

LEGAL NOTICE No. 56

REPUBLIC OF TRINIDAD AND TOBAGO

THE PUBLIC HEALTH ORDINANCE, CH. 12 No. 4

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 105 AND CONFIRMED BY THE
PRESIDENT UNDER SECTION 167 OF THE PUBLIC HEALTH ORDINANCE

THE PUBLIC HEALTH [2019 NOVEL CORONAVIRUS
(2019-nCoV)] (NO. 5) REGULATIONS, 2022

1. These Regulations may be cited as the Public Health [2019 Novel Citation
Coronavirus (2019-nCoV)] (No. 5) Regulations, 2022.

2. In these Regulations—

Interpretation

“Act” means the Public Health Ordinance;

“face covering” means a covering of any type which covers the
nose, mouth and chin of the person wearing it;

“in-person classes” means the physical presence which allows for
a live interaction between a student and a teacher;

“Medical Deferral Certificate” means a certificate referred to in
regulation 7(b);

“Medical Exemption Certificate” means a certificate referred to in
regulation 7(a);

“Medical Officer” means a medical practitioner in the service
of the Government or in the employ of a Regional Health
Authority established under the Regional Health Authorities
Act;

Chap. 29:05

“motor car” means a motor vehicle which is registered to carry no
more than five persons;

“PCR test” means a polymerase chain reaction test which detects
the presence of the 2019 Novel Coronavirus (2019-nCoV) in
the body of an infected person;

“public place” means any highway, street, public park or garden,
any beach, sea, river, stream, pond, spring or similar body of
water, any public pool or mud volcano or mud pools and any
public bridge, road, lane, footway, square, court, alley or
passage, whether a thoroughfare or not and includes any
open or enclosed space to which, for the time being, the
public have or are permitted to have access whether on
payment or otherwise;

“sporting event” means training, participation and competition
for sporting activities, games or other sports as the Minister
may approve;

“Sport Serving Facility” means a body which hosts or facilitates the hosting of sporting events which is approved by the Minister;

“vaccinated” means having received full vaccine regime at least fourteen days before providing proof of being fully vaccinated against the 2019 Novel Coronavirus (2019-nCoV) that is recognised by the Ministry of Health;

“vaccination card” means a card issued by the Ministry of Health of Trinidad and Tobago or an official administering agency showing that the holder of the card has been vaccinated; and

“vessel” means any ship, boat, barge, lighter or raft and any other description of craft, whether used in navigation or not, but does not include government vessels.

Public
gatherings

3. For the period set out in regulation 20, persons shall not gather in any public place where the persons therein exceed twenty-five persons at a time.

Restriction
of certain
activities

4. (1) For the purposes of controlling and preventing the spread of the 2019 Novel Coronavirus (2019-nCoV), it shall be an offence, during the period specified in regulation 20, for any person to—

- (a) operate a party boat, boat tour or nightclub; or
- (b) hold public parties or public fetes;

except where authorised by the Minister.

(2) The opening of beaches, rivers, streams, ponds, springs and similar bodies of water and mud volcanos and mud pools are subject to the following conditions at such places:

- (a) no person shall consume alcohol;
- (b) no person shall play loud music including from any motor vehicle;
- (c) a gathering shall not exceed twenty-five persons at a time;
- (d) a gathering shall not light or have lit any fire;
- (e) there shall be no parties allowed; and
- (f) each person shall comply with the mask wearing requirements under regulation 6, unless he is in the water.

(3) Notwithstanding subregulation (2), the Minister may permit fires to be lit for religious purposes.

(4) Unless otherwise permitted by the Minister, Caroni Brid Sanctuary or Buccoo Reef Tours may operate under the same conditions set out in subregulation (2)(a), (b), (e), and (f) and Buccoo Reef Tours may allow patrons to enter the water from the boat to swim.

(5) Where a person causes, without reasonable excuse, any vessel, being operated in the waters of Trinidad and Tobago, to be raft-up with another vessel for recreational purposes, he commits an offence.

5. (1) No person shall, without reasonable excuse, travel in a vehicle or a vessel without wearing a face mask, face shield or face covering in a manner which covers his nose, mouth and chin.

Requirement to wear a face mask, face shield or face covering when in a vehicle or vessel

(2) Where the person under this regulation is a child accompanied by an individual who has responsibility for the child, the individual shall provide and ensure that the child has and wears the face mask, face shield or face covering as required by this regulation.

(3) Subregulations (1) and (2) do not apply—

- (a) to a child who is under the age of eight;
- (b) where a person is in the vehicle or vessel alone or with members of the same family; or
- (c) where a person is allocated a cabin, berth or other similar accommodation, at any time when they are in that accommodation alone or with members of the same family.

