



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 19.02

## EMERGENCY POWERS ACT and Subsidiary Legislation

### Revised Edition

showing the law as at 31 December 2020

This is a revised edition of the law, prepared by the Law Commission under the authority of the Law Commission Act, Cap. 1.03.

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- (b) that action has been taken or is immediately threatened by any person or body of persons of such a nature as to be likely to endanger the public safety or public order or to deprive the community or any substantial portion of the community of supplies and services essential to life,

may, by Proclamation which shall be published in the *Official Gazette*, declare that a state of Emergency exists.

(2) A Proclamation made by the Governor-General under this section shall declare that the Governor-General is satisfied—

- (a) that a public emergency has arisen as a result of any of the events set out in sub-paragraphs (a) and (b) of subsection (1) of this section; and
- (b) that the declaration is reasonably justifiable in the interests of defence, public safety, public order or public health.

#### **Proclamation to be communicated to National Assembly.**

4. (1) Every declaration of emergency shall lapse—

- (a) in the case of a declaration made when the Legislature is sitting, at the expiration of a period of seven days beginning with the date of publication of the declaration; and
- (b) in any other case, at the expiration of a period of twenty-one days beginning with the date of publication of the declaration, unless it has in the meantime been approved by a resolution of the Legislature supported by the votes of two-thirds of all the members of the House Assembly.

(2) Subject to the provisions of subsections (3) and (4) of this section, a declaration of a state of emergency may at any time be revoked by the Governor-General by Proclamation which shall be published in the *Official Gazette*.

(3) A declaration of a state of emergency may be made so as to apply only to such part or area or parts or areas of the State as may be specified in the Proclamation (in this subsection called “the emergency area”) in which case regulations made under section 5 of this Act shall, except as otherwise expressly provided in such regulations, have effect only in relation to the emergency area.

(4) Where a Proclamation is in force in respect of the whole State of Saint Christopher and Nevis and it appears to the Governor-General that the circumstances have so changed in respect to a part or area or to parts or areas of the State as to warrant the determination of the state of emergency in respect of such part or area or parts or areas the Governor-General may, by another Proclamation, determine the state of emergency in such part or area or parts or areas, as the case may be, but the original Proclamation shall remain in full force and effect in respect of any part or area or parts or areas not included in a Proclamation made under this subsection.

#### **Emergency Regulations.**

5. (1) During a period of public emergency it shall be lawful for the Governor-General to make regulations which are reasonably justifiable for dealing with the situation that exists in the State and those regulations may confer or impose on a Minister or on any Government Department or on any other person or persons in Her Majesty’s service or acting on Her Majesty’s behalf such powers and duties as are reasonably justifiable for dealing with the situation that exists in the State and may

make such provisions incidental to the powers aforesaid as may be reasonably justifiable for dealing with the situation that exists in the State.

(2) Without prejudice to the generality of the powers conferred by subsection (1) of this section, the Governor-General may, in such regulations—

- (a) make provision for the detention of persons and the deportation and exclusion of persons from the State;
- (b) authorise on behalf of Her Majesty—
  - (i) the taking of possession or control of any property or undertaking or the arranging and carrying on of any undertaking;
  - (ii) the acquisition of any property other than land;
- (c) authorise the entering and search of any premises;
- (d) provide for charging in respect of the grant or issue of any licence, permit, certificate or document for the purposes of the regulations, such fee as may be prescribed by or under the regulations;
- (e) provide for the payment of compensation and remuneration to persons affected by the regulations.

(3) Any regulations so made shall be signed by the Governor-General and shall come into operation upon publication in the *Official Gazette*.

(4) The Governor-General may, in the regulations, provide for the summary trial of persons charged with offences against the regulations so however that the maximum penalty which may be imposed for any offence against the regulations shall be imprisonment for a term not exceeding twelve months or a fine not exceeding five thousand dollars or both, together with the forfeiture of any goods, money or property in respect of which the offence has been committed.

*(Amended by Act 9 of 1986)*

(5) The regulations so made shall have effect as if enacted in this Act, but may be added to, altered or revoked by the National Assembly or by regulations made in like manner and subject to the like provisions as the original regulations.

(6) The expiry or revocation of any regulations so made shall not affect the previous operation thereof, or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention or failure to comply therewith, or any proceeding or remedy in respect of any such punishment or penalty.

**FIRST SCHEDULE***(Section 5)***EMERGENCY POWERS REGULATIONS****Short title.**

1. These regulations may be cited as the Emergency Powers Regulations.

**Interpretation.**

2. (1) In these regulations—

“authorised person” means any competent authority, any member of the Defence Force, any constable, any member of any fire brigade, or any person authorised by any competent authority to do the act in relation to which the expression is used;

“competent authority”—

- (a) in relation to all the provisions of these regulations which confer any powers upon a competent authority means the Governor-General, the Minister of National Security, the Secretary to the Cabinet, the Commanding Officer of the Defence Force, the Chief of Police or the Officer in charge of a Police Division;
- (b) in relation to any particular regulation which confers any power upon any competent authority includes such persons as may be appointed by the Governor-General as a competent authority for the purposes of such regulation;

“constable” means any member of the Police Force, any local constable or special constable;

“constitution” means the Saint Christopher and Nevis Constitution Order 1983;

“emergency area” means an area specified in any Proclamation declaring that a state of emergency exists;

“essential service” means any service established, maintained or operated by the Government of St. Christopher and Nevis and or any public authority, or by private enterprise for—

- (a) the collection, storage, purification and distribution of water for use by the public or any part of the public;
- (b) the collection, storage, treatment and disposal of sewage, garbage or refuse;
- (c) the manufacture, storage and distribution of gas for use by the public or any part of the public;
- (d) the generation, storage and distribution of electricity for use by the public or any part of the public;
- (e) the transportation of members of the public or of any class of the public, or of goods by railway, road, sea or air;
- (f) the maintenance of telegraphic, telephonic, wireless telegraphic and wireless telephonic communication and postal communication between any place in or any place outside St. Christopher and Nevis;

- (g) the prevention, control and extinguishing of fires;
- (h) the maintenance of public health;
- (i) the storage and distribution of food, drink or fuel of any description;
- (j) the transportation to and from, or the reception, examination, accommodation, care, treatment or isolation at any hospital, dispensary, clinic, infirmary, health centre or other institution of aged, destitute or infirm persons, or of persons who are suffering from any injury, or who are believed to be suffering from any mental, infectious or physical disease or who have been or are likely to be exposed to infection with or are believed to be carriers of any infectious or contagious disease; or
- (k) the disposal of bodies of deceased persons;

“fire” means any fire and rescue services constituted under any law for the time being in force, and any fire and rescue services constituted under the provisions of these regulations;

“period of public emergency” means any period during which Her Majesty is at war or a declaration of emergency is in force under section 19 of the Constitution;

“prison staff” has the same meaning as in the Prisons Act, Cap. 19.08;

“proclamation” means any proclamation made pursuant to section 19 of the Constitution;

“public authority” includes the Water Board and any other body corporate the whole or any portion of the funds of which are derived from the Consolidated Fund;

“statutory purpose” means the preservation of the peace, and the securing and regulating of the supply and distribution of food, water, fuel, light and other necessities and the maintaining of the means of transportation and locomotion and any other purposes essential to the public safety and the life of the community;

“vehicle” includes any wheeled or other contrivance (whether mechanically propelled or otherwise) designed or adapted to travel on any road, railway, tramway track or line.

(2) For the purposes of these regulations, the doing of work on land means the doing of work on, over, or below the surface of the land, and, in particular, includes the making of any erection or excavation, the placing of anything on the land, and the maintenance, removal, demolition, pulling down, destruction or rendering useless of anything on, over or below the surface.

#### **Power to restrict access to any area.**

3. When a person is suspected of acting or of having acted or of being about to act in a manner prejudicial to the public safety, the supply or distribution of any necessity of life or the preservation of the peace and it is reasonably justifiable that such person should be prohibited from residing in or entering any particular area, the Governor-General may, by Order, prohibit him or her from residing in or entering any such area or areas as may be specified in the Order, and upon the making of the Order the person to whom the Order relates shall, if he or she resides in any area so specified, leave such area within such time as may be specified in the Order, and shall not subsequently reside in or enter any area or areas so specified during the period in which the order remains in force.

