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GRENADA

STATUTORY RULES AND ORDERS NO. 16 OF 2020

IN EXERCISE OF THE POWERS CONFERRED UNDER SECTION 4 OF THE EMERGENCY POWERS ACT, CHAPTER 88 FOR THE PURPOSES OF SECTION 17 OF THE CONSTITUTION, THE CABINET OF GRENADA MAKES THE FOLLOWING REGULATIONS—

(Gazetted 30th March, 2020).

1. Citation and duration.—(1) These Regulations may be cited as the

EMERGENCY POWERS (COVID-19) (NO. 2) REGULATIONS, 2020.

(2) These Regulations shall come into force on the 30th day of March, 2020.

2. Restriction on freedom of movement.—(1) A seven-day curfew is imposed beginning from 7:00 p.m. on the 30th day of March, 2020 and ending at 7:00 p.m. on the 6th day of April, 2020 and during this period every person shall remain confined to their place of residence (inclusive of their yard space) to avoid contact outside of their household, except as provided in these Regulations or as may be authorised in writing by the Commissioner of Police.

(2) These Regulations shall not apply in the case of a medical emergency.

3. Work remotely from home.—(1) All businesses and offices may continue their business operations by allowing their employees to work remotely from home utilising virtual means, unless they are permitted to work under regulation 5 or are designated as being essential workers under regulation 7.

(2) Where a business is unable to continue its business operations by its employees working remotely from home, the business shall cease its operations.

4. Public Service, Statutory Bodies, State-owned Enterprises and Courts.—(1) Subject to subregulation (2), all members of the public service shall work remotely from home, except as otherwise directed by the Secretary to the Cabinet.

(2) Where the Secretary to the Cabinet directs that specified public officers attend work, the Government shall take reasonable steps to—

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- (a) ensure safe transport of the public officers whereby the motor vehicle carries not more than one person in each row of seats in a staggered formation; and
 - (b) comply with the physical distancing protocols in accordance with regulation 6.

(3) Subject to subregulation (4), all employees of Statutory Bodies and State-owned Enterprises shall work remotely from home, except as otherwise directed by the Board and approved in writing by the Commissioner of Police.

(4) Where the Board with the approval of the Commissioner of Police directs that specified employees attend work, the Statutory Bodies or State-owned Enterprises as the case may be shall take reasonable steps to—

- (a) ensure safe transport of the employees whereby the motor vehicle carries not more than one person in each row of seats in a staggered formation; and
- (b) comply with the physical distancing protocols in accordance with regulation 6.

(5) Subject to the Practice Directions of the Eastern Caribbean Supreme Court, the Courts shall remain accessible, shall adhere to physical distancing protocols and the persons employed within the public service shall work remotely from home as far as reasonably practicable.

(6) In this regulation, “the Court” means the Magistrates Courts and the West Indies Associated States Supreme Court.

5. Closure of businesses and exceptions.—(1) Every establishment or business shall remain closed except for the following—

- (a) shops which sell groceries, grocery stores and supermarkets, which shall be open for business between 8:00 a.m. and 12 noon on days designated as grocery days by the Commissioner of Police and published by any public medium including radio or television broadcast;
- (b) suppliers who supply shops which sell groceries, grocery stores and supermarkets, as authorised in writing by the Commissioner of Police;

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- (c) doctor's offices, hospitals, medical facilities and pharmacies;
 - (d) hotels, excluding any spas, gyms, discotheques and restaurants therein, however such restaurants may offer takeaway or room service, and where a hotel remains open the hotel's staff shall remain on the premises for the duration of the period under regulation 2 (1); hotel employers shall bear the costs of the board and lodging of such staff members;
 - (e) commercial ports and related businesses as authorised by the Ports Authority;
 - (f) airports subject to regulation 10 (1) (a);
 - (g) commercial courier flights as authorised by the Airports Authority;
 - (h) businesses licensed to provide security guard services;
 - (i) such other businesses or undertakings as may be specifically exempted in writing by the Commissioner of Police,

and the owner or operator of the establishment under paragraphs (a) to (i) shall adhere to physical distancing protocols.

