



SAINT VINCENT & THE GRENADINES STATUTORY RULES AND ORDERS

2021 NO.

(Gazetted 2021)

IN EXERCISE of the powers conferred by sections 43B, 144 A and 147 of the Public Health Act, Chapter 300, the Minister makes the following Rules



PUBLIC HEALTH (COVID-19) (GATHERING) RULES, 2021

Citation

1. These Rules may be cited as the Public Health (Covid-19) (Gathering) Rules 2021.

Interpretation

2. (1) In these Rules –

“gathering organiser” in relation to a gathering, means the person responsible for organising the gathering and for this purpose the manager of a bar, nightclub or other place of entertainment is to be taken as the gathering organiser;

“place of entertainment” includes –

- (a) a shop licensed to sell liquor under the Liquor Licence Act; and
- (b) a place where gaming is conducted;

“public place” means an area, whether privately or publicly owned, to which the public has access by right or by invitation, expressed or implied, whether by payment of money or not.

- (2) For the purposes of these Rules –

- (a) an outdoor gathering takes place when two or more persons are present together in the same outdoor public place to engage in an entertainment or recreational activity or any of the following activities –

- (i) an open air crusade;
- (ii) a block-o-rama;
- (iii) a party or fete;
- (iv) a gathering around an open bar, for example, at Heritage Square;
- (v) a gathering at, or with direct access to, a courtyard, large yard or a large pool area;

- (vi) a boat cruise;
- (vii) a beach outing;
- (viii) a picnic;
- (ix) a concert;
- (x) a reception; or
- (xi) a funeral.

(b) an indoor gathering takes place when two or more persons are present together in the same indoor public place to engage in an entertainment or recreational activity or any of the following activities –

- (i) a concert;
- (ii) a party or fete;
- (iii) a banquet, ball, dance or reception;
- (iv) an entertainment at a nightclub, bar or other place of entertainment;
- (v) a meeting; or
- (vi) a boat ride on a ferry.

(3) For the purpose of sub-rule (2) (b), a place is indoors if it is enclosed or substantially enclosed.

(4) For the purposes of sub-rule (3), a place is enclosed if it –

- (a) has a ceiling or roof; and
- (b) except for doors, windows and passageways, is wholly enclosed either permanently or temporarily.

(5) For the purposes of sub-rule (3), a place is substantially enclosed if it has a ceiling or roof but there is –





- (a) an opening in the walls; or
- (b) an aggregate area of opening in the walls,

which is less than half of the area of the walls, including other structures that serve the purpose of walls and constitute the perimeter of the premises.

(6) In determining the area of an opening or an aggregate area of openings for the purposes of sub-rule (5), no account is to be taken of openings in which there are doors, windows or other fittings that can be opened or closed.

Restriction on outdoor gatherings

3. (1) Unless permitted under rule 9, a person shall not host or participate in or attend an outdoor gathering which consists of more than twenty persons.

(2) The gathering organiser or manager of an outdoor gathering shall in hosting the gathering comply with –

- (a) the protocols set out in Schedule 1; and
- (b) any other condition specified by the Chief Medical Officer in relation to the particular gathering.

(3) A person who participates in or attends an outdoor gathering shall –

- (a) wear a face mask so as to cover his nose, mouth and chin unless the person is under the age of six years;
- (b) comply with the protocols for physical distancing issued by the Chief Medical Officer unless they are members of the same household or immediate family; and
- (c) comply with any other condition specified by the Chief Medical Officer in relation to the particular gathering.

Restrictions on persons gathering outdoors

4. (1) A person shall not participate in a gathering which –

- (a) consists of more than twenty persons; and
 - (b) takes place at an outdoor public place, for example, at the car park at Massy Stores, Arnos Vale.
- (2) A person who participates in a gathering referred to in sub-rule (1) shall –
- (a) wear a face mask so as to cover his nose, mouth and chin unless the person is under the age of six years;
 - (b) comply with the protocols for physical distancing issued by the Chief Medical Officer; and
 - (c) comply with any other condition specified by the Chief Medical Officer.

Restriction on indoor gatherings

5. (1) Unless permitted under rule 9, a person shall not host or participate in or attend an indoor gathering which consists of more than ten persons.

