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S.I. 2022 No. 17



By Her Excellency The Most Honourable Dame Sandra Prunella Mason, Freedom of Barbados, Dame Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Dame of Saint Andrew, Queen's Counsel, Doctor of Laws, President of Barbados.

S. MASON
President

A PROCLAMATION

WHEREAS by section 28A(1) of the *Emergency Management Act, Cap. 160A* it is provided that where the President is satisfied that an emergency has arisen as a result of a person or an animal having a communicable disease or a notifiable disease, the President may by Proclamation, on the advice of the Prime Minister after the Prime Minister has consulted or has been advised by the Chief Medical Officer, declare that a public health emergency exists;

AND WHEREAS I have been advised by the Prime Minister that she has consulted with and has been advised by the Chief Medical Officer that an emergency has arisen as a result of a person having a communicable and notifiable disease;

AND WHEREAS I am satisfied that a public health emergency has arisen as a result of the presence of a communicable and notifiable disease;

NOW THEREFORE by virtue of the power and authority vested in me I do hereby declare that a public health emergency exists in Barbados.

Given under my hand and the
Public Seal of Barbados this 23rd day
of March, 2022.



BARBADOS

S.I. 2022 No. 18

EMERGENCY MANAGEMENT (COVID-19) ORDER, 2022

Arrangement

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FIRST SCHEDULE

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THIRD SCHEDULE

Emergency Management Act

CAP. 160A

EMERGENCY MANAGEMENT (COVID-19) ORDER, 2022

The Cabinet, in exercise of the powers conferred on it by section 28A(4) and (5) of the *Emergency Management Act*, makes the following Order:

Citation

1. This Order may be cited as the *Emergency Management (COVID-19) Order, 2022*.

Definitions

2. In this Order,

“child” means a person who is under the age of 18 years;

“COVID-19” means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

“infected place” means a jurisdiction that has recorded cases of COVID-19;

“isolation” means the placement of a person infected with COVID-19 into an isolation station;

“isolation station” includes any hospital, house or place or any part of a hospital or place in which any person suffering from COVID-19 is isolated;

“public health officer” means a Medical Officer of Health, a Public Health Nurse or any other public health officer authorized by the Chief Medical Officer;

“quarantine” means the separation of a person from other persons in such a manner as will prevent the direct or indirect conveyance or transmission of COVID-19 to another person;

“quarantine station” means a place where a person may be separated from other persons to prevent the direct or indirect conveyance or transmission of COVID-19 to another person;

“responsible adult” means

- (a) a parent of a child;
- (b) a member of the family of a child, other than a parent, who has attained the age of 18 years; or
- (c) a custodian or a guardian of a child;

“screening requirements” means the requirements set out in paragraph 7.

Quarantine

3.(1) Where a public health officer has reasonable grounds to believe that a person has been exposed to another person who is or may be infected with COVID-19, the public health officer shall order that person

- (a) to quarantine himself for 14 days; or
- (b) to be sent to a quarantine station

subject to any conditions that the public health officer sees fit.

(2) The Chief Medical Officer may overrule any decision made by a public health officer pursuant subparagraph (1) and may substitute his decision therefor.

(3) A person referred to in subparagraph (1) who contravenes

- (a) an order imposed on him by a public health official; or
- (b) a decision of the Chief Medical Officer,

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.

Detention of persons

4.(1) Where a public health officer has reasonable grounds to believe that a person is or may be infected with COVID-19 and that person has arrived in Barbados on an aircraft or a ship from an infected place within a 14 day period immediately preceding the date of the person's arrival in Barbados, the public health officer may, for the purposes of screening and assessment detain the person and impose on that person the restrictions and requirements set out in paragraph 5.

(2) The Chief Medical Officer may overrule any decisions made by a public health officer pursuant subparagraph (1) and may substitute his decision therefor.

Imposition of restrictions and requirements

5.(1) Where a person is detained pursuant to paragraph 4, the public health officer may

- (a) orally or in writing, impose on that person or in relation to that person one or more screening requirements to inform an assessment, of whether that person presents or could present a risk of infecting another person with COVID-19; and
- (b) carry out an assessment of that person to determine whether that person presents or could present a risk of infecting another person with COVID-19.

(2) Where an assessment under subparagraph (1) has been conducted, the public health officer may orally or in writing, impose on that person or in relation to that person who is the subject of an assessment, any restriction or requirement which the public health officer considers necessary for the purposes of removing or reducing the risk of infecting another person with COVID-19.

