The Official Gazette

(EXTRAORDINARY)

OF GUYANA

Published by the Authority of the Government

GEORGETOWN, FRIDAY 28TH JANUARY, 2022

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GEORGETOWN, Demerara – Printed and Published every Saturday and on such Extraordinary Days as may be directed by the Government by Guyana National Printers Limited, 1 Public Road, La Penitence, Greater Georgetown.

FRIDAY 28TH JANUARY, 2022

THE OFFICIAL GAZETTE 28TH JANUARY, 2022
LEGAL SUPPLEMENT — B

GUYANA No. 1 of 2022

REGULATIONS

Made Under

THE PUBLIC HEALTH ORDINANCE
(Cap. 145)

IN EXERCISE OF THE POWERS CONFERRED UPON THE CENTRAL BOARD OF HEALTH BY SECTIONS 48and 157 OF THE PUBLIC HEALTH ORDINANCE, THE BOARD, WITH THE APPROVAL OF THE PRESIDENT,MAKES THE FOLLOWING REGULATIONS: -

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Citation. Cap.145

1. These Regulations may be cited as the Public Health (Coronavirus)(No.2) Regulations 2022.

Interpretation.

2. (1) In these Regulations -

"child" means a person under the age of eighteen years;

"face mask" includes any medical face mask or non-medical face mask with at least two layers of fabric but does not include single-layer bandanas, neck gaiters, clear face shields and shield-like face masks;

"vaccine" means any of the following approved vaccines-

(a) AstraZeneca-ChAdOx1 vaccine;

(b) Johnson and Johnson- Janssen Ad26CoV2.S vaccine;

(c) Moderna – mRNA-1273 vaccine;

(d) Pfizer-BioNTech Covid 19-BNT162b2;

(e) Sinopharm- Vero cell BIBP;

(f) Sinovac-Corona Vac;

(g) Sputnik V-Gam Covid Vac (1&2);and

(h) any other vaccine approved by the Minister of Health.

(2) For the purposes of these Regulations, a person is only considered to be fully vaccinated two weeks after receiving-

(a) an approved single-dose vaccine;

(b) the second dose of an approved two dose vaccine; or

(c) any mix-and-match combination of approved vaccines administered at least seventeen days apart.

Restriction to home.

3. In accordance with the curfew under regulation 7 and except as otherwise provided in these Regulations, every person shall remain in the confines of his or her home and its yard space.

Restriction on social activities.

4. (1) No person shall host, attend or visit-

(a) a private party;

(b) a banquet, ball or reception;

(c) a public or hotel swimming pool or waterpark;

(d) a wake or vigil;

(e) a club or discotheque;

(f) a meeting of a fraternal society, private or social club or civic association or organisation; or

(g) any other social activity.

(2) No person shall promote a private party.

(3) No recreational activities shall be allowed on any river, creek, beach, swimming pool and internal waters.

(4) Where persons are engaging in physical exercise in parks, on roads, seawalls, beaches and by rivers and creeks in groups, those persons shall maintain a physical distance of six feet from each other.

(5) Except for religious services and gatherings permitted under this regulation and regulation 14, where gatherings are allowed, it shall not exceed ten persons.

(6) Sporting events are permitted subject to the approval of the Board and compliance with any guidelines that the Board may issue, and every person or organiser hosting an approved sporting event shall be responsible for ensuring that the measures under these Regulations as well as any guidelines that the Board may issue are complied with.

(7) (a) A gym or fitness centre may be opened but only at fifty percent capacity of the building and by appointments to minimize the risk and spread of coronavirus.

(b) The operator of a gym or fitness centre shall be responsible for

ensuring that -

(i) only fully vaccinated persons, including staff and patrons, are at their place of business, and those persons have in their possession an official identification document and their vaccination card, which they shall produce when requested to do so by the operator or any person authorised by the Board;

(ii) all persons at their place of business comply with these Regulations and any guidelines issued by the Board.

(8) If any person, organiser or operator who is allowed to host an event or operate a business under this regulation, fails to comply with these Regulations or any guidelines issued by the Board, the Board may close the operation of that business or prohibit the event.

Casinos, betting shops and cinemas.

5. (1) A casino or betting shop may operate only at forty percent capacity of the building or seating area.

(2) A cinema may operate only at sixty percent capacity of the building or seating area.

(3) The operator of the casino, betting shop or cinema shall be responsible for ensuring that-

(a) only fully vaccinated persons, including staff and patrons, are at their place of business, and those persons have in their possession an official identification document and their vaccination card, which they shall produce when requested to do so by the operator or any person authorised by the Board; and

(b) every person, including staff, at their place of business is wearing a face mask fitted to cover their nose, mouth and chin.