*(Inserted by S.R.O. 44/1967)*

**Control of certain person by Order of Governor-General.**

4. (1) When a person is suspected of—
- (a) having acted or of being about to act in a manner prejudicial to the public safety, the supply or distribution of any necessity of life or the preservation of the peace;
  - (b) having been concerned in acts prejudicial to the public safety or to public order;
  - (c) being likely to incite or provoke any person to commit a breach of the peace;
  - (d) being concerned in the preparation or instigation of such acts, or in impeding the maintenance of supplies and services essential to the life of the community,

and if it is reasonably justifiable for the preservation of the peace and the safety and welfare of the community to exercise control over such person, the Governor-General may make an order against that person in order to prohibit or restrict that person as provided in paragraphs (2) and (3) of this regulation.

- (2) The Order may prohibit or restrict—
- (a) the possession or use by such person of any articles specified in the order;
  - (b) any such person in respect of his or her employment, business, place of residence, or his or her association or communication with other persons as may be specified in the order;
  - (c) any such person from being out of doors between such hours as may be specified in the order, except under the authority of a written permit granted by such authority or person as may be specified in the order;
  - (d) any such person from travelling except in accordance with permission given to him or her by such authority or person as may be specified in the order.
- (3) The Order may order or require—
- (a) any such person to notify his or her movements in such manner, at such times and to such authority or person as may be specified in the order;
  - (b) any such person to quit any place or area or not to visit any designated places or areas as may be specified in the order;
  - (c) any such person who may be the editor, printer, publisher or agent of any newspaper, pamphlet, newsletter or circular printed, published or circulated in the State to cease the printing, publishing or circulation of any such newspaper, pamphlet, newsletter or circular in the State for the period prescribed in the Order.

*(Inserted by S.R.O. 44/1967)*

**Power of detention and or deportation.**

5. (1) If the Governor-General is satisfied that any person has recently been concerned in acts prejudicial to the public safety or to public order or in the preparation or instigation of such acts, or in impeding the maintenance of supplies and services essential to the life of the community and if it is reasonably justifiable



for the preservation of the peace and the safety and welfare of the community to exercise control over such person, the Governor-General may make an order against that person directing that he or she be detained.

(2) Any person detained in pursuance of this regulation shall be deemed to be in lawful custody and shall be detained in such place as shall be authorised by the Governor-General.

(3) Such an order of detention shall cease to operate—

(a) if it is suspended or revoked by the Governor-General; or

(b) if the declaration of emergency lapses or ceases to be in force.

(4) If the Governor-General is satisfied that any person is suspected of acting or of having acted or of being about to act in a manner prejudicial to the public safety, the supply or distribution of any necessity of life or the preservation of the peace, or has been conducting himself or herself so as to be dangerous to peace, order and good government, and it is reasonably justifiable for the preservation of the peace or the safety and welfare of the community to deport such person from the State, the Governor-General may, notwithstanding the provisions of the Immigration Act, Cap. 6.02 or of any other Act to the contrary, make an order (hereinafter referred to as a “Deportation Order”) directing that such person shall be deported from the State.

(5) Any person against whom a Deportation Order has been made under sub-regulation (4) may be arrested by any police officer by virtue of a warrant under the hand of the Governor-General who may cause him or her to be detained in such place as may be specified in the warrant, pending his or her deportation from the State; and any person so arrested and detained in pursuance of such warrant shall be deemed to be in lawful custody.

*(Inserted by S.R.O. 40/1967)*

#### **Protection of public property.**

6. No person shall without lawful authority destroy, damage, remove, tamper with or in any way impair the utility or efficiency of any building, structure, plant, works, machinery, equipment, apparatus, appliance, stores, vehicle, craft, animal or article (whether similar to any of the foregoing or not) vested in, belonging to or vested in any person in trust for, or used and occupied by or on behalf of the Crown or Her Majesty’s Government in St. Christopher and Nevis, or any government department or any public authority.

#### **Protection of essential services.**

7. No person shall without lawful authority destroy, damage, remove, tamper with, or in any way impair the utility or efficiency of any building, structure, works, plant, machinery, equipment, apparatus, appliance, stores, vehicle, craft, animal or article (whether similar to any of the foregoing or not) used or intended to be used for the maintenance, extension, or operation of any essential service or for any purpose ancillary to the maintenance, extension or operation of any essential service.

#### **Prevention of trespass.**

8. No person shall without lawful authority enter, remain on or be upon, or obstruct or impede access to or egress from any building, structure or works to which the provisions of regulations 6 and 7 of these regulations apply.

**Protection of public roads.**

9. No person shall without lawful authority damage or obstruct or do any act which is likely to prevent or interfere with the use of any public road or path.

**Power to block roads.**

10. (1) Any competent authority may, by order, stop up, block or divert any road or path for as long as the order remains in force:

Provided that where any such road or path is so stopped up, blocked or diverted such competent authority shall publish notice thereof in such manner as he or she considers best adapted for informing the public.

(2) When any competent authority is satisfied that for any statutory purpose it is urgently necessary or expedient so to do he or she may prohibit the use of any road or path by persons or vehicles or by any particular category of persons or vehicles for such period as he or she may think fit.

**Power to require removal of vehicles.**

11. Any competent authority may, by order, direct the removal of any animal, vehicle or article on a road, path or area specified in the order to some point outside the specified road, path or area within such period as may be specified.

**Power to work land.**

12. Any competent authority and any person authorised by him or her shall have the right of access to any land or buildings and to do or cause to be done on any lands or buildings any work of any description and to enter and remain in occupation of any land or building for such period as may be necessary.

**Acquisition of article.**

13. The Governor-General or the Minister of National Security may give notice to any person having control of any article requisitioning such article, and may by himself or herself his or her servants or agents take possession of such article and use it for any purpose for which it might have been lawfully used if it had not been requisitioned.

**Power to requisition essential services.**

14. (1) The Governor-General may give notice in writing to any person having the management or control of any essential service requisitioning such service with effect from such date as may be specified in such notice.

(2) Where any essential service is requisitioned under paragraph (1) of this regulation, the Governor-General shall by instrument in writing appoint some person as controller of the service so requisitioned.

(3) Upon the appointment of any person as controller of any essential service such person shall be entitled to take possession of all premises and assets of every description (other than money or securities for money) which immediately before the giving of the notice by which such service was requisitioned were used or intended to be used for the purposes of such service, and in relation to any premises and assets so taken possession of by him or her and in relation to the service so requisitioned to do or cause to be done any act or thing which might lawfully have been done by the person having control of such service if such service had not been so requisitioned.

**Power to require returns.**

15. (1) Any competent authority may by order require persons of such category as may be specified in such order to make such returns in such form to such person in respect of such matters relating to premises, animals or articles under their control as may be specified.

(2) Any competent authority may give notice in writing to any person requiring such person to make to the competent authority or to such other person or persons as may be specified in such notice a return in such form, within such time and requiring such particulars as may be so specified in relation to such premises, animals or articles under the control of such person.

**Power to require information.**

16. Without prejudice to any special provisions contained in these regulations, any person shall, on being requested by a competent authority so to do, furnish or produce to such authority or person as may be specified in the request any such information or article in his or her possession as may be so specified, and if any person fails to furnish or produce any information or article in his or her possession in pursuance of a request duly made to him or her under this regulation he or she commits an offence under these regulations.

**Restriction on publication of prejudicial matter.**

17. No person shall publish either orally or in writing any report or statement (whether true or false) or exhibit any effigy or caricature which report, statement, effigy or caricature is intended or is of such a nature as to be likely to be prejudicial to the public safety, or to incite or provoke any person to commit a breach of the peace or contravene any provision of these regulations or any order made or notice given thereunder.

**Prohibition of intimidation.**

18. No person shall abuse, insult, threaten, assault or intimidate any other person with a view to—

- (a) deterring such other person from doing any act which such other person is lawfully entitled to do; or
- (b) causing or inducing any such other person to do any act which any such other person is lawfully entitled to abstain from doing.

**Prohibition of incitement to disaffection.**

19. No person shall attempt to influence any member of the Defence Force, the Police Force or any constable or any member of the Fire and Rescue Services or any member of the prison staff to do any act in contravention of his or her duty or to refuse to do or abstain from doing any act proper to be done by him or her in the course of his or her duty or to cease during any period of emergency to be a member of the armed forces of the Crown or a constable or a member of the Fire and Rescue Services or a member of the prison staff.

