

**CAYMAN ISLANDS**



**Public Health Act  
(2021 Revision)**

**PREVENTION, CONTROL AND  
SUPPRESSION OF COVID-19 (NO. 2)  
REGULATIONS, 2021**

**(SL 41 of 2021)**

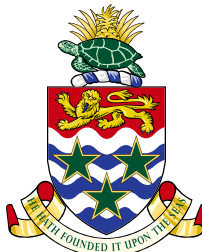
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## CAYMAN ISLANDS



### Public Health Act (2021 Revision)

# PREVENTION, CONTROL AND SUPPRESSION OF COVID-19 (NO. 2) REGULATIONS, 2021

(SL 41 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

1. These Regulations may be cited as the Prevention, Control and Suppression of Covid-19 (No. 2) Regulations, 2021.

#### Definitions

2. (1) 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 authorised 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;

“**emergency shelter**” means any premises listed as such by the Director of the Department of Hazard Management Cayman Islands in accordance with section 9 of the *Disaster Preparedness and Hazard Management Act (2019 Revision)*;

“**indoor area**”, in relation to a public place, means an area of the public place which is enclosed or substantially enclosed;

“**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.

- (2) In the definition of the words “indoor area” —

“**enclosed**”, in relation to an area, means —

- (a) the area has a ceiling or roof; and
- (b) except for doors, windows and passageways, the area is wholly enclosed either permanently or temporarily; and

“**substantially enclosed**”, in relation to an area, means the area has a ceiling or roof, but there is —

- (a) an opening in the walls; or
- (b) an aggregate area of openings in the walls,

which is less than half of the area of the walls, including other structures that serve the purpose of walls and constitute the perimeter of premises.

- (3) In determining the area of an opening or an aggregate area of openings for the purposes of the definition of the words “substantially enclosed”, no account is to be taken of openings in which there are doors, windows or other fittings that can be opened or shut.



- (4) In this regulation, “**roof**” includes any fixed or moveable structure or device which is capable of covering all or part of the premises as a roof, including, for example, a canvas awning.

### **Definition of public meeting**

3. (1) For the purposes of these Regulations “**public meeting**” means, subject to paragraph (2) —
- (a) a gathering of more than five hundred persons in an indoor area of a public place for the purposes of engaging in an activity; and
  - (b) a gathering of more than one thousand persons in the outdoor area of a public place for the purposes of engaging in an activity.
- (2) Notwithstanding paragraph (1), where —
- (a) for the purposes of engaging in the same activity, persons intend to gather at a public place that has an indoor area and an outdoor area —
    - (i) no more than one thousand persons shall be permitted to gather at that public place; and
    - (ii) at no time shall more than five hundred persons be permitted in the indoor area of that public place; and
  - (b) a public place that has an indoor and outdoor area simultaneously holds different activities in each area, the number of persons specified in paragraph (1)(a) and (b) shall be allowed to gather in each respective area for the purposes of engaging in the activity being held in that respective area.
- (3) In the definition of “public meeting”, “**person**” does not include —
- (a) a person employed to provide the activity being engaged in;
  - (b) where the activity is a wedding, in addition to a person referred to under subparagraph (a), the bride, bridegroom, official witnesses and the marriage officer;
  - (c) where the activity is a civil partnership, in addition to a person referred to under subparagraph (a), the parties to the intended civil partnership, official witnesses and the civil partnership officer; and
  - (d) where the activity is a funeral, in addition to a person referred to under subparagraph (a), up to six pallbearers, an officiant and essential mortuary staff.
- (4) The definition of “public meeting” does not extend to —
- (a) any activity in a business office or an educational institution; or
  - (b) premises listed as emergency shelters, where the premises are being used as such in the event of a threat of a disaster or the aftermath of a disaster.

**Prohibition on holding of public meeting, procession or parades**

4. (1) For the purposes of the prevention, control and suppression of the spread of the virus, no person shall hold —
- (a) public meetings;
  - (b) processions; or
  - (c) parades, including carnival parades,
- unless permitted by regulations.
- (2) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

**Wearing of masks**

5. (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 in any other official means of communication.
- (6) This regulation is subject to regulation 11.

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

6. (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

### **Restriction on visitation to a health care facility**

- 7. (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

#### **Restriction on visitation to a residential home care facility**

- 8.** (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

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

- 9.** (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

### **Exercise and sports**

10. (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 —
- (a) where the sporting activity is in the indoor area of a public place, no more than five hundred persons shall be permitted at any time as spectators of or as participants in the relevant sport; and
  - (b) where the sporting activity is in the outdoor area of a public place, no more than one thousand persons shall be permitted at any time as spectators of or as participants in 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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

### **Public Transport**

11. (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.
- (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**

- 12.** (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 the prevention, control and suppression of 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 in any other official means of communication.
- (5) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

### **Prohibition on use of hookah, shisha pipes or water pipes**

- 13.** (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 summary conviction to a fine of ten thousand dollars and to imprisonment for two years.



### **Police powers**

- 14.** (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 Regulations, 2021**

- 15.** The *Prevention, Control and Suppression of Covid-19 Regulations, 2021* are repealed.

### **Expiry**

- 16.** These Regulations shall continue in force until 15th July, 2021 or until such later 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 13th day of May, 2021.**

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