior to leaving any place or facility of quarantine or isolation.
- (6) Where —
- (a) upon arrival in the Islands, a person under paragraph (1) is allowed to isolate at a private residence in accordance with paragraph (5)(a); and
- (b) there are other occupants who reside at the private residence who intend to stay at the residence during the period of isolation with the person,



the other occupants shall, for such period as may be determined by the Medical Officer of Health, which period shall be no less than fourteen days, be subject to such directions as are provided by the Medical Officer of Health.

- (7) Where a person under paragraph (1) arrives in the Islands and the person tests positive for the virus or shows respiratory symptoms or symptoms of the virus, the person shall be managed at a place and in such manner as specified by the Medical Officer of Health until the Medical Officer of Health determines that the person is no longer a health risk to the public.
- (8) A person who contravenes this regulation 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.

### **Restrictions on arrival of all vaccinated persons to the Islands**

4. (1) Subject to regulations 5, 6, 7 and 8, a person who, at least fourteen days prior to the person's date of arrival in the Islands, has completed an approved vaccine course may be allowed entry into the Islands in accordance with this regulation.
- (2) Notwithstanding any other law, where a person under paragraph (1) wishes to travel to the Islands, the following shall apply —
  - (a) no earlier than the day prior to the departure of the person's flight to the Islands —
    - (i) a sample from the upper airways to be tested for the virus by a polymerase chain reaction (PCR) test; or
    - (ii) an accepted test administered by a registered provider, shall be obtained in relation to the person; and
  - (b) upon arrival in the Islands —
    - (i) a customs and border control officer shall be provided with a medical certificate which —
      - (A) shows that the person had —
        - (AA) a negative polymerase chain reaction (PCR) test of a sample from the upper airways; or
        - (BB) a negative result of an accepted test administered by a registered provider, no earlier than the day prior to the departure of the person's flight to the Islands; and
      - (B) specifies the name and address of the approved laboratory or registered provider where the test was provided; and
    - (ii) the directions of the Medical Officer of Health with regard to any further testing for the virus prior to leaving any place or facility of quarantine or isolation shall be complied with.

- (3) Notwithstanding any other law, where a person under paragraph (1) arrives in the Islands, that person shall be required by a customs and border control officer, in respect of the person —
- (a) to complete a medical and travel questionnaire in such form as is provided by the Medical Officer of Health; and
  - (b) to undergo a medical examination if the customs and border control officer considers that a medical examination is necessary.
- (4) Where a person under paragraph (1) arrives in the Islands and the person tests positive for the virus or shows respiratory symptoms or symptoms of the virus, the person shall be managed at a place and in such manner as specified by the Medical Officer of Health until the Medical Officer of Health determines that the person is no longer a health risk to the public.
- (5) Subject to regulation 8, a person who is —
- (a) a securely verifiable fully vaccinated person;
  - (b) a Caymanian or permanent resident of the Islands who is fully vaccinated with an approved vaccine, whether securely verifiable or not; or
  - (c) a non-securely verifiable fully vaccinated person who travels from a specified country where the person spent the last fourteen days prior to date of travel,
- and who wishes to travel to the Islands is required to complete a travel declaration in accordance with regulation 6, prior to being allowed entry into the Islands.
- (6) Subject to regulation 8, where a person —
- (a) whose vaccination certificate cannot be securely verified; and
  - (b) has not spent the last fourteen days prior to departure in a specified country,
- and wishes to travel to the Islands, the person shall, no less than five days prior to departing for the Islands, apply for a travel authorization in accordance with regulation 5.
- (7) A person who contravenes this regulation 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.

