

2020

**EMERGENCY POWERS
(DISASTER)**

S.R.O. 15

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDER No. 15 OF 2020.

ORDER

MADE by the President under section 5 of the Emergency Powers (Disaster) Act, Chap. 15:03.

(Gazetted 1st April, 2020.)

1. This Order may be cited as the – Short title.

**EMERGENCY POWERS
(CURFEW) ORDER, 2020.**

2. This Order applies to the entire State of Dominica. Application.

3. A curfew is hereby imposed throughout Dominica from 6:00 p.m. on the 1st day of April 2020 to 6:00 a.m. on the 20th day of April, 2020 as follows: Curfew.

- (a) a person must not be out in a public place between the hours of 6:00 p.m. and 6:00 a.m. on Monday to Friday;
- (b) between the hours of 6:00 a.m. to 6:00 p.m. on Monday to Friday a person must not be out in a public place except to provide or access essential services;
- (c) From 6:00 p.m. on Friday to 6:00 a.m. on Monday a person must not be out in a public place unless they fall within the exceptions stated at paragraph 4(3) or have written authorisation from the Commissioner of Police;
- (d) Notwithstanding the above, from 6:00 p.m. on

Thursday the 9th day of April 2020 to 6:00 a.m. on Tuesday the 14th day of April 2020, no person shall be out in a public place unless they fall within the exceptions stated at paragraph 4(3) or have written authorisation from the Commissioner of Police.

Exemption.

4. (1) A person shall be exempted from the prohibition on being in a public place during the period specified at paragraph 3 above, if he is –

(a) a person who is the holder of a written authorisation as mentioned in paragraph 3(c) and (d);

(b) a person who is in the public place for the purpose of -

(i) travelling to or from work as service provider or essential worker;

(ii) seeking urgent medical care;

(iii) shopping for necessities;

(iv) conducting a banking transaction;

(v) caring for a family member, pet or livestock;

(vi) engaging in construction and manufacturing.

(2) For the purposes of this Order “essential service” includes –

(a) air traffic (including meteorological, telecommunication, security, fire and ambulance services connected with airports) services;

(b) fire and ambulance, prison or police service;

- (c) medical, health, hospital, infirmary or nursing home services;
- (d) telecommunications or broadcasting services;
- (e) water, electricity or sanitation services;
- (f) banking business services;
- (g) credit union business services;
- (h) grocery, agricultural, fisheries or pharmaceutical services;
- (i) immigration, customs or postal services;
- (j) services connected with the House of Assembly;
- (k) services connected with the loading and unloading of ships and with the storage and delivery of goods at, or from a dock, wharf or warehouse operated in connection with the dock or wharf;
- (l) services connected with the loading distribution, transportation or retail of petroleum fuel, liquefied natural gas or any renewable energy source;
- (m) public services connected with the payment of salaries, pensions and other benefits in government departments, agencies, statutory bodies and arms-length bodies;
- (n) services connected with the Judiciary, including the attendance at court of attorneys;
- (o) services connected with essential government

functions as directed by the Secretary to the Cabinet;

(p) airport, seaport and civil aviation services;

(q) fresh produce markets.

(3) For the purposes of this Order an “essential worker” includes officers of –

(a) the Commonwealth of Dominica Police Force;

(b) Dominica State Prison;

(c) members of the Judiciary;

(d) the Department of Social Services;

(e) the Department of Environmental Health Services;

(f) the Custom and Excise Division;

(g) the Accountant-General’s Division;

(h) the Inland Revenue Division;

(i) waste disposal and sanitation companies;

(j) any hospital or health care, medical, residential care establishment or facility;

(k) the Dominica Air and Sea Ports Authority;

(l) essential officers of any water, electricity or other sector encompassing the provision of electronic communications including print and electronic media;

(m) any public officer or category of public officer as directed by the Secretary to the Cabinet,

who is in a public place for the purposes of work.

(4) All essential workers shall at all times carry personal identification.

(5) The following “essential service” can only be open between the hours of 6:00 a.m. and 2:00 p.m. Monday to Friday -

(i) banks, credit unions and money services business;

(ii) wholesale or retail grocery stores, village shops, supermarket, mini-marts and commercial bakeries;

(iii) petrol stations;

(6) Pharmacies may open between the hours of 6:00 a.m. and 4:00 p.m. Monday to Friday.

5. 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 paragraph 7 or are designated as being essential workers under paragraph 4(3).

Work remotely from home.

6. (1) Subject to paragraph (2), all members of the public service shall work remotely from home, except as otherwise directed by the Secretary to the Cabinet.

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

(2) Where the Secretary to the Cabinet directs that specified public officers attend work, the Government shall take reasonable steps to comply with the physical distancing protocols in accordance with paragraph 8.

(3) Subject to paragraph 7, all employees of Statutory Bodies and State-owned Enterprises shall work remotely from home, except as otherwise directed by the Chairperson of the Board, General Manager or Chief Executive Officer.

(4) Where the Chairperson of the Board, General Manager or Chief Executive Officer directs that specified employees attend work, the Statutory Bodies or State-owned Enterprises, as the case may be, shall take reasonable steps to comply with the physical distancing protocols in accordance with paragraph 8.

