

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 25 of 2021

Emergency Powers (COVID-19) (No. 2) Regulations, 2021

In exercise of the powers conferred by section 5 of the Emergency Powers Act, Cap. 19:02 the Governor-General makes the following Regulations:

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Part I
Preliminary

1. Citation and duration.

(1) These Regulations may be cited as the Emergency Powers (COVID-19) (No. 2) Regulations, 2021.

(2) These Regulations shall come into force from 12:01 a.m. on Sunday 27th June, 2021 and shall expire at 5:00 a.m. on Tuesday 6th July, 2021.

2. Interpretation.

In these Regulations,

“Court” includes the Magistrates’ Courts and the Eastern Caribbean Supreme Court;

“COVID-19 (Prevention and Control) Act” means the COVID-19 (Prevention and Control) Act, No. 16 of 2020;

“COVID-19” means the COVID-19 novel coronavirus (2019-n CoV);

“day of limited operation” means a period of limited operation of businesses and enterprises

(a) which would be in place from 5:00 a.m. to 6:00 p.m. as specified in Schedule I; and

(b) where movement shall be exercised in accordance with regulations 15 and 16;

“night curfew” means a period of curfew with a duration from 6 p.m. of one day until 5 a.m. of the following day;

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

Part II
Emergency Measures for the Island of St Christopher

3. Night Curfew.

The schedule for curfews during the emergency period to mitigate the spread of COVID-19 is set out in Schedule I, except as provided in these Regulations or as may be approved by the Commissioner of Police.

4. Shelter in place.

(1) Subject to sub-regulation (2) and regulation 16, in an effort to prevent the spread of the novel coronavirus or COVID-19, every person shall remain confined to their place of residence, inclusive of their yard space, to avoid contact outside of their family, except

- (a) essential workers, who are required to report to work;
- (b) workers required to work under regulation 7;
- (c) for essential travel for medical emergencies;
- (d) for essential travel to a vaccination site between 8:00 a.m. and 1:00 p.m. from Monday 28th June to Wednesday 30th June, 2021

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

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

- (a) the Royal Saint Christopher and Nevis Police Force;
- (b) the Saint Christopher and Nevis Defence Force;
- (c) the Fire and Rescue Services Department;
- (d) National Emergency Management Agency and Nevis Disaster Management Department, the National Emergency Operating Centre, the Health Emergency Operating Centre and any other Disaster Management Services;
- (e) the prisons, correctional facilities, or other similar establishments;
- (f) any hospital, health care or medical facility;
- (g) the Customs Department;
- (h) the Immigration Department;
- (i) the Air and Sea Ports Authorities;
- (j) the essential media personnel of a Media House;
- (k) the office of the Director of Public Prosecutions, the Attorney General’s Chambers, Members of Parliament, the Secretary to the Cabinet;
- (l) the emergency technical personnel of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media;
- (m) the Government Printery;

- (n) approved hotels or approved quarantine facilities;
- (o) approved COVID-19 taxi operators; and
- (p) approved COVID-19 ferry operators.

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

5. Work remotely from home.

All businesses and offices shall continue their business operations by allowing their employees to work remotely from home utilizing virtual means, unless those employees are permitted to work under regulation 7 or are designated as being essential workers under regulation 4.

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

(1) All persons employed within the public service shall work remotely from home except as may otherwise be directed by the Secretary to the Cabinet.

(2) All persons employed within a statutory body or a State-owned enterprise shall work remotely from home, except as may otherwise be authorised by the Commissioner of Police.

(3) Subject to practice direction No. 1 of 2021, the Courts shall remain accessible as far as is reasonably practicable, and the persons employed therein shall work remotely from home.

7. Closure of businesses and exceptions.

(1) Subject to regulation 16, all businesses and establishments shall remain closed except for the following businesses which may remain open for any period within the specified time

- (a) hospitals and medical facilities;
- (b) businesses licensed to provide security guard services;
- (c) such other businesses or undertakings as may be specifically exempted, in writing, by the Commissioner of Police

provided that the owner or operator of an establishment specified in paragraphs (a) to (c) shall adhere to social distancing and physical distancing protocols pursuant to regulation 15.

