

LEGAL NOTICE NO. 108

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. 16) REGULATIONS, 2020

1. These Regulations may be cited as the Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 16) Regulations, 2020. Citation

2. (1) During the period specified in regulation 10, a person who provides public transport in a motor vehicle shall not carry in the motor vehicle more than half the number of passengers which the motor vehicle is licensed to carry. Public transport restriction

(2) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for a term of six months.

3. (1) During the period specified in regulation 10, a person shall not, without reasonable justification— Public gatherings

(a) be at any work place unless—

(i) the work place is associated with a service specified in subregulation (2);

(ii) the presence of the person at the work place is essential for the carrying out or provision of a service specified in subregulation (2); and

(iii) it is not practicable for the person to work from home; or

(b) be found at any public place where—

(i) the number of persons gathered at any time exceeds five; and

(ii) the gathering is not associated with a service specified in subregulation (2);

(c) participate in any sport or team sport which involves more than five persons; or

(d) be found at or in any beach, river, stream, pond, spring or similar body of water unless the presence of that person is essential for the carrying out or provision of a service specified in subregulation (2).

(2) The services referred to in subregulation (1) are—

(a) the Office of the President;

(b) the Parliament and any committees thereof;

- (c) the Cabinet and any committees thereof;
- (d) the Judiciary, that is to say, the Supreme Court of Judicature, the Magistrates' Courts, the Industrial Court, the Environmental Commission, the Equal Opportunities Tribunal and the Tax Appeal Board;
- (e) the Caribbean Court of Justice;
- (f) the Tobago House of Assembly and any committees thereof;
- (g) the Office of Disaster Preparedness and the Tobago Emergency Management Agency;
- (h) the Protective Services, namely—
 - (i) the Trinidad and Tobago Police Service;
 - (ii) the Trinidad and Tobago Defence Force;
 - (iii) the Trinidad and Tobago Prison Service;
 - (iv) the Trinidad and Tobago Fire Service;
 - (v) the Immigration Division;
 - (vi) the Strategic Services Agency;
 - (vii) Special Reserve Police;
 - (viii) Supplemental Police, that is to say, Rural Police and Estate Police; and
 - (ix) Municipal Police Services;
- (i) primary emergency services, namely State and private emergency ambulance services and all emergency call centres;
- (j) law offices and legal services;
- (k) the Diplomatic Corps;
- (l) basic essential janitorial and maintenance services concerning the provision of—
 - (i) health;
 - (ii) hospital;
 - (iii) water;
 - (iv) electricity;
 - (v) fire;
 - (vi) sanitation;
 - (vii) civil aviation; and
 - (viii) telecommunications;

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- (m) the Children’s Authority of Trinidad and Tobago;
 - (n) services supporting the operation, inspection and maintenance of essential public works facilities and operations including—
 - (i) water and sewer main breaks;
 - (ii) fleet maintenance personnel;
 - (iii) traffic signal maintenance; and
 - (iv) other emergent issues;
 - (o) health services such as—
 - (i) District Medical Health Officers and Medical Social Workers;
 - (ii) services of public and private hospitals, laboratories, infirmaries, nursing homes and hospices, funeral homes, crematoria and burial grounds;
 - (iii) services in support of hospitals and pharmacies;
 - (iv) the provision of medical supplies to hospitals and pharmacies, including sanitary and hygiene products;
 - (v) medical practitioners registered under the Medical Board Act and employees necessary for the operations Chap. 29:50 of their private practices; and
 - (vi) the provision of dental, optometric, ophthalmologic, physical therapy and occupational therapy;
 - (p) trade union services;
 - (q) essential janitorial and maintenance services for private condominiums or town houses, residential homes and public and private facilities;
 - (r) prisons, Rehabilitation Centres, Immigration Detention Centres or other places of detention;
 - (s) Children’s Homes, places for the care of the differently abled, socially displaced, the elderly and geriatric homes and persons providing care at private residences;
 - (t) private security firms;
 - (u) social workers, workers who provide social welfare support and non-governmental organisations that work with the socially disadvantaged and vulnerable;
 - (v) care givers to the elderly and those who require care for a medical reason;
 - (w) support to ensure the effective removal, storage and disposal of residential and commercial solid waste and hazardous waste;

