BARBADOS

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Statutory Instrument

S.I. 2021 No. 30

Emergency Management (COVID-19) Order, 2021

S. I. 2021 No. 19

EMERGENCY MANAGEMENT (COVID-19) (CURFEW) (NO. 8) DIRECTIVE, 2021

WHEREAS pursuant to paragraph 15 of the *Emergency Management (COVID-19) Order, 2021* (S.I. 2021 No. 19) made under the *Emergency Management Act*, Cap. 160A, it is provided that the Prime Minister on the advice of the Chief Medical Officer may issue a directive requiring every person to observe such physical distancing and associated protocols in the interest of public health as may be specified;

AND WHEREAS a public health emergency exists in Barbados;

The Prime Minister, by virtue of the power and authority vested in her and on the advice of the Chief Medical Officer pursuant to paragraph 15 of the *Emergency Management (COVID-19) Order, 2021*, hereby issues the following Directive:

1. This Directive may be cited as the *Emergency Management (COVID-19) (Curfew) (No. 8) Directive, 2021*.

2.(1) This Directive commences on Monday 12th April, 2021 and expires on Monday 26th April, 2021.

(2) During the period specified in subparagraph (1), the following curfew periods are hereby imposed throughout Barbados:

(a) from 11:00 p.m. on Thursday 15th April, 2021 to 5:00 a.m. on Friday 16th April, 2021;

(b) from 11:00 p.m. on Friday 16th April, 2021 to 5:00 a.m. on Saturday 17th April 2021;

(c) from 11:00 p.m. on Saturday 17th April, 2021 to 5:00 a.m. on Sunday 18th April, 2021;

(d) from 11:00 p.m. on Sunday 18th April, 2021 to 5:00 a.m. on Monday 19th April, 2021;

(e) from 11:00 p.m. on Thursday 22nd April, 2021 to 5:00 a.m. on Friday 23rd April, 2021;

(f) from 11:00 p.m. on Friday 23rd April, 2021 to 5:00 a.m. on Saturday 24th April, 2021;

(g) from 11:00 p.m. on Saturday 24th April, 2021 to 5:00 a.m. on Sunday 25th April, 2021; and

(h) from 11:00 p.m. on Sunday 25th April, 2021 to 5:00 a.m. on Monday 26th April, 2021.

3.(1) No person shall leave his residence during the curfew periods specified in paragraph 2(2), except

(a) the person is an employee or member of an essential service; or

(b) the person has an emergency.

(2) Every employee or member of an essential service shall have on his person at all times, evidence of his employment by, or membership of, as the case may be, such a service.

(3) The Attorney General may, on request made to him through *www.gov.bb*, grant an exemption to any person or business affected by subparagraph (1).

4.(1) No person, other than a person referred to in paragraph 3, shall leave his residence between the hours of 5:00 a.m. and 11:00 p.m. on Sunday 18th April, 2021 and Sunday 25th April, 2021, except

(a) the person is the owner, operator or employee of a business or an establishment set out in paragraph 6 or 7;

(b) for the purpose of transacting business with a business or an establishment set out in paragraph 6 or 7;

(c) for the purpose of attending a place of religious worship as permitted by paragraph 11;

(d) for the purpose of visiting a beach or a park or exercise outdoors as permitted by paragraph 12;

(e) the person is directly involved in the COVID-19 vaccination exercise either as a service provider or to receive a vaccine; or

(f) the person has an emergency.

(2) Any person who gives false or misleading information to a member of the Police Force, the Defence Force or a member of the COVID-19 Protocol Monitoring Unit, in this Directive referred to as "the Unit", as to his reason for leaving his residence between the hours specified in paragraph 3(1) or subparagraph (1) contravenes this Directive.

5.(1) Subject to subparagraphs (2) and (3), with effect from the 12th day of April, 2021 every business, establishment and organization is permitted to open and to conduct business every day from Monday to Saturday unless otherwise exempted.

(2) Notwithstanding subparagraph (1), the following businesses, establishments and organizations are not permitted to operate at anytime:

(a) cinemas; and

(b) night clubs and discotheques.

(3) Subject to paragraph 10, the following businesses and establishments shall be permitted to operate in the manner specified and in accordance with the protocols stipulated by the Chief Medical Officer and the Unit:

(a) bars may operate at 50 per cent of their capacity; and

(b) pleasure craft and private boat charters shall carry no more than 50 per cent of their authorized number of passengers.

