

COMMONWEALTH OF DOMINICA

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COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS No. 26 OF 2021.

REGULATIONS

MADE by the Minister under section 30 of the Environmental Health Services Act, Chap. 42:01.

(Gazetted August 23rd, 2021.)

1. These Regulations may be cited as the –

Short title.

**ENVIRONMENTAL HEALTH SERVICES
(COVID-19) REGULATIONS, 2021.**

2. In these Regulations –

Interpretation.

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

S.R.O. No. 57 of 2003.

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

“isolate” means the removal of a person infected with or suspected to be infected with COVID-19 to a hospital, the house in which he is residing, or other suitable place and his detention at the hospital, the house in which he is residing, or other suitable place until, in the opinion of a Medical Officer, he is no longer infectious;

“self-quarantine” means staying at the house in which a person is residing, away from other persons for the purpose of

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observing and monitoring one's health for the development of COVID-19 symptoms.

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

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.
- (2) A person referred to in subregulation (1) –
- (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.
- (3) In an effort to prevent the spread of COVID-19 –
- (a) a Medical Officer shall require any case or suspected case of COVID-19 who is isolated at

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the house in which he resides to wear a wristband;
and

(b) an authorised Medical Officer shall remove the wristband referred to in paragraph (a) when the person is no longer infectious.

(4) Where a person absconds from isolation imposed under this regulation, a police officer may take the person into custody and return the person to the place of isolation.

(5) A police officer may use reasonable force, if necessary, in the exercise of a power under this regulation.

(6) 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.

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

Persons arriving from outside of Dominica.

(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;

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- (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 or other period specified in writing by the Chief Medical Officer, 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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5. Notwithstanding regulation 4, a citizen of Dominica who arrives in Dominica shall, on arrival, be quarantined for –

Quarantine of nationals on arrival.

- (a) 14 days; or
- (b) a period specified in writing by the Chief Medical Officer.

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

Requirement to notify.

- (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.

7. (1) In an effort to prevent the spread of COVID-19, a person shall wear a mask or suitable covering over his nose and mouth while he is –

Mandatory mask requirement.

- (a) using a motor omnibus, hiring car or taxi or any other public transportation;
- (b) in a public building, including supermarkets, retail and wholesale commercial establishments;
- (c) at a market or other similar business or place;
- (d) in a public place;
- (e) in a shared office space.

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(2) Notwithstanding subregulation (1), a person shall comply with a request to temporarily remove or adjust his mask or suitable covering over his nose and mouth to confirm his identification if the request is made by –

(a) a police officer; or

(b) the owner of the premises that the person has entered or is seeking to enter.

(3) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine of five hundred dollars.

(4) A person who contravenes subregulation (2) commits an offence.

(5) In this regulation “public building” has the meaning assigned in the Environmental Health Services (Communicable and Notifiable Diseases) Regulations 2003.

S.R.O. No. 57 of 2003.

Large gatherings.

8. (1) In an effort to prevent the spread of COVID-19, a person shall not host or attend a large gathering.

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

(3) A police officer may order a large gathering to disperse and a person who does not obey the order commits an offence.

(4) Subregulations (1) to (3) do not apply to gatherings with respect to the following services –

(a) services connected with the House of Assembly;

(b) services connected with the Judiciary;

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- (c)* air traffic (including meteorological, telecommunication, security, fire and ambulance services connected with airports) services;
- (d)* fire and ambulance, prison or police service;
- (e)* medical, health, hospital, infirmary or nursing home services;
- (f)* immigration, customs or postal services;
- (g)* public services connected with the payment of salaries, pensions and other benefits in government departments, agencies, statutory bodies and arms-length bodies;
- (h)* services connected with essential government functions as directed by the Secretary to the Cabinet;
- (i)* airport, seaport and civil aviation services.

(5) In this regulation “large gathering” means a gathering of more than ten persons.

9. (1) Subject to regulation 10, all businesses or establishments shall open in accordance with the protocols established and published by the Chief Medical Officer.

Businesses or establishments to be open.