(4) All businesses allowed to carry on operations under this regulation shall comply with the measures under regulation 13 relating to social and physical distancing.

(5) The requirement to be fully vaccinated under this regulation does not apply to a child under the age of twelve years.

(6) Any operator of a casino, betting shop or cinema who contravenes this regulation commits an offence and is liable on summary conviction to the penalty provided for under section 48 of the Ordinance.

Restriction on visitation.

6. (1) No person shall visit or be permitted to visit-

(a) any place of quarantine or an isolation facility;

(b) a prison or correctional facility;

(c) a patient in a hospital, nursing home, senior citizens' home or any other care facility.

(2) Notwithstanding subregulation (1), where a person is not infected with the coronavirus, the respective institution may decide on a case by case basis whether to allow that person to receive visitors.

Curfew.

7. A curfew is hereby imposed throughout Guyana from the 1st Febuary, 2022 to 28th February, 2022, between the hours of 12:00 midnight and 4:00 a.m.

Workplace guidelines.

8. (1) Every employer under this regulation shall ensure that appropriate COVID-19 guidelines are prepared and implemented to reduce the risk of transmission of the virus among workers.

(2) The COVID-19 guidelines mentioned in subregulation (1) shall include measures addressing-

(a) vaccination;

(b) screening of workers;

(c) the organisation of work;

(d) preventative measures before and after work;

(e) preventative measures while using transportation;

(f) procedures to be adopted when there is a suspected COVID-19 case at the workplace;

(h) employee education, training and capacity building in the area of COVID-19;

(i) cleaning and disinfecting protocols;

(j) use of personal protective equipment;

(k) physical distancing guidelines;

(l) clients and customers' interactions;

(m) communication materials;

(n) continuous monitoring to assess the COVID-19 pandemic at the workplace; and

(o) resumption of work after a period of quarantine or isolation that was approved by the Board.

(3) Every employer and employee shall comply with any guidelines issued by the Board in relation to the work environment to prevent and reduce transmission of coronavirus and maintain healthy work environments.

Essential and other services.

9. (1) The following essential services may carry on operations for 24 hours each day-

(a) hospitals, healthcare and medical services including pharmacies, drug stores and private veterinary services;
(b) nursing homes, orphanages, shelters and other related care centres;
(c) immigration;
(d) the Judiciary;
(e) the Parliament;
(f) the Diplomatic Corps;
(g) the Revenue Authority;
(h) the Maritime Administration Department;
(i) the National Emergency Operations Centre;
(j) water supply services, including the collection, storage, purification and distribution of water for public use;
(k) the disciplined forces;
(l) prison services;
(m) solid waste management, sewerage and janitorial services including live-in domestic workers;
(n) National Drainage and Irrigation Authority;

(o) air traffic control;
(p) Demerara Harbour Bridge and Berbice River Bridge;
(q) medical, nursing and allied health schools;
(r) hotels and other accommodations, including interior lodges and resorts, and tour companies;
(s) electricity and energy services, including the oil and gas sector and those who provide services to the oil and gas sector;
(t) businesses that ensure global continuity of supply of mining and petroleum materials and products (e.g. metals and minerals such as bauxite, gold and diamonds);
(u) mining and petroleum development operations, production and processing;
(v) mineral and petroleum exploration and development;
(w) mining and petroleum supply and services that support supply chains in the mining and petroleum industries;
(x) businesses and operations that engage in the cutting, processing and preparation of trees into lumber and ensure continuity of supply of forestry products;
(y) security services, including private security;
(z) telecommunications providers including internet, telephone and call centre operators, media houses, broadcasting and the Guyana National Printers Ltd.;
(aa) port operations limited to bulk marking operations and loading and offloading only, of marine vessels, petroleum vessels, ships, bulk and containerised vessels;
(bb) port service logistics and freight services, including transportation and delivery services to and from wharves, terminals and ports;
(cc) transportation of market produce, dry goods and beverages;
(dd) public and private sector construction in accordance with the safety standards mentioned in regulation 13(h);
(ee) factories, manufacturers and distributors;
(ff) services of Attorneys-at-Law;
(gg) fisherfolk;
(hh) seafarers;
(ii) funeral homes;
(jj) the Cheddi Jagan International and Eugene F. Correia International Airports;
(kk) Guyana Tourism Authority;
(ll) Guyana Civil Aviation Authority.

