

*Emergency Powers (Disasters) (COVID 19)  
(Operations and Safety Measures) Order*

**SAINT LUCIA**

STATUTORY INSTRUMENT, 2020, No. 136

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(Operations and Safety Measures) Order*

## SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 136

[ 7th September, 2020 ]

In exercise of the power conferred under section 3 of the Emergency Powers (Disasters) Act, Cap. 14.07, the Prime Minister makes this Order:

### Citation

1. This Order may be cited as the Emergency Powers (Disasters) (COVID 19) (Operations and Safety Measures) Order, 2020.

### Interpretation

2.—(1) In this Order —

“accommodation provider” includes a hotel, boarding houses and other places of accommodation service and has a COVID 19 Response Plan approved by the Chief Medical Officer;

“coastal tours” means tours conducted within Saint Lucian waters;

“cruise ship” means a large vessel that stops at different ports and carries passengers travelling for pleasure;

“early childhood education” means education provided by an institution specially designed to provide early childhood education services and suitable to the needs of children under five years of age;

“Electronic Application Portal” means the web-based application that allows a person who intends to travel to Saint Lucia to access the electronic application under section 9(3);

“electronic tracking wristwatch” means the electronic device that is used for the sole purpose of monitoring persons who —

(a) in the case of a national or resident, are placed in isolation —

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- (i) at a quarantine facility,
- (ii) at his or her home;
- (b) in the case of a non-national, intend to stay in Saint Lucia for fourteen days or more;
- “full operation” means operating a service in accordance with the physical distancing protocols specified under section 5 in the normal location and within the customary time;
- “notice of authorization” means a notice under section 10(1);
- “pleasure craft” means a vessel which, at the time of its arrival at a place in Saint Lucia from abroad, is being used for private recreational purposes only;
- “Saint Lucian waters” has the meaning assigned to it under section 2 of the Shipping Act, Cap.13.27.

(2) A word that is defined in the Emergency Powers (Disasters) (COVID 19) Order, Statutory Instrument, No. 42 of 2020 has the same meaning in this Order.

**Operation of services**

- 3. A service is open for full operation.

**Operation of public services**

- 4. A public service is open for full operation.

**Physical distancing protocols**

- 5. A service or public service shall —
  - (a) ensure that all customers and staff maintain physical distancing of no less than six feet —
    - (i) in the business or office, or
    - (ii) outside the business or office, if required;
  - (b) determine the number of persons that may be permitted in the office at any one time by permitting one person for every thirty square feet of space.

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**Educational institutions**

6. An educational institution shall, on its premises and in accordance with the physical distancing protocols under section 5, provide teaching and learning.

**Restriction on social activities**

7.—(1) A person may, in accordance with the physical distancing protocols specified under section 5 —

- (a) host or attend a social event with up to five hundred persons;
- (b) host or attend a tournament, sporting and contact sport event with up to five hundred persons;
- (c) operate a cinema.

(2) A faith-based organization may hold a religious ceremony —

- (a) in accordance with the physical distancing protocols specified under section 5; and
- (b) if the Ministry of Equity, Social Justice, Local Government and Empowerment, after consultation with the Chief Medical Officer, has approved a COVID 19 Response Plan prepared by the faith-based organization.

**Airports and sea ports**

8.—(1) All airports are open to incoming regional and international flights.

(2) All sea ports are open to regional and international seafaring.

(3) A person may enter Saint Lucia and disembark an aircraft or ship for any reason, including transiting through Saint Lucia.

(4) Subsections (1), (2) and (3) apply to —

- (a) outgoing flights and incoming flights;
- (b) incoming pleasure crafts travelling from a country specified in the Schedule;
- (c) cargo flights or cargo ships;
- (d) commercial courier flights;

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- (e) emergency medical flights;
  - (f) emergency flights approved by the Civil Aviation Authority.
- (5) Notwithstanding this section —
- (a) except with the written permission of the competent authority, sea ports are closed to cruise ships and ferries;
  - (b) in the case of a pleasure craft arriving in Saint Lucian waters, a person on that pleasure craft is subject to isolation as determined by the Chief Medical Officer, if within the last fourteen days prior to the arrival date of the pleasure craft he or she has a travel history of being in a country not specified in the Schedule.

**Pre-travel requirements**

**9.—(1)** A person shall, prior to travelling by air or sea into Saint Lucia —

- (a) take a polymerase chain reaction test for COVID 19 and have a negative result for that test seven days or less before his or her arrival in Saint Lucia;
- (b) in the case of a national or resident, obtain from the Chief Medical Officer confirmation of a reserved space at a quarantine facility or to be placed in isolation at his or her home;
- (c) in the case of a non-national, obtain from an accommodation provider, confirmation of a booking reservation.

(2) A national or resident may be placed in isolation at his or her home under subsection (1)(b) if —

- (a) he or she is under eighteen years;
- (b) he or she is travelling with a family that includes a child;
- (c) he or she has an underlying medical condition or pre-existing physical or mental infirmity;
- (d) the residence of that person meets the criteria for isolation at his or her home as determined by the Chief Medical Officer.

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(3) A person who meets the pre-travel requirements under subsections (1) and (2) shall, by using the Government website, access the Electronic Application Portal to —

- (a) provide his or her personal, travel, accommodation and other relevant information;
- (b) upload the negative result of his or her polymerase chain reaction test that was taken seven days or less before his or her intended arrival in Saint Lucia;
- (c) submit an electronic mail address for receipt of an automatic response that indicates whether authorization to travel has been approved;
- (d) make online payments for a polymerase chain reaction test in Saint Lucia, if applicable;
- (e) make online payments for the rental of an electronic tracking wristwatch, if applicable.