**Obstruction.**

20. No person shall obstruct any servant of Her Majesty or a constable acting in the course of his or her duty, or any person exercising any powers or performing any

duties conferred or imposed on him or her by or under any of these regulations, or otherwise discharging any lawful functions.

**Power to prohibit assemblies.**

21. Any competent authority may by order prohibit in any area the assembly of any persons who are suspected of acting or of having acted or of being about to act in a manner prejudicial to the defence, public safety, public order, public morality or public health.

**Prohibition against discharging fire-arms.**

22. Any person who by discharging any fire-arm or by the use of sticks, stones or other missiles, or otherwise, endangers the safety of any person commits an offence against these regulations.

**Prohibition of carrying weapons.**

23. Any competent authority may by order prohibit the carrying by any person of any fire-arm, machete, cutlass, stick, stone or other implement or missile or explosive or gunpowder in any area as may be specified in the order.

**Curfew.**

24. Any competent authority may by order require every person within any area specified in the order to remain within doors between such hours as may be specified in the order, and any person who within any area so specified is or remains out of doors between such hours without a permit in writing from the competent authority commits an offence against these regulations.

**Prohibition of wearing of certain uniforms.**

25. No person not being a member of the armed forces of the Crown or a constable or a member of the Fire and Rescue Services shall wear the uniform appropriate to be worn by a member of the armed forces of the Crown or a constable or a member of the Fire and Rescue Services, as the case may be, or any dress having the appearance or bearing any of the distinctive marks of any such uniform.

**Emergency Fire and Rescue Services.**

26. The Governor-General may order the establishment of an Emergency Fire and Rescue Services for any area specified in the order, and every such order may contain directions as to the organization, numbers, ranks and discipline of the Fire and Rescue Services constituted thereunder.

**Forging and Personation.**

27. If any person forges, alters or tampers with any naval, military or police pass, permit or other document, or uses or has in his or her possession any such forged, altered or irregular naval, military or police pass, permit or document or personates any person to whom such a pass, permit or document has been duly issued, he or she commits an offence against these regulations.

**Duty of disclosing contravention of Regulations.**

28. Every person who knows or has reasonable cause to suspect that some other person is acting in contravention of any provision of these regulations shall so soon as may be practicable inform some authorised person.

**Power to search premises.**

29. Any authorised person may enter and search any vehicle, land or premises suspected of harbouring any person suspected of having committed or being about to commit any offence against these regulations or suspected of having thereon any explosive, firearm, literature, article or any other thing capable of being used in a manner prejudicial to the public safety or likely to lead to a breach of the peace, or to any contravention of these regulations and may take away such explosive, firearm, literature, article or any other thing capable of being used in a manner prejudicial to the public safety or likely to lead to a breach of the peace, or to any contravention of these regulations.

**Power to stop and search vehicles.**

30. Any authorised person may stop any vehicle on a public highway, road or path if he or she has reason to suspect that the vehicle is being used for any purpose or in any way prejudicial to the public safety and search such vehicle and any occupant thereof, and may seize the vehicle and anything contained therein which he or she suspects is being used or intended to be used for any such purpose aforesaid.

**Power to question.**

31. (1) Every person, if so required by an authorised person, shall stop and answer to the best of his or her ability and knowledge any questions which may reasonably be addressed to him or her by such authorised person.

(2) It shall be lawful for the Police to hold a person in custody for questioning for a period up to forty-eight hours after the commencement of such custody.

**Powers of Arrest.**

32. Any authorised person may arrest without warrant any person who is suspected of having acted or of acting in a manner prejudicial to defence, public safety, public order, public morality or public health, or who is suspected of having committed an offence against these regulations.

**Notices.**

33. (1) The competent authority, or any other person by whom an order is made in pursuance of these regulations shall publish notice of the order in such manner as he or she may consider best adapted for informing persons affected by the order.

(2) No person shall without lawful authority deface or otherwise tamper with any notice posted up in pursuance of paragraph (1) of this regulation.

**Provisions as to permits.**

34. Any person claiming to act under any permit or permission granted under or for the purposes of these regulations shall, if at any time he or she is required to do so by any authorised person, produce the permit or permission for inspection.

**Saving of other powers.**

35. The powers conferred by these regulations are in addition to and not in derogation of any powers exercisable by any person to take such steps as may be necessary for securing the public safety under the Constitution or any law in force in Saint Christopher and Nevis.

**Offences.**

**36.** (1) Every person who contravenes or fails to comply with the provisions of any of these regulations or any order made or notice given thereunder or incites or attempts to incite or counsels, abets, aids or procures any other person to contravene or fail to comply with any of these regulations or any order made or notice given thereunder commits an offence.

(2) Any person found guilty of an offence under these regulations shall upon summary conviction be liable to a fine not exceeding five thousand dollars or to imprisonment for any term not exceeding twelve months or both.

*(Amended by Act 9 of 1986)*

**Restriction on granting bail.**

**37.** (1) Any person in custody upon a charge of having contravened or failed to comply with any of the provisions of these regulations shall not be admitted to bail if the Court is satisfied that there is reasonable cause for believing that such person, if released upon bail, would be likely to commit a similar or other offence against these regulations.

(2) Notwithstanding the foregoing subsection, the Common Law principles applicable to the grant of bail shall apply where any person is in custody upon a charge of having contravened or having failed to comply with any of the provisions of these regulations.

**Indemnity and *ex gratia* compensation.**

**38.** No person shall be liable to any suit or action in respect of any act done under any direction or authority pursuant to the provisions of these regulations, but the Governor-General may order that compensation shall be paid out of the public funds of St. Christopher and Nevis.

**Application of the Magistrate's Code of Procedure Act, Cap. 3.17.**

**39.** The provisions of Part VIII of the Magistrate's Code of Procedure Act, Cap. 3.17 (relating to appeals from the decisions of Magistrates) shall apply to these regulations as if they formed part of these regulations.

**Delegation.**

**40.** By virtue of the powers vested in the Governor-General under the Emergency Powers Act, Section 5, enabling the Governor-General to confer on a Minister such powers and duties as are reasonably justifiable for dealing with the situation that exists in the State, the Governor-General hereby confers on the Minister of the Cabinet of the State of Saint Christopher and Nevis charged with the responsibility for the subject of National Security the power and duty to sign in his capacity as Minister of National Security any Orders to be made and any Warrants to be issued under regulations 3, 4(1), (2), (3), (4) and (5) of the Emergency Powers Regulations.

*(Inserted by S.R.O. 41/1967)*

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## **SECOND SCHEDULE**

*(Section 5)*

### **EMERGENCY POWERS (COVID-19) (NO. 16) REGULATIONS**

#### **Citation and duration.**

1. (1) These Regulations may be cited as the Emergency Powers (COVID-19) (No. 16) Regulations.

(2) These Regulations shall come into operation from 12:01 a.m. on Monday 19th October, 2020, and shall expire at midnight on Thursday 31st December, 2020.

#### **Interpretation.**

2. In these Regulations—

“public place” includes an indoor or outdoor area, whether privately or publicly owned, to which the public has access by right or by invitation, expressed or implied, whether by payment of money or not, including—

- (a) shopping centres, supermarkets, pharmacies, banks and utility departments;
- (b) bars, drinking places and restaurants;
- (c) hotels;
- (d) school and all other educational institutions;
- (e) hospitals, whether publicly or privately operated;
- (f) churches or other religious establishments;
- (g) public transportation;
- (h) community centres;
- (i) Government offices;
- (j) public markets; and
- (k) other places or buildings of all types, accessible to the public;

“second phase of reopening” means the reopening of businesses and enterprises in accordance with the provisions of these Regulations.

#### **Work remotely from home.**

3. (1) In an effort to prevent the spread of the Novel Coronavirus or COVID-19, all businesses and offices may continue their business operations by allowing their employees to work remotely from home utilizing virtual means.

(2) Senior persons, older persons or persons in the pre-retirement age range and persons with chronic underlying conditions should be given priority to work remotely from home.

(3) Subject to sub-regulation (1), where a business is able to continue its operations by its employees practising social distancing and physical distancing in accordance with the provisions of regulations 5, it may operate.

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

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

(2) Subject to the Eastern Caribbean Supreme Court Practice Direction, No. 5 of 2020 COVID-19 Emergency Measures (3rd Re-issue), the Courts shall remain accessible, shall adhere to physical distancing protocols and the persons employed therein shall work remotely from home as far as reasonably practicable.