(3) A decision to impose a restriction or requirement under subparagraph (2) may only be taken if the public health officer considers, when taking the decision,

that the restriction or requirement is proportionate to what is sought to be achieved by imposing it.

(4) A restriction or requirement imposed under subparagraph (2) by a public health officer may be varied, orally or in writing, by the public health officer.

(5) Where a restriction or requirement imposed under subparagraph (2) is imposed on a child or in relation to a child, a person who is a responsible adult in relation to the child shall ensure that the child complies with the restriction or requirement, insofar as that person is reasonably able to do so.

(6) This paragraph does not affect the exercise of any powers exercised pursuant to paragraph 6.

(7) The Chief Medical Officer may overrule any decision made by a public health officer pursuant subparagraphs (1) and (2) and may substitute his decision therefor.

Isolation of persons suspected to be infected with COVID-19

6.(1) A public health officer may require that a person be put in isolation where he

- (a) has reasonable grounds to believe that the person is or may be infected or contaminated with COVID-19; and
- (b) considers that it is necessary and proportionate to do so in order to reduce or remove the risk of the person infecting or contaminating others.

(2) Where a public health officer has reasonable grounds to believe that a person is or may be infected with COVID-19, the public health officer may detain the person pending the decision of the Chief Medical Officer.

(3) Where a public health officer decides that a person should be put in isolation, he may impose on that person or in relation to that person one or more screening requirements.

(4) The Chief Medical Officer may overrule any decisions made by a public health officer pursuant subparagraph (1) or (3) and may substitute his decision therefor.

Screening requirements

7.(1) The screening requirements under this Order stipulate that a person shall

- (a) answer questions about his health or other relevant circumstances, including travel history and information about other individuals with whom the person may have had contact;
- (b) produce any documents which may assist a public health officer in assessing the person's health;
- (c) allow a public health officer or such person designated by the public health officer, to take a biological sample from the person, including a sample of the person's respiratory secretions or blood, by appropriate means including by swabbing the person's nasopharyngeal cavity; and
- (d) provide sufficient information to enable the person to be immediately contacted by a public health officer during such period as the public health officer may specify.

(2) Where the screening requirements set out in subparagraph (1) apply to a child, the public health officer shall ensure that the child is accompanied by a responsible adult and the responsible adult shall

- (a) ensure that the child answers questions referred to in subparagraph (1) (a) accurately;
- (b) answer the questions if the child is unable to do so or cannot reliably do so;
- (c) produce any documents, required under subparagraph (1)(b), on the child's behalf;

- (d) allow the public health officer to take a biological sample from the child, including a sample of the child's respiratory secretions or blood, by appropriate means including by swabbing the child's nasopharyngeal cavity; and
 - (e) provide information under subparagraph (1)(d) to the public health officer as required.
- (3) A person who misleads a public health officer by
 - (a) giving false answers in response to a question posed pursuant to subparagraph (1);
 - (b) providing false information in response to a request for information pursuant to subparagraph (1); or
 - (c) producing fraudulent documents required pursuant to subparagraph (1)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.
- (4) A responsible adult who misleads a public health officer by
 - (a) giving false answers in response to a question posed pursuant to subparagraph (2);
 - (b) providing false information in response to a request for information pursuant to subparagraph (2); or
 - (c) producing fraudulent documents required pursuant to subparagraph (2)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.

Power to requisition land or buildings

- 8.(1)** An authorized person may, by notice in writing in the form set out in the *First Schedule*, requisition any lands or buildings.
- (2) Any lands or buildings requisitioned by an authorized person by virtue of subparagraph (1) may be used for such purposes and in such manner as the person

thinks fit and in so far as it appears to him to be necessary or expedient in pursuance of this Order, he may

- (a) do or authorize to be done, anything that a person having an interest in the lands or buildings would be entitled to do by virtue of that interest; and
 - (b) prohibit or restrict
 - (i) the exercise of any right of way over the lands;
 - (ii) entry into the buildings; or
 - (iii) any other right relating to the lands or buildings enjoyed by any person, whether by virtue of an interest in the lands or buildings or otherwise.
- (3) The owner or occupier of any lands or buildings shall, if requested by an authorized person, furnish the person with such information as he requires.
- (4) An authorized person may
- (a) enter upon any lands or enter any buildings to make an enquiry or to inspect the lands or buildings for the purpose of determining their suitability for requisitioning; and
 - (b) enter upon lands or enter any buildings for the purpose of serving a requisition notice.
- (5) An owner or occupier of any lands or buildings who refuses to give any information or who knowingly gives any false information to a person requesting information pursuant to subparagraph (3), 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.
- (6) An owner or occupier of any lands or buildings who fails to comply with a requisition notice, 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.