(2) The following services may be opened between the hours of 4:00 a.m.

to 11:00 p.m. each day –

(a) banks and other financial institutions defined in the Financial Institutions Act remittance services, and their support services;

Cap. 85:03

(b) markets, supermarkets, fruit and vegetable stalls, bulk food stores and neighbourhood grocery shops;

(c) gas stations;

(d) postal and shipping services;

(e) beauty salons and barbershops;

(f) operation, inspection, repair and maintenance of essential services including vehicles, vessels and aircraft and traffic signal maintenance;

(g) automotive repair and maintenance facilities that provide direct support to essential businesses;

(h) hardware, plumbing and electrical stores;

(i) clothing, shoes and book stores;

(j) services necessary for the maintenance of residences including plumbing, electrical and extermination services.

(3) (a) Subject to paragraph (c), food services, restaurants and bars, including those located at a hotel, interior lodge and other facilities, shall be opened only for delivery, drive-thru, curb-side pickup and take away services between the hours of 4:00 a.m. to 11:00 p.m.

(b) Self-service buffet dining is prohibited.

(c) Indoor and outdoor dining at a restaurant and bar shall only be permitted between the hours of 4:00 a.m. to 11:00 p.m. and where-

(i) indoor and outdoor dining at a restaurant and bar is restricted to sixty percent capacity of the building or dining area;

(ii) tables are spaced six feet apart from each other;

(iii) patrons at their business, except for children under the age of twelve years, have been fully vaccinated and have in their possession an official identification document and their vaccination card; and

(iv) no more than six patrons are seated at one table and at least three feet apart.

(d) Staff at restaurants and bars shall wear a face mask fitted to cover the nose, mouth and chin at all times and shall sanitise dining tables, chairs and bar countertops after use by each customer.

(e) Gambling, pool and snooker games are prohibited at bars.

(f) The measures under subregulation(6) shall apply to all restaurants and bars permitted to operate in accordance with these Regulations and the Guyana Tourism Authority shall be responsible for monitoring all restaurants and bars to ensure implementation of the measures under these Regulations and any protocols or guidelines issued under subregulation(6) (b).

(4) Where a Village Council, as defined in the Amerindian Act has determined that a public health threat exists in relation to any mining or forestry operation or any other activity conducted in accordance with subregulation (1), the Village Council shall recommend to the Board that the operation be discontinued.

Cap. 29:01

(5) All services allowed to carry on operations under this regulation shall comply with the measures under regulation 13 relating to social and physical distancing.

(6) (a) In addition to the requirement under these Regulations, all services permitted to operate in accordance with subregulation(1) (r) shall comply with any health and safety protocols issued by the Guyana Tourism Authority to minimise the risk and spread of the coronavirus when hosting clients.

(b) The operator of any service permitted to operate in accordance with subregulation(1) (r) shall be responsible for ensuring that their staff and clients comply with these Regulations, any health and safety protocols issued by the Guyana Tourism Authority and any guidelines issued by the Board.

(c) The Guyana Tourism Authority shall be responsible for monitoring the services under subregulation(1) (r) to ensure implementation of the measures under these Regulations and any protocols or guidelines issued under paragraph (b).

(d) If any service allowed to operate a business in accordance with subregulation(1) (r) fails to comply with these Regulations or any protocol or guidelines issued under paragraph (b), the Board may close the operation of that business or prohibit any activity.

Mining operations.

10. Mining operations are permitted, and in addition to the measures under these Regulations, mining operators shall comply with the COVID- 19 Advisory and Worksite Safety Plan for the Small and Medium Scale Mining Community in Guyana issued by the Ministries responsible for health and public works.

Requirement of identification.

11. Any person permitted to go to work during the curfew shall have in their possession an official identification document and official work identification document or some proof of workplace, and shall produce the identification documents or proof of workplace if requested to do so by a member of the Police Force.

Preferential treatment for healthcare workers.

12. Where a healthcare worker has to do business in a service mentioned in regulation 9(2) (a), (b), (c) or (3), the worker shall not join a line but shall be given preferential treatment on submission of proof of identification.

Social distancing and physical distancing protocols.