(2) If the manager, owner, other person in charge or employee of any shop which sells groceries, grocery store or supermarket, aids, abets or facilitates the contravention of these Regulations, the shop, grocery store or supermarket shall be immediately closed without prejudice to any other penalty in law.

(3) There shall be no sale or consumption of alcohol in or in the vicinity of any shop, grocery store, or supermarket or in any public place.

6. Physical distancing protocols.—(1) Every establishment shall—

- (a) ensure that all customers and staff maintain physical distancing of no less than six feet (6ft.) in or outside their business;
- (b) determine the number of persons that may be permitted in the establishment at any one time by permitting one person for every thirty square feet (30ft.²) of store space;
- (c) place distance markers six feet (6ft.) apart, indicating where each customer must stand on a line at a checkout point;

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- (d) place distance markers six feet (6ft.) apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

(2) Employees of a hospital or health care, medical, residential care establishment or facility and members of the Royal Grenada Police Force shall take reasonable steps to comply with the requirements under subregulation (1), unless it is reasonably impracticable.

7. Essential workers.—(1) For the avoidance of doubt but subject to regulation 12, every person shall remain confined to their place of residence (inclusive of their yard space) to avoid contact outside of their household except—

- (a) essential workers who report to work;
- (b) workers required to work under regulation 4 or 5;
- (c) Members of Parliament, the Attorney-General, the Director of Public Prosecution, Magistrates and Judges, the Registrar and the Deputy Registrar of the Supreme Court;
- (d) members of the Official COVID-19 Taskforce on official duties;
- (e) in the case of emergency travel to any hospital or medical facility.

(2) For the purposes of paragraphs (a) to (e) of subregulation (1), such a person shall ensure at all times to distance himself at least six feet (6 ft.) from any other person.

(3) For the purposes of this regulation, an “essential worker” means an officer, staff, employee or director of—

- (a) the Royal Grenada Police Force;
- (b) the National Disaster Management Agency, or any person authorised by the National Disaster Management Agency;
- (c) Her Majesty’s Prison;
- (d) the Custom and Excise Division;
- (e) the Accountant-General’s Division;

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- (f) the Ministry of Social Services;
 - (g) the Office of the Prime Minister;
 - (h) the Ministry of National Security;
 - (i) the Ministry of Agriculture;
 - (j) waste disposal and sanitation companies;
 - (k) any hospital or health care, medical, residential care establishment or facility;
 - (l) essential workers of the Airports Authority and Ports Authority;
 - (m) essential workers of the water sector or the electricity sector;
 - (n) essential officers of the telecommunication sector or any other sector encompassing the provision of electronic communications;
 - (o) essential officers of any print or electronic media house;
 - (p) private caregivers for the elderly or disabled, as authorised in writing by the Commissioner of Police; and
 - (q) bona fide farmers with urgent need to care for animals, as authorised in writing by the Commissioner of Police;
 - (r) any other Department or Ministry or officer or category of officers or workers as—
 - (i) in the case of public officers, directed by the Secretary to the Cabinet;
 - (ii) in any other case, approved in writing by the Commissioner of Police.

(4) Every Ministry or Department listed at paragraphs (d) to (i) of subregulation (3) shall operate with essential staff which shall include the Permanent Secretary, the Senior Administrative Officer and any other head of Department and such other public officer directed to attend by the Secretary of the Cabinet.

(5) All essential workers shall at all times carry personal identification that evidences their employment by, attachment to or connection to the entity by virtue of which they are deemed essential workers.

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

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

9. Restriction on social activities and funerals. No person shall host or attend—

- (a) any social activity of any description, including a wedding; or
- (b) a funeral.

10. Restriction on international travel.—(1) With immediate effect—

- (a) except with the prior written permission of the Airports Authority, all airports including private airports and fixed-base operations (FBOs) shall be closed to incoming international flights carrying any passenger;
- (b) all seaports shall be closed to regional and international seafaring and private boating; and
- (c) no person shall be permitted to enter and disembark for any reason, including transitting through the State of Grenada, except with the permission of the Airports Authority and the Ministry of Health.