(7) An authorized person may serve a requisition notice by depositing it on any part of the lands, premises or buildings to which the notice refers if the owner or occupier of the lands, premises or buildings refuses to accept the service.

(8) An authorized person may pursuant to subparagraph (7), use reasonable force to effect a requisition, and may call upon a member of the Barbados Police Service or a member of the Defence Force to assist him.

(9) A person who

- (a) fails to comply with subparagraph (2)(b);
- (b) obstructs, hinders or interferes with a person authorized by this Order to requisition or enter upon any lands or into any buildings; or
- (c) prevents or resists the service of a requisition notice

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.

(10) In this paragraph, “authorized person” means the Prime Minister or the Minister with responsibility for the Police acting on the advice of the Chief Fire Officer, the Chief Medical Officer, a Gazetted Police Officer or an Officer of the Barbados Defence Force.

Power to requisition transport

9.(1) An authorized person may by notice in writing set out in the *Second Schedule* requisition any form of transport, if in his opinion, it is necessary or expedient for the safety of the public or for the maintenance of supplies and essential services.

(2) An authorized person may requisition such quantities of petrol, diesel or lubricating oil as he considers necessary for use in any form of transport

- (a) from the owner of the transport;
- (b) from the owner of any garage;
- (c) from the owner of any petrol pump; or

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- (d) from any company owning bulk stores of petrol or oil.
- (3) An authorized person may
- (a) enter upon any lands or premises to serve a requisition or to effect a requisition;
 - (b) deposit a requisition on any part of the premises or on any property of the person on whom the requisition is made, if the person refuses to accept it; or
 - (c) use such force as is necessary to effect the requisition and call upon any member of the Police Service or any member of the Barbados Defence Force to assist the authorized person.
- (4) A person who
- (a) refuses or fails without lawful excuse to comply with a requisition;
 - (b) obstructs any authorized person in effecting a requisition;
 - (c) resists or prevents the service of a requisition; or
 - (d) obstructs the entry of any authorized person on any lands or premises for the purpose of serving a requisition or effecting a requisition,

is guilty of an offence and is liable on summary conviction to a fine of \$500 000 or to imprisonment for a term of one year or to both.

- (5) In this paragraph,

“authorized person” means the Prime Minister or the Minister with responsibility for the Police acting on the advice of the Chief Fire Officer, the Chief Medical Officer, a Gazetted Police Officer or an Officer of the Barbados Defence Force;

“essential services” has the meaning assigned to it in paragraph 15(3);

“form of transport” means any aircraft, ship, motor vehicle, tractor, or any animal drawn vehicle or bicycle;

“requisition” means, in respect of any form of transport, to take possession of the form of transport to be placed at the disposal of the authorized person requisitioning it.

Power to requisition supplies

10. The Prime Minister on the advice of the Chief Medical Officer may, by notice in the form set out in the *Third Schedule*, requisition medicines, drugs, dressings, personal protective equipment, medical and surgical appliances, equipment, tools and surgical instruments for the maintenance of supplies and essential services in order to manage the public health emergency caused by COVID-19.

Miscellaneous controls

11.(1) The Prime Minister may give a directive to maintain, control or regulate the supply of goods or services so as to

- (a) secure a sufficiency of those goods and services that are essential to the well-being of the community, provide for the equitable distribution of those goods and services and ensure the availability of those goods and services at fair prices;
- (b) regulate exports and imports in a manner calculated to serve the interests of the community;
- (c) ensure generally that the resources available to the community are used in a manner calculated to serve the interests of the community;
- (d) prohibit the importation or exportation of goods or of any class or description of goods from or to any country;
- (e) prohibit the importation or exportation of goods or of any class or description of goods from or to any country except under the authority of the Prime Minister;
- (f) regulate the distribution, purchase or sale of goods or of any class or description of goods;

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- (g) control and regulate the prices at which goods or any class or description of goods may be sold, whether by wholesale or retail;
 - (h) control and regulate the production of vegetables and the keeping of livestock.
- (2) A person who fails to comply with a directive referred to in subparagraph (1) is guilty of an offence and is liable on summary conviction to a fine of \$100 000 or to imprisonment for a term of one year or to both.

Power to waive fees

12. The Chief Medical Officer, in consultation with the Minister of Finance, may waive or vary the payment of any fees for the testing and medical services rendered at any public hospital or health care facility in relation to COVID-19.

Reporting requirements

13. The Chief Medical Officer shall report to the Prime Minister for the duration of the public health emergency at a time determined by the Prime Minister.