(3) In this regulation, “Court” includes the Magistrates Courts and the Eastern Caribbean Supreme Court.

**Social Distancing and physical distancing protocols.**

5. 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 total 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.

**Restriction on social activities and protocol for mass events.**

6. (1) No person shall host, attend or visit—

- (a) a private party;
- (b) a wedding, subject to regulations 5 and 10;
- (c) a banquet, ball or reception;
- (d) any other ceremony in any facility or public place;
- (e) a funeral, subject to regulations 5 and 10;
- (f) a meeting of a fraternal society, private or social club or civic association or organisation;
- (g) any public beach, subject to regulations 5 and 11; or
- (h) any other type of social event,

except with the written permission of the Commissioner of Police, in consultation with the Chief Medical Officer.



(2) Pursuant to sub-regulation (1) and Schedule VI, the Commissioner of Police, in consultation with the Chief Medical Officer, may grant permission for a mass event as follows—

- (a) permission for a small event, where the number of persons gathered shall not exceed fifty persons;
- (b) permission for a medium size event, where the number of persons gathered shall not exceed one hundred persons; or
- (c) permission for a large size event, where the number of persons gathered shall not exceed one hundred and fifty persons.

(3) Notwithstanding sub-regulations (1) and (2), all applications shall be denied or revoked and all social gatherings and events shall be discontinued if there is a local COVID-19 Outbreak or an Outbreak progresses with the occurrence of isolated clusters of cases or community transmission.

(4) The protocol providing the guidelines for mass events is set out in Schedule VI.

*(Substituted by S.R.O. 52/2020)*

#### **Hygiene protocols.**

7. The hygiene protocols that must be followed by businesses and enterprises are set out under Schedule 1.

#### **Wearing masks outdoors.**

8. (1) 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.

- (2) A person shall not be required to wear a mask—
  - (a) if he or she is under the age of six years old;
  - (b) if he or she is between the ages of six and eleven years old and if there is lack of adult supervision for putting on and taking off the face mask;
  - (c) if he or she suffers with a disability, cognitive impairment, dementia, asthma, chronic obstructive lung disease or other similar health condition;
  - (d) if he or she is within a private space including in a private vehicle.

#### **Education and religious instruction.**

9. (1) Subject to sub-regulation (3), all public educational places of instruction may reopen.

(2) Subject to sub-regulation (3), all private educational places of instruction shall apply to the Ministry of Education for approval of reopening in the form set out in Schedule II.

(3) All public and private educational places of instruction shall comply with the minimum standards set out in Schedule II.

(4) Notwithstanding sub-regulations (1), (2) and (3), all public and private educational places of instruction may require students and teachers to connect virtually or work remotely from home.

(5) All religious places of instruction or worship may reopen in accordance with the provisions of these Regulations and any other conditions or directives given by the National COVID-19 Taskforce and the following persons should be encouraged to connect to virtual church services from home or may attend a separate early morning service designated for that purpose—

- (a) senior persons, persons in the pre-retirement age range or persons over 65 years old;
- (b) persons with underlying health conditions;
- (c) individuals with disabilities; and
- (d) those who might not be able to wear a mask for the duration of the service.

#### **Weddings and funerals.**

- 10.** (1) Notwithstanding regulation 6, a person may attend a funeral except—
- (a) the funeral shall have a maximum duration not exceeding one hour;
  - (b) the seating arrangements shall allow for a minimum of six feet between persons and distance markers must indicate where each person may sit;
  - (c) the total number of persons that may be permitted to attend inside of the building is one person for every thirty square feet; and
  - (d) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 5;
- (2) Notwithstanding regulation 6, a person may attend a wedding except—
- (a) the wedding shall have a maximum duration not exceeding one hour;
  - (b) the seating arrangements shall allow for a minimum of six feet between persons and distance markers must indicate where each person may sit;
  - (c) the total number of persons that may be permitted to attend inside of the building is one person for every thirty square feet; and
  - (d) all persons, except the bride and groom, shall adhere to social distancing and physical distancing protocols pursuant to regulation 5;

#### **Public beaches.**

- 11.** A person may visit a public beach—
- (a) for the purposes of swimming or exercise;
  - (b) where no more than eight members of the immediate family should be in close proximity to each other;
  - (c) where there shall be no picnics, beach parties or other gatherings; and
  - (d) where all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 7.

**Bars and restaurants.**

- 12.** (1) Restaurants and takeaway food vendors may be opened and may—
- (a) operate for the purposes of food delivery or food take away services;
  - (b) offer in-dining and—
    - (i) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 5;
    - (ii) all persons shall adhere to hygiene protocols pursuant to regulation 7 and Schedule 1;
    - (iii) no more than eight members of the same household should be in close proximity to each other;
    - (iv) no more than two persons, who are not from the same household, shall be grouped together or share a table;
    - (v) spacing between tables shall allow for a minimum of six feet between persons;
    - (vi) all persons including restaurant staff shall wear a face mask, covering their nose and mouth in accordance with regulation 8, except when eating or drinking.
- (2) A bar may be opened for the sale of liquor in accordance with the provision of the Liquor Licences Act, Cap. 18.21 and—
- (a) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 5;
  - (b) all persons shall adhere to the hygiene protocols pursuant to regulation 7 and Schedule 1;
  - (c) no more than eight members of the same household should be in close proximity to each other;
  - (d) no more than two persons, who are not from the same household, shall be grouped together or share a table;
  - (e) spacing between tables, at the bar or other seating arrangement shall allow for a minimum of six feet between persons;
  - (f) all persons shall wear a face mask, covering their nose and mouth in accordance with regulation 8, except when eating or drinking.

**Sports and training.**

- 13.** (1) A person may attend sport training or practice sessions for amateur or other recreational sporting events and—
- (a) all persons shall adhere to social distancing and physical distancing protocols, as far as is reasonably practicable;
  - (b) all persons shall wear a face mask, covering their nose and mouth in accordance with regulation 8, except during training or practice exercise;
  - (c) all persons shall adhere to the hygiene protocols pursuant to regulation 7 and Schedule 1;

- (d) all training or practice sessions shall be in accordance with any other conditions or directives given by the National COVID-19 Taskforce and the Ministry of Sports.

(2) Management teams or clubs within each sport discipline may apply, to the Ministry of Sports in the form set out in Part II of Schedule III, for permission to host inter-team or inter-club competitive matches with a maximum of fifty percent spectator capacity and—

- (a) the seating arrangements shall allow for a minimum of six feet between persons and distance markers must indicate where each person may sit;
- (b) the total number of persons that may be permitted to attend inside of the building or stadium is one person for every thirty square feet; and
- (c) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 5;

**Restriction on visitation.**

14. 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.

**Domestic travel.**

15. No person shall offer for hire or seek to travel on any motor omnibus, any hiring car, taxi, any passenger ferry or catamaran unless—

- (a) all persons wear a mask at all times, pursuant to regulation 15;
- (b) windows remain open or partially open depending on the weather conditions;
- (c) all persons shall practise good hand hygiene, proper sanitary behavior and social distancing protocols, in accordance with regulations 5, 7 and Schedule 1.

**Restriction on international travel.**

16. (1) For the purpose of preventing, controlling and suppressing the spread of the Novel Coronavirus or COVID-19, with immediate effect—

- (a) all airports including private airports and fixed-base operations shall be closed to incoming international flights, except with the prior written permission of the Air Ports Authorities, in consultation with Chief Medical Officer;
  - (b) all sea ports shall be closed to regional and international seafaring and private boating, except with the prior written permission of the Ports Authorities, in consultation with the Chief Medical Officer;
  - (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 sub-regulation (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) flights 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, in consultation with the Chief Medical Officer.

**Power of National COVID-19 Taskforce and compliance team.**

17. (1) The National COVID-19 Taskforce may—

- (a) inspect or visit any business or enterprise to ensure compliance with the provisions of these Regulations;
- (b) be consulted to assist businesses and enterprises to comply with the provisions of these Regulations,

and a person who obstructs any member of the National COVID-19 Taskforce commits an offence and is liable on summary conviction to a fine under regulation 21.

(2) The compliance team may visit or inspect any businesses, enterprises or any social event to ensure compliance with the provisions of these Regulations and a person who obstructs any member of the compliance team commits an offence and is liable on summary conviction to a fine under regulation 21.

