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PARLIAMENTARY NOTICE

Statutory Instrument

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Notice Submissions and Style

Notices for publication and related correspondence should be addressed to Ryan Johnson, Editor of the Official Gazette at the following email addresses: ryan.johnson@ab.gov.ag / antiguagazette@gmail.com

That is the preferred method of communication for **all** correspondence (especially when sending Notices/information which must be sent in Microsoft Word format) to be published in the Gazette.

Letter headings should be addressed to:

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Parliament Drive
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P.O. Box 118
Antigua

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The Gazette Department reserves the right to apply its in-house style to all notices. Any corrections which are related to style will be made at the discretion of the Editor for reasons of consistency.

Deadlines

The deadline for submitting notices for publication in the principal edition is midday Monday on every week for all commercial and Government notices, in the week of publication.

*Late notices may be accepted at the discretion of the Editor.

The deadline for cancelling notices in the principal edition is 12.00 midday Wednesday. Please call the Gazette Office immediately to cancel a notice, and confirm by email.

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NOTICES

No. 49

The following STATUTORY INSTRUMENT is circulated with this Gazette and forms part thereof:

STATUTORY INSTRUMENT

ANTIGUA AND BARBUDA

PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT)

(NO. 18) REGULATIONS 2021

2021, NO. 92

ARRANGEMENT

Regulation

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PUBLIC HEALTH ACT (DANGEROUS INFECTIOUS DISEASE) (AMENDMENT) (No. 18) REGULATIONS 2021, made by the Board pursuant to Section 102 of the Public Health Act, Cap. 353.

Citation and commencement

These Regulations may be cited as the Public Health Act (Dangerous Infectious Disease) (Amendment) (No. 18) Regulations, 2021.

Interpretation

In these Regulations –

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

Amendment of Regulation 5A of the principal Regulations

The principal Regulations are amending Regulation 5A as follows –

“5A. Special measures applicable to the period 27th September, 2021 to 27th December 2021

For the further control of the spread of the dangerous infectious disease COVID-19, the Board hereby issues and directs that the following special measures be observed throughout Antigua and Barbuda:

(a) in paragraph 1 (Duration) by repealing paragraph 1 in its entirety and replacing it as follows:

“1. Duration

These special measures shall have effect from 5:00 a.m. on Monday 27thSeptember, 2021 until 5:00 am on Monday 27th December, 2021.”

(b) In paragraph 3 (Mandatory Curfew) by repealing subparagraph (1) and replacing it as follows:

“(1) The mandatory curfew shall be enforced as provided herein:

- (a) The mandatory nine (9) hour curfew being from 8:00p.m. to 5:00a.m. shall continue until 5:00a.m. on Friday 15th October, 2021;
- (b) From Friday 15th October 2021 a mandatory six (6) hour curfew shall go into effect from 11:00p.m. on Friday 15th October 2021 and continuing every evening thereafter from 11:00p.m. for six (6) consecutive hours until 5:00a.m. of the next day following.”

(c) in paragraph 4 (Opening of businesses and conditions) by repealing the entire paragraph and replacing it as follows:

“4. Opening of businesses and conditions

- (1) Subject to the provisions of paragraphs 4A and 4B below, and the provisions of this paragraph, businesses throughout Antigua and Barbuda that have been certified and approved as COVID compliant by the Board, shall be permitted to open and to operate daily during the non-curfew hours.
- (2) Registered livestock and vegetable farmers are permitted to operate in respect of their business from 4:00a.m. daily.
- (3) Licensed fishermen are permitted to operate in respect of their trade from 2:00a.m daily.
- (4) Public transportation services may operate between the hours of 5:00am and 8:00pm., provided that the operator of the public transport and each passenger wear a face mask for the duration of the journey.
- (5) Churches and Faith-Based Organisations may conduct community outreach programmes, such as, soup kitchens and the distribution of food and care packages to members of the community during the non-curfew hours.
- (6) Every business owner—
 - (a) shall ensure that the employees of the business and every customer or client of the business wash or sanitize their hands prior to entry to the business establishment, observe the social distancing protocol and wear a face mask in accordance with the established protocol while conducting said business;
 - (b) who fails to ensure that staff and officers of the business and customers or clients of a business comply with the conditions set out in this subparagraph commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment.”

(d) in paragraph 4A (Bars, Clubs and Cinemas) by repealing the entire paragraph and replacing it as follows:

“4A. Bars, Clubs and Cinemas

- (1) All Bars and Clubs are to remain closed throughout Antigua and Barbuda until the 29th October, 2021 or further advised by the Board.
- (2) Cinemas are permitted to open from the 15th October, 2021 for the admission and entertainment of fully vaccinated patrons only.
- (3) A Bar or Club owner or operator, or owner or manager of a cinema, who contravenes this section commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment”

(e) in paragraph 4B (Operating of restaurant businesses) by repealing the entire paragraph and replacing it as follows:

“4B. Opening of restaurant businesses

- (1) The owners or operators of a restaurant business shall be permitted to open and operate the restaurant business in accordance with the measures herein-