Prohibition of events and assembly

- 14.(1)** The Prime Minister may, on the advice of the Chief Medical Officer, direct in the interest of public health,
- (a) the prohibition of events in Barbados or a particular area in Barbados;
 - (b) the prohibition of the assembly of two or more persons in a public place in any area specified;
 - (c) an individual to confine himself to his residence or to a particular area.

- (2) Where the Prime Minister on the advice of the Chief Medical Officer orders the confinement of individuals pursuant to subparagraph (1), he may
- (a) require the closure of all educational or religious institutions in the area so specified;
 - (b) require the closure of any business or organization that caters to the general public in the area so specified, unless permitted otherwise by this Order;
 - (c) prohibit the visitation by persons at all residential care establishments;
 - (d) prohibit the visitation by persons at all correctional facilities;
 - (e) permit the travel of persons to a grocery store, gas station, pharmacy, doctor's office, hospital or such other place as the Prime Minister on the advice of the Chief Medical Officer may direct.
- (3) Subparagraph 1(c) shall not prohibit a person from going outdoors within the curtilage that person's residence.
- (4) The Prime Minister may, on the advice of the Chief Medical Officer, issue guidelines on physical distancing which shall have the force of law.

Curfew and physical distancing

15.(1) The Prime Minister may, on the advice of the Chief Medical Officer, issue a directive requiring every person

- (a) within any area specified in the directive to remain indoors between such hours as may be specified; or
- (b) to observe such physical distancing and associated protocols in the interest of public health as may be specified

and any person who fails to comply with paragraph (a) or (b) 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.

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- (2) Subparagraph (1) shall not apply to persons who are delivering essential services.
- (3) In this paragraph, “essential services” means
- (a) medical professionals, including dentists, paramedical professionals, nurses, staff of pharmaceutical agencies, staff of hospitals, clinics and pharmacies, persons employed or engaged as care-givers, veterinary services, law enforcement officers, defence force officers, customs officers, prison services, security services, disaster management services and fire fighting services;
 - (b) the provision of electricity, telecommunications, media and broadcasting services;
 - (c) the provision of transport services whether by aircraft, ship, motor vehicle or public service vehicle;
 - (d) the operation of an airport or seaport;
 - (e) the collection, storage, purification or distribution of water for use by the public or any section of the public;
 - (f) the collection, storage, treatment and disposal of sewage, garbage or refuse;
 - (g) the removal, handling or burial of deceased persons or disposal of dead animals.
- (4) The Prime Minister or the Minister with responsibility for the Police may issue a directive requiring a person who is not delivering essential services to be exempt from a directive issued pursuant to subparagraph (1).

Power to designate certain motor vehicles as public service vehicles and to regulate their use

16. The Prime Minister may, on the advice of the Chief Medical Officer and the Chairman of the Transport Authority, during a public health

emergency, issue a directive designating the use of certain motor vehicles as public service vehicles and may regulate their use in order to ensure

- (a) the safe, efficient and hygienic transportation of members of the public; and
- (b) the sufficiency of public service vehicles, in accordance with the public health protocols.

Restriction of access to any area

17.(1) The Prime Minister may, on the advice of the Chief Medical Officer, prohibit a person from residing in or entering any area where that person is suspected of acting, having acted or being about to act in a manner prejudicial to

- (a) public safety;
- (b) the supply or distribution of an essential service referred to in paragraph 15(3); or
- (c) the preservation of the peace.

(2) A person who contravenes subparagraph (1) 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.

Designation of safe zones

18.(1) The Prime Minister may, on the advice of the Chief Medical Officer, issue a directive designating any area, business or establishment, to which only persons who comply with the provisions of the directive may go or may transact business.

(2) An area, a business or an establishment designated by the Prime Minister pursuant to subsection (1) shall be known as a safe zone.

(3) A person who fails to comply with a directive referred to in subparagraph (1) 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.

The COVID-19 Protocol Monitoring Unit

19.(1) For the purposes of this Order, there is established a unit to be known as the “COVID-19 Protocol Monitoring Unit” (“the Unit”).

(2) The Unit shall monitor the conduct of individuals and the operation of businesses, to ensure that the protocols specified in this Order by the Prime Minister in relation to the conduct of individuals and businesses, are observed by those individuals and by operators of businesses.

(3) Where an individual or operator of a business fails to comply with any instructions given by a member of the Unit or fails to comply with any protocol, that member may order the individual or operator to cease his conduct or the operation of his business, as the case may be.