(2) Subregulation (1) shall 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;
- (f) flights carrying any diplomat,

if permission has been granted by the Airports Authority and the Ministry of Health.

(3) Notwithstanding subregulation (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 Authority or the Ports Authority.

11. Restriction on domestic travel. No person shall offer for hire or seek to travel on any—

- (a) mail boat, sailing inter-island, except for transport of freight; or
- (b) inter-island private commercial sea transport,

except with the approval of the Ports Authority and the Ministry of Health.

12. Movement on grocery days.—(1) One person from a household may leave their residence once between 7:30 a.m. and 1:30 p.m. on a grocery day to attend shops which sell groceries, grocery stores or supermarkets in the parish of their residence in accordance with the Parish Boundaries Act, Chapter 224.

(2) Employees or workers of shops which sell groceries, grocery stores and supermarkets may leave their homes for the purposes of attending work on a grocery day and their employers shall ensure safe transport for each employee or worker where necessary whereby the motor vehicle carries not more than one person in each row of seats in a staggered formation.

13. Restriction on road traffic.—(1) No person shall drive a motor vehicle on any public or private road for a purpose other than stated in regulation 5, 7 and 12.

(2) The Royal Grenada Police Force shall have powers to stop any motor vehicle and inquire as to the purposes for which that motor vehicle is being utilised, and to arrest anyone found in violation of this restriction.

(3) The power to tow away under section 30, and to affix an immobilising device under section 30A, of the Road Traffic Act, Chapter 289A shall apply in respect of any motor vehicle driven or used in contravention of this regulation.

(4) In this regulation, “motor vehicle” has the meaning assigned under the Road Traffic Act, Chapter 289A.

14. Restriction on transportation.—(1) No person shall offer for hire or seek to travel on—

- (a) any motor omnibus;
- (b) any hiring car or taxi.

(2) A person may travel in a motor vehicle on a grocery day between 7:30 a.m. and 1:30 p.m. for the purpose of purchasing groceries in accordance with regulation 12, if the motor vehicle carries not more than one person in each row of seats.

(3) In this regulation, “motor omnibus”, “hiring car” and “taxi” have the meanings assigned under the Road Traffic Act, Chapter 289A.

15. Restriction on visitation. For the avoidance of doubt, 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 a prison.

16. Mandatory reporting.—(1) A person who has travelled into the State of Grenada within the last 21 calendar days shall immediately place himself in self-isolation and notify the Parish Police Station.

(2) Any person who is aware that he has been in contact with any person who has travelled into Grenada within the last 21 calendar days shall immediately notify the Parish Police Station and await instructions.

(3) Any person who is exhibiting any flu-like symptoms shall immediately notify the Parish Police Station.

(4) Any person who has observed that any other person is exhibiting flu-like symptoms shall notify the Parish Police Station.

(5) Any person who knowingly makes a false report for the purposes of subregulation (4) shall be guilty of an offence.

(6) Any person who is asked by any official of the Ministry of Health to submit himself to any testing for COVID-19 shall submit to such testing.

(7) Any person who is directed by the Ministry of Health to submit himself to self-isolation or quarantine shall comply with the direction.

(8) For the purposes of this regulation, the Ministry of Health shall be contacted using the COVID-19 Helplines at telephone number 458-4787 or 538-4787.

17. Penalty. A person who contravenes or fails to comply with these Regulations, or any direction for the purposes of these Regulations, shall be guilty of an offence and, on summary conviction, liable to a fine of one thousand dollars and to imprisonment for twelve months and to forfeiture of any goods or money in respect of which the offence has been committed.

18. Guidelines. The Commissioner of Police may, on the direction of the Cabinet of Grenada, issue guidelines to provide for further clarification on these Regulations.

19. Repeal. The Emergency Powers (Covid-19) Regulations, 2020, SRO No. 13 of 2020 are hereby repealed.

Made this 30th day of March, 2020.

RUTH E. ROUSE
Secretary to the Cabinet.

GRENADA

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