- (x) hardware stores, including electrical and plumbing establishments;
- (y) financial and insurance services such as—
- (i) banking business and business of a financial nature, as defined in the Financial Institutions Act, the Unit Trust Corporation and the National Insurance Board;
- (ii) non-banks and remittance facilities;
- (iii) credit unions under the Cooperative Societies Act;
- (iv) the processing and maintenance of systems for processing insurance and financial transactions and services (e.g., information technology, payment, clearing and settlement, wholesale funding, insurance services and capital markets activities);
- (v) the provision of consumer access to banking and lending services, including ATMs and the moving of currency and payments (e.g. armoured cash carriers); and
- (vi) the provision of support for financial operations, such as services in relation to staffing data, technology and security operations centres;
- (z) the services of live-in domestic workers only and service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences such as plumbers, electricians and exterminators;
- (aa) retail services;
- (ab) discount stores, markets, supermarkets, fruit stalls or shops, vegetable stalls or shops, bakeries, pharmacies and “parlours”, for the provision of food, medicine or other necessities of life;
- (ac) wholesale services;
- (ad) Ministries and Municipal Corporations;
- (ae) the Inland Revenue Division, the Treasury Division, the Central Bank of Trinidad and Tobago and the Customs and Excise Division;
- (af) transportation and logistics services, such as the services of—
- (i) employees of firms providing refrigeration systems and products, including those providing services that enable logistics operations, including cooling, storing, packaging and distributing products for wholesale or retail sale or use;

Chap. 79:09

Chap. 81:03

- (ii) maritime transportation workers, port workers, mariners and equipment operators;
 - (iii) truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions and services;
 - (iv) automotive repair and maintenance facilities;
 - (v) distributors of food, beverages and pharmaceuticals, including the packaging and bottling of these items;
 - (vi) postal and shipping workers, including private companies;
 - (vii) employees who repair and maintain aircraft, marine vessels and the equipment and infrastructure that enable operations that encompass movement of cargo and passengers;
 - (viii) air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management;
 - (ix) workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations and other on-and off-airport facilities workers;
 - (x) workers connected with the loading and unloading and repair of ships and with the storage and delivery of goods at, or from, ports, docks, wharves, storage facilities and warehouses operated in connection with ports, docks or wharves; and
 - (xi) public transportation by water-taxi, ferry, motor vehicle and bus, including buses operated by the Public Transport Services Corporation;
- (ag) the services of workers supporting retail services, wholesale services, groceries, pharmacies and other retail businesses;
- (ah) the services of workers supporting newspapers and media houses;
- (ai) services relating to food, beverage, agriculture and fisheries including—
- (i) wholesale prepared food suppliers;
 - (ii) livestock, poultry, seafood and slaughter facilities and pet and animal feed processing facilities;
 - (iii) human food facilities producing by-products for animal food and beverage production facilities;

- (iv) food packaging services;
- (v) farm workers who are employed in animal food, feed and ingredient production, packaging and distribution, the packaging and distribution of veterinary drugs, truck delivery and transport, and farm and fishery labour needed to produce food supplies domestically;
- (vi) workers who look after and feed animals at farms, zoos or animal shelters;
- (vii) fishermen;
- (viii) farm workers and support service workers, including those engaged in planting and growing field crops, commodity inspection, storage facilities and other agricultural inputs;
- (ix) employees and firms supporting food, feed and beverage distribution, including warehouse workers and vendor managed inventory control managers;
- (x) workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail;
- (xi) workers in food testing labs in private industries and in institutions of higher education;
- (xii) workers essential for assistance programs and government payments, employees of companies engaged in the production of chemicals, medicines, vaccines and other substances used by the water treatment and sanitizing industry and the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments and other agricultural production aids;
- (xiii) animal agriculture workers to include those employed in veterinary health, distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed and bedding, etc., transportation of live animals, animal medical materials, transportation of deceased animals for disposal, raising of animals for food, animal production operations, slaughter and packing plants and associated regulatory and government workforce;
- (xiv) employees engaged in the maintenance of equipment and other infrastructure necessary for food, agricultural production and distribution;