(4) For the purposes of subregulation (1), the circumstances in which a person has a reasonable excuse include those where—

- (a) the person cannot put on, wear or remove a face mask, face shield or face covering—
 - (i) because of any physical or mental illness or impairment, or disability; or
 - (ii) without severe distress;
- (b) the person is travelling with, or providing assistance to, another person and such other person relies on lip reading to communicate with the first person;
- (c) the person removes their face mask, face shield or face covering to avoid harm or injury, or the risk of harm or injury, to himself or others;
- (d) the person is travelling to avoid injury, or to escape a risk of harm, and does not have a face mask, face shield or face covering with him;
- (e) if it is reasonably necessary for the person to eat or drink, the person removes his face mask, face shield or face covering to eat or drink;

- (f) the person has to remove his face mask, face shield or face covering to take medication;
- (g) a request is made of the person to remove his face mask, face shield or face covering temporarily for security and identification purposes, if necessary, for the purpose of receiving services; or
- (h) the circumstances provided for in guidelines issued by the Ministry of Health.
- Schedule 2 (5) A person who contravenes this regulation commits an offence and is liable to a fixed penalty fine set out in Schedule 2 in addition to such administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act, and on failure to pay the fixed penalty, may be liable on summary conviction to a fine of five thousand dollars and to a term of imprisonment of three days.
- Chap. 4:20
- (6) A person who wishes to challenge the issuance of a Fixed Penalty Notice under this regulation may, upon payment of the relevant penalty, appeal to a Magistrate in the District in which the fixed penalty notice was issued.
- (7) Sections 105A to 105H of the Act apply to an offence under this regulation and—
- Form A (a) the relevant fixed penalty notice shall be in the form set out as Form A in Schedule 1; and
- Schedule 2 (b) the relevant fixed penalty shall be the fine specified in Schedule 2.
- Form B
Schedule 1 (8) For the purpose of section 105A(6) of the Act, a person filing an appeal shall use the form set out as Form B in Schedule 1.
- Requirement
to wear
masks in
public 6. (1) No person shall, without reasonable excuse, be—
- (a) in a public place; or
- (b) at any of the following places:
- (i) educational establishments;
- (ii) a religious or ecclesiastical organisation for the conduct of religious activities, funeral services or wedding services; or
- (iii) a religious or ecclesiastical organisation for religious meetings or services conducted by electronic means for the purposes of recording or live streaming same,
- without wearing a face mask, face shield or face covering in a manner which covers his mouth, nose and chin.

(2) Where the person under this regulation is a child accompanied by an individual who has responsibility for the child, the individual shall provide and ensure that the child has and wears the face mask, face shield or face covering as required by this regulation.

(3) The owner or operator of any business which provides goods or services to the public shall ensure that a member of the public is not permitted entry to, or otherwise remains within, any enclosed space within the premises of the business unless, the member of the public is wearing a face mask, face shield or face covering, in a manner which covers his mouth, nose and chin.

(4) Subregulations (1) to (3) shall not apply to—

- (a) children under eight years of age;
- (b) employees and agents of the person responsible for the business within an area designated for them and not for public access, or within or behind a physical barrier, subject to such guidelines made by the Ministry of Health; and
- (c) those circumstances provided for in guidelines made by the Ministry of Health.

(5) For the purposes of subregulation (1), the circumstances in which a person has a reasonable excuse include those where—

- (a) the person cannot put on, wear or remove a face mask, face shield or face covering—
 - (i) because of any medical, physical or mental illness or impairment, or disability which inhibits their ability to wear a face mask, face shield or face covering; or
 - (ii) without severe distress;
- (b) the person is travelling with, or providing assistance to, another person and such other person relies on lip reading to communicate with the first person;
- (c) the person removes his face mask, face shield or face covering to avoid harm or injury, or the risk of harm or injury, to himself or others;
- (d) the person is travelling to avoid injury, or to escape a risk of harm, and does not have a face mask, face shield or face covering with him;
- (e) if it is reasonably necessary for the person to eat or drink, the person removes his face mask, face shield or face covering to eat or drink;
- (f) the person has to remove his face mask, face shield or face covering to take medication;

(g) a request is made of that person to remove his face mask, face shield or face covering temporarily for security and identification purposes if necessary for the purpose of receiving services; or

(h) the circumstances provided for in guidelines issued by the Ministry of Health.

(6) Subject to the exemptions in subregulation (4)(b), an employee shall wear a face mask, face shield or face covering when working in an enclosed public place or space.

