

CAYMAN ISLANDS



**Public Health Law
(2002 Revision)**

**PREVENTION, CONTROL AND
SUPPRESSION OF COVID-19 (PARTIAL
LIFTING OF RESTRICTIONS) (NO.4)
(AMENDMENT) REGULATIONS, 2020**

(SL 123 of 2020)

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PUBLISHING DETAILS



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**PREVENTION, CONTROL AND SUPPRESSION
OF COVID-19 (PARTIAL LIFTING OF
RESTRICTIONS) (NO.4) (AMENDMENT)
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In exercise of the powers conferred by section 34 of the Public Health Law (2002 Revision) the Cabinet makes the following Regulations —

Citation

1. These Regulations may be cited as the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) (Amendment) Regulations, 2020.

Repeal and substitution of regulation 8 of the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) Regulations, 2020 – restriction on visitation

2. The *Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) Regulations, 2020* are amended by repealing regulation 8 and substituting the following regulations —

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

8. (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 shall 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 conviction to a fine of one thousand dollars and to imprisonment for six months.

Restriction on visitation to a health care facility

- 8A.** (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 conviction to a fine of one thousand dollars and to imprisonment for six months.

Restriction on visitation to a residential home care facility

- 8B.** (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 conviction to a fine of one thousand dollars and to imprisonment for six months.

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

- 8C.** (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 conviction to a fine of one thousand dollars and to imprisonment for six months.

Definitions for the purposes of regulations 8A, 8B and 8C

- 8D.** For the purposes of regulations 8, 8A, 8B and 8C —

“**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 designated 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;

“**manager**”, in relation to a health care facility or residential home care facility, includes the owner;

“**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; 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.”.

Insertion of regulation 12A in the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No4) Regulations, 2020 – police powers

3. The *Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (No.4) Regulations, 2020* are amended by inserting after regulation 12 the following regulation —

“Police powers

- 12A.**(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.”.

Made in Cabinet the 17th day of September, 2020.

Kim Bullings
Clerk of the Cabinet