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- (xv) workers engaged in the supply of fruit, vegetables, meat and fish to discount stores, markets, supermarkets, shops, parlours, fruit shops or stalls, vegetable shops or stalls; and
 - (xvi) workers engaged in the supply of marketable commodities to discount stores, markets, supermarkets, shops, parlours, fruit stalls and shops or stalls and shops;
 - (aj) the services of workers engaged in the production and supply of medical supplies and equipment and the servicing and repair of medical equipment;
 - (ak) the services of workers for wholesale suppliers for groceries, supermarkets, parlours and similar shops;
 - (al) energy services, including the services of workers in—
 - (i) the electricity industry, such as—
 - (A) workers who maintain, ensure or restore the generation, transmission and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians;
 - (B) workers at generation, transmission and electric facilities;
 - (C) IT and OT technology staff for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems and utility data centers, Cybersecurity engineers, cybersecurity risk management and back-up data technology;
 - (D) vegetation management crews and traffic workers who support; and
 - (E) environmental remediation/monitoring technicians, instrumentation, protection and control technicians;
 - (ii) petroleum industries, such as—
 - (A) petroleum stations and convenience marts attached thereto;
 - (B) petroleum product storage, pipeline, marine transport, terminals and road transport;
 - (C) crude oil storage facilities, pipeline and marine transport;
 - (D) petroleum refinery facilities;

- (E) petroleum security operations centre employees and workers who support emergency response services;
 - (F) petroleum operations control rooms or centres;
 - (G) petroleum drilling, extraction, production, processing, refining, terminal operations, transporting and retail for use as end-use fuels or feedstocks for chemical manufacturing;
 - (H) companies that provide services to oil and gas services; and
 - (I) onshore and offshore operations for maintenance and emergency response; and
- (iii) the natural gas, propane and petrochemical industries, including for—
- (A) natural gas transmission and distribution pipelines, including compressor stations;
 - (B) underground storage of natural gas;
 - (C) natural gas processing plants, and those that deal with natural gas liquids;
 - (D) Liquefied Natural Gas (LNG) facilities;
 - (E) natural gas security operations centres, natural gas operations dispatch and control rooms or centres and natural gas emergency response and customer emergencies, including natural gas leak calls;
 - (F) drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, petrochemical products or use in electricity generation;
 - (G) propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls;
 - (H) propane gas service maintenance and restoration, including call centres;
 - (I) processing, refining and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing; and
 - (J) propane gas storage, transmission and distribution centres;

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- (am) chemical services, such as the services of—
- (i) workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food, beverage and food and beverage additives, pharmaceuticals, textiles and paper products;
 - (ii) workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items;
 - (iii) workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water and medicine, among other essential products;
 - (iv) workers supporting the operation and maintenance of facilities, particularly those with high risk chemicals or sites that cannot be shut down, whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections; and
 - (v) workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine and other essential products, including glass container manufacturing;
- (an) hotels, guest houses or eco-lodges and outside dining where provided to guests of such establishments;
- (ao) the seismic research unit of the University of the West Indies;
- (ap) services in the manufacturing sector;
- (aq) services in the construction sector;
- (ar) the sales, servicing and repair of motor vehicles, including motor vehicle mechanics and workers at motor vehicle servicing centres;
- (as) the services of workers engaged in the sale of motor vehicles, motor vehicle parts or in the sale or repair of tyres;
- (at) dry cleaning and laundry services;

- (au) professions such as engineers, architects, valuers assessors and land, quantity and other surveyors; and
- (av) any trade, profession, business or service, activity or public gathering, authorised to be carried on by the Minister.

