



PUBLIC HEALTH INFECTIOUS DISEASE REGULATION

In exercise of the powers conferred upon me by Section 3 (1) of the *Public Health Ordinance Cap 80*, I hereby make the following Regulations:

PART 1: PRELIMINARY

1. Short title, commencement and application

- (1) These Regulations may be cited as the *Public Health (Infectious Disease) Regulations 2022* and come into force immediately.
- (2) These Regulations apply to the whole of Kiribati.

2. Purpose of the Regulation

The purposes of this Regulation are as follows:

- (a) to prevent, where possible, the infectious disease from reaching Kiribati;
- (b) to prevent the spread of the infectious disease in Kiribati; and
- (c) to advance the Public Health policies in their prevention and control of the infectious disease.

3. Definitions

In these Regulations –

“Principal Act” means the *Public Health Ordinance Cap 80*;

“Minister” means the Minister responsible for Health or any minister responsible for any infectious disease;

“Ministry” means the Ministry responsible for Health;

“Secretary” means the Secretary responsible for Health;

“Boarding Party” has the same meaning assigned to it in the *Immigration Act 2019*;

“Coronavirus” means the virus known as ‘Novel Coronavirus (Covid-19);

“child” means a person under the age of 18 years;

“infectious disease” includes Covid-19 which has been declared by notice by the Secretary pursuant to section 3 of the Principal Act to be a permanent infectious disease;

“isolation” in relation to a person means the separation of that person from any other person in such a manner as to prevent infection or contamination (with Coronavirus)-

- (a) at a facility designated, by the Secretary for the purposes of these Regulation;
- (b) in that person’s home;
- (c) in a hospital; or
- (d) at another suitable place.

“parent” has the same meaning assigned to it in the *Children, Young People and Family Welfare Act 2013*;

“turn around” has the same meaning assigned to it in the *Immigration Act 2019*.

PART 2: ADMINISTRATION

4. Establishment and Functions of the Taskforce

- (1) The National Taskforce is hereby established.
- (2) The National Taskforce is comprised of the following:
 - (a) Director of Public Health;
 - (b) Commissioner of Police;
 - (c) International Health Regulation National Focal Point/Personal
 - (d) Senior State Attorney
 - (e) Officers in charge of all relevant border control agencies;
 - (f) Community leaders;
 - (g) Non-governmental agencies; and
 - (h) any other persons selected by the Minister.
- (3) The Chairperson of the Taskforce shall be the Director of Public Health. With the advice of the Cabinet, the minister may take over the role of chairmanship.
- (4) The Secretariat of the Taskforce shall be appointed by the Secretary.
- (5) The Functions of the Taskforce is to: -
 - (a) Develop a Preparedness and Response Plan;
 - (b) Develop preventive measures and coordinate efforts at all levels to prevent an infectious disease (e.g. COVID-19) from reaching Kiribati;
 - (c) Coordinate responses to any suspected cases, local transmission and

- outbreak in the country;
- (d) Advise all relevant Ministries, Departments and Agencies of any latest infectious disease (e.g. COVID-19) information, risk assessments and all implementation measures prescribed under these Regulations and related protocols;
 - (e) Provide information and awareness to the general public through radio, television, printed materials and other media platforms;
 - (f) Provide a situation analysis of the current capacity of Kiribati to address an infectious disease (e.g. COVID-19);
 - (g) Deliberate on the conditions necessary for the prevention of the infectious disease and protecting and enhancing the public health;
 - (h) Provide a list of all countries that has been declared and confirmed to have infectious disease;
 - (i) Receive reports under regulation 5(3) from sub-committees and delegate actions as recommended and agreed to by the Taskforce;
 - (j) Coordinate meetings to review the situation of the infectious disease (e.g. COVID-19);
 - (k) Provide regular reports and updates to the Minister through the Secretary; and
 - (l) Any other task directed by the Minister.