### **Restrictions on arrival of a person whose vaccination certificate cannot be securely verified**

5. (1) Where a person under regulation 4(6) wishes to travel to the Islands, the person shall no less than five days prior to departing for the Islands —



- (a) apply for travel authorization by completing the travel authorization form in the manner specified on the official website of Travel Cayman and by providing in the form the details set out in Schedule 1; and
  - (b) obtain a travel authorization.
- (2) A person under paragraph (1) shall, upon arrival in the Islands, produce a copy of the person's travel authorization, whether printed or electronic.
- (3) A person under paragraph (1) who fails to produce a travel authorization in accordance with paragraph (2) —
  - (a) may be refused leave to enter the Islands by a customs and border control officer; and
  - (b) 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.
- (4) Subject to paragraphs (5) and (6), upon the arrival in the Islands of a person under paragraph (1), the person shall —
  - (a) remain in isolation for a period of not less than ten days at a private residence or such other place or facility of quarantine or isolation as specified by the Medical Officer of Health; and
  - (b) be subject to such directions as are provided by the Medical Officer of Health until the person receives a negative result in relation to the polymerase chain reaction (PCR) test administered to the person prior to leaving the place or facility of quarantine or isolation.
- (5) For the purpose of paragraph (4)(a), the Medical Officer of Health shall permit a person under paragraph (1) to isolate at a private residence at which there are other occupants, where —
  - (a) the other occupants at that private residence have completed an approved vaccine course and at least fourteen days have elapsed since the completion of each occupant's approved vaccine course; and
  - (b) the other occupants at the private residence comply with the directions of the Medical Officer of Health, including directions with regard to isolation and testing for the virus.
- (6) Where a person under paragraph (4) who arrives in the Islands ("the vaccinated person") intends to isolate with an unvaccinated person —
  - (a) the vaccinated person shall, for such period from the date of arrival as may be determined by the Medical Officer of Health, which period shall be no less than fourteen days, for the purpose of surveillance by the Medical Officer of Health —
    - (i) remain at a private residence or such other place or facility of quarantine or isolation as specified by the Medical Officer of Health; and

- (ii) be subject to such directions as are provided by the Medical Officer of Health; and
- (b) the unvaccinated person shall, for such period as may be determined by the Medical Officer of Health, which period shall be no less than fourteen days, be subject to such directions as are provided by the Medical Officer of Health, including directions with regard to isolation of the unvaccinated person and testing of the unvaccinated person for the virus.

### **Requirement to complete travel declaration and undertake testing**

6. (1) Where a person under regulation 4(5) intends to travel to the Islands, the person shall, no less than seventy-two hours prior to departing for the Islands, complete and submit a travel declaration in the manner and form specified on the official website of Travel Cayman.
- (2) Where a person under paragraph (1) arrives in the Islands, the person shall —
- (a) ensure that the person receives a test which —
    - (i) satisfies the conditions set out under regulation 4(1)(a) or (b) of the *Control of Covid-19 (Testing) Regulations, 2021*; and
    - (ii) is administered by a registered practitioner on the second, fifth and tenth day, where applicable, after the person's arrival; and
  - (b) submit the results of the test under subparagraph (a) to a person designated by and in the manner approved by the Medical Officer of Health.
- (3) Where the person receives a positive result of the test administered under paragraph (2)(a), the person shall be subject to such directions as are provided by the Medical Officer of Health.
- (4) A person who contravenes paragraph (2) 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.

### **Person to provide evidence of completion of travel declaration**

7. (1) A person who has completed a travel declaration in advance of the person's departure in accordance with regulation 6(1) shall provide evidence that the person has done so, where a customs and border control officer requests such evidence.
- (2) A person who does not provide evidence of the completion of a travel declaration where so requested by a customs and border control officer under paragraph (1) 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.
- (3) A person who provides any false or misleading information in the travel declaration under regulation 6(1) 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.

### **Crew members of aircraft or ship exempt from compliance with regulations 3, 4, 5, 6 and 7**

8. Regulations 3, 4, 5, 6 and 7 do not apply to the crew of any ship or aircraft, but for the purpose of the prevention, control or suppression of the spread of the virus —

- (a) a crew member of a ship or aircraft which arrives in the Islands after the date of commencement of these Regulations shall comply with the directions of the Medical Officer of Health with regard to isolation and any testing and health monitoring; and
- (b) where —
  - (i) a crew member of a ship or aircraft which arrives in the Islands after the date of commencement of these Regulations is directed to isolate at a private residence; and
  - (ii) there are other occupants who reside at the private residence who intend to stay at the residence during the period of isolation with the crew member,

the other occupants shall comply with the directions of the Medical Officer of Health with regard to isolation and any testing and health monitoring.