(2) The gathering organiser or manager of an indoor gathering shall in hosting the gathering comply with –

- (a) the protocols set out in Schedule 2; and
 - (b) any other condition specified by the Chief Medical Officer in relation to the particular gathering.
- (3) A person who attends or participates in an indoor gathering shall –
- (a) wear a face mask so as to cover his nose, mouth and chin unless the person is under the age of six years;
 - (b) comply with the protocols for physical distancing issued by the Chief Medical Officer unless they are members of the same household or immediate family; and
 - (c) comply with any other condition specified by the Chief Medical Officer in relation to the particular gathering.





(4) Sub-rule (1) does not apply to a person complying with an obligation or requirement imposed by law or participating in legal proceedings.

Restrictions on places of religious worship

6. (1) The person in charge of a place of religious worship shall –
- (a) unless permitted under rule 9, permit no more than one third of the capacity of the place to be present together in the place for the conduct of services including a wedding ceremony or funeral service; and
 - (b) in conducting services, comply with the protocols set out in Schedule 3.
- (2) A person who participates in or attends a service in a place of religious worship shall –
- (a) wear a face mask so as to cover his nose, mouth and chin unless the person is under the age of six years;
 - (b) comply with the protocols for physical distancing issued by the Chief Medical Officer unless they are members of the same household or immediate family; and
 - (c) comply with any condition specified by the Chief Medical Officer.

Sports activity

7. On the commencement of these Rules, a sporting body or organisation shall submit a draft of their intended protocols for the approval of the Chief Medical Officer and no such body shall resume any sporting activity until the body or organisation has received the written approval of the Chief Medical Officer.

Competitive sports events

8. (1) Notwithstanding anything in these Rules, a person who wishes to hold a competitive sporting event shall first obtain the permission of the Commissioner of Police who, after consulting the Chief Medical Officer –

- (a) may permit the person to hold the competitive sporting event subject to the following conditions –
- (i) that the person complies with the protocols set out in Schedule 1 if event is outdoor, or in Schedule 2 if the event is indoor; and
 - (ii) that the person complies with any other condition specified by the Chief Medical Officer; and
- (b) shall determine the maximum number of spectators who may attend the event if permission is granted.
- (2) A person who attends a competitive sporting event shall –
- (a) wear a face mask so as to cover his nose, mouth and chin unless the person is under the age of six years;
 - (b) comply with the protocols for physical distancing issued by the Chief Medical Officer unless they are

Application for permission to exceed prescribed amount

9. (1) The gathering organiser of an indoor or outdoor gathering or the person in charge of a place of religious worship who wishes to have more persons participate in or attend the gathering or services other than the amount prescribed by these Rules shall first obtain the permission of the Commissioner of Police.

(2) After consulting the Chief Medical Officer, the Commissioner of Police may permit a gathering organiser or person in charge of a place of religious worship to exceed the amount prescribed by these Rules subject to the following conditions –

- (a) that all the adults participating in or attending the gathering or services must have been fully vaccinated against the coronavirus disease - 2019 for a minimum period of two weeks;
- (b) that the gathering organiser or person complies with the protocols set out Schedule 4 which relates to the particular gathering or service; and





- (c) that the gathering organiser or person complies with any other condition specified by the Chief Medical Officer in relation to the particular gathering or service.

Obligations on business or establishment

10. The owner or operator of a business or establishment shall –

(a) ensure that –

- (i) the staff of the business or establishment; and
- (ii) persons who enter the business or establishment,

comply with the protocols for physical distancing issued by the Chief Medical Officer;

(b) provide hand sanitizing stations for staff and persons who enter the business or establishment;

(c) ensure that persons do not gather in the business or establishment otherwise than for the purpose of transacting business; and

(d) comply with any other protocols issued by the Chief Medical Officer for the type of business or establishment.

Enforcement of rules

11. (1) A police officer may enter a business, establishment or public place during its hours of operation to ensure that the business, establishment or public place is complying with a restriction, requirement or condition imposed by these Rules and for that purpose, may ask questions of the owner or employees of the business, establishment or public place.

(2) Where a police officer considers that a number of persons are gathered together in contravention of a restriction, requirement or condition imposed by rule 3, 4, 5, 6, 7, 8 or 9 or that a gathering organiser has failed to comply with any such restriction, requirement or condition, the police officer may –

- (a) terminate the gathering and direct the persons gathered to disperse; or
- (b) direct a person in the gathering to leave the gathering.

(3) Where a person who is in a gathering in contravention of a restriction, requirement or condition referred to in sub-rule (2) is a child accompanied by a person who has responsibility for the child, the person shall, so far as reasonably practicable, ensure the child complies with a direction or instruction given by the police officer to the child.