5. Sub-committees

- (1) The Taskforce Chairperson in consultation with the Taskforce may establish any sub-committees under this Regulation to implement, monitor and evaluate the provisions under this Regulation.
- (2) The Taskforce is responsible for the allocation of tasks to the sub-committees.
- (3) The sub-committees shall provide the Taskforce with:
 - (a) updates;
 - (b) reports; and
 - (c) evaluations

PART 3: BORDER CONTROL AND SECURITY

6. Closure of Borders

- (1)
 - (a) To achieve the purposes of this Regulation, the Minister, in consultation with the Cabinet, may by Order declare that all or some national borders of Kiribati may be closed to any aircraft, vessel and ship.
 - (b) The Minister, in consultation with the Cabinet, may by notice revoke this Order any time as it deems necessary.
- (2) Notwithstanding sub-paragraph (1), the Minister, in consultation with the Cabinet, may by Notice grant exemption on the following grounds:
 - (a) provision of medical supplies;

- (b) provision of food supplies;
- (c) humanitarian assistance;
- (d) distribution of reliefs;
- (e) shipment of cargoes;
- (f) fuel supply; and
- (g) any other grounds in the interest of the public.

7. Conditions for entry of persons

- (1) Any person exempted under Regulation 6(2) may be;
 - (a) subjected to 14 days quarantine;
 - (b) refused entry; or
 - (c) deported.
- (2) Any person who enters Kiribati on special exemptions is required to fill in the supplementary health forms and present it to the Health Officer at the port of entry.
- (3) Any person who fails to comply with the provisions of this Regulation may be liable upon conviction to a fine of \$2,000 or imprisonment to a term not exceeding 1 year.

8. Conditions for entry of ships

- (1) All documents required from the Boarding Party in relation to all vessels and ships calling to port in Kiribati will be done electronically at least 2 days prior entry.
- (2) Any ship exempted under regulation 6(2) must provide, through the shipping agent within 24 hours prior arrival, the following information:
 - (a) places last visited by the ship in the last 14 days;
 - (b) number of crews, if any, who boarded the vessel within 14 days prior to entering Kiribati;
 - (c) the ships last ports of entry (Voyage Memo);
 - (d) any person with recent travel history from any high-risk country;
 - (e) any suspected cases of FLU-like symptoms or is unwell on board during the voyage; and
 - (f) any other documents that may be required by border control agencies.
- (3) Any ship that fails to comply with these Regulations is not permitted to enter the port and is subjected to a turn-around order by the Minister.
- (4) Any ship or shipping agent that fails to comply with the conditions of these Regulations and enters the Port commits an offence and is liable to a fine of \$5,000.

- (5) For the purposes of social distancing, the Minister may declare by notice the allowable distances from the vessels and that no person shall be found beyond this allowable distance. Any person found in breach of this allowable distance or found in transshipment areas commit an offence and is liable to a fine of \$1,000.

9. Health procedures at airport and seaport

- (1) The Health Officer may carry out the following standard Health procedures at the point of entry;
 - (a) check each Supplementary Health Form for infectious disease (e.g. COVID-19) is completed; and
 - (b) test each person using the Infrared handled thermometer.
- (2) The Medical Practitioner present at the point of entry may comply with the protocol for quarantined non suspected person and quarantined suspected person.
- (3) The Medical Practitioner and his designated team after screening may:
 - (a) quarantine non suspected person in accordance with Regulation 11; or
 - (b) quarantine suspected person in accordance with Regulation 11.
- (4) Every medical practitioner or members of the designated team must wear the specified protective clothing and use proper safety equipment and failure to do so is an offence with a fine upon conviction of \$1,000.
- (5) Notwithstanding the provision under Regulation 11, the Minister may provide direction otherwise.

10. Standard Operational Procedures (SOP)

For every aircrafts, vessels and ship entering Kiribati for essential services and emergency purposes only, special considerations or measures must be applied to such vessels. These measures are all stated or provided for in the Standard Operational Procedure of agencies who has authorities over the port, cargoes and fuel. Failure to apply the SOP is an offence with a fine upon conviction of \$5,000.

