



Infectious Diseases Control (Coronavirus) Regulations 2020

Summary

POWERS - The Regulations contain powers that allow medical, police and immigration officers to impose directions, requirements and restrictions in order to identify people who may be infectious and to control the spread of infection. These powers can be used where it is necessary and proportionate.

MEDICAL OFFICERS - A medical officer is a registered medical practitioner employed by the Falkland Islands Government (including the Chief Medical Officer) or any other doctor or health care professional designated as a medical officer for the purposes of the Regulations by the Chief Medical Officer.

TRANSMISSION CONTROL PERIOD - The powers are only available during a Transmission Control Period. A Transmission Control Period comes into force after the Governor has declared coronavirus to be a serious and imminent threat to public health. The powers are intended as a last resort because it can be reasonably expected that the majority of people will follow instructions on a voluntary basis. Where this is not the case the powers should be used to ensure that instructions are followed so that people are protected from the spread of infection and public health is maintained.

DIRECTIONS - Regulations 5 and 6 allow medical, police and immigration officers to direct people to attend specified locations for the purposes of screening and assessment.

SCREENING AND ASSESSMENT - Regulation 7 allows a medical officer to screen and assess a person. This includes taking a biological sample and requiring a person to provide information about their medical and travel history etc. A person can be kept at a specified location for up to 48 hours for the purposes of screening and assessment.

KEEPING PENDING SCREENING AND ASSESSMENT - Regulation 8 allows for police and immigration officers to keep a person pending screening and assessment. Police officers can keep people for 24 hours (can be extended to 48 hours) and immigration officers can keep people for 3 hours (can be extended to 12 hours).

REQUIREMENTS AND RESTRICTIONS - Regulation 9 allows a medical officer to impose requirements and restrictions on a person including requirements to remain in a specified place, to self-isolate, to restrict travel and other activities that may cause a risk of spreading the infection.

CHILDREN - People who are responsible for children (a person under the age of 18 years) have a duty to ensure that children comply with directions, requirements and restrictions.

APPEALS - A person (including a person responsible for a child on the child's behalf) can appeal to the Magistrates Court against the imposition of a restriction or a requirement.

ENFORCEMENT - Reasonable force can be used by police and immigration officers to enforce directions, requirements and restrictions. Failure to comply with directions, requirements and restrictions is a criminal offence for which a person (including a person responsible for a child) can be fined up to £1000.