13. Every employer or operator of a business, as the case may be, shall ensure that-

(a) handwashing stations, or hand sanitising equipment, are placed and maintained at the entrance of the workplace or business

premises so that persons entering the premises have the opportunity to wash or sanitise their hands before entering the premises;

(b) its employees, customers or visitors are directed to wash or sanitise their hands before entering the workplace or business premises;

(c) all employee workstations and all equipment on the business premises are sanitised before each work shift;

(d) as far as is reasonably practicable, that all employees, customers and visitors maintain a physical distance of six feet from each other in or outside of the workplace or business;

(e) persons with flu-like symptoms or respiratory symptoms are not permitted to go to work, or if they are at work, are not allowed to remain at work, or enter the business premises, and that the Ministry of Health is informed of the persons who have those symptoms;

(f) all persons under paragraph (e), before returning to work, present a certificate of clearance from the Ministry of Health;

(g) every person is wearing a face mask fitted to cover the nose, mouth and chin of the person while in the workplace or on the business premises and shall not allow any person who is not wearing a face mask, as mandated under these measures, to enter the workplace or business premises;

(h) as it relates to public and private sector construction, a COVID-19 officer is appointed and stationed at each site where there are five or more workers at the site who shall be responsible for the implementation of the safety standards to be prepared by each construction service and approved by the Board.

Places of worship.

14. (1) Subject to regulation 7, all places of religious worship may be opened for religious services and gatherings, including the conduct of funerals and weddings.

(2) Religious leaders shall ensure that –

(a) attendance at religious services and gatherings are restricted to sixty percent the capacity of the building where the service or gathering is to be held;

(b) where there are multiple services, there should be no less than forty-five minutes between each service to allow for sanitisation and cleaning of facilities;

(c) elderly persons should be given the option to attend services separately and apart from the normal services, preferably early in the morning;

(d) the place of worship is cleaned and sanitised immediately before and after all gatherings and services;

(e) sanitisation or handwashing stations are provided for persons to use before and after the service or gathering and where persons enter the place of worship barefoot, ensure that feet-washing facilities are provided;

(f) as far as is reasonably practicable and where persons are not from the same household, all persons, whether sitting or standing, maintain a physical distance of six feet from each other in or outside of the place of worship;

(g) every person is wearing a face mask fitted to cover the nose, mouth and chin of the person while in the place of worship;

(h) greeting practices are adapted to avoid handshakes, hugs and other forms of physical contact;

(i) individual pre-packaged boxes or servings of religious or ceremonial foods, including communion, are used instead of shared portions from communal containers;

(j) where applicable, persons bring their prayer rugs, coverings or fabric to place over the carpet for daily prayers;

(k) any person who has any flu-like symptoms or respiratory

symptoms does not attend services or gatherings;

(l) a room or area is identified where a person could be isolated if the person becomes ill or begins to develop flu-like symptoms or respiratory symptoms and ensure that the Ministry of Health is informed of any person who has those symptoms;

(m) where applicable, when attendees enter a place of worship barefoot, shoes and sandals are placed separately and in bags.

(3) Subregulation (1) does not prohibit any religious worship by virtual or electronic means.

Requirement to wear a mask.

15. (1) No person shall, without reasonable excuse, be without a face mask fitted to cover the nose, mouth and chin of the person when the person is-

(a) in public;

(b) travelling in a vehicle, vessel or aircraft; or

(c) at a workplace.

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

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

(a) to a child who is under the age of two years;

(b) where the person is in the vehicle, vessel or aircraft alone;

(c) where a person is allocated a cabin, berth or other similar accommodation, at any time when the person is in that accommodation alone;

(d) where the persons in a private vehicle are from the same household.

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

(a) the person cannot put on, wear or remove a face mask -

(i) because of any physical or mental illness or impairment;

(ii) because of a disability (within the meaning of the Persons with Disabilities Act); or

Cap. 36:05

(iii)without severe distress;

(b) the person is travelling with or assisting another person, and that other person relies on lip-reading to communicate with the first person;

(c) the person removes their face mask to avoid harm or injury, or the risk of harm or injury to the person or others;

(d) the person is travelling to avoid injury, or to escape risk of harm and does not have a face mask with the person;

(e) if it is reasonably necessary for the person to eat or drink, the person removes the face mask to eat or drink;

(f) the person has to remove the face mask to take medication;

(g) the person needs to remove the face mask temporarily to comply with a request by a relevant person or another person acting in the course of their duties;

(h) a request is made of the person to remove the face mask temporarily for security and identification purposes if necessary for receiving services.

(5) Any person who contravenes this regulation commits an offence and is liable on summary conviction to the penalty provided for under section 48 of the Public Health Ordinance.

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Domestic and international travel.

16. (1) Any person who provides transport within Guyana, whether by land, water or air, may carry the number of passengers which the motor vehicle, vessel or aircraft is licenced to carry and shall comply with the measures under regulation 15.

(2) In addition to subregulation (1), in order to transport members of the public, every operator and conductor of any public transportation service shall be-

(a) fully vaccinated and have in their possession an official identification document and their vaccination card, and shall produce these documents when requested to do so by a police officer or any person authorised by the Board; and

(b) responsible for ensuring that their passengers comply with the measures under regulation 15.