Schedule 2
Chap. 4:20
(7) A person who contravenes this regulation commits an offence and is liable to a fixed penalty fine set out in Schedule 2 in addition to such administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act, and on failure to pay the fixed penalty may be liable on summary conviction to a fine of five thousand dollars and to a term of imprisonment for a term of three days.

(8) A person who wishes to challenge the issuance of a Fixed Penalty Notice under this regulation may, upon payment of the relevant penalty, appeal to a Magistrate in the District in which the fixed penalty notice was issued.

(9) Sections 105A to 105H of the Act apply to an offence under this regulation and—

Form A
(a) the relevant fixed penalty notice shall be in the form set out as Form A in Schedule 1; and

Schedule 2
(b) the relevant fixed penalty shall be the fine specified in Schedule 2.

Form B
Schedule 1
(10) For the purposes of section 105A(6) of the Act, a person filing an appeal shall use the form set out as Form B in Schedule 1.

Medical
Exemption
and Medical
Deferral
Certificate
7. The Chief Medical Officer may approve, for use by Medical Officers, a certificate to be known as—

(a) a Medical Exemption Certificate, which certifies that the holder of the Medical Exemption Certificate is unable for specific medical reasons to be vaccinated; or

(b) a Medical Deferral Certificate which certifies that the holder of the Medical Deferral Certificate is unable for any of the following reasons, for a specific period, to be vaccinated:

(i) noting however that pregnancy or breastfeeding are not contraindicated for vaccination, active pregnancy or active breastfeeding only if the provider is requesting an exemption; the exemption lasts only until the person is no longer actively pregnant or actively breastfeeding;

- (ii) immunocompromised individuals only with provider request for an exemption and only for those who have recent, (within the past three to six months) hematopoietic or solid organ transplant, or on active treatment with Rituximab within the past three to six months;
- (iii) have received 2019 Novel Coronavirus (2019-nCoV)—specific monoclonal antibodies in the past ninety days; or
- (iv) for such other reason, as the Chief Medical Officer may specify.

8. (1) The following businesses may be open to conduct operations as safe zones and provide services to the public where they meet the requirements set out in subregulation (2): Regulation of certain businesses

- (a) restaurants;
- (b) bars;
- (c) a common gaming house, betting pool or office licensed under the Gambling and Betting Act; Chap. 11:19
- (d) a cinema or theatre licensed under the Cinematograph Act; Chap. 20:10
- (e) a private members' club licensed under the Registration of Clubs Act; Chap. 21:01
- (f) a theatre under the Theatres and Dancehalls Act; Chap. 21:03
- (g) gyms and fitness studios;
- (h) waterparks;
- (i) public swimming pools;
- (j) Cooperative Societies, Credit Unions, Friendly Societies and Lodges;
- (k) community centres, banquet halls, auditoriums and such other meeting places; and
- (l) any other event, enterprise, establishment or business that the Minister may permit.

(2) The owner or operator of a business listed in subregulation (1) shall, subject to subregulations (3), (4), (5) and (6), ensure that—

- (a) all of his employees are vaccinated and are in possession of a valid vaccination card, a copy of which shall be kept at the business;
- (b) only vaccinated persons twelve years of age and over, on presenting a valid vaccination card or a copy thereof and a form of identification at point of entry, are allowed within the premises of the business;

- (c) the number of persons within the premises does not exceed seventy-five per cent capacity of the premises; and
- (d) there is prominently displayed at the entrance to his business, signage which meets the requirements of guidelines of the Ministry of Health for such signage and indicating, *inter alia*, that the business is a safe zone, its employees are vaccinated and all patrons are required to provide proof of vaccination and a form of identification prior to entry failing which they will not be allowed to enter the premises.

(3) Notwithstanding subregulation (2)(b), vaccinated or unvaccinated children under the age of twelve may enter a safe zone with their parents or a person with responsibility for the child, provided that the parent or person with responsibility for the child is vaccinated or meets the requirements of subregulations (4) or (6).

(4) An employee or person who is not an employee, including a parent or person with responsibility for the child accompanying the vaccinated or unvaccinated child who is under the age of twelve, who is in possession of a Medical Exemption Certificate or a Medical Deferral Certificate, issued by a Medical Officer, may be permitted to be within the premises of a business listed in subregulation (2).

(5) An employee, to whom subregulation (4) applies, shall provide his employer with—

- (a) a negative PCR test; or
- (b) such other test for the 2019 Novel Coronavirus (2019-nCoV) as the Minister may approve,

once in every fourteen-day period beginning on the commencement of these Regulations, a copy of which shall be kept by the owner or operator of the business for inspection failing which the employee shall not be permitted entry onto the premises of the business.