### **Liability of owner of ship or aircraft for persons without proper travel documents**

9. (1) It shall be the duty of the owner of the ship or aircraft (“the vessel”) in or from which a person embarks to satisfy himself or herself that such person is in possession of —
- (a) a travel authorization, where the person is so required under regulation 3(4) or 4(6); or
  - (b) a travel declaration, where the person is so required under regulation 6(1), to travel to the Islands.
- (2) Where the master of the vessel under paragraph (1) transports to the Islands a person who does not have in the person’s possession the required travel authorization or travel declaration referred to under that paragraph, the owner of the vessel commits an offence and is liable on summary conviction to a fine of two thousand dollars.
- (3) For the purposes of paragraph (1), a reference to “person” includes the dependants of the person.
- (4) It shall be a defence under paragraph (2) where the owner, operator, master or local agent of the vessel on which the person under paragraph (1) arrived in the

Islands shows that the person produced the required document or documents to the owner or the owner's employee or agent when embarking on the vessel.

### **Offence of providing false medical certificate or false vaccination certificate**

- 10.** (1) A person who, in the purported discharge of any requirement under regulation 3(2)(b) or 4(2)(b), provides a false or forged medical certificate to a customs and border control officer 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.
- (2) A person who, in purported compliance with regulation 4 or 7, provides a customs and border control officer with a false or forged vaccination certificate 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.

### **Power to exempt persons from compliance with regulations 3, 4, 5, 6 and 7**

- 11.** (1) Subject to paragraph (2), the Medical Officer of Health may exempt a person or category of persons from any of the requirements in regulations 3, 4, 5, 6 and 7.
- (2) A person who is exempted under paragraph (1) —
- (a) shall comply with the directions of the Medical Officer of Health with regard to isolation and any additional health monitoring for the purpose of the prevention, control or suppression of the spread of the virus; and
- (b) who tests positive for the virus or shows respiratory symptoms or symptoms of the virus shall be managed at a place and in such manner as specified by the Medical Officer of Health,
- until the Medical Officer of Health determines that the person is not a health risk to the public.
- (3) Where the Medical Officer of Health exempts a person or category of persons from any of the requirements under regulation 3, 4, 5, 6 and 7, the Medical Officer of Health shall ensure that, not less than once in every three month period, the Cabinet is notified of —
- (a) the number of exemptions granted during that three month period;
- (b) the nature of each exemption granted; and
- (c) the person or category of persons to whom the exemption has been granted.
- (4) A person who does not comply with the directions of the Medical Officer of Health under paragraph (2)(a) 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.





**Powers, duties and functions of the Medical Officer of Health**

- 12.** (1) In carrying out powers, duties and functions under these Regulations, the Medical Officer of Health has all the powers, duties and functions specified in Part VI of the Act and shall exercise any other relevant powers, duties and functions specified —
- (a) under regulation 12 of the *Public Health (Communicable Diseases) Regulations (1997 Revision)* which a medical officer would otherwise be required to exercise; and
  - (b) under the *Public Health (Quarantine) Regulations (2021 Revision)* which a quarantine officer would otherwise be required to exercise.
- (2) Subject to paragraph (1)(b), the *Public Health (Quarantine) Regulations (2021 Revision)* shall apply for the purposes of these Regulations with any necessary modifications.
- (3) Where a person is found to have presented a false or forged vaccination certificate under these Regulations, the person shall —
- (a) from a date and for such period as may be determined by the Medical Officer of Health; and
  - (b) for the purpose of surveillance by the Medical Officer of Health, remain at a place or facility of quarantine or isolation specified by the Medical Officer of Health and be subject to such directions as are provided by the Medical Officer of Health.

**Police powers**

- 13.** (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 the person is 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 place or 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 specified as such under these Regulations, or a 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 police officer's powers under this regulation.