- (a) The owner or operator and all employees shall be fully vaccinated;
 - (b) Patrons who are allowed in-door dining shall be fully vaccinated.
- (2) Seating of patrons shall be in accordance with the seating plan approved by the Board.
- (3) An owner or operator of a restaurant business that fails to comply with the provisions of this paragraph commits an offence and is liable on summary conviction to a fine of \$5,000.00 or to imprisonment for six (6) months or to both such fine and imprisonment.”
- (f) in paragraph 4C (Gyms and similar facilities) by repealing the entire paragraph and replacing it as follows:

“4C. Gyms and similar facilities

- (1) All gyms and similar facilities throughout Antigua and Barbuda shall remain closed until the 29th October, 2021 or further advised by the Board.
 - (2) A person who opens or permit the opening or operation of a gym contrary to sub-paragraph (1) commits an offence and is liable on summary conviction to a fine of \$5,000.00.”
- (g) in paragraph 5A (Exemptions from the requirement of mandatory vaccination) by repealing subparagraph (1)(b) and replacing it with the following:

“(b) employees of Sir Lester Bird Medical Centre providing direct patient care to include doctors, nurses, orderlies, laboratory technicians and any other employee identified by the Medical Director of the hospital as providing such care.”

- (h) in paragraph 8 (Regulations applicable to Educational Institutions) by repealing paragraph 8 in its entirety and replacing it as follows:

“8. Regulations applicable to Educational Institutions

- (1) From 4th October, 2021 and for the remainder of the school term thereafter, a school shall be permitted to offer face to face instruction if –
 - (a) the teacher performing the face to face instruction and the students over the age of 12 years who are receiving the face to face instructions are fully vaccinated; or
 - (b) any unvaccinated teacher permitted to conduct face to face instructions or student permitted to participate in face to face instructions at the school are in possession of an approved exemption from the appropriate authority.
- (2) A student who is 18 years or older, or a parent on behalf of a minor student, may –
 - (a) obtain a medical exemption from the requirement to take the COVID-19 vaccine by submitting an application for medical exemption in Form IIIA from the Principal of the School who shall submit the application to an approved Board; or
 - (b) Obtain a religious exemption by sending a request to the Office of the Ecclesiastical Commission in Form IV.
- (3) A person who –
 - (i) knowingly makes a false statement, or
 - (ii) assist someone by making a false statement

with the intention of securing for himself or the other person a medical or religious exemption from taking the COVID-19 vaccine commits an offence and is liable on summary conviction to a fine of \$2,000.00.”

- (i) in paragraph 8A (Regulations applicable to churches and places of worship) by repealing the paragraph and replacing it as follows:

“8A. Regulations applicable to churches and places of worship

All churches and places of worship are permitted to resume regular services and meetings to a capacity as previously approved between the Ecclesiastical Commission and the Board.”

- (j) in paragraph 11 (Permitted use of beaches) by repealing subparagraph (2) and replacing it as follows:

“(2) A person shall be permitted to utilise the beach every day between the hours of 5:00a.m.and 7:00p.m for a therapeutic purpose.

- (k) In paragraph 11A (Prohibition on excursions to off-shore islands used for recreational purposes) by repealing the paragraph in its entirety and replacing it as follows:

“11A. Prohibition on excursions to off-shore islands used for recreational purposes

- (1) Subject to paragraph (2), excursions by private individuals to any of the off-shore islands is prohibited.
- (2) Excursions to the off-shore islands by commercial vessels, pleasure crafts, and other entertainment vessels are permitted provided social distancing is observed and face masks are worn in accordance with the protocols.

- (l) By inserting after paragraph 20 a new paragraph as follows:

“21. Mandatory vaccination for workers in the financial sector

Effective immediately, all employees in the financial sector, including employees of Banks, Credit Unions and Insurance businesses, are required to be vaccinated against COVID-19.”

Insertion of Form IIIA into the principal Regulations

The principal Regulations are amended by inserting after Form III the following:

FORM IIIA

(Regulation 5A para. 8(1))



GOVERNMENT OF ANTIGUA AND BARBUDA

REQUEST FOR MEDICAL EXEMPTION FROM COVID-19 VACCINATION

BY OR ON BEHALF OF A STUDENT

In accordance with the Public Health Act (Dangerous Infectious Disease) (Amendment) (No. 16) Regulations 2021, the Government of Antigua and Barbuda has mandated that all students of age 12 years and over shall be vaccinated to be permitted to return to face to face classes unless the student is in possession of a medical exemption certificate or a religious exemption certificate from the appropriate authority.

To be considered for an exemption, a student, or a parent of a minor student, must complete PART I of this Form and have a registered and licensed medical practitioner, not related to the student, complete PART 2. The completed Form shall be submitted by the student, or the parent of a minor student to the Principal of the School in a sealed envelope.

The Government of Antigua and Barbuda has established provided that the request for an exemption shall be vetted by a Board under the Chairmanship of the Director of Education. The Board will consist of a general practitioner and a paediatrician.

A copy of the student’s Health Record must accompany this form.

THE STUDENT MUST BE IN POSSESSION OF THE EXEMPTION BEFORE RETURNING TO FACE TO FACE CLASSES.

