

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

SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 44

ARRANGEMENT OF SECTIONS

Section

1. Citation
2. Interpretation
3. Curfew
4. Level of operation for services
5. Level of operation of the public service
6. Essential services to operate during curfew
7. Physical distancing protocols
8. Confinement to residence
9. Educational institutions
10. Restriction on social activities
11. Restriction on international travel
12. Restriction on road traffic
13. Restriction on visitation
14. General penalty
15. Revocation
16. Expiry

SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 44

[27th March, 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 and commencement

1.—(1) This Order may be cited as the Emergency Powers (Disasters) (COVID 19) (Curfew) (No. 2) Order, 2020.

(2) This Order is deemed to have come into force on the 24th day of March, 2020.

Interpretation

2. 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.

Curfew

3. A curfew is imposed each day from 11 p.m. to 5 a.m.

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

Level of operation for services

4.—(1) A service specified under column 1 of Schedule 1 may continue operations in relation to an activity specified under column 2 of Schedule 1 at the level of operation specified under column 3 of Schedule 1, except during the curfew.

(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.

Level of operation of the public service

5.—(1) A Government agency specified under column 1 of Schedule 2 may continue the public service specified under column 2 of Schedule 2 at the level of operation specified under column 3 of Schedule 2, except during the curfew.

(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

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

- (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 established, maintained or operated by the Government, or by a public or private enterprise, or otherwise, for —

- (a) the collection, storage, purification or distribution of water for use by the public or a class of the public;
- (b) the removal or handling of deceased persons or disposal of dead animals;
- (c) the provision of electricity;
- (d) the provision of telecommunications;
- (e) the transportation of a class of the public;
- (f) the provision of trucking services related to the movement and delivery of essential services and the food chain;
- (g) the provision of cleaning services;
- (h) the provision of fire, police, correctional services, private security services and services by the Castries City Police;
- (i) the operation of points of entry to allow only for cargo handling and departure of persons from Saint Lucia,

may continue to operate during the curfew.

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

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

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

(2) A service under subsection (1) or a service or public service under subsection (2) shall comply with the physical distancing protocols specified under section 7.

Physical distancing protocols

7. A service, Government agency and essential 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.

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, except —

- (a) for essential travel to the doctor, grocery store, bank, pharmacy or a refuelling station;
- (b) for outdoor exercise, whether alone or together with family members living under the same roof.

(2) A person under subsection (1)(a) and (b) shall comply with the physical distancing protocols under section 7(a).

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.

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

(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 which includes any person from outside of the immediate household of the host;
- (b) a competitive sporting event;
- (c) a wedding which host ten or more persons other than the bride, bridegroom, official witnesses and the marriage officer;
- (d) a banquet, ball or reception;
- (e) a social event which host ten or more persons;
- (f) a funeral, except ten members of the immediate family and at least one officiant and essential mortuary staff; or
- (g) 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 —

- (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;

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

- (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.

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) Order, Statutory Instrument No. 43 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.

SCHEDULE 1

(Section 4)

No.	Service	Activity	Level of operation
1	Financial/Banking Services	Teller/ATM Services	Full operation
		Online Services	Full operation
		Counter Services	Minimal operation
		General Administration/ Others	Minimal operation
2	Electricity/Water/	Production/Operations/ Repairs/Maintenance	Full operation
		Counter Services	Minimal operation
		Data Center	Minimal operation
		General Administration/ Others	Minimal operation
3	Supermarkets, Mini-marts, Small shops, Bakeries	In store/at location and delivery activities	Full operation
4	Food supply and preparation services • Restaurants • Food trucks/Food stalls • Hotel/guesthouse restaurants	Supply of raw food	Full operation
		Delivery, take away, drive-thru	Full operation
		Dine-in	No operation
		Take away	Full operation
		Service for house guest only	Full operation
5	Farming/fishing	Fresh fruit/raw food	Full operation
		Local Butchers	Full operation
		Fishing production/ distribution	Full operation

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

No.	Service	Activity	Level of operation
6	Sanitation/Solid Waste Management/Cleaning	Collection, disposal, cleaning	Full operation
7	Gas Stations/Petroleum	Gas station services	Full operation
		Cooking Gas (Operations and delivery)	Full operation
		Production/Storage/Delivery of Petroleum products	Full operation
8	Auto Vehicle Garage	Vehicle maintenance/service	Full operation
		Vehicle repairs	Full operation
		Wrecker/Touring	Full operation
9	Telecommunications Service	Operations/Maintenance	Full operation
		General Administration/others	Minimal operation
		Counter Services	Minimal operation
		Data Centre	Minimal operation
10	Broadcasting and Media	Production, Operations and information Dissemination	Full operation
		General Administration/Sales/others	Minimal operation
11	Manufacturing/Industries	Production of food and water	Full operation
		Production of cleaning supplies/disinfectants and related by-products/supplies	Full operation
		Production of Personal Protective Equipment	Full operation

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

No.	Service	Activity	Level of operation
12	Air and Seaports	Airport operations	Full operation
		Cargo operations	Full operation
		General Administration/ Other	Minimal operation
		Port police	Full operation
13	Courier/Online/ e-Commerce	Pick-up/Delivery	Full operation
14	Health	Hospital, Clinic	Full operation
		Doctors office, Clinic	Full operation
		Caregivers (home or community)	Full operation
		Pharmacies	Full operation
		Health, medical shops	Full operation
		Dialysis and related medical services centers	Full operation
		Veterinary, pet care	Full operation
15	Emergency and Security	Castries City Police	Full operation
		Private security	Full operation
16	Transportation	All operations	Minimal operation

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

(Section 5)

No	Government Agency	Public service	Level of Operation
1	Ministry/ Department/ Statutory Body/Public Entity	Top Management/ Senior Technical Officers	Full operation
		Key Revenue collection services - Inland Revenue Department	Minimal operation
		Key/Critical Payment - Treasury Department	Minimal operation
		Security and Enforcement	Full operation
		Licensing/Registration	Minimal operation
		Printing/Weather	Full operation
		Cleaning	Full operation
		Hospital and medical	Full operation
		General Administration/ Others	Minimal operation
2	Governor General Office	Head of State/Governance	Full operation
		General Administration/ Others	Minimal operation
3	Parliament	Sittings	Minimal operation
		General Administration/ Others	Minimal operation
4	Judiciary	All operations	Suspended from 23 March, 2020 to 29 March, 2020.
			Minimal operation from 30 March, 2020 to 5 April, 2020.

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

Made this 27th day of March, 2020.

ALLEN M. CHASTANET,
Prime Minister.