



**Ministry of Health (COVID-19: Domestic Travel  
Restrictions) Regulations 2020**

Sir Tom J. Marsters, KBE *Tom Marsters* Queen's Representative

**Order in Executive Council**

At Avarua, Rarotonga this *20th* day of *March*, 2020

**Present:**

**His Excellency the Queen's Representative in Executive Council**

Pursuant to sections 15 and 39 of the Ministry of Health Act 2013, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

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**Regulations**

- Title**  
These regulations are the Ministry of Health (COVID-19: Domestic Travel Restrictions) Regulations 2020.
- Commencement**  
These regulations come into force on 21 March 2020.

**3 Term**

These regulations cease to have effect at the close of 20 June 2020 unless earlier revoked or extended by Order in Executive Council.

**4 Purpose**

The purpose of these regulations is to enable domestic travel to be restricted in response to the threat of COVID-19 and to enable the Ministry to carry out functions, including regulating matters that—

- (a) adversely affect or may adversely affect health; or
- (b) may cause or contribute to the spread of disease or infection.

**5 Interpretation**

In these regulations, unless the context otherwise requires,—

**Act** means the Ministry of Health Act 2013

**COVID-19** means coronavirus disease 2019 (COVID-19)

**child** means a person under 18 years

**publicly notified** means notified to the public by means and through media that will most likely enable the majority of people to be notified, either directly or indirectly

**responsible adult** means, in relation to a child, a person with parental responsibility (within the meaning of the Family Protection and Support Act 2017) or a person who has custody or charge of the child for the time being

**supervised quarantine** means the quarantine of persons or classes of persons in respect of COVID-19 according to rules or directions made by the Head of Ministry and publicly notified.

**6 Supervised quarantine required before certain domestic travel**

- (1) A person must not go to an outer island from Rarotonga unless the person has been in supervised quarantine for at least 14 days ending immediately before departure to the outer island.
- (2) The restriction in subclause (1) does not apply if the person has the written consent of the Head of Ministry.
- (3) The Head of Ministry may only consent if the Head of Ministry considers that—
  - (a) special circumstances exist; and
  - (b) allowing the travel will not place other persons unnecessarily at risk in respect of COVID-19.
- (4) The Head of Ministry may delegate the power to consent to travel under this regulation to an appropriate person or persons.

**7 Minister may impose other restrictions on domestic travel**

- (1) In addition to the restrictions in regulation 6, the Minister may restrict other domestic travel in accordance with this regulation.
- (2) The Minister may, by written order, restrict or prohibit all persons, or a class of persons, who have not been in supervised quarantine for 14 days immediately before departure, in respect of any or all of the following travel:
  - (a) travel from 1 or more outer islands to Rarotonga;
  - (b) travel from 1 or more outer islands to 1 or more other outer islands:

- (c) travel from 1 or more areas of Rarotonga to 1 or more other areas of Rarotonga;
  - (d) travel from 1 or more areas of an outer island to 1 or more other areas of that island.
- (3) The Minister may, by written order, at any time end or change a restriction or prohibition made under subclause (2).
  - (4) The Minister must be satisfied that a restriction or prohibition, or a change to a restriction or prohibition, is necessary to help prevent the spread or likely spread of COVID-19, before making the restriction, prohibition, or change.
  - (5) All restrictions and prohibitions and any changes to them must be publicly notified before coming into effect.
  - (6) Regulations 6(2) to (4) apply to any restrictions or prohibitions made by the Minister under this regulation.

#### **8 Obligations on operators and persons in charge of planes and vessels**

- (1) This regulation applies to operators and persons in charge of planes and vessels that travel—
  - (a) from Rarotonga to an outer island; or
  - (b) to a place to which the Minister has restricted travel under regulation 7.
- (2) An operator or person in charge of a plane or vessel must not allow a person to board the plane or vessel unless the operator or person in charge has been provided with—
  - (a) a certificate of completion of the supervised quarantine, or other written evidence that the quarantine has been completed; or
  - (b) written consent under regulation 6(2).
- (3) In this regulation, **vessel** includes a boat or ship.

#### **9 Obligations in respect of children**

A person who is a responsible adult for a child must ensure that the child complies with the restrictions and requirements in, or imposed under, these regulations insofar as the responsible adult is reasonably able to do so.

#### **10 Offences**

- (1) It is an offence for a person to, without reasonable excuse, fail or refuse to comply with—
  - (a) regulation 6(1); or
  - (b) a restriction on travel made by the Minister under regulation 7; or
  - (c) regulation 8(2); or
  - (d) regulation 9.
- (2) An individual who commits an offence is liable on conviction to either or both of the following:
  - (a) a fine not exceeding \$10,000;
  - (b) imprisonment for a term not exceeding 12 months.
- (3) A body corporate that commits an offence is liable on conviction to a fine not exceeding \$50,000.

**Ministry of Health (COVID-19: Domestic Travel Restrictions) Regulations 2020**

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**Clerk of the Executive Council**

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These regulations are administered by the Ministry of Health.

These regulations were made on the 20th day of March 2020.