(2) Subject to regulation 16, all works of construction shall cease except

- (a) where it is necessary for the purposes of health, safety and security under these Regulations;
- (b) for urgent plumbing, electrical, roof repairs or other emergency repairs for a home or business.

8. Social distancing and physical distancing protocols.

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

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

9. Education and religious instruction.

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

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

(3) Notwithstanding sub-regulation (1), examination centers on the Island of Saint Christopher may operate for the purposes of administering the Caribbean Examination Council (CXC) Examinations and all employees and students shall practice social distancing and physical distancing in accordance with the provisions of sections 6 and 7 of the COVID-19 (Prevention and Control) Act.

(4) Subject to subsection (3), students and their parents or guardians may travel to an examination center for the purposes of completing the Caribbean Examination Council (CXC) Examinations and all students shall, at all times, carry personal identification or their examination timetable.

10. No Mass Gathering.

Notwithstanding the provisions of the COVID-19 (Prevention and Control) Act, there shall be no mass events for the duration of these Regulations.

11. Restriction on social activities.

No person shall host, attend or visit

- (a) a private party;
- (b) a recreational or competitive sporting event or other types of public entertainment;
- (c) a wedding, subject to regulation 16 (7);

- (d) a banquet, ball or reception;
- (e) any other ceremony in any facility or public place;
- (f) a funeral, subject to regulation 16 (6);
- (g) a meeting of a fraternal society, private or social club or civic association or organization;
- (h) any public beach;
- (i) any bars or rum shops; or
- (j) any other type of social event.

12. **Restriction on domestic travel.**

- (1) Subject to regulation 16, no person shall
 - (a) offer for hire or seek to travel on any inter island private commercial sea transport;
 - (b) drive a vehicle on any public or private road for a purpose other than those purposes stated in regulation 4, 6 or 7;
 - (c) offer for hire or seek to travel on any motor omnibus, any motor vehicle for hire or reward, taxi or any passenger ferry.

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

- (3) For the purposes of this regulation,
 - “vehicle” includes a motor vehicle or motorbike;
 - “motor omnibus”, “motor vehicle for hire or reward” and “taxi” have the meanings assigned under the Vehicles and Road Traffic Act, Chapter 15.06.

13. **Restriction on visitation.**

No person shall visit or be permitted to visit

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

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

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

15. Safety Protocols.

(1) All persons shall be required to comply with sections 6 and 7 of the COVID-19 (Prevention and Control) Act regarding social distancing, physical distancing and hygiene protocols.

(2) A person shall wear a face mask covering his or her nose and mouth when indoors or outdoors in a public place.

16. Exceptions for days of limited operation.

(1) The provisions of these Regulations shall apply during a day of limited operation and shall be subject to the provisions of regulation 15 for social distancing and physical distancing.

(2) The following businesses may be allowed to operate on a limited basis between the hours of 5 a.m. to 6 p.m.:

- (a) bakeries;
- (b) supermarkets;
- (c) pharmacies;
- (d) private medical facilities and doctors' offices;
- (e) banks and credit unions;
- (f) motor omnibuses or any motor vehicle for hire or reward, in accordance with sub-regulation (7);
- (g) gas stations;
- (h) courier services; and
- (i) such other businesses or undertakings as may be expressly approved by the Commissioner of Police, in writing.

(3) A business referred to in sub-regulation (1), shall only be allowed to operate where the employees of that business can practice physical distancing and hygiene protocols in accordance with the provisions of the COVID-19 (Prevention and Control) Act.

(4) Notwithstanding regulation 11, persons may attend virtual meetings and no person shall physically host, attend or visit

- (a) a private party;
- (b) a recreational or competitive sporting event or other types of public entertainment;
- (c) a banquet, ball or reception;
- (d) any other ceremony in any facility or public place;
- (e) a meeting of a fraternal society, private or social club or civic association or organization;
- (f) any bars or rum shops; or
- (g) any other type of social event.

(5) Notwithstanding regulation 11, during a day of limited operation, a person may attend a funeral except

- (a) no more than ten members of the immediate family should be in attendance;
- (b) no more than one officiant should be in attendance;
- (c) only essential mortuary personnel should be in attendance;
- (d) the funeral shall have a maximum duration not exceeding one hour; and
- (e) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 15.

