

*Emergency Powers (Disasters) (COVID 19) (Curfew)(No. 3) Order***SAINT LUCIA**

STATUTORY INSTRUMENT, 2020, No. 46

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## SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 46

[ 1st April, 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) (Curfew) (No. 3) Order, 2020.

### **Interpretation**

2.— (1) In this Order —

“curfew” means the time specified under section 3;

“full operation” means operating a service in accordance with the physical distancing protocols specified under section 7 in the normal location and within the customary time;

“minimal operation” means allowing employees or public servants to work —

(a) remotely from home utilizing virtual means; or

(b) in accordance with the physical distancing protocols specified under section 7 within the time specified by a business or public office;

“public service” means a public service under section 5;

“service” means a service under section 4.

(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.

### **Curfew**

3. A curfew is imposed each day for twenty-four hours from 5 a.m. on the 1st day of April, 2020 to 5 a.m. on the 8th day of April, 2020.

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**Operation of services**

4.—(1) A service specified under column 1 of Schedule 1 may, in relation to an activity specified under column 2 of Schedule 1, be open for full operation, minimal operation or be closed as specified under column 3 of Schedule 1.

(2) The competent authority may, with or without the written request of a person who supplies a service, add a service to Schedule 1 or vary column 2 or 3 by publication in the Gazette.

(3) The publication in the Gazette under subsection (2) must contain —

- (a) the type of service;
- (b) the activity in relation to the service under paragraph (a);  
and
- (c) the level of operation that the service under paragraph (a) may conduct as full operation or minimal operation.

(4) Where the competent authority adds or varies Schedule 1 under subsection (2), the addition or variation is deemed to be an amendment of Schedule 1.

(5) A service that is not specified under subsection (1) or subsection (2) shall suspend operations.

**Operation of public services**

5.—(1) A Government agency specified under column 1 of Schedule 2 may, in relation to the public service specified under column 2 of Schedule 2 be open for full operation, minimal operation or be closed as specified under column 3 of Schedule 2.

(2) The competent authority may, with or without the written request of a Government agency, add to Schedule 2 or vary column 2 or column 3 of Schedule 2 by publication in the Gazette.

(3) The publication in the Gazette under subsection (2) must contain —

- (a) the type of public service;
- (b) the activity in relation to the public service under paragraph (a); and

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(c) the level of operation that the public service under paragraph (a) may conduct as full operation or minimal operation.

(4) Where the competent authority adds or varies Schedule 2 under subsection (2), the addition or variation is deemed to be an amendment of Schedule 2.

(5) A public service that is not specified under subsection (1) or subsection (2) shall suspend operations.

**Essential services to operate during curfew**

**6.—**(1) A service or public service that is open for full operation or minimal operation is deemed to be an essential service for the purposes of this Order and shall operate during the curfew.

(2) Notwithstanding subsection (1), the competent authority may approve in writing, the continuation of a service or public service as an essential service during the curfew.

(3) An essential service approved under subsection (2) shall be issued with a pass by the Director of the National Emergency Management Organization.

(4) An essential service under subsection (1) or subsection (2) shall comply with the physical distancing protocols specified under section 7.

**Physical distancing protocols**

**7.** 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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**Confinement to residence**

**8.**—(1) In an effort to prevent the spread of COVID 19, a person other than a person under sections 4, 5 and 6 shall remain confined in their place of residence to avoid contact outside of their family during the curfew.

(2) Subsection (1) does not apply to necessary travel—

(a) to an essential service that is in the closest proximity from where the person resides; or

(b) by an essential service.

**Educational institutions**

**9.**—(1) All educational institutions shall remain closed.

(2) Subsection (1) does not prohibit any activity that can be performed by electronic or virtual means.

(3) In subsection (2), “activity” includes teaching and learning.

