

**CAYMAN ISLANDS**



**Public Health Act  
(2021 Revision)**

**CONTROL OF COVID-19 (NO.3)  
REGULATIONS, 2021**

**(SL 67 of 2021)**

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**CAYMAN ISLANDS****Public Health Act  
(2021 Revision)****CONTROL OF COVID-19 (NO.3)  
REGULATIONS, 2021  
(SL 67 of 2021)**

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 and commencement**

1. (1) These Regulations may be cited as the Control of Covid-19 (No.3) Regulations, 2021.
- (2) These Regulations come into force on 22nd September, 2021.

**Definitions**

2. (1) In these Regulations —  
“**approved laboratory**” means —
  - (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; or
- (h) other government approved providers;

**“approved vaccine course”** means —

- (a) a vaccination programme provided by the Cayman Islands Health Services Authority;
- (b) a vaccination programme provided by a registered practitioner, a health care facility, or a medical tourism facility and which is approved by the Chief Medical Officer; and
- (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*;

**“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;

**“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;

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

**“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;

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

**“unvaccinated person”** means —



- (a) a person who has not at least fourteen days prior to the person's date of arrival in the Islands, completed an approved vaccine course; or
- (b) a person who has not completed an approved vaccine course;

“**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; and

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

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

- 3.** (1) The following are the categories of unvaccinated persons who may be allowed entry into the Islands under this regulation —
- (a) an unvaccinated person who is a Caymanian or resident of the Islands; and
  - (b) an unvaccinated person who is —
    - (i) a child of a Caymanian or resident of the Islands or a child under the guardianship or care of a Caymanian or resident of the Islands; and
    - (ii) who is travelling with the Caymanian or resident of the Islands.
- (2) Subject to paragraph (7) and notwithstanding any other law, a person referred to under paragraph (1) who wishes to enter the Islands shall —
- (a) obtain in relation to that person and a child who is five years of age or older and travelling with the person, if applicable, a sample from the upper airways to be tested by a polymerase chain reaction (PCR) test for the virus no more than seventy-two hours prior to the departure of the person's flight to the Islands;
  - (b) upon arrival in the Islands, provide a customs and border control officer with medical certificates which —
    - (i) show that the person and the child who is five years of age or older and travelling with the person, if applicable, had a negative polymerase chain reaction (PCR) test for the virus of a sample from the upper airways no more than seventy-two hours prior to the departure of the flight of the person and the child, if applicable, to the Islands; and
    - (ii) specifies the name and address of the approved laboratory where the test was performed; and
  - (c) comply with the directions of the Medical Officer of Health with regard to any testing —
    - (i) of the person; or
    - (ii) of a child who is travelling with the person,  
for the virus prior to leaving any place or facility of quarantine or isolation.

- (3) Subject to paragraph (7) and notwithstanding any other law, where a person referred to under paragraph (1) arrives in the Islands that person shall be required by a customs and border control officer, in respect of the person, and the child, if applicable —
- (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) Subject to paragraphs (6) and (7), where a person and a child, if applicable, referred to under paragraph (1) arrive in the Islands, the person, and the child if applicable, shall —
- (a) remain in isolation for a period of not less 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 and the child, if applicable, receive 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.
- (5) Where —
- (a) upon arrival in the Islands, a person and a child, if applicable, referred to under paragraph (1) are allowed to isolate at a private residence in accordance with paragraph (4)(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 and the child, if applicable,
- 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.
- (6) Where a person or a child, if applicable, referred to under paragraph (1) arrives in the Islands and the person or the child, if applicable, tests positive for the virus or shows respiratory symptoms or symptoms of the virus, the person or the child, if applicable, 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.
- (7) Paragraphs (1), (2) (3) and (4) 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.

- (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 vaccinated persons to the Islands**

4. (1) The following persons who, at least fourteen days prior to the person's proposed date of arrival in the Islands, have completed an approved vaccine course may be allowed entry into the Islands under this regulation —
- (a) a person who is a Caymanian or resident of the Islands;
  - (b) a person who is —
    - (i) a child of a Caymanian or resident of the Islands or a child under the guardianship or care of a Caymanian or resident of the Islands; and
    - (ii) who is travelling with the Caymanian or resident of the Islands; or
  - (c) a tourist visitor or other visitor.
- (2) Subject to paragraph (8) and notwithstanding any other law, a person referred to under paragraph (1) who wishes to enter the Islands shall —
- (a) provide a sample from the upper airways to be tested by a polymerase chain reaction (PCR) test for the virus no more than seventy-two hours prior to the departure of the person's flight to the Islands;
  - (b) upon arrival in the Islands, provide a customs and border control officer with —
    - (i) a vaccination certificate; and
    - (ii) a medical certificate which —
      - (A) shows that the person had a negative polymerase chain reaction (PCR) test of a sample from the upper airways no more than seventy-two hours prior to the departure of the person's flight to the Islands; and

- (B) specifies the name and address of the approved laboratory where the test was performed; and
- (c) comply with 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.
- (3) Subject to paragraph (8) and notwithstanding any other law, where a person referred to under paragraph (1) arrives in the Islands, that person shall be required by a customs and border control officer, in respect of the person or the person's dependants —
- (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) Subject to paragraphs (6) and (7), where a person referred to under paragraph (1) who satisfies the criteria set out in that paragraph arrives in the Islands, the person shall —
- (a) remain in isolation for a period of not less than —
- (i) seven days, where the vaccination certificate —
- (A) is issued by the Cayman Islands Health Services Authority; or
- (B) can be securely verified; and
- (ii) ten days, where the vaccination certificate cannot be securely verified,
- 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.
- (5) For the purpose of paragraph (4)(a), the Medical Officer of Health shall permit a person referred to 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 referred to 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.

- (7) Where a person referred to under paragraph (1) 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.
- (8) Paragraphs (1), (2) (3) and (4) 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.
- (9) For the purpose of paragraph (3), “**dependant**” means, in relation to a person referred to under paragraph (1) —
- (a) the spouse or civil partner of that person, or one of the following relations of that person, namely a child, step-child, adopted child, grandchild, parent, step-parent, grandparent, brother, sister, half-brother, half-sister,

being, in each case, wholly or substantially dependent upon that person; and

- (b) except where the spouse, civil partner or relation referred to under subparagraph (a) is —
- (i) a Caymanian or resident of the Islands; or
  - (ii) a child of a Caymanian or resident of the Islands or a child under the guardianship or care of a Caymanian or resident of the Islands and who is travelling with the Caymanian or resident of the Islands, as applicable, a spouse, civil partner or relation who, at least fourteen days prior to the proposed date of arrival in the Islands of the spouse, civil partner or relation, has completed an approved vaccine course.

- (10) 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.

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

5. (1) A person who, in the purported discharge of the requirement under regulation 3(2)(b) or 4(2)(b)(ii), provides a customs and border control officer with a false or forged medical 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.
- (2) A person who, in purported compliance with regulation 4(2)(b)(i), 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 or 4**

6. (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 or 4.
- (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 in regulation 3 or 4, 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 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.

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

7. (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, from a date and for such period as may be determined by the Medical Officer of Health, 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**

8. (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**

9. (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 returning student;
  - (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**

10. (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)*.

**Repeal of the Control of Covid-19 (No. 2) Regulations, 2021**

11. The *Control of Covid-19 (No. 2) Regulations, 2021* are repealed.

**Expiry**

12. These Regulations shall continue in force until 22nd November, 2021 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.

**Made in Cabinet the 21st day of September, 2021.**

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