**Payment for place or facility of quarantine or isolation**

14. (1) Subject to paragraph (2), a person who is required to stay in a place or facility of quarantine or isolation which is operated by Government is liable to pay for any costs associated with the person's accommodation in such a place or facility.
- (2) The following persons who provide evidence that they reside in the Islands and who are required to stay in a place or facility of quarantine or isolation which is operated by Government are not required to pay the costs of accommodation at that place or facility —
- (a) a person who provides evidence that the person is a student attending an educational institution outside the Islands and is returning home;
  - (b) a person who provides evidence that the person's travel was for the purposes of government business;
  - (c) a person who provides evidence that the purpose of the person's travel was to represent the Islands in a sporting event as part of a national team;
  - (d) a person who provides a medical certificate signed by a medical practitioner that the person travelled overseas in order to obtain medical services;
  - (e) a person who is a parent, guardian or caregiver who provides evidence that the person travelled overseas for the purposes of taking the person's child, or a child in the person's care to —
    - (i) an overseas educational institution; or
    - (ii) represent the Islands in a sporting event as part of a national team; and
  - (f) a person who provides evidence that the person had responsibility to take a child or an adult overseas to obtain medical services.
- (3) For the purposes of this regulation —
- “child”** means —
- (a) a person under the age of eighteen; and
  - (b) a person between the age of eighteen and twenty-four years who is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment; and
- “parent”** includes a step-parent and a foster parent.

**Medical certificate or vaccination certificate may be submitted by electronic means**

15. (1) For the purposes of these Regulations, where a person is required to submit a medical certificate or a vaccination certificate, the certificate may be recorded in electronic form and submitted by electronic means.



- (2) For the purposes of this regulation, “**electronic**” has the meaning assigned by section 2 of the *Electronic Transactions Act (2003 Revision)*.

### **Ticketable offences**

- 16.** (1) When an offence appears to have been committed contrary to these Regulations, notwithstanding that certain penalties for such offences are by those Regulations expressed to be mandatory, a constable, special constable or person authorized by the Commissioner may instead serve on the alleged offender a ticket in the form set out in Schedule 2.
- (2) Where an offence referred to in Columns 1 and 2 of Schedule 3 is committed, the penalty in Column 3 of Schedule 3 applies.
- (3) Where the summary of an offence contained in Column 1 of Schedule 3 differs from the substantive creation of the offence in the provision concerned, the provision creating the offence shall prevail and no person may be acquitted on the basis that there is a conflict between the summary of the offence contained in Column 1 of Schedule 3 and the substantive provision.
- (4) Where a person is served with a ticket under paragraph (1), the payment of the penalty stated in the ticket no later than twenty-eight days after being served discharges the person from liability upon conviction for the offence set out in the ticket.
- (5) Payment of a ticket under these Regulations shall be made to the Clerk of the Court and the fine under the ticket, unless otherwise expressly stated, forms part of the general revenue of the Islands.

### **Service and payment of ticket**

- 17.** (1) A constable, special constable or person authorized by the Commissioner who serves a ticket shall complete and sign the certificate of service in the ticket stating that the ticket was, on the date set out in the certificate, served on the person whom the constable, special constable or person authorized by the Commissioner had reason to believe committed the offence.
- (2) A certificate of service in the ticket shall be evidence that, on the date set out in the certificate, a ticket was served on the person whom the constable, special constable or person authorized by the Commissioner had reason to believe committed the offence.
- (3) The Commissioner shall file or cause to be filed with the Clerk of the Court the duplicate of a ticket served under paragraph (1) as soon as practicable after the ticket is served.
- (4) Upon being served a ticket, a person may —
- (a) pay the total amount set out in the ticket;
  - (b) enter a “not guilty” plea in accordance with regulation 18(1); or

- (c) attend the summary court on the date set out in the ticket and enter a plea.

