

2020 ENVIRONMENTAL HEALTH SERVICES S.R.O. 13

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS NO. 13 OF 2020.

REGULATIONS

Made by the Minister under section 30 of the Environmental Health Services Act 1997 (No. 8 of 1997).

(Gazetted 28th March, 2020.)

1. (1) These Regulations may be cited as the -

Short title,
commencement and
duration.

**ENVIRONMENTAL HEALTH SERVICES
(COVID-19) REGULATIONS, 2020.**

and these Regulations shall come into force on the 28th day of March, 2020 at 10:00 pm.

(2) These Regulations expire on the 18th day of April, 2020 or such other day as the Minister may, by Order published in the *Gazette*, appoint.

2. In these Regulations -

Interpretation
No. 57 of 2003.

“carrier” has the meaning assigned in the Environmental Health Services (Communicable and Notifiable Diseases) Regulations 2003;

“COVID-19” means the Novel Coronavirus (2019-nCoV);

“essential service” includes -

- (a) air traffic (including meteorological, telecommunication, security, fire and ambulance services connected with airports) services;

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- (b)* fire and ambulance, prison or police service;
- (c)* medical, health, hospital, infirmary or nursing home services;
- (d)* telecommunications or broadcasting services;
- (e)* water, electricity or sanitation services;
- (f)* banking business services;
- (g)* credit union business services;
- (h)* grocery, agricultural or pharmaceutical services;
- (i)* immigration, customs or postal services;
- (j)* services connected with the House of Assembly;
- (k)* services connected with the loading and unloading of ships and with the storage and delivery of goods at, or from a dock, wharf or warehouse operated in connection with the dock or wharf;
- (l)* services connected with the loading distribution, transportation or retail of petroleum fuel, liquefied natural gas or any renewable energy source;
- (m)* public services connected with the payment of salaries, pensions and other benefits in government departments, agencies, statutory bodies and arms-length bodies;
- (n)* services connected with the Judiciary;
- (o)* services connected with essential government functions as determined by the Cabinet;

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(p) airport, seaport and civil aviation services;

“isolate” means the removal to a hospital or other suitable place approved by the Chief Medical Officer of a person infected with or suspected to be infected with COVID-19, and his detention at the hospital or other suitable place, until, in the opinion of a Medical Officer he is not infected with COVID-19;

“large gathering” means a gathering of more than ten persons;

“public place” includes a public highway, street, road, square, court, alley, land, bridle-way, footway, parade, wharf, jetty, quay, bridge, public garden or open space, and every theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment, or to which the public have access;

“self-quarantine” means staying at one’s place of residence away from other persons for the purpose of observing and monitoring one’s health for the development of COVID-19 symptoms.

3. (1) A Medical Officer may -

- (a) with the approval of the Chief Medical Officer isolate or place under surveillance any case or suspected case of COVID-19 or any carrier or suspected carrier or any contact;
- (b) require any case or suspected case of COVID-19 or any carrier or suspected carrier or any contact to self-quarantine.

Isolation of persons infected or suspected to be infected with COVID-19.

(2) A person referred to in subregulation (1) -

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- (a) shall answer all questions put to him by a Medical Officer which would allow the Medical Officer to assess what measures would be necessary to prevent, limit or suppress the spread of COVID-19;
- (b) shall provide a Medical Officer with information which would allow the Medical Officer to assess what measures would be necessary to prevent, limit or suppress the spread of COVID-19;
- (c) may be subjected to a clinical examination by a Medical Officer;

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- (a) fails to comply with a requirement to be placed in isolation, under surveillance or self-quarantine;
- (b) absconds, or attempts to abscond, from isolation imposed under this regulation;
- (c) does not with any requirement under this regulation, commits an offence.

Persons arriving from outside Dominica.

4. (1) A person arriving in Dominica from a place outside of Dominica -

- (a) shall answer all questions put to him by a Medical

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Officer which would allow the Medical Officer to assess what measures would be necessary to prevent, limit or suppress the spread of COVID-19;

- (b) shall provide a Medical Officer with information which would allow the Medical Officer to assess what measures would be necessary to prevent, limit or suppress the spread of COVID-19;
 - (c) may be subjected to a clinical examination by a Medical Officer;
 - (d) who is considered to be high risk of being infected with COVID-19 may be isolated;
 - (e) may be required to present himself for surveillance at a place and time as may be appointed by the Medical Officer and while undergoing surveillance may be removed to a hospital or other suitable place approved by the Chief Medical Officer; and
 - (f) who is not isolated under paragraph (d), shall self-quarantine for 14 days commencing on the date of arrival in Dominica; whether or not the person has symptoms of COVID-19.
- (2) A person who -
- (a) fails to comply with a requirement to be placed in isolation, under surveillance or self-quarantine.
 - (b) absconds, or attempts to abscond, from isolation imposed under this regulation;
 - (c) does not comply with any requirement under this regulation, commits an offence.

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Requirement to notify.

