

BELIZE:

PUBLIC HEALTH (REFORM) (PREVENTION OF THE SPREAD OF INFECTIOUS DISEASE) (COVID-19) REGULATIONS, 2022

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BELIZE:

STATUTORY INSTRUMENT

No. 61 of 2022

REGULATIONS made by the Minister in exercise of the powers conferred upon him by section 82A of the Public Health (Reform) Act, Chapter 40 of the Substantive Laws of Belize, Revised Edition 2020, and all other powers thereunto it enabling.

(Gazetted 31st March, 2022).

WHEREAS, in the opinion of the Minister there is no longer an imminent threat of community spread of COVID-19 as statistics show a steady decrease in cases at both the district and national levels;

AND WHEREAS, while most restrictions can be lifted, it is nevertheless necessary to control and prevent any possible spread of COVID-19 from persons arriving at any port by land or sea;

NOW THEREFORE, in exercise of the powers conferred upon the Minister by section 82A of the Public Health (Reform) Act, the following Regulations are made.

PART I

Preliminary

1. These Regulations may be cited as the

Citation.

PUBLIC HEALTH (REFORM) (PREVENTION OF THE SPREAD OF INFECTIOUS DISEASE) (COVID 19) REGULATIONS, 2022.

Interpretation.

2. For the purposes of these Regulations–

“airport” means the Phillip Goldson International Airport;

“COVID-19” means the disease caused by the virus SARS-CoV2 which is an infectious disease which emerged during 2019 and was declared a global pandemic by the World Health Organisation on 11 March, 2020;

“Designated Officer” means any public officer employed with the Ministry of Health or the Department of Immigration or Nationality Services or any person designated by the Quarantine Authority to carry out any function under these Regulations;

“foreign tourist” means any person that travels to Belize using the passport of a country other than Belize;

“immunized” or “immunization” means having received the required number of doses, as specified in Column 2 of Schedule I, for any of the COVID-19 vaccines specified in Column 1 of Schedule I;

Schedule I.

CAP. 161.

“permanent resident” means a person granted permanent residency in accordance with section 21A of the Belizean Nationality Act;

“proof of immunization” means a digital copy or hard copy of a COVID-19 Vaccination Record Card issued and stamped by the Ministry responsible for health in Belize or by a medical institution approved by the Ministry responsible for health in Belize, or a similar card issued by the relevant authority of a foreign state, whether laminated or preserved in any other form;

“PCR test” means a test that detects the presence of the SARS-CoV2 in an infected person’s body;

“Qualified Retired Person” means any person designated as a Qualified Retired Person under section 3 of the Retired Persons (Incentives) Act;

CAP. 62.

“Quarantine Authority” means the Director of Public Health and Wellness;

“rapid test” means a test for the rapid, qualitative detection of the nucleocapsid protein antigen from SARS-CoV2 in human nasal swab or throat swab specimen; and

3. These Regulations shall apply to the entire country of Belize.

Application.

PART II

Entry and exit through the airport, land port or sea port

4.–(1) For the purposes of preventing, controlling, containing and suppressing the spread of COVID-19, a person may enter Belize through the airport or any land port or sea port upon presenting–

Entry of persons through airport, land port or sea port.

- (a) proof of immunization;
- (b) a negative PCR test taken within 72 hours prior to arrival in Belize; or
- (c) a negative rapid antigen test taken within 48 hours prior to arrival in Belize.

(2) Where a person desiring to enter Belize through the airport or any land port or sea port cannot meet any entry requirement under sub-regulation (1) that person shall submit to testing by the Ministry responsible for health.

(3) Notwithstanding these regulations, children under five years of age are exempt from the entry requirements in sub-regulation (1) and testing requirements in sub-regulation (2).

(4) Any Belizean who fails to submit to testing under sub-regulation (2) shall, at the person's own expense, be put into mandatory quarantine at a government designated quarantine facility at the direction of, and for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry responsible for health.

(5) Any foreign tourist who fails to submit to testing under sub-regulation (2) shall be denied entry into Belize.

(6) A person denied entry under sub-regulation (5) shall—

- (a) be required to return to his port of origin at his own expense at the earliest occasion; and
- (b) if unable to be immediately returned to his port of origin, at the person's own expense, be put into mandatory quarantine at a government designated quarantine facility at the direction of, and for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry responsible for health.