**Second phase of reopening.**

18. (1) A hotel may apply for approval to reopen during a second phase reopening period.

(2) A hotel that applies to the Ministry of Tourism to reopen during a period of second phase of reopening, shall comply with the minimum standards set out in Schedule III Part I.

**Requirement on private medical laboratories.**

19. (1) Notwithstanding the fact that the Caribbean Public Health Agency has not yet approved any private medical laboratory to do testing for the 2019 Novel Coronavirus or COVID-19, where a private medical laboratory does such testing on a person and the result of such testing is a positive result, the private medical laboratory and the person so tested shall immediately report and forward the results to the Chief Medical Officer.

(2) Where a private medical laboratory or a person fails to report and forward results to the Chief Medical Officer in accordance with sub-regulation (1), the owner or operator of the private medical laboratory or the person, as the case may be, commits an offence and is liable on summary conviction to a fine under regulation 21.

**Treatment of persons for COVID-19 and Quarantine.**

**20.** (1) Where a person meets the case definition of a suspected case of COVID-19 as outlined in Schedule IV, the appropriate sample may be taken to facilitate testing for COVID-19 and it may be processed at a local laboratory or the Caribbean Public Health Agency laboratory.

(2) Where the result of a test conducted by the Caribbean Public Health Agency or by a private medical laboratory under regulation 19 shows that a person is suffering from COVID-19, the Chief Medical Officer may give such directions, as she thinks fit, for—

- (a) the restraint, segregation and isolation of that person or any other person who, by exposure to infection from that person, is likely to suffer from COVID-19;
- (b) the removal of a person referred to in paragraph (a) to a public hospital or a designated facility; or
- (c) the curative treatment of a person referred to in paragraph (a).

(3) The Chief Medical Officer may give a direction under sub-regulation (1) where, in her discretion, she considers it necessary to do so—

- (a) for the purposes of preventing or controlling the spread of COVID-19;
- (b) in the interests of the person in relation to whom the direction is given; or
- (c) in the interest of public health.

(4) Where the Chief Medical Officer gives a direction under sub-regulation (1), the person in relation to whom the direction is given shall be informed—

- (a) of the reason for giving the direction;
- (b) of the period during which the person is likely to be required to remain at a public hospital or a designated facility for observation, surveillance or curative treatment; and
- (c) that it is an offence to fail to comply with the direction or to obstruct a medical practitioner, a nurse, a member of staff at a public hospital or a designated facility or a member of staff of a public or private ambulance service from carrying out the direction.

(5) A person who—

- (a) fails to comply with a direction under sub-regulation (1); or
- (b) obstructs a medical practitioner, a nurse, a member of staff at a public hospital or a designated facility or a member of staff of a public or private ambulance service from carrying out a direction under sub-regulation (1), commits an offence and is liable on summary conviction to a fine under regulation 21.

**Penalty.**

**21.** (1) 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 not exceeding 6 months or to both and to forfeiture of any goods or money in respect of which the offence has been committed.

(2) Notwithstanding subsection (1), a police officer may issue a fixed penalty notice to any person who contravenes the provisions of section 15 in relation to wearing a face mask in public places, in the form specified in Schedule V.

(3) A fixed penalty notice issued by a police officer in accordance with these Regulations shall be lawful notice that the person is charged with the commission of an offence and that a complaint will be made against that person in respect thereof requiring him or her to either pay the fixed penalty of five hundred dollars within ten business days or to appear at the court specified in the notice on the day and at the hour stated therein to answer the said complaint.

(4) Where the person not wearing the mask is under the age of 18 and over the age of 11 the parent or guardian of that person may be charged with an offence and—

- (a) the person would be required to provide contact information for the parent or guardian, if they are not present; and
- (b) the person may be taken to the nearest police station and be held there until released to a parent or guardian.

(5) The police officer shall send to the Magistrate for the magisterial district in which the offence is alleged to have been committed, a duplicate of the notice, which duplicate shall be deemed to be a complaint laid before the Magistrate and a summons issued by the Magistrate for the purposes of the Magistrate's Code of Procedure Act.

(6) A notice issued under these Regulations shall be signed by the police officer and shall specify—

- (a) the date, time and place of the giving of the notice;
- (b) the provision of the Regulations creating the offence alleged and such particulars of the offence as are required for proceedings under the Magistrate's Code of Procedure Act, Cap. 3.17;
- (c) the time within which the fixed penalty may be paid in accordance with the provisions of these Regulations;
- (d) the amount of the fixed penalty;
- (e) the Clerk of the Magistrate to whom, and the address at or to which the fixed penalty may be paid;
- (f) the address of the Magistrate's Court at which the person is required to appear in the event of his or her failure to pay the fixed penalty within the specified time, and the date and time of such appearance.

(7) Where a notice has been given under these Regulations, the person may pay the fixed penalty in accordance with the notice.

(8) The time within which the fixed penalty shall be payable shall be ten business days from the date of the notice, and where payments reaches the Clerk of the Magistrate after that time, it shall not be receivable and shall be returned to the sender.

(9) Where the fixed penalty is duly paid in accordance with the notice, the proceedings instituted by the notice shall be discontinued.

(10) Payment of the fixed penalty shall be made to the Clerk of the Magistrate Court District "A" Basseterre or the Clerk of the Magistrate's Court, District "C", Charlestown and shall be dealt with in the same manner as payment of a fine imposed for an offence under the Magistrate's Code of Procedure Act.

(11) The fixed penalty notice shall be presented for payment of the fixed penalty.

(12) In any proceedings, a certificate that payment of the fixed penalty was or was not made to the Clerk of the Magistrate by a date specified in the certificate shall, if the certificate is signed by the Clerk, be sufficient evidence of the facts stated, unless the contrary is proved.

(13) Where the fixed penalty is not paid within the time specified in the notice, proceedings in respect of that offence shall be in accordance with the provisions of the Magistrate's Code of Procedure Act.

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## SCHEDULE I

### *(Regulation 7)*

#### HAND WASHING AND SANITIZING PROTOCOLS FOR GOOD HYGIENE

The following are the recommended guidelines for hand washing and hand sanitizing to prevent the spread of the COVID-19 Coronavirus—

1. Wash your hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing. Be sure to scrub the backs of the hands, in between the fingers and under the nails. Wash your hands before putting on and after removing your mask.
2. If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands including the back of the hands and in between the fingers and rub them together until they feel dry.
3. Avoid touching your eyes, nose, and mouth with unwashed hands.
4. A motor omnibus, hiring car or taxi or any passenger ferry must sanitize all door knobs and hand rests after each trip.

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## SCHEDULE II

### *(Regulation 9)*

#### APPLICATION AND PROTOCOLS FOR A PERIOD OF SECOND PHASE REOPENING FOR PRIVATELY RUN EDUCATIONAL PLACES OF INSTRUCTION

#### **1. Protocol for privately run educational places of instruction**

##### **PHYSICAL DISTANCING**

- Physical distancing of at least six feet (6ft) outside of the classroom.
- Distance markers are at six feet (6ft) apart at check point or other line for adults dropping off or picking up children and signing in and out register.
- Daily routine reflects activities done in small groups.
- Cots, chairs and cribs are arranged at least two feet (2ft) apart.
- Adequate number of learning areas/workstations.



- Pictures/drawings are posted to indicate the number of children allowed in each play area.
- Twenty-five (25) square feet per child for preschoolers and forty (40) square feet per infant are observed indoors.
- Limit large groups. No more than three (3) babies/four-five (4-5) infants/ten (10) preschool children coming together for activities.

#### **MASK**

- Face mask must be worn by ALL parents and staff on the compound.

#### **ARRIVAL & DEPARTURE SCREENING PROTOCOLS**

- Sanitising stations available on entry.
- Mandatory temperature checks upon arrival (children and staff)
- A Temperature Record Book is implemented.
- Each centre has a register system implemented recording all in attendance.

#### **HYGIENE**

- Soap and water or liquid soap is readily available for hand washing throughout the day (before preparing food, before and after eating, after using the toilet, where hands are dirty, after sneezing or coughing, before and after wearing gloves, when arriving or leaving the workplace, after changing tasks, after touching contaminated surfaces and if in contact with someone displaying any COVID-19 symptoms after blowing nose and using the bathrooms.
- Hand sanitizers & sanitizing wipes are available throughout the centre.
- Regular cleaning and sanitizing is done in the classroom throughout the day. A written schedule for sanitizing frequently touched surfaces such as chairs, tables, cots, toys, equipment, tabletops, door handles, handrails is posted.
- COVID-19 related signage and posters are posted.

