

CAYMAN ISLANDS



**Public Health Act
(2021 Revision)**

**PREVENTION, CONTROL AND
SUPPRESSION OF COVID-19 (TRAVEL
AND BOATING) REGULATIONS, 2021**

(SL 64 of 2021)

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In exercise of the powers conferred by section 34 of the Public Health Act (2021 Revision), the Cabinet makes the following Regulations —

Citation and commencement

1. (1) These Regulations may be cited as the Prevention, Control and Suppression of Covid-19 (Travel and Boating) Regulations, 2021.
- (2) These Regulations come into force on 21st September, 2021.

Definitions

2. In these Regulations —

“**approved laboratory**” means —

- (a) United Kingdom Accreditation Service (UKAS) accredited laboratories;
- (b) laboratories of the National Health Service of the United Kingdom;
- (c) Joint Commission (JC) accredited laboratories;
- (d) Joint Commission International (JCI) accredited laboratories;
- (e) International Organization for Standardization (ISO) accredited laboratories;

- (f) Commission on Office Laboratory Accreditation (COLA) accredited laboratories;
- (g) National Public Health laboratories; or
- (h) other government approved providers;

“approved vaccine course” means —

- (a) a vaccination programme provided by the Cayman Islands Health Services Authority;
- (b) a vaccination programme provided by a registered practitioner, a health care facility or a medical tourism facility and which is approved by the Chief Medical Officer; and
- (c) any other vaccination programme which is approved by the Chief Medical Officer for use against the virus and which is listed in a notice published by the Chief Medical Officer in the *Gazette*, in any other official Government website or in any other official means of communication;

“Cayman Islands Health Services Authority” means the Cayman Islands Health Services Authority established under section 3 of the *Health Services Authority Act (2018 Revision)*;

“territorial sea”, has the meaning given in the *Cayman Islands (Territorial Seas) Order 1989 [UKSI 1989/2397]*;

“vaccination certificate” means a document which is provided as evidence that the person in respect of whom the document is issued was administered an approved vaccine course; and

“waters” means the waters of the territorial sea of the Islands.

Travel from Grand Cayman to Cayman Brac or Little Cayman

- 3.** (1) Subject to this regulation, any person may travel from Grand Cayman to Cayman Brac or Little Cayman by air transport or boat.
- (2) A person above the age of five years who wishes to travel from Grand Cayman to Cayman Brac or Little Cayman may travel without being tested for the virus where the person —
- (a) at least fourteen days prior to the person’s date of travel, has completed an approved vaccine course;
 - (b) in the case of a voyage by air, prior to departure of the flight, provides the relevant airline or an agent of the airline with a vaccination certificate;
 - (c) in the case of a voyage by boat, prior to departure of the boat, provides a customs and border control officer at the Port Authority with a vaccination certificate; and
 - (d) is not showing any respiratory symptoms or symptoms of the virus.



- (3) A person above the age of five years who, at least fourteen days prior to the person's date of travel, has not completed an approved vaccine course and who wishes to travel from Grand Cayman to Cayman Brac or Little Cayman shall, prior to the departure of the voyage, provide to —
- (a) in the case of a voyage by air, the relevant airline or an agent of the airline;
or
 - (b) in the case of a voyage by boat, a customs and border control officer at the Port Authority,
- a medical certificate which shows that the person had a negative polymerase chain reaction (PCR) test of a sample from the upper airways no more than forty-eight hours prior to the departure of the person's voyage and which specifies the name and address of the approved laboratory where the test was performed.
- (4) Where a person referred to under paragraph (2) or (3) arrives in Cayman Brac or Little Cayman and the person shows respiratory symptoms or symptoms of the virus, the person shall be managed at a place and in such manner as specified by the Medical Officer of Health until the Medical Officer of Health determines that the person is no longer a health risk to the public.
- (5) Subject to paragraph (6), a person who is required to stay in a place or facility of quarantine or isolation which is operated by Government is liable to pay for any costs associated with the person's accommodation in such a place or facility.
- (6) The following persons who provide evidence that they reside in the Islands and who are required to stay in a place or facility of quarantine or isolation which is operated by Government are not required to pay the costs of accommodation at that place or facility —
- (a) a person who provides evidence that the person is a returning student;
 - (b) a person who provides evidence that the person's travel was for the purposes of government business;
 - (c) a person who provides evidence that the purpose of the person's travel was to represent the Islands in a sporting event as part of a national team;
 - (d) a person who provides a medical certificate signed by a medical practitioner that the person travelled from Grand Cayman to Cayman Brac or Little Cayman in order to obtain medical services;
 - (e) a person who is a parent, guardian or caregiver who provides evidence that the person travelled from Grand Cayman to Cayman Brac or Little Cayman for the purposes of taking the person's child, or a child in the person's care to —
 - (i) an educational institution; or
 - (ii) represent the Islands in a sporting event as part of a national team;
and

- (f) a person who provides evidence that the person had responsibility to take a child or an adult to obtain medical services.
- (7) For the purposes of paragraph (6) —
- “**child**” means —
- (a) a person under the age of eighteen; and
- (b) a person between the age of eighteen and twenty-four years who is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment; and
- “**parent**” includes a step-parent and a foster parent.
- (8) A person who contravenes paragraph (2), (3), (4) or (5) commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years, or to both.

