

10th June 2021

To:

Managers, Directors, Heads of any institution in the Health Sector
Information Sheet re:- COVID-19 (Restriction of Access to Specified Institutions)
Regulations 2021, made under the Quarantine Act 2020

If you are a Manager, Director, Head of a Hospital, Mediclinic, Dispensary, Private Health Institution, Community Health Centre, Cabinet Médical, Cabinet Dentaire, etc., we would urge you to take cognizance of the following information, which is critical for you to consider before taking a stand regarding the newly introduced Regulations mentioned above.

According to the said Regulations, which are scheduled to come into force on the 21st June 2021, and which restrict access to persons who have not been vaccinated or subjected to a PCR test, you might be required and/or called upon to:

1. Request evidence of a Certificate of Vaccination or PCR Test Result to those who wish to access your premises.

- This may be in contravention of the Data Protection Act 2017, which object is to provide for the protection of the privacy rights of individuals, in particular special categories of personal data, such as medical information.

2. Refuse access to your premises to unvaccinated or untested patients and accompanying persons, in certain circumstances, given that the exemption under the Regulations only concern those seeking "medical treatment" and only one accompanying person.

- This may be contrary to the Public Health Act.
- It may be contrary to the Constitution of Mauritius, being an unjustified restriction to the freedom and civil liberties and rights of citizens as well as being potentially discriminatory.

3. Refuse access to your premises to unvaccinated and untested personnel/staff member.

- This is potentially contrary to the Workers' Rights Act 2019, which does not allow any employer to force employees to be vaccinated, as part of their current conditions of employment.
- This may be contrary to the Equal Opportunities Act 2008, being unjustified discrimination.

4. Request unvaccinated and untested personnel/staff member to take a leave without pay.

- This is potentially against the Workers' Rights Act 2019.
- It may amount to a breach of contract between you and your personnel/staff member.

Should you be found guilty of infringement of the abovementioned laws, you may be subject to penalties, and payment of compensation, and even imprisonment.

Should you require more information to ensure that you continue to abide with all laws of the Republic and in accordance with the Constitution of Mauritius, please feel free to contact us: mybodymychoicemyvoice@gmail.com

Kindly note that court cases are currently in preparation to contest the new Regulations, and we are counting on your support in our fight against these totalitarian laws being introduced in the absence of clear and justified public health interests.

MY BODY MY CHOICE MY VOICE