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COVID-19: New Regulations to Protect the Cayman Islands

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In order to safeguard the Cayman Islands, its people and its industries, the Cayman Islands Government has recently announced a series of measures in response to the COVID-19 pandemic. From encouraging residents to wash their hands regularly, to closing international borders, these measures affect the daily life of every person within the Cayman Islands. In these extraordinary times the Government has exercised its authority in various ways. From senior officials using their position as leaders in the community to educate the public, to the Government’s ownership and control of key infrastructure, to utilising its legislative powers, the Government has used its wide influence to protect the public from COVID-19.

This article provides a brief update on the recent regulations made by the Cayman Islands Government in response to the COVID-19 pandemic.

Control of COVID-19 Regulations, 2020 (27 February 2020)

[The Control of COVID-19 Regulations, 2020 \(“CoC Regulations”\)](#) include provisions regarding the refusal of entry to the Cayman Islands by tourist visitors from certain countries where there is known, or thought to be, sustained human-to-human transmission of COVID-19, or from which there is a high risk of importation of infection or contamination (with COVID-19) via travel from that country to the Cayman Islands.

In addition, the CoC Regulations include provisions regarding the quarantine of individuals who had travelled to such countries in certain circumstances.

Control of COVID-19 (Amendment) Regulations, 2020 (24 March 2020)

[This amendment to the CoC Regulations](#) includes regulations imposing further restrictions on all persons arriving into the Cayman Islands to control the spread of COVID-19.

These restrictions include further provisions regarding the isolation of persons arriving to the Cayman Islands and provisions requiring persons arriving to complete a medical and travel questionnaire and to undergo a medical examination if considered necessary by a customs and border control officer.

Public Health (Prevention, Control and Suppression of COVID-19) Regulations, 2020 (27 March 2020)

For the purposes of preventing, controlling and suppressing the spread of COVID-19, [the Public Health \(Prevention, Control and Suppression of COVID-19\) Regulations, 2020 \(“PCS Regulations”\)](#) include the regulations briefly summarised below.

The PCS Regulations are more comprehensive, and provide for further restrictions, than the now repealed Public Health (Control and Suppression of COVID-19) Regulations, 2020 (13 March 2020) and the Public Health (Control and Suppression of COVID-19) (Amendment) Regulations, 2020 (20 March 2020).

Prohibition of public meetings

The PCS Regulations prohibit the holding of any public meeting, procession or festive ceremony.

A “public meeting” is defined to include a gathering of more than two persons in any public place for the purpose of engaging in a range of activities (including, for example: leisure, recreational or spiritual activities, parades, sporting events, concerts, conventions, conferences, graduations and fundraisers).

This prohibition does not apply to health care facilities, supermarkets, convenience stores and minimarts, pharmacies, retail banks, building societies and credit unions, or gas or refilling stations. However, the owners/operators of such institutions/businesses must restrict the number of customers so that each customer is able to distance himself or herself at least six feet or two meters from any other person.

Closure of public places

The PCS Regulations require that all establishments, institutions, businesses, organizations and offices shall be closed (with the exception of certain essential establishments, institutions, businesses, organisations and offices). If required, employees shall work remotely from home.

In general, any institutions/businesses not required to be closed shall be restricted to business during the hours of 6:00am and 6:00pm. This does not include health care facilities. Banks, building societies and credit unions hours of business are restricted to business during the hours of 9:00am and 1:00pm. Convenience stores and minimarts shall have no more than six customers at any time.

Restrictions on certain activities and operations

The PCS Regulations provide that no person shall:

- host a private party which includes any person from outside of the immediate household of the house occupant
- conduct the business of a restaurant, unless the restaurant is providing only for drive-through services, or the take out, delivery of food, or curb side collection of food;
- visit or permit entry to any person to:
 - a private strata pool or strata gym; or
 - a playground
- perform works of construction of any sort, apart from urgent home plumbing, electrical or roof repairs
- offer for hire or seek to travel on
 - a boat, sailing inter-island, except for transport of freight; or
 - inter-island private commercial sea transport that is non-essential
- host or attend a wedding which hosts ten or more persons other than the bride, bridegroom, official witnesses and the marriage officer; or
- host or attend a funeral, except ten members of the immediate family, six pallbearers, at least one officiant and essential mortuary staff

Restriction on visitation

With the exception of the Medical Officer of Health or an authorised person (for the purposes of surveillance or management of a person in quarantine or isolation), no person shall visit or be permitted to visit a place or facility of quarantine or isolation; a detainee in a prison or place of detention; or a patient in a health care facility.

Shelter in place

The PCS Regulations require all persons to remain in the confines of their place of residence, inclusive of their yard place, unless specifically exempted under the PCS Regulations.

The exemptions include persons carrying out essential tasks for example police, firefighters and staff within a health care facility. Please see regulation 8 of the PCS Regulations for a full list of exempt persons.

Persons may leave their place of residence to undertake essential travel to health care facilities, supermarkets, convenience stores and minimarts, pharmacies, retail banks, building societies and credit unions, gas or refilling stations to refuel a motor vehicle to carry out any relevant activity in such places.

A person may also engage in outdoor exercise, whether alone or together with a family member living at the same residence for no more than an hour and a half each day between 6:00am and 6:00pm provided that the person maintains a distance of at least six feet or two meters from another person. This may include the walking of a pet. Exercise shall not be carried out in a public pool, public gym, around or in a strata pool or strata gym.

Police Powers

The PCS Regulations empower police officers to require any person to answer any questions to enable the police officer to ascertain who the person is and whether the person is exempt under the PCS Regulations.

If any person does not fall within the exempted categories set out under the PCS Regulations the police officer may direct the person to go immediately to the person's place of residence, or detain and convey the person to the person's place of residence.

Failing to comply with the PCS Regulations may result in a person committing an offence under the PCS Regulations, liable on conviction to a fine of one thousand dollars and to imprisonment for six months.

Comment

The new regulations supplement existing legislation such as the Public Health Law (2002 Revision) and the Police Law (2017 Revision) which are also being utilised by the Government to protect the Cayman Islands during these highly challenging circumstances (for example, imposing a curfew under the Police Law (2017 Revision) which, as at the time of publishing, remains in place for the hours between 7pm and 5am).

Regardless of the letter of the law, the Government's objective is apparent from the label Premier Alden McLaughlin has given to the plan: "Stay Home Cayman". The responsibility of each individual is equally clear and simple. As stated by His Excellency the Governor Martyn Roper, OBE: "All of us have a responsibility to act in a way that will help prevent the spread of the virus."

This article discusses only the regulations named above and publically available as at 27 March 2020. For the latest, accurate information on COVID-19, the Cayman Islands Government requests that the public visit: www.gov.ky/coronavirus.

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This article is not intended to be a substitute for legal advice or a legal opinion. It deals in broad terms only and is intended to merely provide a brief overview and give general information.

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