#### **HYGIENE PROTOCOL**

- Personalized items are labelled and stored in individual bags (sheets, towels, etc.).
- Bathrooms are sanitized and toilets flushed after each use.
- Floors are mopped three (3) times daily (before arrival of children, before naptime and before closure of centre). A written schedule for cleaning is posted.
- Hand sanitizers and soap are available for staff and children as well but kept out of reach for children.
- Soap dispensers and paper towels are in bathrooms, kitchen and diaper change area.

#### **FOOD PREPARATION**

- Food is stored in clean & covered containers.
- Utensils are adequate and sufficient.
- Utensils are in good condition.
- A written schedule posted showing:

- All surfaces to be cleaned.
- The frequency of cleaning.
- The materials used for cleaning.
- The staff responsible for cleaning.

- A written schedule for is posted in the kitchen: wash hands, cleaning and food preparation.

#### **HEALTH AND SAFETY PROTOCOL**

- Screening of adults and children are done daily.
- Staff and children who are sick are at home.
- Children or adults are sent home immediately should coughing, sneezing, blowing of nose or any signs of a cold manifest. An area or room is identified if staff or child becomes sick.

Close off areas used by the person who is sick.

Clean and disinfect all areas used by the person who is sick.

Once area has been appropriately disinfected, it can be opened for use.

- Staff and parents of children inform Supervisor about any illnesses.
- Paper towels are used to dry hands and must be properly disposed or in bins.
- Cleaning materials are safe for use in classroom and properly stored out of children's reach at all times; a cleaning schedule should be posted.
- Proper measurement of cleaning agents is observed.
- Garbage bins are covered, emptied and sanitized daily.
- Hand washing is done after using gloves.
- All windows and doors are opened daily and classrooms are properly ventilated.
- Parents and staff are aware of the COVID-19 measures in place for safe reopening of Early Childhood Centres.

#### **2. Application Form for privately run educational places of instruction**

Date:

Date of minimum standards inspection:

Name of school:

Name of Owner:

Name of principal/head teacher:

Address and Contact Information:

Number of teacher and other staff:

Number of classrooms:

Number of students:

Size of classroom:

Documents to be attached:

- Approval of Ministry of Education to operate as a private school
- Certificate of compliance with minimum standards COVID-19

**SCHEDULE III**

*(Regulation 18)*

Part I

APPLICATION AND PROTOCOL FOR A PERIOD OF SECOND PHASE REOPENING FOR HOTELS

**1. Protocol for Hotel Industry**

<b>Sector</b>	<b>Requirements</b>
<b>Accommodations</b>	<p><b>1. <u>General Requirements</u></b></p> <ul style="list-style-type: none"><li>a) All Operations must pay special attention to the protection of the following high-risk individuals—<ul style="list-style-type: none"><li>i. Immune compromised</li><li>ii. Over the age of 60</li><li>iii. Hypertensive</li><li>iv. Diabetic</li><li>v. Pre-existing respiratory conditions such as asthma</li></ul></li><li>b) Each accommodation of 50 rooms or more shall have a full-time nurse on staff and a doctor on call.</li><li>c) Each establishment shall identify quarantine and isolation procedures for guests who may develop a communicable disease while at their property. These procedures must be included in the guest welcome package.</li><li>d) Each establishment must have an established health and safety policy that is updated annually before November that outlines the following—<ul style="list-style-type: none"><li>i. Testing for COVID-19 and the clear assignment of cost</li><li>ii. Quarantine and isolation areas</li><li>iii. Name and telephone number of staff nurse</li><li>iv. Name and telephone number of on-call doctor</li><li>v. Policy and procedures for staff members who become ill (e.g. Contraction of COVID-19) as a proven result of contact with guests. This policy must be communicated to all staff members</li><li>vi. Staff nutrition program that aims to build the immune system</li></ul></li></ul>

	<p>e) Employees are required to change out of uniform and shower prior to departing the property.</p> <p>f) Employees shall be required to undergo testing for COVID-19 or any other contagious illness before they are permitted to work if they displayed symptoms of any of the mentioned illness.</p> <p>g) All employees must wash hands before and after interacting with guests. Employees must wash hands frequently throughout the day. Hands must be washed with soap and water for a minimum of twenty (20) seconds and should be dried with a hot air hand dryer or a disposable paper towel.</p> <p>h) Hotel Associates must complete training on housekeeping, hygiene protocols, and COVID-19 awareness training.</p> <p><b>2. <u>Front of the House – Front Desk, Lobbies, Public Areas. E.g. Restrooms</u></b></p> <p>a) Each establishment shall have a hand washing station on the exterior of their establishment to facilitate the washing of hands for the public, taxi operations and other service personnel.</p> <p>b) All employees shall wash their hands before and after interacting with the guest.</p> <p>c) Each chair or sofa of non-fabric surfaces must be wiped every 30 minutes to 1 hour or after use by each guest minimum.</p> <p>d) Each counter-top shall be wiped every 30 minutes to 1 hour minimum.</p> <p>e) Hand sanitizer stations will be prominently placed throughout the accommodation public and employee areas and entrances.</p> <p>f) All frequently touched surfaces in public areas such as elevator buttons and door handles must be disinfected with hospital grade disinfectants a minimum of every 30 mins to 1 hours. A checklist must be available to employees to log times when areas are cleaned. This must be presented to any inspector under the Authority of the St. Kitts Tourism Authority or the Ministry of Health.</p> <p><b>3. <u>Recreational Areas – e.g. Kids Club, Beach Areas, Pool Side, Arcade Room</u></b></p> <p>a) All beach chairs must be sanitized before and after use by each guest.</p>
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- b) All beach chairs must be sanitized at the beginning of the day before use by any guest.
- c) All toys and surfaces in any play area must be disinfected prior to opening and every 30 mins to 1 hour. Kid Clubs should be closed mid-day for thorough cleaning.
- d) The number of individuals in any recreational area must be compliant with the square footage requirement as per social distancing protocols. E.g. 30 square feet of space per individual.
- e) Beach chairs that are severely worn must be discarded.
- f) All furniture that has fabric surfaces must be washed daily. Where washing is not an option, the fabric must be disinfected after use by each guest. It is recommended that accommodations use fabric that is spill proof and that can be easily wiped.
- g) Management of the accommodation shall deny access to recreation areas to individuals who display any symptoms of sickness. For e.g. HINI or COVID-19.
- h) All queues must adhere to the 6 feet social distancing requirement.
- i) All entertainers must wash their hands before and after each performance. There shall be no touching of guests during performances. A face shield that does not detract from the performance may be worn during the performance as Personal Protective Equipment. (PPE)

**4. Food and Beverage**

- a) Self-serve buffets or bar areas shall be permitted.
- b) Utensils and crockery shall not be left open in the public.
- c) All utensils and crockery used to prepare food must be properly sanitised.
- d) All employees engaged in the preparation of food must wear a hair covering.
- e) Male employees engaged in the preparation and service of food service shall not have facial hair.
- f) Employees engaged in food preparation and service must practice strict sanitation and hygiene practices. Hands must be washed for 20 seconds minimum or sanitized before and after preparation of each meal in the case of the kitchen team and after serving each customer.