**Restriction on social activities**

**10.** A person shall not host or attend —

(a) a private party;

(b) a competitive sporting event;

(c) a wedding;

(d) a banquet, ball or reception;

(e) a social event;

(f) a beach picnic;

(g) a river party;

(h) a funeral; or

(i) a meeting of a fraternal society, private or social club or civic association or organization.

**Restriction on international travel**

**11.**—(1) For the purposes of preventing, controlling and suppressing the spread of COVID 19, with immediate effect —

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- (a) except with the prior written permission of the competent authority, all airports shall be closed to incoming international flights;
  - (b) except with the prior written permission of the competent authority, all sea ports shall be closed to regional and international seafaring and private boating; and
  - (c) a person shall not be permitted to enter and disembark for any reason, including transiting through Saint Lucia.
- (2) The restriction under subsection (1) does not apply to —
- (a) outgoing flights or outgoing ships;
  - (b) cargo flights or cargo ships;
  - (c) commercial courier flights;
  - (d) emergency medical flights;
  - (e) emergency flights approved by the Civil Aviation Authority.

**Restriction on road traffic**

**12.**—(1) A person shall not drive a vehicle on any public or private road during the curfew except with the written permission of the Director of the National Emergency Management Organization.

(2) The Royal Saint Lucia Police Force shall have power to stop any vehicle and enquire as to the purpose for which that vehicle is being utilized.

(3) In this section, “vehicle” includes a motor vehicle or motorcycle.

**Restriction on visitation**

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

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**General penalty**

**14.** 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.

**Revocation**

**15.** The Emergency Powers (Disasters) (COVID 19) (Curfew) (No. 2) Order, Statutory Instrument No. 44 of 2020 is revoked.

**Expiry**

**16.** 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.

*Emergency Powers (Disasters) (COVID 19) (Curfew)(No. 3) Order***SCHEDULE 1**

(Section 4)

| <b>No.</b> | <b>Service</b>  | <b>Activity</b>                                   | <b>Level of operation</b>    |
|------------|---|---|------------------------------|
| 1          | Financial/Banking Services  | Teller/ATM Services                               | Closed                       |
|            |   | Online Services                                   | Full operation               |
|            |   | Counter Services                                  | Closed                       |
|            |   | General Administration/<br>Others                 | Closed                       |
| 2          | Electricity/Water/  | Production/<br>Operations/<br>Repairs/Maintenance | Full operation               |
|            |   | Counter Services                                  | Closed                       |
|            |   | Data Center                                       | Closed except work from home |
|            |   | General Administration/<br>Others                 | Closed except work from home |
| 3          | Supermarkets,   | In store/at location                              | Closed                       |
|            | Wholesalers   | Delivery activities                               | Minimal operation            |
|            | Minimarts, Small shops, Bakeries  | In store/at location                              | Minimal operation            |
| 4          | Food supply and preparation services <ul style="list-style-type: none"> <li>• Restaurants</li> <li>• Food trucks/<br/>Food stalls</li> <li>• Hotel/<br/>guesthouse restaurants</li> </ul> | Supply of raw food                                | Closed                       |
|            |   | Delivery, take away, drive-thru                   | Closed                       |
|            |   | Dine-in   | Closed                       |
|            |   | Take away   | Closed                       |
|            |   | Service for house guest only                      | Minimal operation            |
| 5          | Farming/fishing   | Fresh fruit/raw food/<br>livestock                | Minimal operation            |
|            |   | Local Butchers                                    | Closed                       |
|            |   | Fishing production/<br>distribution               | Closed                       |