(6) A person who is not an employee including a parent or person with responsibility for the child, accompanying a vaccinated or unvaccinated child under the age of twelve, to whom subregulation (4) applies, shall provide the owner or operator of any business to which he is seeking entry with—

- (a) a negative PCR test; or
- (b) such other test for the 2019 Novel Coronavirus (2019-nCoV) as the Minister may approve,

which was issued no more than forty-eight hours prior to his seeking entry, a copy of which shall be kept by the owner or operator of the business for inspection failing which the person who is not an employee including a parent or person with responsibility for the child, shall not be permitted entry onto the premises of the business.

(7) The owner or operator of a businesses listed in subregulation (1)(a) to (f), (h), and (i) shall ensure that there is no consumption of alcohol within its precincts, unless permitted by the Minister.

(8) The requirements in respect of masks under regulation 6 applies to all businesses, its employees and other persons who are not employees at such businesses.

(9) The owner or operator of a business who at any time is found to be in contravention of subregulation (2), (6) or (7)—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—
 - (i) to a fixed penalty fine set out in Schedule 2; Schedule 2
 - (ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and Chap. 4:20
 - (iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of fifty thousand dollars and to a term of imprisonment of three months.

(10) A person who, is not the owner, operator or employee of a business listed in subregulation (1) and who enters the premises of that business while it is in open for business without having been vaccinated or without proof of vaccination or not being the subject of an exemption under subregulations (3), (4), (5) or (6)—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—
 - (i) to a fixed penalty fine set out in Schedule 2. Schedule 2
 - (ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and Chap. 4:20
 - (iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of ten thousand dollars and to a term of imprisonment of three days.

(11) During the period specified in regulation 20, no person shall consume alcohol in a public place unless—

- (a) it is done within the premises of a safe zone under these Regulations; or
- (b) he has permission to do so from the Minister.

Chap. 11:02 (12) Notwithstanding section 52 of the Summary Offences Act, during the period specified in regulation 20, a person who contravenes subregulation (11)—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—

Schedule 2 (i) to a fixed penalty fine set out in Schedule 2.

(ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and

Chap. 4:20

(iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of ten thousand dollars and to a term of imprisonment of three days.

(13) A person who wishes to challenge the issuance of a Fixed Penalty Notice under this regulation may, upon payment of the relevant penalty, appeal to a Magistrate in the District in which the fixed penalty notice was issued.

(14) The owner or operator of a business who has previously been issued with two fixed penalty notices may, where a third fixed penalty notice is issued under this regulation, be prohibited by the Minister from operating as a safe zone under subsection (1), unless he shows cause why he should not be subjected to such prohibition.

(15) A person who knowingly and willingly—

- (a) presents a vaccination card which is fraudulent;
- (b) purports to be vaccinated when he is not so vaccinated; or
- (c) presents a fraudulent—

(i) PCR test; or

(ii) such other test for COVID-19 as the Minister may approve,

for the purpose of entry into any business under subregulation (1) commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to a term of imprisonment of five years.

(16) Sections 105A to 105H of the Act apply to an offence under subregulations (9), (10), (11) and (12)—

(a) the relevant Fixed Penalty Notice shall be in the form set out as Form A in Schedule 1; and

Form A
Schedule 1

(b) the relevant fixed penalty shall be the fine specified in Schedule 2.

Schedule 2

(17) For the purpose of section 105A(6) of the Act, a person filing an appeal shall use the form set out as Form B in Schedule 1.

Form B
Schedule 1

9. (1) Sporting events under registered and recognised National Governing Bodies or Sport Serving Bodies as the Minister in consultation with the Minister with responsibility for sport may approve, at sporting facilities may be open to conduct operations as safe zones and provide spectating areas to the public where the sporting events meet the requirements set out in subregulation (2). Regulation of certain sporting events

(2) The administrator of a sporting facility at which a sporting event is to be held shall, subject to subregulation (3), ensure that—

- (a) all of the athletes, coaches, officials, administrators, spectators and other persons in attendance at a sporting event are vaccinated and are in possession of a valid vaccination card;
- (b) only vaccinated persons of such age as the Minister shall approve, on presenting a valid vaccination card or a copy thereof and a form of identification at point of entry, are allowed within the sporting facility at which the sporting event is taking place;
- (c) the number of persons—
 - (i) within the indoor facility of the sporting event does not exceed fifty per cent capacity of the indoor facility;
 - (ii) at an outdoor facility of the sporting event does not exceed seventy-five per cent of the outdoor facility; and
- (d) there is prominently displayed at the entrance to the sporting facility for the sporting event, signage which meets the requirements of guidelines of the Ministry of Health for such signage and indicating, *inter alia*, that the sporting facility for the sporting event is a safe zone, athletes, coaches, officials, administrators, spectators and other persons in attendance are required to provide proof of vaccination and a form of identification prior to entry failing which they will not be allowed to enter the sporting facility for the sporting event;
- (e) at indoor and outdoor sporting events all persons including coaches, officials, administrators, spectators and other persons in attendance shall wear masks in accordance with regulation 6 unless otherwise permitted by the Minister.