(6) Notwithstanding regulation 11, during a day of limited operation, a person may attend a wedding except

- (a) no more than ten persons should be in attendance;
- (b) no more than one officiant should be in attendance;
- (c) only essential camera technicians should be in attendance;
- (d) only the two essential witnesses should be in attendance;
- (e) the wedding shall have a maximum duration not exceeding one hour; and
- (f) all persons, except the bride and groom, shall adhere to social distancing and physical distancing protocols pursuant to regulation 15.

(7) Notwithstanding regulation 12, during a day of limited operation no person shall offer for hire or seek to travel on any motor omnibus, any hiring car or taxi or any passenger ferry unless,

- (a) there is not more than two passengers per row of seating;
- (b) all persons wear a mask at all times, pursuant to regulation 15;
- (c) windows remain open or partially open depending on the weather conditions;
- (d) all persons shall practice good hand hygiene, proper sanitary behaviour and social distancing protocols.

(8) During a day of limited operation, farmers and fishers may operate and shall adhere to social distancing and physical distancing protocols pursuant to regulation 15.

(9) During a day of limited operation, all businesses and enterprises shall operate in such a manner as to ensure that opening and closing hours allow sufficient time for all personnel to adhere to the hours set for night curfew.

(10) During a day of limited operation, seniors, disabled persons and essential workers with identification shall be granted priority to enter any business or enterprise.

Part III Emergency Measures for the Island of Nevis

17. Night Curfew.

(1) A period of night curfew is imposed every day from 6:00 p.m. of one day until 5 a.m. of the following day, commencing from 12:01 a.m. on Sunday 27th June, 2021 and shall expire at 5:00 a.m. on Tuesday 6th July, 2021.

(2) Subject to sub-regulations (3) and (4), in an effort to prevent the spread of the novel coronavirus or COVID-19 during a period of night curfew, every person shall remain confined to his or her place of residence, inclusive of his or her yard space, to avoid contact outside of the family, except

- (a) essential workers, who are required to report to work under sub-regulation 4; or
- (b) for essential travel for medical emergencies;

provided that such persons shall ensure at all times to comply with the provisions of the COVID-19 Act in respect of physical distancing and hygiene protocols.

(3) Notwithstanding sub-regulation (2), a person, other than an essential worker, who is required to move from his or her home during the period of night curfew, shall first obtain the written approval of the Commissioner of Police to do so.

(4) For the purposes of these Regulations, an “essential worker” includes essential officers or workers of

- (a) the Royal Saint Christopher and Nevis Police Force;
- (b) the Saint Christopher and Nevis Defence Force;
- (c) the Fire and Rescue Services Department;
- (d) National Emergency Management Agency and Nevis Disaster Management Department, the National Emergency Operating Centre, the Health Emergency Operating Centre and any other Disaster Management Services;
- (e) the prisons, correctional facilities, or other similar establishments;
- (f) any hospital, health care facility, health centre, designated vaccination site, medical facility or approved research facility;
- (g) the Customs Department;
- (h) the Immigration Department;
- (i) the Air and Sea Ports Authorities;
- (j) the essential media personnel of a Media House;
- (k) the office of the Director of Public Prosecutions, the Attorney General’s Chambers, Members of Parliament, the Secretary to the Cabinet;
- (l) the emergency technical personnel of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media;
- (m) the Government Printery;
- (n) approved hotels or approved quarantine facilities;
- (o) approved COVID-19 taxi operators; and
- (p) approved COVID-19 ferry operators.

(5) All essential workers shall, at all times, carry personal identification or official work identification where possible.

18. Work Remotely From Home and Closure of Businesses Nevis.

(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) Subject to sub-regulation (1), where a business is able to continue its operations by its employees practicing social distancing and physical distancing in accordance with the provisions of sections 6 and 7 of the COVID-19 (Prevention and Control) Act, it may operate.

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

(1) All persons employed within the public service may work remotely from home, except as may otherwise be directed by the Secretary to the Cabinet.

(2) All persons employed within a statutory body or a State-owned enterprise may work remotely from home, except as may otherwise be authorised by the Commissioner of Police.

(3) Subject to practice direction No. 1 of 2021, the Courts shall remain accessible as far as is reasonably practicable, and the persons employed therein may work remotely from home.