**Mandatory
quarantine.**

5.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of COVID-19, any person entering Belize who tests positive for COVID-19 shall, at the person's own expense, be put into mandatory quarantine at a government designated quarantine facility at the direction of, and for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry responsible for health.

(2) A person who tests positive for COVID-19 may be discharged and declared recovered only by a health professional acting in accordance with the standardized protocols of the Ministry responsible for health.

(3) A person who tests positive for COVID-19 commits an offence if that person—

- (a) fails to go into mandatory quarantine;
- (b) while in mandatory quarantine, breaches any direction of the Quarantine Authority.
- (c) escapes or leaves mandatory quarantine before the period of time directed by the Quarantine Authority.

(4) A person who commits an offence under sub-regulation (3) is liable on summary conviction to—

- (a) mandatory quarantine; and
- (b) a fine of one thousand dollars.

6. Every person entering Belize who is required to submit to testing under these regulations shall pay the cost, as determined by the Ministry responsible for health, for a PCR test or other test for SARS-CoV2 approved by the Ministry responsible for health, unless that person is exempted from payment of fees for testing.

Fees for testing.

7.—(1) A person who contravenes a provision under this Part where no penalty has been provided for commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of six months or to both fine and term of imprisonment.

Offence and penalty.

(2) Any person who assaults, obstructs, intimidates, threatens, or resists any Designated Officer or other person acting under the authority of these Regulations, commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of six months or to both fine and term of imprisonment.

(3) Any person, other than a Belizean or Belizean permanent resident, who contravenes a provision under these Regulations, may be expelled from Belize at his own expense at the earliest possible occasion.

Recovery
by civil
proceedings.

8. Notwithstanding regulation 7, the Quarantine Authority may, by civil proceedings, recover against any person the cost for a PCR test or other test for SARS-CoV2 approved by the Ministry responsible for health.

Exit of persons
through
airport, land
port or sea
port.

9.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of COVID-19, a person may exit Belize through the airport or any land port or sea port upon presenting proof of immunization.

(2) Notwithstanding sub-regulation (1), the following persons may exit Belize through the airport or any land port or sea port without presenting proof of immunization—

- (a) children under the age of 12 years;
- (b) persons seeking to exit the country on urgent medical grounds, provided that a valid medical document as proof of the urgent medical grounds is presented to the Immigration Officer at the port of exit.

Offence and
penalty for
entering or
exiting Belize
contrary
regulations.

10.—(1) Every person entering or exiting Belize contrary to these regulations commits an offence and is liable to—

- (a) mandatory quarantine at that person's expense; and
- (b) three months imprisonment.

(2) A person convicted of a second or subsequent offence under this regulation is liable, in addition to the imposition of mandatory quarantine, to imprisonment for a period of one year.

(3) A person who is liable to mandatory quarantine under this regulation shall, if convicted, be quarantined—

- (a) for a period of time as directed by the Quarantine Authority; and
- (b) at a place to be determined by the Quarantine Authority.

(4) Where a person arrested and charged but not convicted under this regulation is liable to mandatory quarantine, that person shall be subject to mandatory quarantine under regulation 5.

11.—(1) The following procedures shall be followed on the arrest and charge of a person who enters or exists Belize in contravention of this Part—

- (a) upon arrest and charge, the person shall immediately be submitted to the Ministry responsible for health for testing, as may be required;
- (b) after testing, the person arrested and charged shall be taken to court to be arraigned; and
- (c) after arraignment, the person shall be quarantined for the period directed by the Quarantine Authority, whether or not that person has been granted bail.

(2) If a person who has been arrested cannot immediately be charged, or if charged, cannot immediately be taken to court after being tested by the Ministry responsible for health, that person shall—

- (a) be isolated in a cell at the police station in the judicial district where the offence was committed; and

Procedure on arrest and charge of persons entering or exiting Belize illegally.

(b) be brought before the court at its earliest sitting.

(3) After the completion of the period of quarantine directed by the Quarantine Authority, a person arraigned shall be—

(a) released pending trial if that person was granted bail; or

(b) remanded pending trial if that person was not granted bail.