**Notice of authorization to travel**

**10.—**(1) If the Chief Medical Officer is satisfied that the pre-travel requirements under section 9 have been met, he or she shall issue a notice of authorization for travelling purposes by using the electronic mail address provided under section 9(3)(c).

(2) A person who receives a notice of authorization under subsection (1) shall print and travel with a copy of the notice of authorization to present to the airline personnel before boarding an aircraft.

(3) A person who does not receive a notice of authorization under subsection (1) shall ensure that the pre-travel requirements under section 9 are satisfied prior to making travel arrangements to Saint Lucia.

**Polymerase chain reaction test and isolation**

**11.—**(1) Notwithstanding sections 9 and 10, a person who arrives in Saint Lucia may, based on a health assessment conducted by the Chief Medical Officer or a medical officer authorized by the Chief Medical Officer, be —

- (a) required to take another polymerase chain reaction test;

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- (b) in the case of a national or resident, placed for a maximum period of fourteen days —
  - (i) in isolation at a quarantine facility, and
  - (ii) in isolation at his or her home, if he or she qualifies to be placed in isolation at his or her home;
- (c) in the case of a non-national, required to stay at an accommodation provider.

(2) A person who takes a polymerase chain reaction test under subsection (1) shall pay the fee for that test as specified in Schedule 2 of the Hospitals Regulations, Cap. 11.03.

(3) Notwithstanding subsection (1) and subject to subsection (2), a person travelling to Saint Lucia from a country specified in the Schedule may be exempted from taking a polymerase chain reaction test or being placed in a quarantine facility, unless he or she —

- (a) has travelled to a country that is not specified in the Schedule and stayed in that other country for a period of twenty-one days prior to his or her arrival in Saint Lucia; or
- (b) was in transit in a country that is not specified in the Schedule.

(4) Notwithstanding subsection (1), a national or resident arriving in Saint Lucia, may be placed in isolation at a quarantine facility for seven days and may qualify to be placed in isolation at his or her home for for an additional period of seven days.

(5) In the case of a non-national who takes a polymerase chain reaction test under subsection (1) and —

- (a) prior to obtaining a negative result for his or her polymerase chain reaction test, shall stay on the premises of the accommodation provider, within the accommodation space that is reserved for his or her sole use;

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- (b) after obtaining the negative result of his or her polymerase chain reaction test, shall remain within the accommodation space that is reserved for his or her sole use and have access to —
  - (i) the amenities provided at the premises of the accommodation provider, including coastal tours,
  - (ii) sites and other touristic attractions with a COVID 19 Response Plan approved by the Chief Medical Officer,
  - (iii) a restaurant with a COVID 19 Response Plan approved by the Chief Medical Officer,
  - (iv) a shopping centre with a COVID 19 Response Plan approved by the Chief Medical Officer.

(6) A person who takes a polymerase chain reaction test under subsection (1) and obtains a positive result shall be placed in isolation for treatment.

**Travelling within Saint Lucia from a port**

**12.** A person travelling from a port to a quarantine facility or an accommodation provider is required, when travelling from a port —

- (a) to hire a tourism taxi with a COVID 19 Response Plan approved by the Chief Medical Officer;
- (b) subject to section 13, to wear an electronic tracking wristwatch.

**Electronic monitoring**

**13.—(1)** A person shall wear an electronic tracking wristwatch, if he or she —

- (a) is placed in isolation at a quarantine facility or at his or her home;
- (b) intends to stay in Saint Lucia at an accommodation provider for a period of fourteen days or more.

(2) An electronic tracking wristwatch shall be administered by the Ministry responsible for health for the purpose of monitoring whether a person has, during his or her isolation, left —

- (a) the quarantine facility;

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- (b) his or her home;
- (c) the premises of an accommodation provider;

(3) A person shall pay one hundred dollars for every fourteen days that he or she is required to wear an electronic tracking wristwatch.

(4) Information obtained from an electronic tracking wristwatch shall be stored in a secure manner for the duration of a person's isolation, and shall —

- (a) be accessible only to the technical personnel at the Ministry responsible for health who are responsible for implementing monitoring, who may disclose it only to the following persons —
  - (i) a police officer,
  - (ii) a medical officer;
- (b) be deleted on the expiration of the period of isolation.

**Restriction on visitation**

**14.** Except with the permission of the Chief Medical Officer, a person shall not visit or be permitted to visit a person placed in isolation.

**Wearing of masks or other covering**

**15.** In an effort to prevent the spread of COVID 19, a person shall wear a mask or other covering fitting over the nose and mouth when in public.

**General penalty**

**16.** A person who contravenes this Order commits an offence and is liable to imprisonment with or without hard labour for a term not exceeding six months or a fine not exceeding one thousand dollars or both and forfeiture of goods or money in respect of which the offence has been committed.

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**Revocation**

**17.** The Emergency Powers (Disasters) (COVID 19) (Curfew) (No. 10) Order, Statutory Instrument, No. 111A of 2020 is revoked.

**Expiry**

**18.** This Order ceases to have effect when the declaration of state of emergency pursuant to which this Order has been made ceases to have effect.

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**SCHEDULE**

(Sections 8 and 10)

**LIST OF COUNTRIES**

1. Antigua and Barbuda
2. Anguilla
3. Barbados
4. Bonaire
5. British Virgin Islands
6. Curacao
7. Grenada
8. Monsterrat
9. Saint Barthelemy
10. St. Kitts and Nevis
11. St. Vincent and the Grenadines
12. The Commonwealth of Dominica

Made this 7<sup>th</sup> day of September, 2020.

ALLEN M. CHASTANET,  
*Prime Minister.*