

**ANTIGUA AND BARBUDA**



**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)  
(NO. 22) REGULATIONS 2021**

**STATUTORY INSTRUMENT**

**2021, No. 117**

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**ANTIGUA AND BARBUDA  
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**ANTIGUA AND BARBUDA  
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**STATUTORY INSTRUMENT**

**2021, No. 117**

**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT) (No. 22) 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) (No. 22) 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. Amendment of Regulation 5A of the principal Regulations**

The principal Regulations are amended by repealing Regulation 5A thereof and replacing it as follows –

**“5A. Special measures applicable as of 5:01a.m. on the 23<sup>rd</sup> day of December, 2021**

For the further control and prevention of the spread of the dangerous infectious disease COVID-19, the Board hereby issues and directs that the following special measures be observed throughout Antigua and Barbuda:

**1. Duration**

These special measures shall have effect from 5:01a.m. on Thursday 23<sup>rd</sup> December, 2021 until further ordered by the Board.

**2. Conduct of business and public health**

- (i) Every –
  - (a) owner of a business,
  - (b) service provider,

(c) professional or other persons,

offering goods, products or services to the general public or a part thereof, shall ensure that their employees, customers and clients –

- (i) wash or sanitize their hands prior to entering the office or establishment of the said business owner, service provider, professional or similar persons;
- (ii) wear a face mask while conducting business at their establishment; and
- (iii) observe social distancing protocols of six feet between individuals at the check-out or seated in any waiting area or while waiting on the outside to enter the office or establishment.

- (2) **Bars, Night Clubs, Cinemas and similar facilities** providing entertainment to the general public or a part thereof shall only permit admission to persons who are able to provide proof of vaccination by presenting a plastic vaccination card issued under the authority of the Government of Antigua and Barbuda.
- (3) **Every owner or operator of a restaurant business** shall only permit in-house dining to persons who are able to provide proof of vaccination by presenting a plastic vaccination card issued under the authority of the Government of Antigua and Barbuda.
- (4) **Owners and operators of gyms and similar facilities** shall only permit entry to patrons who are able to provide proof of vaccination by presenting a plastic vaccination card issued under the authority of the Government of Antigua and Barbuda.
- (5) An owner or operator of a business, service provider, professional or similar persons operating in Antigua and Barbuda who contravenes the provisions of this section 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.

### **3. Wearing of face mask in public**

- (1) Subject to subparagraphs (4) and (5) a person shall wear a face mask when in any public place.

- (2) No person is permitted to be in any supermarket, market, or in any street or in any public place without wearing a face mask.
- (3) Where there is more than one occupant in a motor vehicle, the occupants shall wear a face mask unless they are of the same household.
- (4) A facemask shall –
  - (a) completely cover both the nose and the mouth of the wearer;
  - (b) leave the ears, eyes and forehead visible; and
  - (c) not be worn together with dark glasses, caps, hoodies or any other head covering.
- (5) A person –
  - (a) shall, at the request of a law enforcement officer, remove or adjust his or her face mask or facial covering as directed by a law enforcement officer; and
  - (b) who fails to comply with a request of a law enforcement officer to remove or adjust his or her face mask or facial covering 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.

#### **4. Restriction on social gathering**

- (1) No public gathering shall take place without the approval of the Board, in addition to, any other approvals that may be mandated by the laws of Antigua and Barbuda for such gathering.
- (2) No person shall attend any fete, party, concert or similar gathering or social event unless the gathering or event has been approved by the Ministry responsible for National Festivals and Culture and the event is being held in accordance with guidelines established in conjunction with the Ministry of Health.
- (3) Any person who hosts, organises or attends a gathering in contravention of subparagraphs (1) or (2) 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.

#### **5. Hosting/conducting sporting events**

- (1) Competitive sporting events shall be permitted in all sporting disciplines only with the approval of the Ministry of Sports.
- (2) Where approval has been granted for a competitive sporting activity, the activity shall be conducted pursuant to guidelines established between the governing association for the sport, the Ministry of Sports and the Ministry of Health.”