11. Condition for quarantine person

- (1) Any person who is identified as a non suspected person to be quarantined may be subjected to the following procedures:
 - (a) directed to the-isolation area;
 - (b) transported to the designated quarantine area for non-suspected person;
 - (c) be quarantined for a maximum of 14 days or more in the designated quarantine area; and
 - (d) subjected to Health Preparedness and Response measures under Regulation 12.

- (2) Any person who is identified as quarantined suspected person may be subjected to the following procedures:
 - (a) directed to the isolation area;
 - (b) transported to the designated isolation area for suspected person;
 - (c) be quarantined for a minimum of 14 days in the designated quarantine area; and
 - (d) subjected to Health Preparedness and Response measures under Regulation 12.
- (3) A suspected person shall remain in the designated quarantine area and comply with all protection and preventive measures until such time as the person is declared safe to be discharged.
- (4) Any person who has been confirmed to be infected with any infectious disease (e.g. COVID-19) shall be subjected to:
 - (a) isolation;
 - (b) further quarantine conditions directed by the Health Officer;
 - (c) medical reviews and checks;
 - (d) prohibitions directed by the Health Officer; or
 - (e) any other conditions directed by the Minister.
- (5) Any person who fails to comply with this Regulation commits an offence and is liable upon conviction to a fine of \$2,000.
- (6) Any person who is ordered to return on the same plane must comply with the turn-around procedures.

PART 4: HEALTH AND QUARANTINE PROCEDURES

12. Preparedness and Response Plan

- (1) The Taskforce may:

- (a) develop;
- (b) coordinate; and
- (c) comply

with all procedures as prescribed under the Preparedness and Response Plan for any infectious disease (e.g. COVID-19).

13. Designated Quarantine Areas

The designated quarantine area shall have: -

- (a) basic amenities suitable for quarantine;
- (b) access to basic supplies and necessities for living; and
- (c) any other reasonable goods and services as directed by the Minister in

accordance with the advice of the Taskforce.

14. Restrictions to Quarantine Areas

- (1) Access to quarantine areas shall only be by authorized personnel as listed by the Secretary.
- (2) Any person under quarantine shall:
 - (a) remain in the designated quarantine area;
 - (b) remain in their room when directed by the Health Officer;
 - (c) not have direct contact with any unauthorized officer;
 - (d) take precaution to prevent the spread of or being infected by the infectious diseases (e.g. COVID-19);
 - (e) exercise reasonable hygiene measures; and
 - (f) comply with any directions made by the Minister or authorized person.
- (2) Any unauthorized person shall remain within the allowable distance as declared by notice from the fence of the quarantined areas.
- (4) Any unauthorized person who enters the quarantine areas shall be guilty of an offence and liable to a fine of \$2,000 or to an imprisonment for a term not exceeding 1 year.

PART 5: FOOD SECURITY

15. Food Security

- (1) When there is a reasonable belief that food security would be an issue as an effect of the spread of the infectious disease, the Minister may work together with the Minister responsible for Commerce to authorize any persons to administer the following:
 - (a) provide measures to control and restrict the sale, supply and pricing system of basic commodities;
 - (b) management of food sale ensuring that it is sufficient for one family per week; and
 - (c) provision of fortnightly reports of matters covered under this Part to the Taskforce for transparency purposes.
- (2) Any person who fails to comply with the measures and managements imposed under the preceding sub-regulation may be liable upon conviction to a fine of \$2,000 or imprisonment to a term not exceeding 1 year or both.

PART 6: PUBLIC MEETINGS, GATHERING AND ASSEMBLY

16. Restrictions of public meetings, gathering and assembly

To achieve the purposes of this Regulations, the Minister may by Order declare that:

- (1) All or some public meetings, gathering and assembly may be prohibited.
- (2) Some public meetings, gatherings and assembly may be allowed with conditions as necessary.
- (3) Any person may apply for exemption except under sub-regulation (2).
- (4) By notice may revoke the Order any time as it deems necessary
- (5) Any person who fails to comply with the provisions of these Regulations may be liable upon conviction to a fine of \$2,000 or imprisonment to a term not exceeding 1 year. Alternatively, a spot fine of not more than \$2000 may be imposed by an enforcement officer and such fine must be paid within 14 days from the date of issue or face prosecution.