20. Safety Protocols.

(1) All persons shall be required to comply with sections 6 and 7 of the COVID-19 (Prevention and Control) Act regarding social distancing, physical distancing and hygiene protocols.

(2) A person shall wear a face mask covering his or her nose and mouth when indoors or outdoors in a public place.

21. No Mass Gathering.

Notwithstanding the provisions of the COVID-19 (Prevention and Control) Act, there shall be no mass events for the duration of these Regulations.

22. Restaurants and Bars and Take-Away Food Services Nevis.

(1) There shall be no in-dining in restaurants, bars or food trucks.

(2) Restaurants, bars and food trucks may operate only for the purposes of food delivery or food take away services where the employees of that business can practice physical distancing and hygiene protocols in accordance with the provisions of the COVID-19 (Prevention and Control) Act.

23. Suspension of all retail liquor licences Nevis.

Notwithstanding the provisions of the Liquor Licences Act, Cap. 18:21, all retail liquor licences are suspended on the Island of Nevis.

24. Public beaches Nevis.

A person may visit a public beach only for the purposes of swimming or exercise and the following restrictions shall apply:

- (a) where there shall be no picnics, beach parties or other gatherings; and
- (b) all persons shall adhere to social distancing and physical distancing protocols pursuant to the provisions of the COVID-19 (Prevention and Control) Act.

Part IV
Miscellaneous

25. Restriction on Regional and International Travellers.

(1) Subject to sub-regulation (3) and the applicable travel Protocols established pursuant to the COVID-19 (Prevention and Control) Act, all regional and international travellers shall be required to submit official proof of full vaccination against the COVID-19 virus prior to entry into Saint Christopher and Nevis.

(2) Pursuant to sub-regulation (1), upon arrival in Saint Christopher and Nevis, a traveller shall be required to produce proof of full vaccination.

(3) The provisions of sub-regulations (1) and (2), shall not be applicable to citizens and residents of Saint Christopher and Nevis

26. Penalty.

Subject to the provisions of section 22 of the COVID-19 (Prevention and Control) Act, 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 to 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.

SCHEDULE I

Curfew Schedule for the Island of Saint Christopher

(regulation 3)

Date	Type of Curfew	Period when movement allowed
Sunday 27 th June, 2021 from 12:01 a.m. to Sunday 27 th June, 2021, 5:00 a.m.	Night curfew	
Sunday 27 th June, 2021	Limited day of operation	5:00 a.m. to 6:00 p.m.
Sunday 27 th June, 2021 from 6:01 p.m. to Monday 28 th June, 2021, 5:00 a.m.	Night curfew	
Monday 28 th June, 2021 from 5:01 a.m. to Tuesday 29 th June, 2021, 5:00 a.m.	Twenty-four hour curfew	

Tuesday 29 th June, 2021 from 5:01 a.m. to Wednesday 30 th June, 2021, 5:00 a.m.	Twenty-four hour curfew	
Wednesday 30 th June, 2021 from 5:01 a.m. to Thursday 1 st July, 2021, 5:00 a.m.	Twenty-four hour curfew	
Thursday 1 st July, 2021	Limited day of operation	5:00 a.m. to 6:00 p.m.
Thursday 1 st July, 2021 from 6:01 p.m. to Friday 2 nd July, 2021, 5:00 a.m.	Night curfew	
Friday 2 nd July, 2021	Limited day of operation	5:00 a.m. to 6:00 p.m.
Friday 2 nd July, 2021 from 6:01 p.m. to Saturday 3 rd July, 2021, 5:00 a.m.	Night curfew	
Saturday 3 rd July, 2021, 5:01 a.m. to Sunday 4 th July, 2021, 5:00 a.m.	Twenty-four hour curfew	
Sunday 4 th July, 2021, 5:01 a.m. to Monday 5 th July, 2021, 5:00 a.m.	Twenty-four hour curfew	
Monday 5 th July, 2021, 5:01 a.m. to Tuesday 6 th July, 2021, 5:00 a.m.	Twenty-four hour curfew	

Made this 25th day of June, 2021.

SIR S. W. TAPLEY SEATON
GCMG, CVO, QC, JP, LLD
Govenor-General