(2) Notwithstanding subregulation (1), -

- (a)* all restaurants shall be open for take away and delivery services only;

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- (b) barbershops, spas and hair salons shall be open in accordance with the protocols established and published by the Chief Medical Officer;
- (c) hot water spas shall operate under the protocols of the Safe in Nature Programme of the Ministry of Tourism;
- (d) all nightclubs, bars, gaming establishments and gyms shall remain closed;
- (e) a business or establishment may open during the hours of –
 - (i) 6:00 a.m. to 6:00 p.m. on a Monday to Friday; and
 - (ii) 6:00 a.m. to 1:00 p.m. on a Saturday;
- (f) all businesses and establishments shall remain closed on a Sunday.

(3) A business or establishment shall require a person accessing the business or establishment to wear a mask or suitable covering over his nose and mouth.

(4) A business or establishment who contravenes this regulation commits an offence.

Physical distancing.

10. (1) Every business or establishment must -

- (a) ensure that all customers and staff maintain physical distancing of no less than six feet in or outside their business;

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- (b)* determine the number of persons that may be permitted in the establishment at any one time by permitting one person for every thirty square feet of store space;
- (c)* within twenty-four hours of the commencement of these Regulations, place distance markers six feet apart, indicating where each customer must stand on a line at a checkout point;
- (d)* within twenty-four hours of the commencement of these Regulations, place distance markers six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment;
- (e)* all cashiers must be provided with a face mask;
- (f)* exercise proper hygienic practices.

(2) Employees of a hospital, health, medical or residential care establishment or facility, and members of the Commonwealth of Dominica Police Force, shall take reasonable steps to comply with the requirements under subregulation (1), unless it is impracticable to do so.

11. (1) Subject to regulations 7 and 10, all religious places of instruction or worship may be open to allow no more than ten persons to attend a service, wedding or funeral.

Religious instruction.

(2) Subregulation (1) does not prohibit any activity referred to in this subregulation that is conducted by electronic or virtual means.

12. (1) All educational places of instruction shall remain closed to the general public.

Educational places of instruction.

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(2) Subregulation(1) does not prohibit any activity referred to in this subregulation that is conducted by virtual means.

Restriction on social activity.

13. (1) A person shall not host or attend -

- (a) a private party which includes any person from outside of the immediate household of the house occupant;
- (b) a recreational or competitive sporting event;
- (c) a wedding which hosts five persons other than the bride, bridegroom, official witnesses and the marriage officer;
- (d) any social event;
- (e) a funeral, except eight members of the immediate family and at least one officiant and essential mortuary staff; or
- (f) a meeting of a fraternal society, private or social club or civic association or organization.

(2) A person who contravenes subregulation (1) commits an offence.

Public transportation.

14. (1) A person shall not offer for hire or seek to travel on –

- (a) any motor omnibus, unless there is or would be not more than three persons per row in the motor omnibus;

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(b) any hiring car or taxi, unless there is not more than two persons per row in the vehicle.

(2) No person other than the driver and one passenger shall occupy the front seats of any vehicle for hire.

(3) The driver of a motor omnibus, hiring car and taxi shall –

(a) sanitize the hands of each passenger before they enter the vehicle;

(b) require passengers to wear a face mask or covering of nose and mouth with cloth shield;

(c) require passengers to maintain respiratory etiquette practices at all times;

(d) keep the windows of the vehicle open as much as possible.

(4) A person who contravenes this regulation commits an offence.

(5) In this regulation, “motor omnibus”, “hiring car” and “taxi” have the meanings assigned under the Vehicle and Road Traffic Act.

Chap. 46:50.

15. (1) A person shall not visit or be permitted to visit –

Restriction on visitation.

(a) any place of quarantine or isolation station;

(b) any house where a person infected with or suspected to be infected with COVID-19 is detained;

(c) a patient in a hospital or residential care

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establishment or facility, including an infirmary or nursing home;

(d) a detainee in a prison.

(2) A person who contravenes subregulation (1) commits an offence.

Providing false or misleading information.

16. 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.

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

Savings.
S.R.O. 26 of 2020.

18. Notwithstanding regulation 19, the revocation of the Environmental Health Services (COVID-19) Regulations, 2020, shall not be deemed to have affected the previous operation thereof or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention, or remedy in respect of any such punishment or penalty.

Revocation.
S.R.O. 26 of 2020.

19. The Environmental Health Services (COVID-19) Regulations, 2020 is revoked.

Made this 23rd day of August, 2021.

IRVING MCINTYRE
Minister for Health

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