Conditions for the use of boats in the waters

4. (1) Subject to this regulation a person may use a boat in the waters subject to the condition that the operator of the boat shall ensure that the boat only has on board at any time no more than one hundred persons or seventy per cent of its legal capacity, whichever is lesser.
- (2) A person shall not operate or manoeuvre any boat so as to congregate or gather with any other person on any other boat or vessel where the number of persons gathering exceeds one hundred persons.
- (3) Paragraph (1) does not apply to boats with a legal capacity of forty persons or under.
- (4) A person who contravenes paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years.

Use of boat for fishing in the areas in the Schedule

5. (1) Notwithstanding regulations 3 and 4 of the *Control of Covid-19 (No. 2) Regulations, 2021* and, subject to this regulation, a person may use a boat only for the purpose of fishing in the areas specified in the Schedule subject to the following conditions —
- (a) the operator of the boat shall possess clearance to leave the waters issued by the Customs and Border Control Service;
- (b) the operator of the boat shall ensure that the boat has on board at any time no more than twenty-five persons or its legal capacity, whichever is lesser; and



- (c) the operator of the boat shall ensure that the operator and the persons on board the boat return to the Islands no later than forty-eight hours after the commencement of the outward journey.
- (2) Notwithstanding paragraph (1), a person who used, or was on board, a boat referred to in this regulation —
 - (a) shall comply with the directions of the Medical Officer of Health with regard to isolation and any additional health monitoring for the purposes of preventing, controlling or suppressing the spread of the virus; and
 - (b) who shows respiratory symptoms or symptoms of the virus shall be managed at a place and in such manner as specified by the Medical Officer of Health,

until the Medical Officer of Health determines that the person is not a health risk to the public.
- (3) Where a person is directed by the Medical Officer of Health in accordance with paragraph (2) to isolate in a place or facility of quarantine or isolation which is operated by Government, the person is liable to pay for any costs associated with the person's accommodation in such a place or facility.
- (4) A person shall not operate or manoeuvre a boat in the areas specified in the Schedule so as to congregate or gather with any other person on any other boat or vessel where the number of persons gathering exceeds twenty-five persons.
- (5) Notwithstanding paragraph (4), an operator shall declare to the Medical Officer of Health if there was any person on board that operator's boat, other than a person in respect of whom that operator received the clearance referred to in paragraph (1).
- (6) A person who contravenes paragraph (1), (2), (3), (4) or (5) commits an offence and is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years.

Repeal of the Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (Travel and Boating) Regulations, 2021

6. The *Prevention, Control and Suppression of Covid-19 (Partial Lifting of Restrictions) (Travel and Boating) Regulations, 2021* are repealed.

Expiry

7. These Regulations shall continue in force until 17th November, 2021 or until such other date as the Cabinet may specify by notice in the *Gazette*, in any other official Government website or in any other official means of communication.

SCHEDULE

(regulation 5)

Areas where persons shall use a boat only for the purpose of fishing

Persons shall use a boat only for the purpose of fishing in the following areas —

1. the area known as 60 Mile Bank, that is to say the area within 3 miles of Latitude $20^{\circ} 0' 55.412''$ N Longitude $82^{\circ} 2' 11.149''$ W;
2. the area known as Pickle Bank, that is to say the area within 20 miles of Latitude $20^{\circ} 23' 40.210''$ N Longitude $80^{\circ} 26' 37.769''$ W;
3. the area known as 12 Mile Bank, that is to say the area within 5 miles of Latitude $19^{\circ} 19' 48.192''$ N Longitude $81^{\circ} 34' 55.724''$ W;
4. the area known as Lawford's Bank, that is to say the area within 10 miles of Latitude $19^{\circ} 28' 10.8912''$ N Longitude $79^{\circ} 7' 48.63''$ W; and
5. the area known as Fish Attracting Device (FAD), that is to say the area within 1 mile of Latitude $19^{\circ} 44' 43.8''$ N Longitude $81^{\circ} 19' 34.38''$ W.

Made in Cabinet the 17th day of September, 2021.

Kim Bullings
Clerk of the Cabinet