SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 10 of 2020

Emergency Powers (COVID-19) (No. 3) Regulations

In exercise of the power conferred by section 5 of the Emergency Powers Act, Cap. 19.02, the Governor General, makes the following Regulations:

1. **Citation and duration**.

(1) These Regulations may be cited as the Emergency Powers (COVID-19) (No. 3) Regulations, 2020.

(2) These Regulations shall come into operation from 6:01 a.m. on Friday 3rd April, 2020 and shall expire at 7:00 p.m. on Thursday 9th April, 2020.

2. **Interpretation**.

In these Regulations

"night curfew" means a period of curfew with a duration from 7:01 p.m. until 5:59 a.m. of the following day;

"partial curfew" means a period of curfew with a duration that is less than a twenty-four hour period and

(a) which would be in place for the time period specified in the Schedule; and

(b) movement on a day of partial curfew shall be exercised in accordance with regulation 18;

"twenty-four curfew" means a period of curfew with a duration of twenty-four hours in accordance with the provisions of these Regulations.

3. **Curfew Schedule**.

The schedule for curfews during the emergency period to mitigate the spread of COVID-19 is set out in the Schedule.

4. **Work remotely from home.**

(1) All businesses and offices may continue their business operations by allowing their employees to work remotely from home utilizing virtual means, unless those employees are permitted to work under regulation 6 or are designated as being essential workers under regulation 8.

(2) Where a business is unable to continue its business operations by its employees working remotely from home, the business shall cease its operations for the duration of these Regulations.

5. **Public Service, Statutory Bodies, State-owned Enterprises and Courts.**

All persons employed within the public service, a statutory body, a State-owned enterprise or the courts shall work remotely from home, except as may otherwise be directed by the Secretary to the Cabinet.

6. **Closure of businesses and exceptions.**

(1) All businesses and establishments shall remain closed except for the following businesses which may remain open for any period within the specified time

(a) hospitals and medical facilities;

(b) pharmacies and medical supply establishments;

(c) businesses licensed to provide security guard services;

(d) such other businesses or undertakings as may be specifically exempted, in writing, by the Commissioner of Police

provided that the owner or operator of an establishment specified in paragraphs (a) to (d) shall adhere to social distancing and physical distancing protocols pursuant to regulation 7.

(2) All works of construction of any sort (apart from urgent plumbing, electrical, roof repairs or other emergency repairs for a home or business) shall cease.

7. **Social distancing and physical distancing protocols.**

Any establishment, that is permitted to operate pursuant to the provisions of these Regulations, shall make the necessary arrangements to facilitate social distancing and physical distancing and shall

(a) ensure that all customers and staff maintain physical distancing of at least six feet (6ft.) in or outside of their business, if in a line to enter the business;

(b) determine the number of persons that may be permitted in the establishment at any one time by permitting one person for every thirty square feet of store space;

(c) place distance markers at least six feet apart, indicating where each customer must stand on a line at a check out point or other line;

(d) place distance markers at least six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

8. **Shelter in place.**

(1) Subject to sub-regulation (2) and in an effort to prevent the spread of the novel coronavirus or COVID-19, every person shall remain confined to their place of residence, inclusive of their yard space, to avoid contact outside of their family, except

(a) workers required to work under regulation 6;

(b) for essential travel to the doctor, pharmacy or the establishments referred to in regulation 6;

provided that such persons shall ensure at all times to distance themselves at least six feet from any other person.

(2) For the purposes of this regulation, an “essential worker” includes essential officers of

(a) the Royal Saint Christopher and Nevis Police Force;

(b) the Saint Christopher and Nevis Defence Force;

(c) the Fire and Rescue Services Department;

(d) National Emergency Management Agency and Nevis Disaster Management Department, the National Emergency Operating Centre, the Health Emergency Operating Centre and any other Disaster Management Services;

(e) the prisons, correctional facilities, or other similar establishments;

(f) any hospital, health care or medical facility;

(g) Customs Department

(h) Immigration Department

(i) the Air and Sea Ports Authorities;

(j) or essential media personnel of a Media House;

(k) of the office of the Director of Public Prosecution, the Attorney General's Chambers, Members of Parliament, the Secretary to the Cabinet;

(l) emergency technical personnel of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media.

(3) All essential workers shall at all times carry personal identification and official work identification where possible.

9. **Education and religious instruction.**

(1) All religious and educational places of instruction or worship shall remain closed.

(2) Sub-regulation (1) does not prohibit any activity referred to therein by electronic or virtual means.

10. **Restriction on social activities.**

No person shall host, attend or visit

(a) a private party;

(b) a recreational or competitive sporting event or other types of public entertainment;

(c) a wedding;

(d) a banquet, ball or reception;

(e) any other ceremony in any facility or public place;

(f) a funeral;

(g) a meeting of a fraternal society, private or social club or civic association or organization;

(h) any public beach;

(i) any bars or rum shops; or

(j) any other type of social event.

11. **Restriction on international travel.**

(1) For the purposes of preventing, controlling and suppressing the spread of the novel coronavirus or COVID-19, with immediate effect

(a) except with the prior written permission of the Air Ports Authorities, all airports including private airports and fixed-base operations shall be closed to incoming international flights;

(b) all sea ports shall be closed to regional and international seafaring and private boating; and

(c) a visitor shall not be permitted to enter and disembark for any reason, including transiting through Saint Christopher and Nevis.