	<ul style="list-style-type: none"><li>g) Food shall be prepared using the highest level of sanitation and hygiene to prevent contamination.</li><li>h) All kitchen counters must remain clean and shall be disinfected every hour.</li><li>i) The quality cuisine, service, accommodation, and amenities should meet international standards, Each accommodation offering food and beverage should always seek to maintain quality service.</li><li>j) Enhanced food safety and hygiene protocols for restaurants, room service, and group meetings, and events must be implemented.</li><li>k) Social distancing protocols shall be implemented in public areas across hotel properties. Guests and employees must adhere to the six (6ft) minimum distance. Social distancing markers should be placed in all public areas which include but are not limited to Lobby areas and waiting areas for food and beverage areas.</li></ul> <p><b>5. <u>Back of the House: e.g. Housekeeping, Administrative Offices</u></b></p> <ul style="list-style-type: none"><li>a) Establishments shall use cleaning and disinfecting protocols to clean rooms after guests depart and before the next guest arrives, with attention to high-touch items e.g. door handles and lamps.</li><li>b) Glasses in the guest room must be changed twice daily and sanitized using heat.</li><li>c) Employees working in the administrative and sales offices shall wash their hands before returning to their desks after each interaction with the public.</li><li>d) Employees shall not share workspaces.</li><li>e) The number of employees in a workspace shall be compliant to the 30 square foot of space per employee regulations or as per protocols established by the Ministry of Health.</li></ul>
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**2. Application Form for Hotel second phase reopening**

Date:

Date of minimum standards inspection:

Name of Hotel:

Name of Owner:

Name of General Manager:

Address and Contact Information:

Number of staff members:

Number of rooms:

Documents to be attached:

- Valid business licence
- Certificate of compliance with minimum standards COVID-19

Part II

*(Regulation 13)*

APPLICATION FORM FOR PRACTICE MATCHES  
IN-KEEPING WITH EMERGENCY POWERS REGULATIONS

Date:

Management Team/CLUB:

Reason for application:

Proposed date of practice match:

Participating Teams/Clubs:

Number of players:

Number of supporting staff:

Number of spectators (if application is for an event with spectators):

Proposed health measures:

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**SCHEDULE IV***(Regulation 20)***TREATMENT OF PERSONS FOR COVID-19 AND QUARANTINE****1. Taking Swab**

Pursuant to regulation 20, where a person meets the case definition of a suspected case of COVID-19, the appropriate sample (oropharyngeal or nasopharyngeal swab) will be taken to facilitate the molecular, Real-Time Reverse Transcription Polymerase Chain Reaction – (RT-PCR) test for COVID-19 which will be processed at the local laboratory or the Caribbean Public Health Agency laboratory (CARPHA).

**2. National surveillance case definitions for COVID-19**

Health personnel should report confirmed, suspected and probable cases of COVID-19 nationally to the National Epidemiologist, Health Information Unit, MOH and the Chief Medical Officer within 24 hours of their own notification.

**3. Suspected case**

A person with symptoms that include two or more of:

- Fever (signs of fever)
- Cough (new or exacerbated chronic)
- Sore throat
- Runny nose
- Headache

And

- Meets the exposure criteria

Or

- Had close contact with a probable case of COVID-19.

**4. Probable**

**A person (who has had a laboratory test):**

- With fever (over 38 degrees Celsius) or new onset of (or exacerbation of chronic) cough

And

- Who meets the COVID-19 exposure criteria and in whom a laboratory diagnosis of COVID-19 is inconclusive (indeterminate test).

Or

**A person (who has not had a laboratory test):**

- With fever (over 38 degrees Celsius) or new onset of (or exacerbation of chronic) cough,

And

- Close contact with a confirmed case of COVID-19,

Or



- Lived in or worked in a closed facility known to be experiencing an outbreak of COVID-19 (e.g., long-term care facility, prison).

**5. Confirmed**

A person with laboratory confirmation of infection with the virus that causes COVID-19 performed at a community, hospital or reference laboratory.

**6. Exposure criteria**

In the 14 days before onset of illness, a person who:

- Traveled to an affected area (including hotspots outside the Federation)

Or

- Had close contact with a person with acute respiratory illness who traveled to an affected area within 14 days prior to their onset of illness

Or

- Participated in a mass gathering identified as a source of exposure (e.g., conference)

Or

- Had laboratory exposure to biological material (e.g. primary clinical specimens, virus culture isolates) known to contain COVID-19.

**SCHEDULE V**

*(Regulation 21)*

**FIXED PENALTY NOTICE (TICKET)**

**SAINT CHRISTOPHER AND NEVIS POLICE FORCE**

**SCHEDULE V OF THE EMERGENCY POWERS  
(COVID-19) (NO. 16) REGULATIONS**

**TAKE NOTICE** that ..... was seen in/at .....  
*(Name of Person)\** *(location)*

On the .....day of ....., 20....., without a mask, contrary to the provisions of Regulation 21 of the Emergency Powers (COVID-19) (No. 16) Regulations, made pursuant to section 5 of the Emergency Powers Act, Cap. 19.02 of the Laws of the Federation

Fixed penalty **\$500.00**

**Name and Rank of Officer** .....

**Signature of Officer** .....

**Force Number** .....

**Payment** .....

**If within 10 business days from the date of this notice the fixed penalty is paid to the Clerk of Magistrate’s Court District “A”/“C”, the person’s liability to conviction of the alleged offence shall be discharged and the police will not**

prosecute. If not paid, the person shall appear at the Magistrate's Court District "A"/"C"

..... at 9 a.m. on the .....day of ....., 20.....  
Basseterre/Charlestown

*\*Please note that if the person without the mask is between the ages of 11 and 18, the parent or guardian of the minor shall be issued with this Notice.*

*(Inserted by S.R.O. 47/2020)*

## SCHEDULE VI

*(Regulation 6)*

### MASS EVENTS PROTOCOL

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#### 1. Preamble

In light of the significant risk of the COVID-19 virus entering the Federation undetected, we must remain vigilant and continue using the known non-pharmaceutical measures to contain the virus thus avoiding community spread.

In that vein, the World Health Organisation advised that the three C's: crowds, close spaces and close contact settings must be avoided in an effort to significantly reduce the risk of community spread. This protocol provides for

certain proactive steps to prevent or reduce the risk of community spread. One such measure is the cancellation or limitation of mass events.

## 2. What is a Mass Gathering or Event?

In this protocol “mass event” refers to an event where the number of people it brings together is so large that it has the potential to strain the planning and response resources of the health system in the community where it takes place. Consideration must be given to the location and duration of the event as well as the number of participants.

## 3. Guiding principles

1. Permission must be obtained from the Office of the Commissioner of Police in consultation with the Office of the Chief Medical Officer to host mass gatherings.
2. Events should **NOT** be advertised until permission is obtained from the Office of the Commissioner of Police.
3. A gathering refers to a planned or spontaneous event, indoors or outdoors, with a small number of people participating or a large number of people in attendance such as a community event or gathering, concert, festival, conference, parade, wedding, or sporting event.
4. The more people an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading.
5. The risk of COVID-19 spreading at events and gatherings increases as follows—
  1. **Lowest risk:** Virtual-only activities, events, and gatherings.
  2. **More risk:** Smaller outdoor and in-person gatherings in which individuals from different households remain spaced at least 6 feet apart, wear masks, do not share objects, and come from the same local area (e.g., community, town, city, or county).
  3. **Higher risk:** Medium-sized in-person gatherings that are adapted to allow individuals to remain spaced at least 6 feet apart and with attendees coming from outside the local area.
  4. **Highest risk:** Large in-person gatherings where it is difficult for individuals to remain spaced at least 6 feet apart and attendees travel from outside the local area.
6. There will be a cap on the number of persons who can attend mass gatherings/social events.
7. In addition to the number of persons scheduled to attend, the Office of the Commissioner of Police will factor in music, dancing, sale and use of alcohol and the duration of the event in making its decision.
8. Consideration will also be given to whether the event is indoor or outdoor with a more favourable look on outdoor events.
9. Event sizes will fall into three (3) categories based on the number of persons attending (not inclusive of staff).

No.	Category	Number of Persons
1	Small	25 – 50
2	Medium	51 – 100
3	Large	101 - 150

10. The maximum cap on events is **150** persons.
  11. Small gatherings of family and friends of **under 25** persons do not require permission from the Commissioner of Police.
  12. Permission will not be given for any **indoor large event of over 100** as the risk of virus spread is greater in these situations.
  13. The Taskforce will consider the square footage of the venue for small, medium, and large size indoor events.
  14. A minimum of 30 square feet for the venues of indoor events will be required for adequate social distancing. This will also be required for outdoor events.
  15. A visit will be made to the site to confirm the total square footage submitted on the request for a venue.
  16. The outdoor event locations will be visited to determine if proper social distancing can be done to host the event.
  17. The nature of the event will be a contributing factor when considering approval.
- 4. Event Promoters / Entertainers / Organisers Requirements**
1. The event promoters/entertainers/organisers must submit a **Tax Clearance Certificate and a valid Business License** from the Inland Revenue Department along with an application to hold event.
  2. The event promoters/entertainers/organisers are required to submit a written outline of the applicable protocols for hosting the event. This would include a layout of the venue and a security plan for the event.
  3. The event promoters/entertainers/organisers will be required to submit their application online via the website provided by the Police.
  4. The event promoters/entertainers/organisers must submit their applications at least **15 days** prior to the event.
  5. The Commissioner of Police will advise on the security requirements for the events based on the nature and size of the event.
  6. The applicable fees for the application to hold an event must be paid to the office of the Commissioner of Police at the time of application.
  7. A response to the application will be given within **3 to 4 days** of application.

