

TURKS AND CAICOS ISLANDS
EMERGENCY POWERS (COVID-19) REGULATIONS
2020

(Legal Notice 17 of 2020)

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MADE by the Governor under section 3(1) of the Emergency Powers Ordinance and acting on the advice of the Cabinet.

Citation and commencement

1. These Regulations may be cited as the Emergency Powers (COVID-19) Regulations 2020 and comes into operation on 24th March 2020 at midnight.

Interpretation

2. In these Regulations—

“aircraft” includes any aeroplane or helicopter or other means of airborne navigation by means of which a person can travel across international borders;

“airport” means an area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft, and which is designated an airport under the Airports Authority Ordinance;

“British Overseas Territories Citizen” has the meaning assigned to that term in section 2(1) of the Immigration Ordinance;

“child” means a person under the age of eighteen years;

“permanent resident” has the meaning assigned to that term in section 2(1) of the Immigration Ordinance

“public meeting” includes a gathering of persons in any public place for the purposes of engaging in the following activities—

(a) leisure, recreational or spiritual activities including those organised by service clubs, faith-based organisations, community organisations, civic organisations and business organisations;

(b) sporting events;

(c) parades and social activities related to such parades, including stage shows and parties;

- (d) concerts;
 - (e) conventions;
 - (f) conferences;
 - (g) graduations;
 - (h) fundraisers,
- and similar activities;

“resident” means a person who is a permanent resident or a British Overseas Territories Citizen;

“responsible adult” means, in relation to a child, a person with parental responsibility for the child (within the meaning of the Children (Care and Protection) Ordinance or a person who has custody or charge of the child for the time being;

“ship” means every description of vessel used in navigation however propelled;

“Turks and Caicos Islander” has the meaning assigned by section 2 of the Turks and Caicos Islander Status Ordinance;

“virus” means the virus known as Covid-19;

“visitor” has the meaning assigned to that term in the Immigration Ordinance.

Closure of airports and sea ports

3. (1) For the purposes of preventing, controlling and suppressing the spread of the virus—

- (a) all airports shall be closed to regional and international flights;
- (b) all sea ports shall be closed to regional and international seafaring; and
- (c) no visitor shall be permitted to enter or transit through the Turks and Caicos Islands,

for a period of twenty-one days, commencing on the date these Regulations come into force or until such date as the Governor may be notice specify.

(2) The restriction contained in subregulation (1) does not apply to—

- (a) outgoing flights or outgoing ships, as the case may be;
- (b) cargo flights or cargo ships, as the case may be;
- (c) courier flights;

- (d) medevac flights;
- (e) technical stops (stops by aircraft to refuel and proceed onward to another destination);
- (f) emergency flights approved by the Civil Aviation Authority and the Airports Authority; or
- (g) a Turks and Caicos Islander or resident returning to the Islands.

(3) A Turks and Caicos Islander or resident who, at the date of commencement of these Regulations, had travelled to the Islands from a place outside the Islands, shall be—

- (a) subjected to screening and passenger tracing at port of entry;
- (b) subjected to clinical examination at port of entry;
- (c) for the purposes of surveillance by the Chief Medical officer, required to remain at home or such other place of quarantine as specified by the Chief Medical officer and subject to such conditions as are provided by the Chief Medical Officer, for a period of fourteen days.

Screening requirements

4. (1) For the purposes of these Regulations, the screening and clinical examination requirements, in relation to a person are requirements to the effect that a person shall—

- (a) answer questions about his health or other relevant circumstances (including travel history and information about other individuals with whom he may have had contact);
- (b) produce any documents which may assist a medical officer in assessing his health;
- (c) at such time as a medical officer may specify, allow a medical officer, to take a biological sample the person, including a sample of his respiratory secretions or blood, by appropriate means including by swabbing his nasopharyngeal cavity, or provide such a sample; and
- (d) provide sufficient information to enable the person to be contacted immediately by a medical officer during such period as a medical officer may specify, where the medical officer considers that such provision of information is necessary in order

to reduce or remove the risk of the person infecting or contaminating others.

(2) Where the person is a child and is accompanied by a responsible adult, the responsible adult shall—

- (a) ensure that the child answers questions in accordance with subregulation (1)(a);
- (b) answer the questions if the child is unable to do so or cannot reliably do so;
- (c) produce any documents, required under subregulation (1)(b), on the child's behalf;
- (d) allow a medical officer, to take a biological sample of the child, including a sample of the child's respiratory secretions or blood, by appropriate means including by swabbing the child's nasopharyngeal cavity, or provide such a sample; and
- (e) provide information where required by a medical officer under subregulation (1)(d).

Duty to provide information

5. (1) The Chief Medical Officer may, request any person to provide to the Chief Medical Officer with such information the Chief Medical Officer considers necessary to assess what precautions should be taken to prevent the spread of the virus in the Islands.

(2) A person who is requested to provide information to the Chief Medical Officer pursuant to subregulation (1) shall provide the information so requested.

Court's power to order quarantine

6. If on the application of a health officer the court is satisfied that a person who is placed under quarantine has failed to comply with such direction, the court may order him to be placed under quarantine for a period specified in the order and a health officer and any police officer may do all things necessary for giving effect to the order.

Restriction on holding of public meeting or social function, etc.

7. (1) For the purposes of preventing, controlling and suppressing the spread of the virus, no person shall hold any public meeting, procession or social function of a gathering of twenty-five or more persons in any public place commencing on

the date these Regulations come into force until such date as the Governor may by notice specify.

(2) The prohibition contained in subregulation (2) does not extend to any activity in any public place such as the following, subject to such guidelines issued by the Chief Medical Officer—

(a) health care facilities; and

(b) supermarkets.

Publication of false statements

8. No person shall publish or cause to be published, posted or re-posted, over any media platform inclusive of social media, any purported news or report, or purported statement of fact, knowing or have reasonable cause to suspect that the same —

(a) is untrue or false; or

(b) may incite public fear, panic or ethnic hatred.

Offence

9. Any person who contravenes these Regulations commits an offence and is liable on summary conviction to a fine of one thousand dollars or to a term of imprisonment for three months, or to both such fine and imprisonment.

MADE this 20th day of March 2020.

NIGEL DAKIN
GOVERNOR

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations put in place certain measures considered necessary to prevent, control and suppress the spread of COVID-19 (Coronavirus).