(4) Notwithstanding the pronouncement by the magistrate of the guilt or innocence of a person arrested and charged, that person shall serve the period of mandatory quarantine prior to being committed to prison or released, as the case may be.

(5) Where a person charged under regulation 10 is found guilty of the offence, that person shall serve the term of imprisonment as directed by the magistrate after completing the period of mandatory quarantine directed by the Quarantine Authority.

Travel
insurance.

12.—(1) Every foreign tourist entering Belize through the airport or through any land port or sea port shall be required to purchase travel insurance prior to or upon arrival in Belize.

(2) The required coverage of travel insurance required under sub-regulation (1) shall be as prescribed by the Belize Tourism Board.

(3) Notwithstanding sub-regulation (1) above, the following category of persons shall be exempt from the requirement of travel insurance under this regulation—

(a) permanent residents;

- (b) a person holding a temporary status in Belize including the holder of a temporary employment permit, a dependant's permit or a student's permit;
- (c) Qualified Retired Persons;
- (d) foreign nationals with long stay status;
- (e) airline crew and personnel;
- (f) cruise ship passengers and crew;
- (g) visiting foreign nationals whose stay does not exceed one day;
- (h) foreign government officials and diplomats; and
- (i) any other category of persons determined by the Belize Tourism Board.

13.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of COVID-19, a foreign tourist entering Belize through the airport, or any land port or sea port who tests positive for COVID-19 after being subjected to testing by the Ministry responsible for health may—

- (a) at the discretion of the Designated Officer, be denied entry into Belize; or
- (b) at the person's own expense, be put into mandatory quarantine at a Government designated quarantine facility at the direction of, and for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry responsible for health.

Procedure where a foreign tourist tests positive for COVID-19.

(2) A foreign tourist who tests positive for COVID-19 and placed in mandatory quarantine may be discharged and declared recovered only by a health professional acting in accordance with the standardised protocols of the Ministry responsible for health.

(3) A foreign tourist who tests positive for COVID-19 and placed in mandatory quarantine commits an offence if that person—

- (a) fails to go into mandatory quarantine;
- (b) while in mandatory quarantine, breaches any direction of the Quarantine Authority; or
- (c) escapes or leaves mandatory quarantine before the period of time directed by the Quarantine Authority.

(4) A person who commits an offence under sub-regulation (3) is liable on summary conviction to—

- (a) mandatory quarantine; and
- (b) a fine of one thousand dollars.

Requirement
to complete
health
declaration
form.

14. For the purposes of preventing, controlling, containing and suppressing the spread of COVID-19, every foreign tourist shall, upon arrival at the airport or any land port or sea port, complete a health declaration form provided by a Designated Officer.

PART III

Testing institutions and testing kits

Approved
testing
institutions.

15.—(1) Every owner or operator of a medical institution, who desires to conduct testing for the purposes of these Regulations, shall apply to the Ministry responsible for health for approval to conduct testing.

(2) For the purposes of these regulations, only a negative PCR test or a negative antigen rapid test from any of the approved medical institutions specified in Schedule II shall be accepted.

Schedule II.

(3) Every person who contravenes sub-regulation (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars.

16.—(1) No person shall import a home test kit that detects the presence or absence of SARS-COV2 or any equipment or supplies in relation to a home test kit that detects the presence or absence of SARS-COV2 without a permit issued by the Ministry responsible for health.

Restriction on importation of home test kits, equipment, etc.

(2) Every person who desires to import a home test kit that detects the presence or absence of SARS-COV2 or any equipment or supplies in relation to a home test kit that detects the presence or absence of SARS-COV2 shall—

- (a) apply in writing to the Ministry responsible for health for approval to import that home test kit, equipment or supplies; and
- (b) provide proof to the Ministry responsible for health that the home test kit, equipment or supplies are approved by the—
 - (i) Food and Drug Administration;
 - (ii) European Medicines Agency; or
 - (iii) World Health Organization.

(3) Where the Ministry responsible for health is satisfied on application that a home test kit, equipment or supplies desired to be imported under sub-regulation (2) is approved by any one of the organizations in paragraph (b), it may issue a permit to import the home test kit, equipment or supplies.

(4) A permit issued under sub-regulation (3) may attach conditions to that permit.

