

[Legal Notice No. 162]

**EMERGENCY POWERS (COVID-19)(NO. 3) (AMENDMENT
NO. 2) REGULATIONS 2020**

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**EMERGENCY POWERS ACT
(CAP. 11)**

**EMERGENCY POWERS (COVID-19)(NO. 3) (AMENDMENT NO. 2)
REGULATIONS 2020**

IN exercise of the powers conferred by section 2 of the *Emergency Powers Act* (Cap. 11), the Governor-General makes the following Regulations:

1 Citation

These Regulations may be cited as the *Emergency Powers (COVID-19)(No.*

3) (*Amendment No. 2*) 2020.

2 Commencement

These Regulations commence on the day they are published in the Gazette.

3 Amendment of Emergency Powers (COVID-19)(No.3) Regulations 2020

These Regulations amend the *Emergency Powers (COVID-19)(No. 3) Regulations 2020* (Legal Notice No. 104 of 2020) (“*Principal Regulations*”).

4 Regulation 3 amended (Definitions)

Regulation 3 of the Principal Regulations is amended:

- (a) by omitting the definition of “*quarantine period*” and substituting:

“ “*quarantine period*” means the period for which a person must be quarantined at a quarantine station under regulation 20, 21, 22, 22A or 23A;”

 and
- (b) by omitting the definition of “*quarantined person*” that is after the definition of “*quarantine station*”; and
- (c) by omitting the definition of “*quarantined person*” that is after the definition of “*quarantined*” and substituting:

“*quarantined person*” means a person:

 - (a) who is quarantined at a quarantine station under regulation 20, 21, 22, 22A(1)(a) or 23A; or
 - (b) whose quarantine at a quarantine station is extended under regulation 22A(1)(b);”.

5 Regulation 5 amended (Prime Minister may make Orders)

Regulation 5 of the Principal Regulations is amended:

- (a) by omitting from regulation (2)(k) “14” and substituting “16”;
- (b) by omitting from regulation (2)(l) “16” and substituting “17”;
- (c) by omitting from subregulation (2)(m) “17.” and substituting “18; or”; and
- (d) by inserting after subregulation (2)(m):

“(n) in accordance with regulation 18A, provide for directing a person or a class of persons to perform the duties, functions and responsibilities of their employment; or
- (o) in accordance with regulation 22A, if satisfied it is necessary to do so to prevent transmission of COVID-19 within Solomon Islands:

- (i) quarantine a person or class of persons and specify the manner of testing for the presence of COVID-19 of the person or class; or
- (ii) extend the quarantine of a quarantined person or class of quarantined persons and specify the manner of testing for the presence of COVID-19 of the person or class.”.

6 Regulation 8 amended (Quarantine stations)

Regulation 8 of the Principal Act is amended:

- (a) by omitting subregulation (1)(a) and substituting:
 - “(a) to accommodate a quarantined person in isolation from any other person;” and
 - (b) by omitting from subregulation (2) “not enter” and substituting “not enter or be in”.

7 New regulation 18A

The Principal Regulations are amended by inserting after regulation 18:

“18A Directing persons to perform their duties and functions

- (1) In this regulation:
 - “*duties, functions and responsibilities*” means the duties, functions and responsibilities of a person’s employment which are relevant to the public interest.
- (2) The Prime Minister may, by Order, direct a person, or a class of persons, to carry out their duties, functions and responsibilities.
- (3) The direction may:
 - (a) apply without qualification; or
 - (b) specify that the person must carry out the duties, functions and responsibilities:
 - (i) for a specified purpose; or
 - (ii) for a specified period; or
 - (iii) at a specified place.
- (4) A person commits an offence if the person contravenes the Order.

Maximum penalty	10,000 penalty units or imprisonment for 5 years or both.”.
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8 Regulation 19 amended (Mandatory quarantine on entry to Solomon Islands)

Regulation 19 of the Principal Regulations is amended:

- (a) by omitting from subregulation (1)(a) “quarantine period” and substituting “quarantine period under regulation 20, 21 or 22”; and
- (b) by omitting from subregulation (2) “A quarantined person” and substituting “A person quarantined under subsection (1)”; and
- (c) by inserting after subregulation (2)(b):
 - “(ba) if an authorised officer who is a medical officer certifies in writing that the person has tested positive for COVID-19; or”; and
- (d) by inserting after subregulation (4)(a):
 - “(aa) under subregulation (2)(ba), must immediately be taken to another quarantine station where the person will be quarantined in accordance with the Government’s quarantine procedures for COVID-19 infected persons;”.

