

ANTIGUA AND BARBUDA



**PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)
(No. 8) REGULATIONS 2020**

STATUTORY INSTRUMENT

2020, No. 57

*[Published in the Official Gazette Vol. XL No. 61
dated 27th August, 2020.]*

Printed at the Government Printing Office, Antigua and Barbuda,
by Noel F. Abraham, Government Printer
— By Authority, 2020.

300—9.20

[Price \$3.30]

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Regulation

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2020, No. 57

PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT) (No. 8) REGULATIONS 2020, made by the Board pursuant to Section 102 of the Public Health Act, Cap. 353.

1. Citation and commencement

(1) These Regulations may be cited as the Public Health Act (Dangerous Infectious Disease) (Amendment) (No. 8) Regulations, 2020.

(2) This regulation shall come into effect at 11:00 p.m. on Thursday the 27th day of August, 2020.

2. Interpretation

In these Regulations –

“principal Regulations” means the Public Health Act (Dangerous Infectious Disease) regulations 2020, Statutory Instrument No. 16 of 2020

3. Amendment of Regulation 5A, paragraph 8

The principal Regulations are amended in paragraph 8 subparagraph (4) by repealing subparagraph “(4)” in its entirety and substituting the following —

“(4) The activities contemplated at subparagraphs (1) and (2) are permitted to the extent that members of Churches, and at the various Educational Institutions, Teachers, Students and their Parents are able to practice Social Distancing Protocols of physical distancing of up to six (6) feet but not less than three (3) feet and observe and maintain proper sanitation based on the Regulations issued by the Board.”

4. Amendment of Regulation 5A, paragraph 10

The principal Regulations are amended in paragraph 10 by repealing paragraph “(10)” in its entirety and substituting the following —

5. Amendment of Regulation 5A, paragraph 14

The principal Regulations are amended by repealing and replacing paragraph 14 of Regulation 5A as follows –

14. Offence

(1) A person who fails to comply with these special measures commits an offence and is liable on summary conviction to a fine not exceeding five thousand (\$5,000.00) dollars or to imprisonment for six (6) months or to both such fine and imprisonment.

(2) Notwithstanding anything in any of the foregoing provisions of these Regulations and without prejudice to his right to take any other steps under the authority of these Regulations, where an officer of the Royal Police Force of Antigua and Barbuda (Police Officer) finds a person on any occasion committing or has reason to believe that a person has committed an offence under either paragraphs 7 or 9 of Regulation 5A—

- (a) serve on that person the prescribed notice in writing charging him with the commission of such offence;
- (b) offer him the opportunity of the discharge of any liability to conviction for such offence by payment of a fixed penalty under this regulation; and
- (c) notify him that a complaint will be made against him in respect thereof, requiring him either to pay the fixed penalty within the time specified in the notice or to appear at the Court specified in the notice and the at the hour stated therein to answer the said complaint.

(3) A notice given under subsection (2) shall be signed by the Police Officer and shall specify-

- (a) the date, time and place of the giving of the notice;
- (b) the section of these Regulations under which the officer is alleged to have been committed and such particulars of the offence as are necessary for giving reasonable information of the allegation;
- (c) the time within which the fixed penalty may be paid and further that no further proceedings will take place until the date for payments has passed in accordance with the Schedule;

- (a) the amount of the fixed penalty in accordance with the Schedule;
- (e) the address of the Magistrate Court at which the fixed penalty may be paid or remitted;
- (j) in the event that the fixed penalty is not paid,
 - (i) the court at which the person is required to appear
 - (ii) the date and time for his appearance.

6. Insertion of Schedule to the principal Regulations

The principal Regulations are amended by inserting after paragraph 15 of Regulation 5A the following Schedule –

SCHEDULE

“Offence	Regulation	Fixed Penalty
1. Failing to wear a face Mask as required in Paragraph 7 of Regulation 5A	Public Health Act (Dangerous Infectious Diseases) (Amendment) (No. 7) Regulations 2020	\$500.00
2. Failing to adhere to the restrictions on social gatherings as required in paragraph 9 of Regulation 5A	Public Health Act (Dangerous Infectious Diseases) (Amendment) (No. 7) Regulations 2020	\$500.00

FORM I

**FIXED PENALTY NOTICE (TICKET)
ROYAL POLICE FORCE OF
ANTIGUA AND BARBUDA
SCHEDULE OF THE PUBLIC HEALTH ACT
(DANGEROUS INFECTIOUS DISEASE)
(AMENDMENT) (No. 8)
REGULATIONS**

TAKE NOTICE that was seen in/at On the day of ,20, without a mask, contrary to the provisions of Regulations 5A of the Public Health Act (Dangerous Infectious Disease) (Amendment) (No. 7) regulations, made pursuant to section 102 of the Public Health Act, Cap 353 of Antigua and Barbuda.

Fixed Penalty \$500.00

Name and Rank of Officer.....
Signature of Officer.....
Force Number.....
Payment.....

If within 10 business days from the date of this notice the fixed penalty is paid to the Clerk of the Magistrate’s Court District “A”, the person’s liability to conviction of the alledged offence shall be discharged and the police will not prosecute. If not paid, the person shall appear at the Magistrate’s Court district “A”at 9 a.m. on the Day of.....,20.....

**Please note that if the person without the mask is between the ages of 3 and 18, the parent or guardian of the minor shall be issued with this Notice.*

FORM II

**FIXED PENALTY NOTICE (TICKET)
ROYAL POLICE FORCE OF
ANTIGUA AND BARBUDA
SCHEDULE OF THE PUBLIC HEALTH ACT
(DANGEROUS INFECTIOUS DISEASE)
(AMENDMENT) (No. 8)
REGULATIONS**

TAKE NOTICE that was seen
in/at On the day of
....., 20, not adhering to the restrictions on
social gatherings, contrary to the provisions of Regulations 5A of the Public Health Act
(Dangerous Infectious Disease) (Amendment) (No. 7) regulations, made pursuant to section 102
of the Public Health Act, Cap 353 of Antigua and Barbuda.

Fixed Penalty \$500.00

Name and Rank of Officer.....
Signature of Officer.....
Force Number.....
Payment.....

**If within 10 business days from the date of this notice the fixed penalty is paid to the Clerk
of the Magistrate’s Court District “A”, the person’s liability to conviction of the alledged
offence shall be discharged and the police will not prosecute. If not paid, the person shall
appear at the Magistrate’s Court district “A”at
9 a.m. on the Day of.....,20.....**

Made the 27th August, 2020.

Eustace Lake,
Chairman of the Central Board of Health.