### **Trial after not paying ticket or not agreeing to ticket**

- 18.** (1) A person who is served with a ticket and who wishes to enter a “not guilty” plea may request a trial by ticking the box for requesting a trial in the ticket and delivering the ticket to the Clerk of the Court within twenty-eight days of being served with the ticket and the Clerk of the Court shall enter a plea of “not guilty”.
- (2) As soon as practicable after a person requests a trial under paragraph (1), the Clerk of the Court shall —
- (a) notify the Commissioner of the request;
  - (b) if the Commissioner has not filed the duplicate of the ticket or caused the duplicate of the ticket to be filed in accordance with regulation 17(3), request the duplicate ticket;
  - (c) fix the time and place of the trial; and
  - (d) notify the defendant and the prosecution, by specifying the time and place of the trial in the ticket.
- (3) A person who has been served with a ticket and has not paid the total amount set out in the ticket in accordance with regulation 16, nor entered a “not guilty” plea in accordance with paragraph (1), shall attend at the court on the date specified by the Clerk of the Court in the ticket, which shall be no earlier than thirty-eight days after the date that the ticket was served on the person and the notice of the court date in the ticket shall be notice to the defendant and the prosecution of the same.
- (4) A ticket filed with the Clerk of the Court is evidence of the facts alleged in the ticket without proof of the signature of the person appearing to have completed the ticket or the person on whom the ticket was served.
- (5) Except as otherwise provided, a notice or document required or authorized to be given or delivered under this regulation may be given or delivered personally by registered mail or electronically.
- (6) Evidence that a notice or document required or authorized to be given or delivered to a person under this regulation was sent by registered mail to the person at the last known place of abode or business address appearing on a ticket or electronically, is sufficient evidence that the notice or document was given or delivered to the person unless the contrary is proved.
- (7) A person who is convicted of an offence in a trial requested under paragraph (1), or in a trial as a result of a failure to pay the total amount set out in the ticket in accordance with regulation 16, is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years, or to both.
- (8) The ticket, for the purposes of a trial, is deemed to be a complaint within the meaning of section 14 of the *Criminal Procedure Code (2021 Revision)*.



- (9) Notwithstanding anything in law to the contrary, where a ticket remains unpaid at the expiration of the time specified for the payment of the ticket or where the person served requests a trial, the ticket shall be deemed to be a summons in accordance with section 15 of the *Criminal Procedure Code (2021 Revision)*.
- (10) Subject to paragraph (2), proceedings in respect of an offence deemed to be instituted by a ticket under these Regulations shall not be listed for hearing in court unless —
- (a) the Clerk of the Court certifies that the payment of the ticket has not been received within the twenty-eight day period within which it was payable; and
  - (b) a period of ten days has elapsed from the last day on which the ticket penalty was payable.
- (11) Where the ticket is not paid within the time specified in the ticket or the person served requests a trial, proceedings in respect of the offence specified in the ticket shall be in accordance with the procedure set out for Category C offences under the *Criminal Procedure Code (2021 Revision)*.

### **Repeal of the Control of Covid-19 (Travel) Regulations, 2021**

**19.** The *Control of Covid-19 (Travel) Regulations, 2021* are repealed.

### **Expiry**

**20.** These Regulations shall continue in force until 24th January, 2022 or until such other date as the Cabinet may specify by notice in the *Gazette*, in any other official Government website or in any other official means of communication.



**SCHEDULE 1**

*(regulations 3(4)(a) and 5(1)(a))*

**DETAILS OF TRAVEL AUTHORIZATION FORM**

1. Full name
2. Maiden or other name
3. Date of birth
4. Passport number
5. Passport issuing country
6. Gender
7. Immigration status
8. Vaccination status
9. Email address
10. Phone number
11. Whether the person is a traveller or occupant
12. Date and flight for travel
13. Details of travel within the fourteen days before arrival in the Islands
14. Quarantine option (address if quarantine is required or selected)
15. Flight details (record locator)
16. Special needs (if applicable)

**SCHEDULE 2**

*(regulation 16(1))*

**TICKET UNDER THE CONTROL OF COVID-19 (TRAVEL)  
REGULATIONS, 2022**

Ticket served upon alleged offender (details below)

Name: \_\_\_\_\_

D.O.B.: \_\_\_\_\_ P.O. Box \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Phone : \_\_\_\_\_ (w) \_\_\_\_\_ (h)

Work Address: \_\_\_\_\_

Time and place at which offence committed:

\_\_\_\_\_  
\_\_\_\_\_

Offence: \_\_\_\_\_ Regulation: \_\_\_\_\_ \$ \_\_\_\_\_

Offence: \_\_\_\_\_ Regulation: \_\_\_\_\_ \$ \_\_\_\_\_

Offence: \_\_\_\_\_ Regulation: \_\_\_\_\_ \$ \_\_\_\_\_

Offence: \_\_\_\_\_ Regulation: \_\_\_\_\_ \$ \_\_\_\_\_

(Use second ticket for additional offences)





Date of Issue: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm

Place: \_\_\_\_\_

Reporting Officer's Name (and Rank &amp; No.): \_\_\_\_\_

To the person to whom this ticket is served —

- (a) you may pay the total amount set out in the ticket before 3 p.m. the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ at the Courts Office, Finance Centre located at Kirk House Albert Panton Street, George Town, Grand Cayman during Opening Hours (9am-3pm) or online at <https://pay.judicial.ky>. For queries, e-mail **criminalregistry@judicial.ky** or call 244-3867; or
- (b) you may enter a plea of “not guilty” up to twenty-eight days after being served and indicate your intention to plead “not guilty” and request a trial by ticking the box  and deliver the ticket —
- (i) personally to Criminal Registry at 61 Albert Panton Street, George Town;
- (ii) by registered mail to Covid-19 Ticket P.O. Box 495, Grand Cayman, KY1-1106; or
- (iii) electronically by e-mail to **criminalregistry@judicial.ky** to the Clerk of the Court; or
- (c) upon requesting a trial, upon non-payment or where a plea of “not guilty” is not entered, you are summoned to attend the Summary Court:
- (i) in Grand Cayman, at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_\_; or
- (ii) in Cayman Brac, at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

**CERTIFICATE OF SERVICE**

I am a [constable] / [special constable] / [person authorized by the Commissioner] and I certify that I served this ticket on the person named on the date and at the time stated above.

\_\_\_\_\_  
 (Name of Constable/Special Constable/Person  
 authorized by the Commissioner)

\_\_\_\_\_  
 (Signature)

If you experience any issues with the above payment options or you require the assistance of the Clerk of the Court please contact:

**criminalregistry@judicial.ky or call 244-3867 or 949-4296**



**SCHEDULE 3***(regulation 16(2) and (3))***TICKET OFFENCES AND FINES**

<b>Column 1</b> <b>Summary of offence</b>	<b>Column 2</b> <b>Relevant Regulation</b>	<b>Column 3</b> <b>Fine</b>
1. Entering the Islands without a medical certificate which shows the person had a negative polymerase chain reaction (PCR) test or a negative result of an accepted test, no earlier than the day prior to the departure of the person's flight.	3(8) 4(7)	\$1000
2. Failure of a person under regulation 3(1) to comply with the directions of the Medical Officer of Health under regulation 3(5)(b) prior to leaving any place or facility of quarantine or isolation..	3(8)	\$500
3. Failure of a person under regulation 4(1) to comply with the directions of the Medical Officer of Health under regulation 4(2)(b)(ii) with regard to any testing for the virus prior to leaving any place or facility of quarantine or isolation.	4(7)	\$500



4. Failure of a person under regulation 3(1) to complete and submit a travel declaration, where required under regulation 3(4), prior to traveling to the Islands.	3(8)	\$1000
5. Failure of a person under regulation 4(1) to complete and submit a travel declaration, where required under regulation 4(5) and 6(1), prior to traveling to the Islands.	4(7)	\$1000
6. Failure by a person under regulation 4(1) to obtain travel authorization where required under regulation 4(6) prior to traveling to the Islands.	4(7)	\$1000
7. Failure of a person under regulation 6(1) to — (a) receive a test which — (i) satisfies the conditions set out under regulation 4(1)(a) or (b) of the <i>Control of Covid-19 (Testing) Regulations, 2021</i> ; and (ii) is administered by a registered	6(4)	\$500

<p>practitioner on the second, fifth and tenth day, where applicable, after the arrival; or</p> <p>(b) submit the results of the test to a person designated by and in the manner approved by the Medical Officer of Health.</p>		
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**Made in Cabinet the 14th day of January, 2022.**

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