(3) Subregulation (2)(e) shall not apply to athletes and referees while actively engaged in a sport.

(4) An athlete, coach, official, administrator, spectator or other person who is in possession of a Medical Exemption Certificate or a Medical Deferral Certificate, issued by a Medical Officer, may be permitted to be within the sporting facility for a sporting event.

(5) An athlete, coach, official or administrator to whom subregulation (4) applies, shall provide the administrator with—

- (a) a negative PCR test; or
- (b) such other test for the 2019 Novel Coronavirus (2019-nCoV) as the Minister may approve,

once in every fourteen-day period beginning on the commencement of these Regulations unless otherwise permitted by the Minister, a copy of which shall be kept by the administrator of the sporting facility for the sporting event.

(6) The administrator of a sporting facility at which a sporting event is being held, shall ensure that there is no consumption of alcohol within its precincts, unless permitted by the Minister.

(7) The administrator of a sporting facility at which a sporting event is being held, who at any time is found to be in contravention of subregulation (2), (5) or (6)—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—

Schedule 2

(i) to a fixed penalty fine set out in Schedule 2;

Chap. 4:20

(ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and

(iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of fifty thousand dollars and to a term of imprisonment of three months.

(8) A person who, is not an administrator of a sporting facility at which a sporting event is being held who enters the premises of that sporting facility while it is open for the sporting event without having been vaccinated or without proof of vaccination, or without a Medical Exemption Certificate or Medical Deferral Certificate or without the approval of the Minister—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—

Schedule 2

(i) to a fixed penalty fine set out in Schedule 2.

Chap. 4:20

(ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and

(iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of ten thousand dollars and to a term of imprisonment of three days.

(9) During the period specified in regulation 20, no person shall consume alcohol in a sporting facility unless—

- (a) it is done within the premises of a safe zone under these Regulations; or
- (b) he has permission to do so from the Minister.

(10) Notwithstanding section 52 of the Summary Offences Act, during the period specified in regulation 20, a person who contravenes subregulation (9)—

- (a) commits an offence;
- (b) shall be issued a Fixed Penalty Notice; and
- (c) is liable—
 - (i) to a fixed penalty fine set out in Schedule 2. Schedule 2
 - (ii) for the administrative fees as may be determined by the Chief Justice under section 21A of the Summary Courts Act; and Chap. 4:20
 - (iii) on failure to pay the fixed penalty may be liable on summary conviction to a fine of ten thousand dollars and to a term of imprisonment of three days.

(11) A person who wishes to challenge the issuance of a Fixed Penalty Notice under this regulation may, upon payment of the relevant penalty, appeal to a Magistrate in the District in which the fixed penalty notice was issued.

(12) The administrator of a sporting facility, at which a sporting event is being held, who has previously been issued with two fixed penalty notices may, where a third fixed penalty notice is issued under this regulation, be prohibited by the Minister from operating as a safe zone under subsection (1), unless he shows cause why he should not be subject to such prohibition.

(13) A person who knowingly and willingly—

- (a) presents a vaccination card which is fraudulent;
- (b) purports to be vaccinated when he is not so vaccinated; or
- (c) presents a fraudulent—
 - (i) PCR test; or
 - (ii) such other test for COVID-19 as the Minister may approve,

for the purpose of entry into any sporting facility at which a sporting event is being held under subregulation (1), commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to a term of imprisonment of five years.

(14) Sections 105A to 105H of the Act apply to an offence under subregulations (7), (8), (10) and (11), and—

Form A
Schedule 1

(a) the relevant Fixed Penalty Notice shall be in the form set out as Form A in Schedule 1; and

Schedule 2

(b) the relevant fixed penalty shall be the fine specified in Schedule 2.

Form B
Schedule 1

(15) For the purpose of section 105A(6) of the Act, a person filing an appeal shall use the form set out as Form B in Schedule 1.

Attendance
at schools,
early
childhood
education
centres, day
cares and
pre-schools
etc.

10. (1) For the purposes of controlling and preventing the spread of the 2019 Novel Coronavirus (2019-nCoV), it shall be an offence, during the period specified in regulation 20, for any person to—

(a) have a public or private pre-school, early childhood education centre, primary school, secondary school, tertiary institution or other post-secondary institution open for classes in such places;

(b) operate a day-care or pre-school for children for the care or education of young children,

except with the approval of the Minister.