(4) Where a police officer has reasonable grounds to believe that a child is repeatedly failing to comply with a restriction, requirement or condition referred to in sub-rule (2), the police officer may direct the person who has responsibility for the child to ensure, so far as reasonably practicable, that the child complies with the restriction, requirement or condition.

(5) A police officer may exercise powers under sub-rule (2), (3) or (4) only if the police officer considers it a necessary and proportionate means of ensuring compliance with a restriction, requirement or condition imposed by the rules referred to in sub-rule (2).

(6) In exercising powers under sub-rule (1), (2), (3) or (4) a police officer may give the person concerned any reasonable instructions the police officer considers to be necessary.

Offences and penalties

12. (1) A person commits an offence if, without reasonable excuse, the person –

- (a) contravenes rule 3, 4, 5, 6, 7, 8, 9 or 10;
- (b) contravenes a restriction, requirement or condition imposed by rule 3, 4, 5, 6, 7, 8, 9 or 10;
- (c) contravenes a requirement imposed, or a direction given under rule 11;
- (d) fails to comply with a reasonable instruction given under rule 11 (6); or
- (e) obstructs a police officer exercising his duties under these Rules.

(2) A person commits an offence if the person intentionally or recklessly provides false or misleading answers to a question put to him by a police officer under rule 11 (1).





(3) For the purposes of sub-rule (1), a person has a reasonable excuse –

(a) in relation to wearing a face mask –

(i) if the person is eating, drinking or taking medication; or

(ii) where a request is made of the person to remove his face mask temporarily for security and identification purposes; and

(b) in such circumstances as may be provided in protocols issued by the Chief Medical Officer.

(4) A person who commits an offence under this rule is liable on summary conviction to a fine of one thousand dollars.

(5) Section 26 (1) of the Criminal Code does not apply to a fine imposed by a magistrate's court under these Rules.

(6) In the case of default of payment of a fine imposed by a magistrate's court under these Rules, the fine is recoverable as a civil debt due to the Crown.

Provisions of these Rules in relation to other Rules No. 4 of 2021

13. These Rules are in addition to and not in substitution for any provision in force under the Public Health (Covid-19) Rules 2021.

Review of Rules

14. (1) In consultation with the Chief Medical Officer, the Minister shall, at the end of every month, review the restrictions, requirements and conditions imposed by these Rules.

(2) In carrying out a review under sub-rule (1), the Minister shall in particular consider whether each of the restrictions, requirements or conditions continues to be necessary for the purpose of preventing the spread of the coronavirus disease – 2019.

Expiry of rules

15. These Rules expire on the 31st day of December 2021.

16. Rule 3 of the Public Health (Covid-19) Rules 2021 is revoked.

SCHEDULE 1

(rule 3)

Protocols for Outdoor Gatherings

1. Temperature checks of all patrons shall be done where the venue allows controlled access. This function is to be provided by the organiser of the event. Any patron/ attendee/congregant found to have a temperature greater than 100.1°F MUST be referred immediately to the COVID-19 Hotline (534-4325).
2. Sufficient sanitizing stations (at a recommended ratio of no less than 1:40 persons) shall be maintained for the duration of the event. If the event is a street/square type event, the involved shops/stalls/bars shall provide sanitizing options.
3. The outdoor venue shall have sufficient space to allow for free movement (3 ft physical distancing) between congregants/patrons/attendees.
4. Facial coverings must be provided to all congregants/patrons/attendees, where necessary.
5. Subject to these Rules, the use of facial coverings by the congregants/patrons/attendees is mandatory.
6. To facilitate contact tracing –

The event organiser shall record the name (ID verified) and contact number of each person entering the event or one person of each group. This information shall be securely stored for twenty-eight (28) days. The Ministry of Health, Wellness and the Environment (MOHWE) will only access this information in the event that contact tracing involving the persons who attended the event is required.





7. Adequate toilet facilities with hygiene practices sufficiently maintained and available at or near to all events must be in place.
8. All food safety protocols must be strictly adhered to.