(3) A motor vehicle, vessel or aircraft shall not be used for a purpose other than a purpose related to a service under regulations 8 and 9.

(4) Medical evacuation flights shall be allowed with only the patient, one health official and, where necessary, one family member.

(5) The Lethem Crossing shall be opened Monday to Friday and the Board may determine any other day and time when the Crossing may be opened or closed for any purpose.

(6) The Moleson Creek Crossing shall be opened, and the Board shall determine, with the advice of the Ministry of Public Works, the Schedule for opening of the Crossing.

(7) All operators and passengers of any land, water or air transport shall comply with any port health measures issued by the Board or any measures issued by the Guyana Civil Aviation Authority or any other competent authority.

(8) For the purposes of this regulation, before any person is allowed to enter Guyana, whether by land or sea, that person shall present to the relevant authorities a negative molecular biological PCR test or an approved antigen test taken within seventy-two hours of the date of their arrival in Guyana and proof of vaccination.

Testing for the Coronavirus

17. (1) Testing for coronavirus shall only be conducted by the National

(COVID-19). Public Health Reference Laboratory or any other laboratory issued a licence by the Minister of Health under section 7 of the Health Facilities Licensing Act to conduct testing for coronavirus.

Cap. 33:03

(2) Where any laboratory referred to in subregulation (1) tests any person for coronavirus, the laboratory shall immediately report and forward the name and address of the person and the result of the test, whether positive or negative, to the Coordinator of the Health Emergency Operations Centre.

(3) Any person who has tested positive for coronavirus or identified for quarantine shall-

(a) comply with all applicable directions given and requirements imposed by the Health Emergency Operations Centre, including home isolation or quarantine or placement in an isolation or quarantine facility;

(b) provide information to the Health Emergency Operations Centre about any individual with whom the person may have had contact with, at least fourteen days before testing positive for coronavirus; and

(c) not knowingly expose themselves, without proper and necessary precautions against spreading the coronavirus, in any public place or to any person.

(4) Every laboratory permitted to do testing pursuant to this regulation shall comply with any testing protocol issued by the Ministry of Health.

(5) Any person who contravenes this regulation or aids, abets or facilitates a person in contravening this regulation commits an offence and is liable on summary conviction to the penalty provided for under section 48 of the Public Health Ordinance.

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Entering a public building.

18. (1) Subject to subregulations (2) and (3), any person who wishes to enter a public building shall be fully vaccinated.

(2) Where a person is not fully vaccinated and wishes to enter a public

building that person may only enter that building-

(a) by appointment; and

(b) by presenting a negative molecular biological PCR test result of a test taken within seven days of the appointment.

(3) Where an employee who works in a public building is not fully vaccinated and wishes to enter that public building for any purpose, that person shall present a negative molecular biological PCR test result of a test taken within seven days of the day the person wishes to enter the building.

(4) For the purpose of these measures, only negative molecular biological PCR test results from a laboratory approved by the Ministry of Health shall be accepted.

(5) In this regulation, "public building" means any building to which the public has lawful access and shall include both publicly and privately owned buildings including all institutions of learning.

(6) The requirements under this regulation do not apply to any person wishing to access healthcare services at any healthcare facility.

Proof of vaccination.

19. Where vaccination is a requirement, proof of vaccination shall be in English or a certified translation into English, and may be in a digital form or any other form provided that the form is identifiable and includes the official stamp of the applicable country.

Hotline calls to be justifiable.

20. A person shall not call a COVID-19 hotline number without a justifiable reason.

Offence.

Cap. 145

21. (1) Any person who fails to comply with these measures commits an offence under section 48 of the Public Health Ordinance and is liable on summary conviction to the penalty provided under that section.

(2) Notwithstanding subregulation(1), where an operator of any business that is allowed to operate under these measures does not comply with these measures or any guidelines issued by the Board, the Board may-

(a) issue a written warning to the operator indicating that if the operator does not comply with these measures, the business of that operator may be suspended; or

(b) where after being warned, the operator remains uncompliant, suspend the operator's business for a period of no more than 30 days.

Duration.

22. These Regulations shall have effect from the 1st February, 2022 to 28th Febuary, 2022.

Made this 27th day of January, 2022

CHAIRMAN
CENTRAL BOARD OF HEALTH
MINISTRY OF HEALTH

Dr. Narine Singh
Chairman
Central Board of Health

Approved this 27th day of January, 2022.

Dr. Mohamed Irfaan Ali
President