17. Closure of schools

To achieve the purposes of this Regulations, the Minister may by Order declare:

- (1) For the closure of schools.
- (2) That the movement of children under the age of 18 may be restricted and confined within their homes throughout the period stated in the Order.
- (3) That parents or person with parental responsibility must ensure that their children or children under their care are complying with the Order.
- (4) The revocation of this Order by notice any time as it deems necessary.
- (5) Any person who fails to comply with the provisions of these Regulations may be liable upon conviction to a fine of \$2,000 or imprisonment to a term not exceeding 1 year. Alternatively, a spot fine of not more than \$2000 may be imposed by an enforcement officer and such fine must be paid within 14 days from the date of issue or face prosecution.

18. Closure of Government Office and other Government Entities

To achieve the purposes of this Regulation, the Minister may in consultation with the Cabinet declare by Order for the partial or complete lockdown of all government office including government entities.

19. Other Orders

To achieve the purposes of this Regulation, the Minister may, in consultation with the Cabinet, declare by Order, with or without conditions and exemptions, any or all of the following;

- (1) Social distancing
- (2) No face to face customer service
- (3) Only essential services to be continued
- (4) People movement to/from and also between the outer islands banned/suspended
- (5) People movement within the islands restricted
- (6) Lockdown, partial or complete
- (7) Mandatory wearing of facemasks in public

- (8) Other orders as are deemed necessary for the public order, safety and health.

The minister may, in consultation with the Cabinet, by Notice revoke the Orders made any time as it deems necessary.

PART 7: PENALTIES

20. General offence and penalty

Any person who contravened provisions of these Regulations and its Orders commits an offence and may be liable upon conviction to a fine of \$2,000 or imprisonment for 1 year or both. Alternatively, a spot fine of not more than \$2000 may be imposed by an enforcement officer and such fine must be paid within 14 days from the date of issue or face prosecution.

PART 8: ENFORCEMENT

21. Enforcement

Enforcement officers shall be the following;

- (a) The Commissioner of Police and any Health Officers.
- (b) Any other officer(s) as may by notice appointed by the minister
- (c) The enforcement officers may use reasonable force if necessary in the exercise of their role under this Regulation.

PART 9: MISCELLANEOUS

22. Official Press Release and Statements relating to an infectious disease (e.g. COVID-19)

- (1) All official press releases and official statements may be authorised by the Ministry and the Office of Te Beretitenti.
- (2) Any person who releases, or causes to disseminate or publish official information or matters prejudicial to public security and statements without the authorization of the Ministry and Office of Te Beretitenti may be:
 - (a) subject to disciplinary actions in the case of civil servants; or
 - (b) guilty of an offence.

23. Cabinet and Ministerial Directions and Orders related to an infectious disease (e.g. COVID-19)

- (1) The Cabinet may establish other bodies or taskforce necessary or make other decisions for the purposes of this Regulation.

- (2) The Minister acting in accordance with the advice of the Taskforce may by Notice:
- (a) issue directions and orders; or
 - (b) appoint any authorized person to issue direction and orders on his behalf;
- for the proper implementation of these Regulations.

24. Publication of false information, rumours etc in relation to an infectious disease (e.g. COVID-19)

Any person who-

- (a) maliciously fabricates; or
- (b) knowingly spreads; or
- (c) publishes whether by:
 - (i) writing
 - (ii) word of mouth; or
 - (iii) any other means,any false news;
- (d) makes false report tending to create or foster public alarm, public anxiety or
- (e) causes public detriment; or
- (f) acts or is acting in a manner prejudicial to the public safety
- (g) disturbs the peace and good order of any part of Kiribati; or
- (h) endeavours to disturb the public peace by inciting hatred or contempt of any class of persons;

Commits an offence and may be liable to a fine of \$2,000 or to imprisonment for 1 year.

25. This Regulation repeals the *Public Health (Infectious Disease) Regulations 2021*.

Dated.....3 Feb 2022.....


HE TANETI MAAMAU
Te Beretitenti

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