6. A person in Dominica who develops flu-like symptoms and who may have had contact with someone who -

- (a) has travelled to a country affected by COVID-19; or
- (b) is infected with COVID-19, is required to immediately inform the Ministry with responsibility for health.

Prohibition of large gatherings.

7. (1) Large gatherings in any public place are prohibited.

(2) A person shall not be part of a large gathering.

(3) Subregulations (1) and (2) do not apply to -

- (a) subject to subregulation (4), hospitals, infirmaries and nursing homes;
- (b) the Commonwealth of Dominica Police Force;
- (c) services concerning the provision of health, water, electricity, sanitation, firefighting, civil aviation, or telecommunications;
- (d) correctional services;
- (e) subject to subregulation (5), retail services (such as markets, supermarkets, pharmacies and “corner shops”) for the provision of food, medicine or other necessities of life;
- (f) sittings of the House of Assembly, and meetings of the Cabinet, or any committees of Cabinet;
- (g) Ministries, Departments and Agencies of Government;
- (h) banking business, as defined in the Banking Act 2015;

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- (i)* services connected with the loading, distribution, transportation or retail of petroleum fuel, liquefied natural gas or any renewable energy source;
- (j)* services connected with the loading and unloading of ships and with the storage and delivery of goods at, or from, docks, wharves and warehouses operated in connection with docks or wharves;
- (k)* the provision of public transportation by motor car, limited to one person less than the maximum amount of persons allowed to be carried under the relevant licence;
- (l)* any service, activity or public gathering, authorised to be carried on by the Chief Medical Officer or a person designated by the Chief Medical Officer to give such authorisation.

(4) The operator of a hospital, infirmary or nursing home shall ensure that no person visits a patient in the hospital, infirmary, or nursing home, more than once per day, and that each such patient does not have more than one visitor per day.

(5) Markets shall operate only during the hours of 6:00 am to 2:00 pm.

(6) A person who is present at, or promotes, aids or assists in the promotion of a large gathering commits an offence.

(7) A police officer may order a large gathering to disperse, and a person who fails to obey the order commits an offence.

(8) As far as possible a person at a gathering shall maintain a physical distance of at least six feet from another person.

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Curfew.

8. (1) A person shall not be in a public place from 10:00 pm Saturday the 28th day of March 2020 to 8:00 am Tuesday the 31st day of March 2020 or such other period as the Minister may, by Order publish in the *Gazette*, appoint.

(2) A person shall not be in a public place during the period specified in subregulation (1) or a period specified in an Order made under subregulation (1) unless they are in the public place for the purpose of -

- (a) seeking medical care;
- (b) shopping for necessities;
- (c) conducting a banking transaction;
- (d) caring for a family member or pet;
- (e) travelling to and from work as an essential service provider.

(3) A place or person that offers a service that is not an essential service shall cease to offer the service.

(4) A place or person that offers an essential service shall stop offering the essential service no later than 7 pm daily and may resume offering the service no earlier than 6 am the following day.

(5) Subregulation (4) does not apply to a place or person that offers -

- (a) an essential service if that place or person usually offers the essential service for twenty-four hours daily;
- (b) airport and seaport services.

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(6) Subregulation (1) does not apply to a person –

- (a) employed to offer an essential service if that person offers the service based on a twenty-four hour shift system;
- (b) employed to offer a service ancillary to an essential service if that person offers the service based on a twenty-four hour shift system;
- (c) who is in a public place for the purpose of seeking medical attention;
- (d) who disembarks a vessel or aircraft, except that the person shall not be in a public place later than 11 pm;
- (e) who is at the airport or seaport for the purpose of transporting a person who has disembarked from a vessel or aircraft, except that the person shall not be in a public place later than 11 pm;
- (f) who attends an airport or seaport for the purpose of departing from Dominica, except that the person shall not be in a public place earlier than 4 am; or
- (g) who attends an airport or seaport for the purpose of transporting a person departing from Dominica, except that the person shall not be in a public place earlier than 4 am.

(7) In this regulation “banking transaction” includes credit union transactions.

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Closure of schools.

9. For the purpose of preventing, limiting and suppressing the spread of COVID-19 all schools shall close commencing 23rd March, 2020; and shall be reopened on a date that the Minister, after consultation with the Cabinet, may, by Order published in the *Gazette*, appoint.

Closure of air and sea ports.

10. (1) All air and sea ports shall, except in relation to air and sea cargo, remain closed to the arrival of aircraft or ships or other vessels carrying passengers.

(2) Subregulation (1) does not apply to the following aircraft, ships or other vessels carrying the following passengers

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(a) citizens of Dominica;

(b) resident diplomats;

(c) medical personnel;

(d) any other person authorised in writing by the Minister with responsibility for national security.

Providing false or misleading information.

11. A person who provides false or misleading information intentionally or recklessly to any person carrying out a function under these Regulations commits an offence.

Obstruction of duty.

12. A person who obstructs, without reasonable excuse, any person carrying out a function under these Regulations commits an offence.

Made this 28th day of March 2020.

IRVIN MCINTYRE
Minister for Health