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| <b>No.</b> | <b>Service</b>                             | <b>Activity</b>   | <b>Level of operation</b> |
|------------|--|---|---------------------------|
| 6          | Sanitation/Solid Waste Management/Cleaning | Collection, disposal, cleaning  | Minimal operation         |
| 7          | Gas Stations/<br>Petroleum                 | Gas station services  | Minimal operation         |
|            |  | Cooking Gas (Operations and delivery)   | Minimal operation         |
|            |  | Production/Storage/<br>Delivery of Petroleum products                           | Full operation            |
| 8          | Telecommunications Service                 | Operations/<br>Maintenance  | Full operation            |
|            |  | General Administration  | Minimal operation         |
|            |  | Counter Services  | Closed                    |
| 9          | Broadcasting and Media                     | Production, Operations and information Dissemination                            | Full operation            |
| 10         | Manufacturing/<br>Industries               | Production of food and water  | Closed                    |
|            |  | Data Centre/Call Centre   | Minimal operation         |
|            |  | Production of cleaning supplies/disinfectants and related by-products/ supplies | Closed                    |
|            |  | Production of Personal Protective Equipment                                     | Full operation            |

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| <b>No.</b> | <b>Service</b>                | <b>Activity</b>   | <b>Level of operation</b> |
|------------|-------------------------------|---|---------------------------|
| 11         | Air and Seaports              | Airport operations  | Full operation            |
|            |                               | Cargo operations  | Full operation            |
|            |                               | General Administration  | Minimal operation         |
|            |                               | Port police/Security  | Full operation            |
| 12         | Courier/Online/<br>e-Commerce | Pick-up/Delivery  | Full operation            |
| 13         | Health                        | Hospital, Clinic  | Full operation            |
|            |                               | Doctors office, Clinic<br>Online Services<br>Counter Services | Full operation<br>Closed  |
|            |                               | Hospital Pharmacies   | Full operation            |
|            |                               | Private Pharmacies  | Closed                    |
|            |                               | Medical shops   | Closed                    |
|            |                               | Dialysis Centre   | Full operation            |
|            |                               | Veterinary  | Closed                    |
| 14         | Emergency and Security        | Castries City Police  | Full operation            |
|            |                               | Private security  | Full operation            |
| 15         | Transportation                | All operations  | Minimal operation         |

*Emergency Powers (Disasters) (COVID 19) (Curfew)(No. 3) Order***SCHEDULE 2**

(Section 5)

| <b>No</b> | <b>Government Agency</b>                                       | <b>Public service</b>  | <b>Level of Operation</b> |
|-----------|--|--|---------------------------|
| 1         | Ministry/<br>Department/<br>Statutory<br>Body/Public<br>Entity | Top Management/<br>Senior Technical<br>Officers  | Minimal operation         |
|           |  | Key Revenue<br>collection services   | Closed                    |
|           |  | Key/Critical Payment -<br>Treasury Department  | Minimal operation         |
|           |  | Emergency, Security and<br>Enforcement   | Full operation            |
|           |  | Licensing  | Closed                    |
|           |  | Registration   | Minimal operation         |
|           |  | Printing   | Minimal operation         |
|           |  | Weather  | Full operation            |
|           |  | Cleaning   | Full operation            |
|           |  | Hospital, pharmacy and<br>medical  | Full operation            |
|           |  | Comfort stations   | Full operation            |
|           |  | General Administration   | Minimal operation         |
| 2         | Critical<br>Public<br>Sector Projects                          | Construction work  | Closed                    |
|           |  | Renovation or<br>maintenance works at<br>current health facility,<br>including the Owen<br>King European Union<br>Hospital, Quarantine<br>Facilities, Victoria<br>Hospital, Respiratory<br>Clinics and Health<br>Centres | Minimal operation         |

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| <b>No</b> | <b>Government Agency</b> | <b>Public service</b>  | <b>Level of Operation</b> |
|-----------|--------------------------|------------------------|---------------------------|
| 3         | Governor General Office  | Head of State          | Full operation            |
|           |                          | General Administration | Minimal operation         |
| 4         | Parliament               | Sittings               | Minimal operation         |
|           |                          | General Administration | Minimal operation         |
| 5         | Judiciary                | All operations         | Minimal operation         |

Made this 1<sup>st</sup> day of April, 2020.

ALLEN M. CHASTANET,  
*Prime Minister.*