**6. Offence**

- (1) A person who fails to comply with these special measures commits an offence and is liable on summary conviction to a fine not exceeding five thousand (\$5,000.00) dollars or to imprisonment for six (6) months or to both such fine and imprisonment.
- (2) Notwithstanding anything in any of the foregoing provisions of these Regulations and without prejudice to his right to take any other steps under the authority of these Regulations, an officer of the Royal Police Force of Antigua and Barbuda (Police Officer) who finds a person on any occasion committing or has reason to believe that a person has committed an offence under either paragraphs 3 or 4 of Regulation 5A may —
  - (a) serve on that person the prescribed notice in writing charging him with the commission of such offence;
  - (b) offer him the opportunity of the discharge of any liability to conviction for such offence by payment of a fixed penalty under this Regulation; and
  - (c) notify him that a complaint will be made against him in respect thereof, requiring him either to pay the fixed penalty within the time specified in the notice or to appear at the Court specified in the notice on the day and at the hour stated therein to answer the said complaint.
- (3) A notice given under subsection (2) shall be signed by the Police Officer and shall specify—
  - (a) the date, time and place of the giving of the notice;
  - (b) the section of these Regulations under which the offence is alleged to have been committed and such particulars of the offence as are necessary for giving reasonable information of the allegation;
  - (c) the time within which the fixed penalty may be paid and further that no further proceedings will take place until the date for payments has passed in accordance with the Schedule;
  - (d) the amount of the fixed penalty in accordance with the Schedule;
  - (e) the address of the Magistrate Court at which the fixed penalty may be paid or remitted; and
  - (f) in the event that the fixed penalty is not paid,
    - (i) the court at which the person is required to appear
    - (ii) the date and time for his appearance.

**7. Electronic monitoring**

- (1) A person who is required to remain in quarantine shall be monitored by an electronic device or wrist band approved by the Ministry of Health.
- (2) The use of an electronic monitoring device or wrist-band approved by the Ministry of Health under sub-paragraph (1) shall be solely for the purpose of preventing the transmission of the Coronavirus COVID-19 into the community.
- (3) The electronic monitoring device shall be used to monitor –
  - (i) whether the person has left the designated quarantine area; and
  - (ii) the health status of the person.
- (4) The electronic monitoring shall be terminated immediately on the expiration of the quarantine period.
- (5) All information obtained from the electronic monitoring shall be stored in a secure manner for the duration of the quarantine.
- (6) A person who tampers with or removes the electronic monitoring device issued by the Health Authority commits an offence and is liable on summary conviction to a fine not exceeding five thousand (\$5,000.00) dollars or to imprisonment for six (6) months or to both such fine and imprisonment

**SCHEDULE**

<b>Offence</b>	<b>Regulation</b>	<b>Fixed Penalty</b>
1. Failing to wear a face mask as required in paragraph 3 of Regulation 5A	Public Health Act (Dangerous Infectious Diseases) Regulations 2020, as amended	\$500.00
2. Failing to adhere to the restrictions on social gatherings as required in paragraph 4 of Regulation 5A	Public Health Act (Dangerous Infectious Diseases) Regulations 2020, as amended	\$500.00

**FORM I**

**FIXED PENALTY NOTICE (TICKET)**  
**ROYAL POLICE FORCE OF**  
**ANTIGUA AND BARBUDA**



**SCHEDULE OF THE PUBLIC HEALTH ACT  
(DANGEROUS INFECTIOUS DISEASE)  
REGULATIONS 2020**

**TAKE NOTICE** that.....was seen  
in/at.....On the            day of  
.....,20....., without a mask, contrary to the provisions of  
Regulations 5A of the Public Health Act (Dangerous Infectious Disease) Regulations 2020, No. 16  
of 2020, as amended, made pursuant to section 102 of the Public Health Act, CAP 353 of Antigua  
and Barbuda.

Fixed Penalty **\$500.00**

**Name and Rank of Officer** .....  
**Signature of Officer** .....  
**Force Number** .....  
**Payment** .....

**If within 10 business days from the date of this notice the fixed penalty is paid to the Clerk of  
the Magistrate’s Court District “A”, the person’s liability to conviction of the alleged offence  
shall be discharged and the police will not prosecute. If not paid, the person shall appear at  
the magistrate’s Court District “A” .....at  
9 a.m. on the ..... day of....., 20.....**

*\*Please note that if the person without the mask is between the ages of 3 and 18, the parent or  
guardian of the minor shall be issued with this Notice.\**

Made the 22nd December, 2021

**Eustace Lake,**  
*Chairman of the Central Board of Health.*