Note that a student who receives an exemption shall be required under the provisions of the Public Health Act (Dangerous Infectious Disease) Regulations 2020, Statutory Instrument No. 16 of 2020, as amended, to provide a negative test for COVID-19 once in every 14-day period beginning on the 1st day of October, 2021.

PART 1: STUDENT INFORMATION AND CERTIFICATION

Name of Student:

Age: **Date of Birth:**

School Attending:

Address of School:

Name of Family Physician:

Contact details of student or Parent/Guardian:

Email address: **Telephone No:**

Initials are required next to each declaration

	I request exemption from the COVID-19 immunization requirements due to my current medical condition/contraindication. I understand and assume the risks of non-immunization. I accept full responsibility for my health, thus removing liability from the government of Antigua and Barbuda to the required immunization.
	I understand that as I am not vaccinated, in order to protect my own health and the health of the community, I will comply with assigned COVID-19 testing requirements and other preventive guidance including the wearing of masks, physical distancing and social distancing.
	Should I be granted an exemption and I contract COVID-19, I will <u>immediately</u> report it to my supervisor and comply with all isolation and quarantine procedures specified by the Ministry of Health Wellness and the Environment.
	I understand that this exemption will expire when the medical condition(s) contraindicating immunization changes in a manner which permits immunization.
	I understand that this exception is only valid for the approved period, and I may need to submit a new request for any subsequent changes, new medical contraindications, or on expiration of an approved exemption.

I certify that the information I have provided in connection with this request is accurate and complete. I understand this exception may be revoked and I may be subject to disciplinary action if any of the information I provided in support of this exemption is false.

By signing this Form I understand and grant permission for my medical records and information to be shared with the Chief Medical Officer or her designate.

.....
Name of Student

.....
Name of Parent/Legal Guardian
(if applicable)

.....
Signature of Student/Parent/Legal Guardian

.....
Date

PART 2: MEDICAL EXEMPTION REQUEST FROM COVID-19 VACCINATION
(To be completed by a registered and licensed medical practitioner in Antigua and Barbuda)

A registered and licensed medical practitioner must complete Section(s) A and B where relevant, and provide their provider information in Section C.

SECTION A. Medical Practitioner Certification of Contraindication

I certify that my patient, should be exempted from receiving
theCOVID-19 vaccine because of the following reason:

- Documented severe allergic reaction (e.g., anaphylaxis) after a previous dose or to a component of theCOVID-19 vaccine, including Polyethylene Glycol (PEG). **(Describe reaction/response below and any contraindication to alternative COVID-19 vaccines.)**
- Immediate allergic reaction to a previous dose or known (diagnosed) allergy to a component of a COVID-19 vaccine. **(Describe reaction/response below and contraindication to any alternative COVID-19 vaccine.)**

Please note that **NONE** of the following are considered contraindications to the COVID-19 vaccine.

- Local injection site reactions to previous COVID-19 vaccines (erythema, induration, pruritus, pain).
- Expected systemic vaccine side effects in previous COVID-19 vaccines (fever, chills, fatigue, headache, lymphedema, diarrhoea, myalgia, arthralgia).
- Previous COVID-19 infection.
- Vasovagal reaction after receiving a dose of any vaccination.
- Being an immunocompromised individual or receiving immunosuppressive medications.
- Autoimmune conditions.
- Allergic reactions to anything not contained in COVID-19 vaccines, including injectable therapies, food, pets, oral medications, latex etc. (Please note the COVID vaccine does not contain egg or gelatin).
- Alpha-gal Syndrome.
- Pregnancy, undergoing fertility treatment, intention to become pregnant or breast-feeding.
- The medical condition of a family member or other residing in the same household as the employee.

Additional details on the selected option(s) above (to be completed by the medical provider):

SECTION B. Registered and Licensed Medical Practitioner Certification of Health Condition That Makes COVID-19 Vaccination Detrimental to the Student’s Health

I certify that my patient, has the following health condition that

prevents him/her from taking the COVID-19 vaccine at this time.

.....

Additional details on why the health condition¹ listed above prevents him/her from taking the COVID-19 vaccine at this time.

The patient’s health condition as stated above is:

Permanent

Temporary², and the expected end date is: _____

SECTION C. Registered and Licensed Medical Practitioner Information

I certify that the information provided in Part 2 of this form is correct.

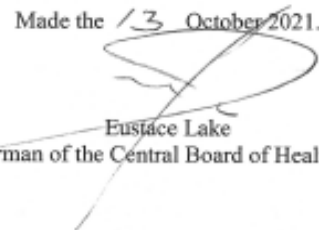
I understand that by making a false declaration, I may be subject to disciplinary action as outlined in the Medical Practitioner’s Act, 2009.

Physician’s Name: _____

Physician’s Phone: _____

Physician’s Signature: _____ Date of Signature: _____

Physician’s Stamp:

Made the 13 October 2021.

Eustace Lake
Chairman of the Central Board of Health

¹ Supporting documentation should also be submitted or should be readily available.

² A new application is required after the expiration date.