9 Regulation 22 amended (Quarantine and testing of person from high-risk COVID-19 affected country or territory)

Regulation 22 of the Principal Regulations is amended by omitting subregulations (2), (3) and (4) and substituting:

- “(2) A person entering Solomon Islands who was in a high-risk COVID-19 affected country or territory during the 28 days immediately before the day on which the person began travelling to Solomon Islands must:
 - (a) have been tested at least three times for the presence of COVID-19 within the 21 days immediately before the person began travelling to Solomon Islands and tested negative for COVID-19 for each test; and
 - (b) immediately be quarantined for the period ending 21 days from the day the person enters Solomon Islands.
- (3) While quarantined, the person:
 - (c) must be tested for the presence of COVID-19:
 - (i) within 48 hours of entering Solomon Islands; and
 - (ii) on a day between the fifth and tenth day of the person’s quarantine period; and
 - (iii) on a day between the twelfth and fourteenth day of the person’s quarantine period; and
 - (iv) on a day between the nineteenth and twenty-first day of the person’s quarantine period; and

(d) must test negative for COVID-19 for each test.”.

10 New regulation 22A

The Principal Regulations are amended by inserting after regulation 22:

22A. Quarantining of persons to prevent transmission of COVID-19

- (1) The Prime Minister may, by Order, if satisfied that it is necessary to do so to prevent the transmission of COVID-19 within Solomon Islands:
 - (a) declare that a person or class of persons (other than those referred to in sections 19 to 22) must be quarantined at a quarantine station; or
 - (b) extend the quarantine period of a person or class of persons quarantined under sections 19 to 22.

- (2) The Order must specify:
 - (a) either:
 - (i) the quarantine period or the period for which the quarantine period is extended (as the case requires); or
 - (ii) how the amount of time of the quarantine period or extension will be determined; and
 - (b) how a person referred to in subregulation (1)(a) or (b) must be tested for the presence of COVID-19.

- (3) If a person is quarantined, or a quarantined person’s quarantine is extended, under subregulation (1):
 - (a) the person must be quarantined for the quarantine period or extended quarantine period at a quarantine station in accordance with the Government’s quarantine procedures; and
 - (b) the person must:
 - (i) comply with the Government’s quarantine procedures; and
 - (ii) be tested for the presence of COVID-19 as specified in the Order and
 - (iii) not leave the quarantine station unless:
 - (A) the person does so in accordance with regulation 19(2) (b), (ba), or (c), (3) or (4); or
 - (B) after the person tests negative for COVID-19 as specified in the Order, the person leaves the quarantine station in accordance with the Government’s quarantine procedures for discharge.

- (4) A person who contravenes subregulation (3) commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.”.

11 New regulation 23A

The Principal Regulations are amended by inserting after regulation 23:

“23A Quarantining and testing of persons infected with COVID-19

- (1) If a person who is not a quarantined person tests positive for COVID-19, the person must:
- (a) immediately be quarantined at a quarantine station in accordance with the Government’s quarantine procedures for COVID-19 infected persons; and
 - (b) be tested for the presence of COVID-19 as specified in this regulation.
- (2) If a person who is a quarantined person tests positive for COVID-19:
- (a) regulations 20 to 23 do not apply; and
 - (b) the person must continue to be quarantined at a quarantine station in accordance with the Government’s quarantine procedures for COVID-19 infected persons; and
 - (c) the person must be tested for the presence of COVID-19 as specified in this regulation.
- (3) If the person is, and continues to be, asymptomatic for COVID-19, the person must be tested for the presence of COVID-19:
- (a) on a day between the tenth and fourteenth day after the person tested positive for COVID-19; and
 - (b) after being tested under paragraph (a), be tested as determined by the supervising medical officer until the person tests negative for COVID-19 for 2 consecutive tests that are taken at least 7 days apart.
- (4) If the person is or becomes symptomatic for COVID-19, the person must be tested for the presence of COVID-19:
- (a) 3 days after the person ceases to exhibit symptoms for COVID-19; and
 - (b) after being tested under paragraph (a), be tested as determined by the supervising medical officer until the person tests negative for COVID-19 for 3 consecutive tests that are taken at least 7 days apart.
- (5) The person must not leave the quarantine station unless:

- (a) the person has tested negative for COVID-19 for 3 consecutive tests that were taken at least 7 days apart; and
 - (b) the person leaves the quarantine station in accordance with the Government’s quarantine procedures for discharge.
- (6) A person who contravenes this regulation commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

12 Regulation 25 amended (Functions of authorised officers)

Regulation 25 of the Principal Regulations is amended by omitting paragraph (b) and substituting:

- “(b) to manage and facilitate the quarantine of persons at a quarantine station;
- (ba) to test persons for COVID-19;
 - (bb) to carry out activities in accordance with the Government’s quarantine procedures;”.

Made this thirtieth day of October 2020.

SIR DAVID VUNAGI
GOVERNOR-GENERAL

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