

ANTIGUA AND BARBUDA



**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)
REGULATIONS, 2021**

STATUTORY INSTRUMENT

2021, No. 5

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**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)
REGULATIONS 2021, made by the Board pursuant to Section 102 of the Public Health Act,
Cap. 353.**

1. Citation and commencement

(1) These Regulations may be cited as the Public Health Act (Dangerous Infectious Disease) (Amendment) Regulations, 2021.

2. Interpretation

In these Regulations –

“principal Regulations” means the Public Health Act (Dangerous Infectious Disease) Regulations 2020, Statutory Instrument No. 16 of 2020

3. Effective period

This amendment to Regulation 5A of the principal Regulation shall come into effect at 8:00p.m. on Friday the 29th day of January, 2021 and shall continue until 5:00a.m. on Friday 19th February, 2021.

4. Amendment of Regulation 5A of principal Regulations.

Regulation 5A of the principal Regulations is amended as follows -

(a) by repealing paragraph 3 (Mandatory Curfew) and replacing it with the following:

“3. Mandatory Curfew

(1) A mandatory nine (9) hours curfew shall be in operation for the effective period of 8:00p.m. to 5:00a.m. beginning on Friday 29th January, 2021 and continuing every evening thereafter from 8:00p.m. for nine (9) consecutive hours until 5:00a.m. of the next day following.

(2) Subject to this regulation, the curfew period will not apply to individuals who are involved in a medical emergency.

(3) The curfew period shall not apply to persons who are employees or officers of the following –

- (a) The Royal Police Force of Antigua and Barbuda including the Fire Brigade;
- (b) The Antigua and Barbuda Defence Force;
- (c) Office of National Drug and Money Laundering Control Policy (ONDCP);
- (d) Customs and Excise Department;
- (e) Immigration Department;
- (f) Mount St. John Medical Centre;
- (g) Emergency Medical Services and E-911 Services;
- (h) Media workers and other employees of a broadcasting service to the extent that they are travelling for work;
- (i) Her Majesty’s Prison;
- (j) Air Traffic Control Services;
- (k) Meteorological Services;
- (l) LIAT (1974) Ltd.
- (m) Antigua and Barbuda Port Authority;

- (n) APUA (Electricity and Water and Telecommunications), other Water services, and Telecommunications Service Providers;
- (o) Antigua and Barbuda Airport Authority;
- (p) Businesses Licensed to provide private security services;
- (q) Commercial Banks and Credit Unions to the extent required to facilitate ongoing automatic banking services.
- (r) Members of Parliament,
- (s) the Treasury Department, as determined by the Accountant General;
- (t) the Inland Revenue Department, as determined by the Commissioner of Inland Revenue
- (u) National Solid Waste Management Authority;
- (v) Healthcare workers and employees of allied health care services;
- (w) critical construction workers approved by the Cabinet to include BHM, Meridian Construction Company, CCECC and WIOC:
- (x) Brokers and Shipping agents;
- (y) businesses involving logistics;
- (z) fuel manufacturers and distributors (WIOC and RUBIS);
- (aa) Hotels/Villas and ancillary staff thereof (as approved by the Ministry of Health and the Board; in room dining only;
- (ab) Call Centre Employees;
- (ac) Undertakers/Funeral parlours.”

- (b) by repealing paragraph 4 (Opening of businesses and conditions) and replacing this as follows:

“4. Opening of businesses and conditions

(1) Subject to provisions outlined herein, businesses throughout Antigua and Barbuda that have been certified and approved as COVID compliant by the Board, shall be permitted to open and to operate between the hours of 5:00am and 8:00p.m. daily.

(2) Registered livestock and vegetable farmers are permitted to operate in respect of their business the hours of 4:00a.m. and 8:00p.m. daily.

(3) Licensed fishermen are permitted to operate during the curfew period between the hours of 2:00 a.m. and 8:00p.m. daily.

(4) Public transportation services may operate between the hours of 5:00a.m. and 8:00pm., provided that the operator of the public transport and each passenger wear a face mask for the duration of the journey.

(5) Churches and Faith-Based Organizations may conduct community outreach programmes, such as, soup kitchens and the distribution of food and care packages to the members of the community between the hours of 5:00a.m. and 8:00p.m.

(6) Every business owner, staff and officer of every business, and every customer or client of a business shall observe the social distancing protocol and wear a face mask while conducting said business.”

- (c) by inserting after paragraph 4 of Regulation 5A the following new paragraphs:

“4A. Closure of Bars and Clubs

(1) No person shall open or operate a Bar or Club for the period Friday 29th January 2021 to Friday 19th February, 2021.

(2) A person who opens, operates, or permit the operation of a Bar or Night Club during the effective period commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for 6 months or to both such fine and imprisonment.

4B. Operation of restaurant businesses

(1) The owner or operator of a restaurant business shall not permit “in-house” dining services for the effective period.

(2) The owners or operator of a restaurant business that has been certified and approved as COVID compliant may only offer pick-up or take-out services for the duration of the effective period.

(3) An owner or operator of a restaurant business that fails to comply with the provisions of this paragraph commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment.

(d) in paragraph 9 (Restriction on social gathering), by repealing paragraph (9) in its entirety and replacing it as follows:

“5. Restriction on social gathering

(1) Subject to subparagraph (2), no person shall host or attend at any private or public gathering or event having more than ten (10) persons.

(2) No person shall be permitted to host or participate in a wedding reception for the duration of the effective period.

(3) A law enforcement officer is authorised to disband any gathering in contravention of subparagraph (1).

(4) A person commits an offence if contrary to subparagraphs (1) and (2) he or she –

(a) owns premises where a party, fete or other social gathering is held;

(b) permits any person to host a party, fete or other social gathering at premises under his or her control;

(c) organises any party, fete or other social gathering;

(d) attends any party, fete or other social gathering,

and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment.

(e) by inserting after paragraph 11, a new paragraph as follows:

“6A. Prohibition on excursions to off-shore islands used for recreational purposes

(1) Subject to subparagraph (2), excursions by private individuals to any of the off-shore islands is prohibited.

(2) Excursions to the off-shore islands by commercial vessels are permitted provided social distancing protocols and the wearing of face masks is observed.”

(f) by amending paragraph 12 (Physical exercise and sporting competitions) as follows:

(i) by repealing subparagraph (1) and replacing it with the following:

“(1) A person may, during the period 5:00am. To 8:00p.m each day, walk, jog, run, cycle or perform any other physical activity which may lawfully be carried out under these regulations, provided such a person complies with the requirements of subparagraph (2).”

(ii) by repealing subparagraph (4) and replacing it with the following:

“(4) Recreational football and basketball shall not be permitted.”

Made the 28th January, 2021.

Eustace Lake,
Chairman of the Central Board of Health.