

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 24 of 2021

Emergency Powers (COVID-19) 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) Regulations, 2021.

(2) These Regulations shall come into force from 6 p.m. on Tuesday 15th June, 2021 and shall expire at 11:59 p.m. on Saturday 26th June, 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).

“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.

Part II
Emergency Measures for the Federation of St Christopher and Nevis

3. 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 on Tuesday 15th June, 2021 and ending on 11:59 p.m. on Saturday 26th June, 2021.

(2) Subject to subregulations (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 subregulation 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 subregulation (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; and
- (m) the Government Printery.

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

4. 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 or mouth when indoors or outdoors in a public place.

5. No Mass Gatherings.

There shall be no mass events for the duration of these Regulations.

6. 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.

Part III

Emergency Measures for the Island of Saint Christopher

7. Shelter in Place.

Subject to regulations 8 and 10, 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 10;
- (c) for essential travel for medical emergencies;
- (d) to access the businesses provided for under regulation 10,

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

8. Work Remotely From Home and Closure of Businesses.

(1) In an effort to prevent the spread of the novel coronavirus or COVID-19, 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 sub-regulation (4) or are designated as being essential workers pursuant to regulation 3.

(2) Notwithstanding sub-regulation (1), all gaming establishments or entities shall remain closed for the duration of these Regulations.

(3) Notwithstanding sub-regulation (1), all street vendors shall cease operations for the duration of these Regulations except

- (a) within the confines of controlled spaces within the public markets where records for contact tracing shall be kept; and
- (b) in accordance with the provisions of the COVID-19 (Prevention and Control) Act in respect of physical distancing and hygiene protocols.

(4) Where a business or establishment is unable to continue its operations by allowing its employees to work remotely from home, that business or establishment shall remain closed.

9. 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.

10. Limited Operations.

(1) Notwithstanding Regulation 7, 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;
- (e) banks and credit unions;
- (f) approved hotels or approved quarantine facilities;
- (g) approved COVID-19 taxi operators;
- (h) approved COVID-19 ferry operators;
- (i) motor omnibuses or any motor vehicle for hire or reward, in accordance with the provisions of the COVID-19 (Prevention and Control) (Amendment) Order, No. 17 of 2021;
- (j) gas stations;
- (k) courier services; and
- (l) such other businesses or undertakings as may be expressly approved by the Commissioner of Police, in writing.

(2) A business referred to in subregulation (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.

11. Restaurants and Bars and Take-Away Food Services.

(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.

12. Public beaches.

No person shall visit a public beach on the Island of Saint Christopher, except with the written permission of the Commissioner of Police.

13. Weddings, Funerals and Places of Religious Instruction.

(1) All places of religious instruction or worship shall continue to operate by means of virtual church services, virtual instructions or virtual meetings.

(2) No person shall hold or attend a wedding for the duration of these Regulations where more than 10 persons are in attendance including the officiant, essential camera personnel, the two witnesses and the bride and the groom.

(3) No person shall hold or attend a funeral for the duration of these Regulations where more than 10 persons are in attendance.

(4) All persons in attendance at a wedding or a funeral shall be required to comply with the physical distancing and hygiene protocols subject to the provisions of the COVID-19 (Prevention and Control) Act.

(5) No wedding or funeral shall have a duration of more than sixty minutes.

14. Suspension of all retail liquor licences.

Notwithstanding the provisions of the Liquor Licences Act, Cap. 18.21, all retail liquor licences are suspended on the Island of Saint Christopher.

Part IV**Emergency Measures for the Island of Nevis****15. 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 regulation 4, it may operate.

16. 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.

17. 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.

18. 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.

19. 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 V
Miscellaneous**

20. Penalty.

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.

Made this 15th day of June, 2021.

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