(2) Notwithstanding subregulation (1), a public or private pre-school, early childhood education centre, primary school, secondary school, tertiary institution or other post-secondary institution may—

(a) provide classes to its students by electronic or such other means as may be approved by the Minister; or

(b) where classes such as practicals, laboratory or other classes cannot be done by electronic means, a post-secondary or tertiary institution may conduct such classes in-person by such means as may be approved by the Minister.

(3) The requirements in respect of masks under regulation 6 apply at all schools, to all students, teachers, staff and other persons on the premises of such schools.

Public
transportation
restrictions

11. During the period specified in regulation 20, a person who provides public transport in a motor vehicle shall carry such number of passengers as the Minister may, from time to time, determine.

Ministry
may issue
guidelines

12. (1) Small and large businesses shall comply with the guidelines for Small and Large Businesses issued by the Ministry of Health.

(2) During the period specified in regulation 20, the Minister of Health may issue guidelines to any trade, profession, business or service, activity or public gathering, authorised to be carried on.

13. All air and sea ports or any place where an aircraft or ship or vessel can land shall, except in relation to air and sea cargo, remain closed to the arrival or departure of aircraft or ships or other vessels carrying passengers unless permitted by the Minister with responsibility for national security.

14. (1) Notwithstanding the fact that the Caribbean Public Health Agency (CARPHA) has not yet approved any private medical laboratory to do testing for the 2019 Novel Coronavirus (2019-nCoV), where a private medical laboratory or a medical practitioner does such testing on a person or a medical practitioner refers a person for such testing and the result of such testing is a positive result, the private medical laboratory or medical practitioner and the person so tested shall immediately report and forward the results to the Chief Medical Officer and the Regional Health Authority of the area in which the person to whom the results apply resides or works.

(2) Where a private medical laboratory, medical practitioner or a person fails to report and forward results to the Chief Medical Officer and the Regional Health Authority in accordance with subregulation (1), the owner or operator of the private medical laboratory, medical practitioner or the person, as the case may be, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for six months.

15. (1) Where the result of a test conducted by the Caribbean Public Health Agency (CARPHA) or by a private medical laboratory under regulation 13 shows that a person is suffering from the 2019 Novel Coronavirus (2019-nCoV), the Minister of Health may give such directions as he thinks fit, for—

- (a) the restraint, segregation and isolation of that person or any other person who, by exposure to infection from that person, is likely to suffer from the 2019 Novel Coronavirus (2019-nCoV);
- (b) the removal of a person referred to in paragraph (a) to a public hospital or a designated facility; or
- (c) the curative treatment of a person referred to in paragraph (a).

(2) The Minister of Health may give a direction under subregulation (1) where, in his discretion, he considers it necessary to do so—

- (a) for the purposes of preventing or controlling the spread of the 2019 Novel Coronavirus (2019-nCoV);
- (b) in the interests of the person in relation to whom the direction is given; or
- (c) in the interests of the public health system.

(3) Where the Minister of Health gives a direction under subregulation (1), the person in relation to whom the direction is given shall be informed—

- (a) of the reason for giving the direction;
- (b) of the period during which the person is likely to be required to remain at a public hospital or a designated facility for observation, surveillance or curative treatment; and
- (c) that it is an offence to fail to comply with the direction or to obstruct a medical practitioner, a nurse, a member of staff at a public hospital or a designated facility or a member of staff of a public or private ambulance service from carrying out the direction.

(4) A person who—

- (a) fails to comply with a direction under subregulation (1); or
- (b) obstructs a medical practitioner, a nurse, a member of staff at a public hospital or a designated facility or a member of staff of a public or private ambulance service from carrying out a direction under subregulation (1),

commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for a term of six months.

Self-quarantine 16. (1) The Minister of Health may give such directions as he thinks fit for the self-quarantine of any person who is likely to suffer or is suffering from the 2019 Novel Coronavirus (2019-nCoV).

(2) The Minister of Health may give a direction under subregulation (1) where, in his discretion, he considers it necessary to do so—

- (a) for the purposes of preventing or controlling the spread of the 2019 Novel Coronavirus (2019-nCoV);
- (b) in the interests of the person in relation to whom the direction is given; or
- (c) in the interest of the public health system.

(3) A direction under subregulation (1) shall—

- (a) be in writing;
- (b) require the person to be self-quarantined at a specified place; and
- (c) specify the address of the specified place.