(5) Subject to the Eastern Caribbean Supreme Court Practice Direction No. 3 of 2020, and any other such relevant Practice Direction which may be given, 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 paragraph, “the Court” means the Magistrates Courts and the Eastern Caribbean Supreme Court.

Closure of businesses
and exceptions

7. (1) Subject to paragraphs 3 and 5, every non-essential establishment, or business shall remain closed except for the following-

- (a) hardware stores and businesses that provide products to the construction industry may open between 6:00 a.m. to 2:00 p.m.;
- (b) hotels, excluding any spas, gyms, discotheques and restaurants therein, other than for the provision of takeaway meals or room service;
- (c) commercial courier flights;
- (d) drive-thru or takeaway food vendors from 6:00 a.m. to 2:00 p.m.;

- (e) businesses providing security guard services;
- (f) commercial ports and related businesses from 6:00 a.m. to 4:00 p.m. subject to any variation by the Dominica, Air and Sea Ports Authority (DASPA);
- (g) construction projects and manufacturing plants, subject to onsite compliance with -
 - (i) the hand sanitizing of all workers and persons upon entry to sites;
 - (ii) maintenance of sanitized mess areas;
 - (iii) sanitizing of washrooms on a continuous 60 minute cycle;
 - (iv) so far as reasonably practicable maintenance of social distancing of a minimum of two (2) metres at all times;
 - (v) provision of face masks for each worker;may open between the hours of 6:00 a.m. and 4:00 p.m. Monday to Friday.
- (h) motor omnibuses, hiring cars and taxis may operate between 6:00 a.m. to 5:00 p.m.

(2) A liquor licence issued to a person under the Liquor Licences Act, Chapter 70:03, is hereby suspended from Wednesday the 1st day of April 2020 to Tuesday the 14th day of April 2020.

(3) For the avoidance of doubt all bars shall be closed

throughout the period of this Order and 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.

(4) The owner or operator of the business or establishment under (a) to (h) shall adhere to the physical distancing requirements at paragraph 8.

Physical distancing.

8. (1) Every business or establishment must -

- (a) ensure that all customers and staff maintain physical distancing of no less than six feet 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 of store space;
- (c) within twenty-four hours of the commencement of this Order, place distance markers six feet apart, indicating where each customer must stand on a line at a checkout point;
- (d) within twenty-four hours of the commencement of this Order, place distance markers six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment;
- (e) all cashiers must be provided with a face mask;
- (f) exercise proper hygienic practices;

(2) Employees of a hospital, health, medical or residential care establishment or facility, and members of the Commonwealth of Dominica Police Force, shall take reasonable steps to comply

with the requirements under subparagraph (1), unless it is impracticable to do so.

9. (1) All religious and educational places of instruction or worship shall remain closed to the general public, other than for a wedding or funeral which complies with paragraph 10.

Education and religious instruction.

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

10. No person shall host or attend -

Restriction on social activities.

- (a) a private party which includes any person from outside of the immediate household of the house occupant;
- (b) a recreational or competitive sporting event;
- (c) a wedding which hosts five or more persons other than the bride, bridegroom, official witnesses and the marriage officer;
- (d) any social event;
- (e) a funeral, except ten members of the immediate family and at least one officiant and essential mortuary staff; or
- (f) a meeting of a fraternal society, private or social club or civic association or organisation.

11. (1) With immediate effect -

Restriction on travel.

- (a) except with the prior written permission of the Minister responsible for National Security, all airports shall be closed to incoming flights carrying

any visitor;

(b) all seaports shall be closed to seafaring and private boating; and

(c) no visitor shall be permitted to enter and disembark for any reason, including transiting through the State of Dominica.

(2) The restriction contained in subparagraph (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 flights;

(e) flights carrying any diplomat.

(3) Notwithstanding subparagraph (2), no crew member will be allowed or granted shore leave, unless for the purposes of operational difficulties and upon receiving permission from the Dominica Air and Sea Ports Authority (DASPA).

Public transportation.

12. (1) No person shall offer for hire or seek to travel on -

(a) any motor omnibus, unless there is or would be not more than one person per row in the motor omnibus;

(b) any hiring car or taxi, unless there is not more than

one person per row in the vehicle;

- (c) no person other than the driver shall occupy the front seats of any vehicle for hire and no person shall sit immediately behind another.

(2) In this regulation, “motor omnibus”, “hiring car” and “taxi” have the meanings assigned under the Vehicle and Road Traffic Act, Chapter 46:50.

13. (1) No person shall visit or be permitted to visit -

Restriction on visitation.

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

14. (1) A person who wishes to obtain a permit referred to in paragraph 3 may make a written application to the Commissioner of Police.

Application for written permit.

(2) An applicant for written authorisation referred to in paragraph 3(c) and (d) shall provide to the Commissioner of Police, the purpose for the applicant requesting to be out of doors in contravention of the Order, his name, home address, personal telephone number or numbers and, if employed, work address and telephone number or numbers, if more than one.

15. A person who contravenes or fails to comply with these Regulations shall be guilty of an offence and, on summary conviction, liable to a fine of five hundred dollars and to imprisonment

Penalty.

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for twelve months and to forfeiture of any goods or money in respect of which the offence has been committed.

GOD SAVE THE COMMONWEALTH OF DOMINICA!

CHARLES A. SAVARIN, D.A.H.
President

DOMINICA

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