**Please note that if the local COVID-19 Outbreak progresses with the occurrence of isolated clusters of cases and community transmission – all social gatherings and events will be stopped until the COVID-19 Outbreak is contained.**

## 5. Promoting Healthy Behaviours that Reduce Spread

- Event planners must implement the strategies provided for in these Regulations to encourage behaviours that reduce the spread of COVID-19 among staff and attendees.

## 6. Staying Home when Appropriate

- Advise employees and attendees to remain in isolation/ quarantine if they tested positive or had recent close contact with a person who was positive or is suspected of having COVID-19 like symptoms.

## 7. Hand Hygiene and Respiratory Etiquette

- Require frequent employee hand washing (e.g., before, during, and after taking tickets; after touching garbage) with soap and water for at least 20 seconds and increase monitoring to ensure adherence.
- If soap and water are not readily available, employees may use hand sanitizer that contains at least 60% alcohol and rub their hands until dry.
- Mandate staff to cover the mouth and nose with tissue when coughing and sneezing.
- Used tissues should be thrown in the trash and hands washed immediately with soap and water for at least 20 seconds.
- Mandate attendees to wash hands often and to cover coughs and sneezes.
- Attendees often exchange handshakes, fist bumps, and high-fives at meetings and sporting events. Signs (physical and/or electronic) must be displayed to prevent these actions during the event.

## 8. Wearing Face Masks

- Mandate the use of face masks among staff.
- Masks are most essential in times when physical distancing is difficult (e.g., when moving within a crowd or audience).
- **Advise staff that masks must not be worn by:**
  - Babies or children younger than 2 years old
  - Anyone who has trouble breathing
  - Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance
- Mandate attendees ahead of the event to bring and use masks at the event. Masks are strongly encouraged in settings where individuals might raise their voice (e.g., shouting, chanting, singing).

## 9. Adequate Supplies

- Mandate that sinks and enough supplies are accessible for people to clean their hands and cover their coughs and sneezes.
- Supplies include soap, water, a way to dry hands (e.g., disposable paper towels, tissues, hand sanitizer containing at least 60 percent alcohol, disinfectant wipes, masks (as feasible), and no-touch/foot pedal trash cans (preferably covered).

## 10. Maintaining Healthy Environments

Event planners **must implement the following strategies** to maintain healthy environments.

### Cleaning and Disinfection

- Clean and disinfect frequently touched surfaces within the venue between uses as much as possible—for example, door handles, sink handles, drinking fountains, grab bars, hand railings, and cash registers.
- Clean and disinfect shared objects between uses—for example, payment terminals, tables, countertops, bars, and condiment holders.
- Mandate closing areas such as drinking fountains that cannot be adequately cleaned and disinfected during an event.
- Develop a schedule for increased, routine cleaning and disinfection.
- If transport vehicles like buses are used by the event staff, drivers must practice all safety actions and protocols as indicated for other staff—for example, washing hands often and wearing masks and maintaining social distance of bus riders.
- Use disposable gloves when removing garbage bags or handling and disposing of trash.

### Restrooms

- Mandate limiting the number of people who occupy the restroom at one time to allow for social distancing.
- Do not allow lines or crowds to form near the restroom without maintaining a distance of at least 6 feet from other people.
- Post signs or markers to help attendees maintain the appropriate social distance of at least 6 feet.
- Ensure that open restrooms are:
  - Operational with functional toilets.
  - Cleaned and disinfected regularly (at least every half-hour), particularly high-touch surfaces such as faucets, toilets, stall doors, doorknobs, countertops, diaper changing tables, and light switches.
  - Stocked with enough supplies for handwashing, including soap and water, a way to dry hands (e.g., paper towels, hand dryer), tissues, hand sanitizer with at least 60% alcohol (for staff and older children who can safely use hand sanitizer), tissues, and no-touch/foot pedal trash cans (preferably covered).
    - If you are providing portable toilets, also provide portable handwashing stations and ensure that they remain stocked throughout the duration of the event. If possible, provide hand sanitizer stations that are touch-free.

### Ventilation

- Ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible, for example, by opening windows and doors.

- Do not open windows and doors if doing so poses a safety or health risk to staff or attendees (e.g., risk of falling or triggering asthma symptoms).
- If portable ventilation equipment like fans are used, take steps to minimize air from them blowing from one person directly at another person to reduce the potential spread of any airborne or aerosolized viruses.

### **Modified Layouts**

- Limit attendance or seating capacity to allow for social distancing or host smaller events in larger rooms.
- Use multiple entrances and exits and discourage crowded waiting areas.
- Block off rows or sections of seating in order to space people at least 6 feet apart.
- Eliminate lines or queues if possible or encourage people to stay at least 6 feet apart by providing signs or other visual cues such as tape or chalk marks.
- Prioritize outdoor activities where social distancing can be maintained as much as possible.

### **11. Physical Barriers and Guides**

- Provide physical guides, such as tape on floors or sidewalks and signs on walls, to ensure that individuals remain at least 6 feet apart in lines and at other times (e.g., guides for creating one-way routes).
- Install physical barriers, such as sneeze guards and partitions, in areas where it is difficult for individuals to remain at least 6 feet apart.
- Barriers can be useful at cash registers and other areas where maintaining physical distance of 6 feet is difficult.
- Change seating layout or availability of seating so that people can remain at least 6 feet apart.

### **12. Food Service**

- There is no evidence that COVID-19 is spread by food. However, people sharing utensils and congregating around food service areas can pose a risk.
- Use touchless payment options as much as possible, if available.
- Ask customers and employees to exchange cash or card payments by placing them on a receipt tray or on the counter rather than by hand to avoid direct hand-to-hand contact.
- Clean and disinfect frequently touched surfaces such as pens, counters, or hard surfaces between use and encourage patrons to use their own pens.
- Provide physical guides, such as tape on floors or sidewalks and signs on walls, to ensure that individuals remain at least 6 feet apart when waiting in line to order or pick up.
- If a cafeteria or group dining room is used, serve individually plated meals or grab-and-go options, and hold activities in separate areas.
- Use disposable food service items including utensils and dishes.

- If disposable items are not feasible or desirable, ensure that all non-disposable food service items are handled with gloves and washed with dish soap and hot water or in a dishwasher.
- Individuals must wash their hands after removing their gloves or after directly handling used food service items.
- Avoid offering any self-serve food or drink options, such as buffets, salad bars, and drink stations. Consider having pre-packaged boxes or bags for each attendee.

### **13. Shared Objects**

- Discourage people from sharing items that are difficult to clean, sanitize, or disinfect.
- Limit any sharing of food, tools, equipment, or supplies by staff members.
- Ensure adequate supplies to minimize sharing of high-touch materials to the extent possible.

### **14. Maintaining Healthy Operations**

Event organizers and staff may consider implementing several strategies to maintain healthy operations.

### **15. Communication Systems**

Put systems in place to:

- Record contact of all persons attending the event
- Staff and attendees must self-report if they develop symptoms within 14 days after attending the event
- Advise attendees prior to the event or gathering that they should not attend if they have symptoms or, a positive test for, or were recently exposed (within 14 days) to COVID-19.

### **16. Preparing for When Someone Gets Sick**

Event planners must consider several strategies to implement when someone gets sick.

- Immediately separate staff and attendees with COVID-19 symptoms (e.g., fever, cough, shortness of breath) at the event.
- Individuals who are sick should go home or to a healthcare facility, depending on how severe their symptoms.
- Individuals who have had close contact with a person who has symptoms should be separated, sent home, and advised to follow up with health officials.
- Establish procedures for safely transporting anyone sick to their home or to a healthcare facility.
- If you are calling an ambulance or bringing someone to the hospital, call first to alert them that the person may have COVID-19.



- Close off areas used by a sick person and do not use these areas until after cleaning and disinfecting them (for outdoor areas, this includes surfaces or shared objects in the area, if applicable).

*(Inserted by S.R.O. 52/2020)*

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