(4) Where the Minister of Health gives a direction under subregulation (1), the person in relation to whom the direction is given shall be informed—

- (a) of the reason for giving the direction;
- (b) of the period during which the person is likely to be self-quarantined; and
- (c) that it is an offence to fail to comply with the direction or to obstruct a medical practitioner, a nurse, a member of staff at a public hospital or a designated facility or a member of staff of a public or private ambulance service or other health care professional from carrying out the direction.

17. A person who contravenes regulation 3, 4, 10(1), 11 or 16, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for six months.

18. The Minister of Health may, for the purpose of the operation of these Regulations, issue such guidelines as he may deem necessary and breach of such guidelines shall not constitute an offence.

19. The Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 4) Regulations, 2022 are revoked.

Offences
Minister may
issue
guidelines
Revocation of
L.N. No. 23 of
2022

20. These Regulations shall have effect from 7th March, 2022 to 2nd May, 2022.

Duration

Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 5) Regulations, 2022

ORIGINAL

SCHEDULE 1—FORM A



REPUBLIC OF TRINIDAD AND TOBAGO
THE PUBLIC HEALTH ORDINANCE, CH. 12 No. 4

A
(Sections 105, 105A, 105B and 105c)

PUBLIC HEALTH FIXED PENALTY NOTICE

DATE AND TIME		dd/mm/yyyy	a.m./p.m.
LOCATION			
VIOLATION:	<input type="checkbox"/> Failure to wear mask* in public	<input type="checkbox"/> Failure to wear mask* in a vehicle	<input type="checkbox"/> Failure to wear mask* in a vessel
	<input type="checkbox"/> Failure to ensure child wears mask* in public	<input type="checkbox"/> Failure to ensure child wears mask* in a vehicle	<input type="checkbox"/> Failure to ensure child wears mask* in a vessel
	<input type="checkbox"/> Failure of owner or occupier of a business to comply with requirements for entry into the business		<input type="checkbox"/> Failure of person who is not the owner or occupier of a business to comply with requirements for entry into the business
	<input type="checkbox"/> Failure of owner or occupier of a business to comply with permission to consume alcohol		<input type="checkbox"/> Illegal consumption of alcohol within precincts of business
HOW TO PAY THIS FINE			
This penalty must be paid to the District Courts or if the violator is under the age of 18, to the Children Court.			
To get instructions on how to pay, contact the Court by:			
Telephone: 224-5182			
Or Email: health.fine@ttlawcourts.org			
Or go to the website: https://CourtPay.ttlawcourts.org			
TO BE COMPLETED BY VIOLATOR WHEN BEING PAID:			
Name:			
Date:			
Amount:			
If you pay this fine within 14 days of the date of the notice, you may appeal to the Magistrate in the District. Sec. 105A(6).			
COURT LOCATIONS:			
*Trinidad North District Court: Corner of St. Vincent and Duke Streets Port-of-Spain			
*Trinidad South District Court: Court Street, San Fernando			
*Tobago District Court: Bacolet Street, Scarborough			
*Children Court North: 6, Elizabeth Street, St. Clair Port-of-Spain			
*Children Court South: Corner Delhi and Fyzabad Main Road			
*Children Court Tobago: Bacolet Street, Scarborough			
VIOLATOR INFORMATION:			
Name			
Sex <input type="checkbox"/> Male <input type="checkbox"/> Female			
Date of Birth dd/mm/yyyy			
Address (Line 1)			
(Line 2)			
(Line 3)			
(Line 4)			
Phone number(s)			
Email			
ID- DP / PP / ID card			
ID- other			
Number of previous violations <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> More than 3			
IF UNDER 18, PARENTAL INFORMATION			
Name of Responsible Adult			
Address			
Phone number(s)			
Email			
ID of Adult (DP/PP/ID)			
I affirm that the personal information I have provided is accurate.			
Signed:			
PENALTY			
Fixed penalty amount			
Details of violation			
POLICE OFFICER INFORMATION			
Name			
Rank and Number			
Signature of Officer			

*In this form "mask", means face mask, face shield or face covering.

If you fail to pay the fixed penalty before the end of fourteen (14) days from the above date, you are hereby required to appear before the District Court/Children Court on **Tuesday** the day of....., 20 at 9.00 a.m. as the defendant in the matter. You are expected to appear by virtual hearing. To make arrangements for this, **you are required to contact the court on or before the Thursday prior to the date of hearing.** It is your responsibility to make arrangements to ensure your appearance. **If you fail to appear an order may be made in your absence.** If you are under the age of 18 years, you must be accompanied by your parent/guardian/person with responsibility for you, who is also responsible for ensuring that arrangements are made for you to appear. **If you fail to appear an order may be made in your absence.**

SCHEDULE 1—FORM B



REPUBLIC OF TRINIDAD AND TOBAGO
PUBLIC HEALTH ORDINANCE CH 12 No. 4

Sections 105, 105A, 105B and 105C

NOTICE OF APPEAL OF FIXED PENALTY NOTICE
[Pursuant to section 105A(6)]

TAKE NOTICE that the applicant (being the person to whom the Fixed Penalty Notice was issued/being an interested party/parent/guardian/person with responsibility for the child) hereby appeals to the Magistrate/Children Court Master against the decision of the Constable who issued the Fixed Penalty Notice.