SCHEDULE 2

(rule 5)

Protocols for Indoor Gatherings

1. Temperature checks of all congregants/attendees/patrons shall be done on entering the venue. This function must be provided by the organizers of the event. Any congregant/attendee/patron found to have a temperature greater than 100.1°F MUST be referred immediately to the COVID-19 Hotline (534-4325).
2. Sufficient hand washing or hand sanitizing stations (at a recommended ratio of no less than 1:40 persons) shall be available for the duration of the event.
3. The venue shall have sufficient space to allow for 3-6 ft physical distancing between congregants/patrons/attendees, and the free movement of congregants/patrons/attendees.
4. Facial coverings must be provided to all congregants/patrons/attendees, where necessary.
5. Subject to these Rules, the use of facial coverings by the congregants/patrons/attendees is mandatory.
6. To facilitate contact tracing –

The event organiser shall record the name (ID verified) and contact number of each person entering the event or one person of each group. This information shall be securely stored for twenty-eight (28) days. The MOHWE will only access this information in the event that contact tracing involving the persons

access this information in the event that contact tracing involving the persons who attended the event is required.

7. Adequate toilet facilities with hygiene practices sufficiently maintained shall be available at all events.
8. All food safety protocols must be strictly adhered to.

SCHEDULE 3

(rule 6)

Protocol for Gatherings in Places of Religious Worship

1. Temperature checks of all congregants shall be done as they enter the venue. This function must be provided by the place of religious worship. Any congregant found to have a temperature greater than 100.1°F MUST be referred immediately to the COVID-19 Hotline (534-4325).
2. Sufficient hand washing or hand sanitizing stations (at a recommended ratio of no less than 1:20 persons) shall be available for the duration of the gathering.
3. The venue shall have sufficient space to allow for at least 3-6 ft physical distancing between congregants or personal bubbles, and the free movement of congregants.
4. Facial coverings must be provided to all congregants, where necessary.
5. Subject to these Rules, the use of facial coverings by the congregants is mandatory.
6. To facilitate contact tracing –

The person in charge of the place of religious worship must record the name (ID verified) and contact number of each person entering the





place of religious worship. This information shall be securely stored for twenty-eight (28) days. The MOHWE will only access this information in the event that contact tracing involving the persons who attended the event is required.

7. Adequate toilet facilities with hygiene practices sufficiently maintained shall be available at all events.
8. All food safety protocols must be strictly adhered to.

SCHEDULE 4

(rule 9)

Protocols for Gatherings where all adults are vaccinated

General

1. All congregants/attendees/patrons –
 - (a) must have pre-event documented validation of their vaccination status by the MOHWE; and
 - (b) must present their validated vaccination card with a photo ID to be admitted to the gathering.
2. The enforcement of the approved event specific protocol is the responsibility of pre identified security and health personnel retained by the event organiser.

Part A

Indoor gatherings (including places of religious worship)

1. May have gatherings of three quarters of the capacity of the venue.
2. Temperature checks of all congregants/attendees/patrons shall be done on entering the venue. This function must be provided by the organizers of the event. Any patron found to have a temperature greater than 100.1°F MUST be referred immediately to the COVID-19 Hotline (534-4325).
3. Sufficient hand washing or hand sanitizing stations (at a recommended ratio of no less than 1:40 persons) shall be available for the duration of the event.
4. The venue shall have sufficient space to allow for 3-6 ft physical distancing between congregants/patrons/attendees, and the free movement of congregants/patrons/attendees.
5. To facilitate contact tracing –

The event organiser must record the name (ID verified), vaccination card number and contact number of each person entering the event. This information shall be securely stored for twenty-eight (28) days. The MOHWE will only access this information in the event that contact tracing involving the persons who attended the event is required.

6. Adequate toilet facilities with hygiene practices sufficiently maintained shall be available at all events.
7. All food safety protocols must be strictly adhered to.

Part B

Outdoor gatherings

1. May have gatherings of three quarters of the capacity of the venue which must have controlled access.
2. Temperature checks of all patrons. This function is to be provided





by the organizers of the event. Any patron/attendee/congregant found to have a temperature greater than 100.1°F MUST be referred immediately to the COVID-19 Hotline (534-4325).

3. Sufficient sanitizing stations (at a recommended ratio of no less than 1:40 persons) shall be maintained for the duration of the event.

4. The outdoor venue shall have sufficient space to allow for free movement (3 ft physical distancing) between congregants/patrons/attendees.

5. To facilitate contact tracing –

The event organiser shall record the name (ID verified), vaccination card number and contact number of each person entering the event. This information shall be securely stored for twenty-eight (28) days. The MOHWE will only access this information in the event that contact tracing involving the persons who attended the event is required.

6. Adequate toilet facilities with hygiene practices sufficiently maintained and available at or near to all events shall be provided.

7. All food safety protocols must be strictly adhered to.

Made this 16th day of June 2021.

St. Clair Prince

Minister of Health, Wellness and the Environment