6. On Sunday 18th April, 2021 and Sunday 25th April, 2021, only the following non-essential services shall be permitted to operate in the manner specified:

(a) bakeries for the baking of bread, bread depots and bread vans for the sale of bread;

(b) cleaning services that clean for essential services and businesses to which this paragraph applies;

(c) coconut vendors on the hard shoulder of the ABC Highway in addition to other locations;

(d) farms and fishing operations but vending is prohibited;

(e) fuel manufacturers, fuel storage facilities and fuel distributors, for the entire day;

(f) gasolene stations, for the sale of products relating to motor vehicles, petroleum products, including liquefied petroleum gas, commonly referred to as “bottled gas”, and for the sale of top-ups for mobile telephones and pharmaceuticals;

(g) hotels, villas and other rental accommodation, for the entire day, including restaurants;

(h) pharmaceutical manufacturers, manufacturers of beverages and dairy products, food processors and food distributors;

(i) pharmacies for the sale of pharmaceuticals and the filling of prescriptions;

(j) sugar factories, for the entire day; and

(k) tyre shops, wrecker services and emergency personnel for vehicle response, as needed.

7. Notwithstanding anything contained in this Directive, food service establishments shall be permitted to open from Monday to Sunday, and shall comply with the protocols published by the Chief Medical Officer.

8.(1) The owner or operator of any business or establishment shall

(a) ensure that

(i) the staff of the business or establishment; and

(ii) all persons who enter the business or establishment,

comply with the physical distancing protocols;

(b) provide hand sanitizing stations for staff and all persons who enter the business or establishment;

(c) restrict the number of persons within and outside the business or establishment at any one time in order to ensure that a physical distance of at least 6 feet is maintained between every person;

(d) ensure that persons do not assemble otherwise than for the purpose of transacting business; and

(e) comply with such other protocols as may be established by the Chief Medical Officer and the Unit.

(2) The owner or operator of any business or establishment in which there are 25 or more employees shall designate an employee as a COVID-19 compliance officer.

9.(1) Any member of the Police Force or the Unit may enter any business or establishment at any time during its hours of operation in order to ensure that the business or establishment is in compliance with this Directive and for that purpose, may ask questions of the owner or employees of the business or establishment.

(2) Any owner or employee referred to in subparagraph (1) who

(a) denies entry to;

(b) fails to answer any question put to him by or gives a false or misleading answer to any such question to;

(c) assaults, insults, obstructs or uses threatening words or gestures to; or

(d) fails to comply with any instructions given to him by

any member of the Police Force or the Unit contravenes this Directive.

10.(1) No person shall host or attend

(a) a party;

(b) a banquet, ball, dance or reception;

(c) a meeting of a fraternal society, private or social club or civic association or organization;

(d) a social event known as

(i) "a bus crawl"; or

(ii) "a lime";

(e) a karaoke event;

(f) a picnic; or

(g) a bus or other vehicular excursion.

(2) Persons may engage only in non-contact sports excluding table tennis and squash.

(3) Team sports are prohibited.

11.(1) Notwithstanding paragraph 10, subparagraphs (2), (3), (4) and (5) shall apply to places of worship, funeral services, wedding ceremonies and wedding receptions, as the case may be.

(2) Places of religious worship are permitted to open and a distance of at least 6 feet in all directions shall be maintained among all persons who attend places of religious worship.

(3) Funeral services shall be attended by no more than 100 mourners, who shall remain 6 feet apart in every direction, two officiants and the funeral director and necessary staff.

(4) Wedding ceremonies shall be attended by the bride and bridegroom, 2 witnesses, the marriage officer and no more than 100 guests or other persons who shall remain 6 feet apart in every direction.

(5) Only seated dining may be provided at wedding receptions, with 6 feet of separation between table set-ups and dancing is prohibited.

(6) Members of the same household may sit together at any event referred to subparagraphs (2), (3), (4) and (5).

12.(1) Beaches and parks shall be open between the hours of 5:00 a.m. and 7:00 p.m.

(2) Persons may exercise together outdoors, in which case there shall be a physical distance of at least 6 feet between them, unless they are members of the same household.

13. A person who is in a public place shall

(a) wear a face mask as specified in paragraph 16;

(b) comply with the physical distancing protocols established by the Chief Medical Officer, unless they are members of the same household; and

(c) comply with every condition specified by the Chief Medical Officer and the Unit.

14. No group exceeding 5 persons who are not members of the same household shall remain outdoors unless they are within the curtilage of a residence.

15. Notwithstanding paragraph 14, no more than 8 members of the same household shall remain outdoors as a group, except in the curtilage of their residence.

16.(1) No person shall, without reasonable explanation,

(a) be in a public building or public place; or

(b) travel on a public service vehicle or other public transport, whether as a driver, conductor or passenger,

unless he wears a face mask, face shield or face-covering which covers his mouth, nose and chin.

(2) Where the person referred to in subparagraph (1) is a child who is accompanied by an individual who has responsibility for the child, the individual shall provide and ensure that the child has and wears a face mask, face shield or face covering as required by subparagraph (1).