(5) On importation of a home test kit, equipment or supplies that detects the presence or absence of SARS-COV2 or any equipment or supplies in relation to a home test kit under this regulation, the importer shall provide to a Customs Officer or Designated Officer of the Ministry responsible for health, a valid permit to import issued by the Ministry responsible for health.

(6) Where an importer fails to produce a valid permit for the importation of a home test kit, equipment or supplies that detects the presence or absence of SARS-COV2 or any equipment or supplies in relation to a home test kit, a Customs Officer, officer of the security forces or Designated Officer shall confiscate the home test kit, equipment or supplies and proceed to charge the importer with an offence under this regulation.

(7) A person who contravenes any provision of this regulation commits an offence and is liable on summary conviction to a fine of five thousand dollars and any home test kits, equipment or supplies confiscated under sub-regulation (5) shall be forfeited.

Requirement
to validate test
kits.

17. Every person who imports a home test kit shall, within 7 days of importation, submit that home test kit to the Central Medical Laboratory of the Ministry responsible for health for validation.

PART IV

Offences and penalties

Offences in
relation to
mandatory
quarantine.

18.-(1) A person commits an offence if that person—

(a) contravenes regulation 5;

- (b) while in mandatory quarantine, breaches any direction of the Quarantine Authority; or
- (c) escapes or leaves mandatory quarantine before the period of time directed by the Quarantine Authority.

(2) A person who commits an offence under this regulation is liable on summary conviction to—

- (a) mandatory quarantine; and
- (b) one thousand dollars.

(3) A person convicted of a second or subsequent offence under this regulation is liable, in addition to the imposition of mandatory quarantine, to imprisonment for a period of one year.

19. Every person that creates, issues or has in his possession a false COVID-19 immunization card commits an offence.

Offence of creating or being in possession of fake immunization card.

20.—(1) Every person who contravenes any of the provisions of these Regulations or incites or attempts to incite any other person to contravene any of these Regulations commits an offence.

General offence and penalty.

(2) Any person who contravenes any of the provisions of these Regulations for which no penalty is specifically provided is liable on summary conviction to a fine of five thousand dollars or to imprisonment for two years.

(3) A person convicted of a second or subsequent offence under these Regulations for which no penalty is specifically provided is liable to imprisonment for a period of two years.

PART V*Miscellaneous*

Repeal and
savings. S.I. 37
of 2022.

21.—(1) The Public Health (Reform) (Prevention Of The Spread Of Infectious Disease) (COVID-19) Regulations, 2022 are repealed.

(2) Notwithstanding the repeal, nothing in these Regulations shall affect anything done, any proceedings taken or a right which has accrued or a liability which has been incurred under the repealed regulations before the coming into force of these Regulations and anything done, any proceedings taken or a right which has accrued or a liability which has been incurred under the repealed regulations shall be deemed to have been done, taken, accrued or incurred, as the case may be, under these Regulations.

Commencement.

22. These Regulations shall come into force on the 1st day of April, 2022.

SCHEDULE I

[regulation 2]

VACCINE	DOSES
Pfizer-BionTech	2
AstraZeneca SK Bio	2
AstraZeneca-SII Covishield	2
AstraZeneca Vaxzevria	2
Medigen (Taiwan)	2
Moderna	2
Sinopharm	2
Johnson & Johnson / Janssen Cilag	1
Sinovac (Coronavac)	2

SCHEDULE II

*[regulation 15]***APPROVED TESTING INSTITUTIONS**

Archangel Medical Center
Belize Diagnostic Center
Belize Healthcare Partners
Belize Medical Associates
Belize Pro Lab
Belize Specialists Hospital, Gastroenterology and Endoscopy Center
Belmopan Medical Centre
Buttonwood Bay Medical Centre
Caring Hands Clinic
Dangriga Medical Laboratory
Dr. D's Clinic
Hummingbird Health Clinic
Northern Medical Specialty Plaza
San Carlos Medical Center
Southern Clinical Laboratory
St. Luke Hospital

MADE by the Minister responsible for public health this
31st day of March, 2022.

A handwritten signature in black ink, appearing to be 'Kevin Bernard', written in a cursive style.

(HON. KEVIN BERNARD)
Minister of Health and Wellness
(Minister responsible for public health)