(2) The restriction contained in paragraph (1) does not apply to

(a) outgoing flights or outgoing ships, as the case may be;
(b) cargo flights or cargo ships, as the case may be;
(c) commercial courier flights;
(d) emergency medical flights;
(e) emergency flights approved by the Air Ports Authorities;
(f) flight carrying any diplomat.

(3) Notwithstanding sub-regulation (2), no crew member will be allowed or granted shore leave, unless for the purposes of operational difficulties and upon receiving permission from the Airports Authorities or the Ports Authorities.

12. **Restriction on domestic travel.**

No person shall offer for hire or seek to travel on any inter island private commercial sea transport.

13. **Restriction on road traffic**

(1) No person shall drive a vehicle on any public or private road for a purpose other than those purposes stated in regulation 5, 6 or 8.

(2) The Saint Christopher and Nevis Police Force and the Saint Christopher and Nevis Defence Force shall have powers to stop any vehicle and inquire as to the purposes for which that vehicle is being utilized, and may arrest anyone found in violation of this regulation.

(3) For the purposes of this regulation, “vehicle” includes a motor vehicle or motorbike.

14. **Public transportation**

(1) No person shall offer for hire or seek to travel on any motor omnibus, any motor vehicle for hire or reward, taxi or any passenger ferry.

(2) In these Regulations, “motor omnibus”, “motor vehicle for hire or reward” and “taxi” have the meanings assigned under the Vehicles and Road Traffic Act, Chapter 15.06.

15. **Restriction on visitation.**

No person shall visit or be permitted to visit

(a) any place of quarantine or isolation station;
(b) a patient in a hospital or residential care establishment or facility, including an elderly nursing home;
(c) a detainee in prison.

16. **Suspension of all retail liquor licences.**

Notwithstanding the provisions of the Liquor Licences Act, Cap. 18.21, all retail liquor licences are suspended once a period of emergency is declared in relation to COVID-19 by a Proclamation, published in the Official *Gazette*.

17. **Wearing masks outdoors.**

Notwithstanding the provisions of the Small Charges Act Cap. 4.36, a person shall wear a face mask, covering their nose and mouth, when in a public place, once a period of emergency is declared in relation to COVID-19 by a Proclamation, published in the Official *Gazette*.

18. **Exceptions for days with partial curfew.**

(1) The provisions of these Regulations shall apply during a period of partial curfew except the following businesses may remain open for any period within the specified time,

(a) wholesale or retail grocery stores; commercial bakeries; or fruit and vegetable vendors from 8:00 a.m. to 5:00 p.m., and for the first two shopping hours seniors, disabled persons and essential workers with identification shall be granted priority;

(b) gas stations from 6:00 am. to 5:00 p.m.;

(c) hotels, excluding any casinos, spas, gyms, discotheques and restaurants;

(d) banks, credit unions and money services business from 8:00 a.m. to 12:00 noon;

(e) commercial ports and related businesses between 6:00 a.m. to 5:00 p.m., subject to any variation by the Ports Authority;

(f) airports subject to regulation 11(1)(a);

(g) commercial courier flights;

(h) take away food vendors from 6:00am to 5:00pm;

provided that the owner or operator of an establishment specified in paragraphs (a) to (h) shall adhere to social distancing and physical distancing protocols pursuant to regulation 7.

(2) Notwithstanding regulation 8(1), during a period of partial curfew the following persons may leave their homes and enter into the public domain

(a) workers required to work pursuant to sub-regulation (1);

(b) persons who must travel to the doctor, grocery store, bank, credit union, money services business, pharmacy, to refuel vehicles or to utilize any other essential service provided for under sub-regulation (1).

(3) Notwithstanding regulation 14, during a period of partial curfew no person shall offer for hire or seek to travel on

(a) any motor omnibus, unless there is or would be not more than one passenger per row in the motor omnibus in a staggered formation;

(b) any hiring car or taxi, unless there is not more than one passenger in the vehicle.

19. **Penalty.**

A person who contravenes or fails to comply with these Regulations shall be liable on summary conviction to a fine not exceeding five thousand dollars or a term of imprisonment for a term not exceeding 6 months or to both and to forfeiture of any goods or money in respect of which the offence has been committed.

SCHEDULE

Curfew Schedule

(regulation 3)

Date	Type of Curfew	Period when movement allowed
Friday 3rd April, 2020	Partial curfew	6:01 a.m. to 7:00 p.m.
Friday 3rd 7:01 pm to Saturday 4th April, 6:00 a.m.	Night curfew	
Saturday 4th April, 2020	Partial curfew	6:01 a.m. to 7:00 p.m.
Sunday 5th April, 2020	Twenty-four hour curfew	
Monday 6th April, 2020	Twenty-four hour curfew	
Tuesday 7th April, 2020	Twenty-four hour curfew	
Wednesday 8th April, 2020	Partial curfew	6:01 a.m. to 7:00 p.m.
Wednesday 8th April 7:01p.m. to Thursday 9th April, 6:00 a.m.	Night curfew	
Thursday 9th April, 2020	Partial curfew	6:01 a.m. to 7:00 p.m.

Made this 2 day of April, 2020

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Sir S.W. Tapley Seaton
GCMG, CVO, QC, JP, LL.D
Governor General