Signed:

Name:

Date:

TICKET NO.: PH		TICKET PAYMENT RECEIPT NO.:	
DATE AND TIME	dd/mm/yyyy	a.m./p.m.	
LOCATION			
VIOLATION:	<input type="checkbox"/> Failure to wear mask* in public	<input type="checkbox"/> Failure to wear mask* in a vehicle	<input type="checkbox"/> Failure to wear mask* in a vessel
	<input type="checkbox"/> Failure to ensure child wears mask* in public	<input type="checkbox"/> Failure to ensure child wears mask* in a vehicle	<input type="checkbox"/> Failure to ensure child wears mask* in a vessel
	<input type="checkbox"/> Failure of owner or occupier of a business to comply with requirements for entry into the business	<input type="checkbox"/> Failure of person who is not the owner or occupier of a business to comply with requirements for entry into the business	
	<input type="checkbox"/> Failure of owner or occupier of a business to comply with permission to consume alcohol	<input type="checkbox"/> Illegal consumption of alcohol within precincts of business	
APPLICANT INFORMATION:			
Name			
Sex	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
Date of Birth	dd/mm/yyyy		
Address (Line 1)			
(Line 2)			
(Line 3)			
(Line 4)			
Phone number(s)			
Email			
ID-DP/PP/ID card			
ID-other			
Number of previous violations	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3 <input type="checkbox"/> More than 3
IF UNDER 18/PERSON WITH DISABILITY, PARENT/GUARDIAN/PERSON WITH RESPONSIBILITY:			
Name of Responsible Adult			
Address			
Phone number(s)			
Email			
ID of Adult DP/PP/ID			
	I affirm that the personal information I have provided is accurate.		
	Signed:		
POLICE INFORMATION:			
Name			
Rank and Number			

*In this form "mask", means face mask, face shield or face covering.

****Reason(s) for Appealing the Fixed Penalty Notice**

- A. I/[patient]/[child] was unable to [put on]/[wear] a mask/face shield/face covering] for one or more of the reasons set out below—
- Due to a medical, physical or mental illness or impairment, or disability which inhibits [my/his/her] ability to wear a face mask, face shield or face covering;
 - [I/he/she] was travelling with/providing assistance to, a person who relies on lip reading to communicate with [me/him/her];
 - I removed my face mask, face shield or face covering [he/she] removed [his/her] face mask, face shield or face covering to avoid harm or injury/or avoid the risk of harm or injury, to [me/himself/herself/others];
 - [I/he/she] was travelling to avoid injury/to escape a risk of harm, and [I/he/she] did not have a face mask, face shield or face covering with [me/him/her] at the time;
 - [I/he/she] removed [my/his/her] face mask, face shield or face covering to eat/drink.
- B. (Provide reasons in relation to breach of regulation 6.)
- I removed [my/his/her] face mask, face shield or face covering to take medication;
 - [I/he/she] removed [my/his/her] face mask, face shield or face covering temporarily for security and identification purposes as this was necessary for the purpose of receiving services;
 - Other circumstances provided for in guidelines issued by the Ministry of Health.

****Select all reasons relevant to your application.**

Please set out brief particulars for your record(s) for appeal in the area provided below.

Evidence in support of application:

SCHEDULE 2

(Regulations 5, 6 and 8)

No	OFFENCE	ENACTMENT	FIXED PENALTY
1	Failure to wear a mask in vehicle or vessel	Regulation 5	\$2,000.00
2	Failure to ensure child wears a mask in vehicle or vessel	Regulation 5	\$1,000.00
3	Failure to wear a mask in public	Regulation 6	\$1,000.00
4	Failure to ensure a child wears a mask in public	Regulation 6	\$1,000.00
5	Failure of owner or occupier of a business to comply with requirements for entry into the business	Regulation 8(9)	\$25,000.00
6	Entry into premises without being vaccinated	Regulation 8(10)	\$5,000.00
7	Illegal consumption of alcohol in a public place	Regulation 8(11)	\$5,000.00
8	Breaching sporting events regulations	Regulations 9(7), (8) and (9)	\$5,000.00

Made this 6th day of March, 2022.

T. DEYALSINGH
Minister of Health