(3) The owner or operator of any business or establishment, which provides goods or services to the public, shall ensure that no member of the public is permitted to enter, or, having entered, to remain within any enclosed space of the business or establishment, unless the person is wearing a face mask, face shield or face covering which covers his mouth, nose and chin.

(4) Subparagraph (3) binds the Crown.

(5) Subparagraphs (1) to (3) shall not apply to children under 5 years of age.

(6) Subparagraph (1) does not apply to persons travelling in a private vehicle.

(7) Notwithstanding subparagraph (1)*(a)*, a person may, if he is required to speak and is physically distanced from other persons present, remove his mask only for the duration of the speech.

(8) For the purposes of subparagraph (1), a person has a reasonable explanation

(a) where the person cannot put on, wear or remove a face mask, face shield or face covering by reason of any medical, physical or mental illness or disability;

(b) where the person is travelling with or providing assistance to another person and the other person relies on lip-reading to communicate with the first person;

(c) where the person is eating, drinking, taking medication or exercising;

(d) where a request is made of the person to remove his face mask, face shield or face covering temporarily for security and identification purposes; or

(e) in such other circumstances as may be provided for in such protocols as the Chief Medical Officer may determine.

(9) For the purposes of this Directive, "public building" or "public place" includes a building or a place to which members of the public have a general or conditional right of access.

17. No person shall visit any place of quarantine or an isolation station.

18. No person shall visit a prisoner or a ward of a Government Industrial School but, for the avoidance of doubt, may visit such a facility to transact business.

19. No more than one person at a time shall visit a patient in a hospital, nursing home, senior citizens' home or a facility for the treatment of persons with an addiction to or a dependency on a drug or a narcotic substance.

20.(1) No person shall transmit a video recording or an audio recording of any person or in any way make known to the public the identity of any person

(a) who has been tested for COVID-19 or the result of any such test; or

(b) who is in quarantine or in an isolation station.

(2) It is a defence for the person who is charged with an offence under subparagraph (1) if he proves that he had obtained the prior consent of the person who is the subject of the act.

21.(1) A public service vehicle shall carry no more than 75 per cent of its authorized number of sitting passengers and shall carry no standing passengers.

(2) The windows of public service vehicles shall remain open throughout the journey, except during inclement weather.

(3) Subparagraph (2) does not apply to those public service vehicles whose windows are sealed by the manufacturer.

(4) The owner or driver of a public service vehicle shall ensure that the vehicle is sanitized after putting down passengers and before taking up new passengers at the following motor omnibus depots and terminals:

(a) Mangrove Bus Depot;

(b) Oistins Bus Depot;

(c) Constitution Road Terminal;

(d) Fairchild Street Terminal;

(e) Princess Alice Terminal; and

(f) Speightstown Terminal.

(5) An owner or driver of a public service vehicle who fails to comply with any provision of this paragraph is, in addition to the penalty provided by paragraph 27, liable to have his licence or permit suspended.

22. Every traveller to Barbados shall

(a) give details of his accommodation in Barbados to the Chief Immigration Officer and to the Chief Medical Officer;

(b) comply with this Directive; and

(c) comply with the Travel Protocols for entry into Barbados and the Health and Safety Protocols for the Tourism Sector established by the Chief Medical Officer for the Ministry of Tourism.

23. A traveller to Barbados who gives false or misleading information on arrival in Barbados to the Chief Immigration Officer or the Chief Medical Officer concerning his accommodation in Barbados contravenes this Directive.

24. A person who is placed in quarantine

(a) shall not leave the room in which he is quarantined without the consent of the Chief Medical Officer;

(b) shall not receive guests; and

(c) shall obey the directions of the Chief Medical Officer.

25. The owner or operator of any business or establishment who fails to comply with this Directive is, in addition to the penalty provided by paragraph 27, liable to be ordered to cease to operate for the duration of this Directive.

26. Notwithstanding any provision of this Directive, the Prime Minister or Attorney General, acting on the advice of the Chief Medical Officer or the Unit, may direct the owner or operator of any business or establishment to cease to operate for the duration of this Directive.

27. Any person who contravenes this Directive or fails to comply with any condition specified by the Chief Medical Officer or the Unit is guilty of an offence and is liable on summary conviction to a fine of $50 000 or to

imprisonment for a term of one year or to both pursuant to paragraph 15(1) of the *Emergency Management (COVID-19) Order, 2021* (S.I. 2021 No. 19).

This Directive shall come into effect on the 12th day of April, 2021 and shall cease to have effect on the 26th day of April, 2021.

Made by the Prime Minister this 10th day of April, 2021.

MIA AMOR MOTTLEY
Prime Minister