Chap. 84:10 (3) Subject to subregulation (4), the holder of a spirit retailer's licence, wine retailer's licence, restaurant licence under the Liquor Licences Act shall ensure that the premises relative to such licence, is closed for operation during the period set out in regulation 10.

(4) Subregulation (3) shall not apply to discount stores, liquor marts, markets and supermarkets.

(5) For the purposes of this regulation—

“gathering” means the congregating or assembly of a group of persons in one area; and

“services” includes services provided by any employee, worker, on-the-job trainee, trainee or apprentice.

(6) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for a term of six months.

Hours of
operation

4. Notwithstanding regulation 3(2), the opening of the following services shall be as specified:

- (a) hardware stores, including electrical and plumbing establishments, shall only be open for sales to the public from 8:00 a.m. to 6:00 p.m. every day;
- (b) subject to regulation 5(1), street vending of food and beverages, all retail food services, delivery and take away food services shall only be open for sales to the public until 8.00 p.m. every day;
- (c) retail services shall only be open for sales to the public until 6:00 p.m.;
- (d) wholesale stores shall only be open until 6:00 p.m. every day;
- (e) pharmacies shall only be open for sales to the public until 8:00 p.m. every day;
- (f) motor vehicle sales, servicing and repair centres, motor vehicle mechanics, motor vehicle parts dealers or vendors and tyre shops shall only be open until 5.00 p.m. every day;
- (g) professionals such as engineers, architects, valuers, assessors and land, quantity and other surveyors shall only be open until 6.00 p.m. every day;

- (h) the National Lotteries Control Board's business shall only be open until 6.00 p.m. every day; and
- (i) dry cleaners and laundries shall only be open until 5.00 p.m. every day.

5. (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 10, for any person—

- (a) to conduct the business of a bar, whether or not the person is a licensed person under the Liquor Licences Act; Restriction of certain activities
Chap. 84:10
- (b) to operate a club, as defined in section 2 of the Registration of Clubs Act; Chap. 21:01
- (c) to operate a theatre licensed under the Cinematograph Act; Chap. 20:10
- (d) to operate a common gaming house or betting office licensed under the Gambling and Betting Act; Chap. 11:19
- (e) to conduct religious or ecclesiastical services or any other religious gatherings where the number of persons participating therein exceeds five, save that in respect of funerals the number of persons participating therein shall not exceed ten;
- (f) to provide the amenity of closed seated dining at a restaurant to any customer;
- (g) to provide any onsite indoor consumption of any product provided by a food or beverage establishment at any shopping center or mall; and
- (h) to allow onsite consumption of any product provided by a street vendor selling food or drink.

(2) Subregulation (1)(f) shall not apply to restaurants, hotels, eco-lodges providing outside dining to its guests provided that such amenity complies with the social distancing guidelines set by the Ministry of Health.

(3) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for a term of six months.

6. (1) 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. Closure of air and sea ports

(2) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and imprisonment for a term of six months.

Requirement on private medical laboratories

7. (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 does such testing on a person and the result of such testing is a positive result, the private medical laboratory 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 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 or the person, as the case may be, commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for six months.

Quarantine and treatment of persons suffering from 2019-nCoV

8. (1) Where the result of a test conducted by the Caribbean Public Health Agency (CARPHA) or by a private medical laboratory under regulation 7 shows that a person is suffering from the 2019 Novel Coronavirus (2019-nCoV), the Chief Medical Officer 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 Chief Medical Officer 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;
- (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 Chief Medical Officer 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 fifty thousand dollars and imprisonment for a term of six months.

9. The Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 15) Regulations, 2020 is revoked.

Revocation of
of L.N. No. 98
of 2020

10. These Regulations shall have effect from 1st June, 2020 to Duration
26th June, 2020.

Made this 31st day of May, 2020.

T. DEYALSINGH
Minister of Health