(4) Notwithstanding subparagraph (3), any person who fails to comply with any instruction given by a member of the Unit or who assaults or insults a member of the Unit in the execution of his duty, is guilty of an offence and is liable on summary conviction to a fine of \$50 000 dollars or imprisonment for a term of one year or both.

Obstruction

20. A person who obstructs the Chief Medical Officer, a public health officer, a member of the Barbados Police Service, a member of the Defence Force, or a fire service officer acting in the course of his duty or exercising any powers or performing any duties conferred or imposed on him by this Order 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.

Commencement

21. This Order shall come into operation on the 24th day of March, 2022.

FIRST SCHEDULE

(Paragraph 8)

REQUISITION OF LANDS OR BUILDINGS

In accordance with the above-named Order, I

.....
(name)

call upon you

.....
(name)

of

.....
(address)

to hand over to me the possession of the lands or buildings set out below:
 (Description of lands or buildings and where situate)

Possession surrendered

.....
Signature of Owner or Occupier

.....
Signature of Person Requisitioning

No. of Requisition

Date

Time

Note: To be made out in duplicate, one copy to be handed to the owner and one copy to be retained by the person requisitioning.

SECOND SCHEDULE

(Paragraph 9)

REQUISITION OF TRANSPORT

In accordance with the above-named order, I

.....
(Name of Office)

.....
call upon you
of, to deliver to me:

Number

Description

Deliver as above

Received as above

.....
Signature of Owner

.....
Signature of Person Requisitioning

No. of Requisition Date Time

Note: To be made out in duplicate, one copy to be handed to the owner and one copy to be retained by the person requisitioning.

THIRD SCHEDULE

(Paragraph 10)

REQUISITION OF SUPPLIES

In accordance with the above-named Order, I
(name)

call upon you
(name)

of
(address)

to deliver to me, the items set out below:

(Number)

(Description)

Deliver as above

Taken over as above

.....
Signature of Owner

.....
Signature of Person Requisitioning

Made by the Cabinet this 23rd day of March, 2022.

H. ALLMAN

Secretary to the Cabinet



BARBADOS

S.I. 2022 No. 19

Emergency Management Act

CAP. 160A

**EMERGENCY MANAGEMENT (COVID-19) (MEDICAL
LABORATORY TECHNOLOGISTS) ORDER, 2022**

The Cabinet, in exercise of the powers conferred on it by section 28A(4) of the *Emergency Management Act*, makes the following Order:

1. This Order may be cited as the *Emergency Management (COVID-19) (Medical Laboratory Technologists) Order, 2022*.
- 2.(1) Notwithstanding anything contained in any enactment, the Cabinet may call upon medical laboratory technologists who are qualified to practice in Cuba to work in Barbados for the duration of the public health emergency declared pursuant to section 28A(1) of the *Emergency Management Act*, Cap. 160A caused by COVID-19.
 - (2) The medical laboratory technologists referred to in paragraph (1) shall be exempt from the registration requirements set out in the *Paramedical Professions Act*, Cap. 372C.
 - (3) The medical laboratory technologists referred to in paragraph (1) shall be under the supervision and control of the Chief Medical Officer.
3. A person who obstructs a medical laboratory technologist referred to in paragraph 2(1) in the performance of any function or duty assigned to him by the Chief Medical Officer pursuant to this Order 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.

4. This Order shall come into operation on the 24th day of March, 2022.

Made by the Cabinet this 23rd day of March, 2022.

H. ALLMAN
Secretary to the Cabinet



BARBADOS

S.I. 2022 No. 20

Emergency Management Act

CAP. 160A

**EMERGENCY MANAGEMENT (COVID-19) (MEDICAL
PRACTITIONERS) ORDER, 2022**

The Cabinet, in exercise of the powers conferred on it by section 28A(4) of the *Emergency Management Act*, makes the following Order:

1. This Order may be cited as the *Emergency Management (COVID-19) (Medical Practitioners) Order, 2022*.

2.(1) Notwithstanding anything contained in any enactment, the Cabinet may call upon medical practitioners who are qualified to practice in Cuba to work in Barbados for the duration of the public health emergency declared pursuant to section 28A(1) of the *Emergency Management Act*, Cap. 160A caused by COVID-19.

(2) The medical practitioners referred to in paragraph (1) shall be exempt from the registration requirements set out in the *Medical Profession Act, 2011* (Act 2011-1).

(3) The medical practitioners referred to in paragraph (1) shall be under the supervision and control of the Chief Medical Officer.

3. A person who obstructs a medical practitioner referred to in paragraph 2(1) in the performance of any function or duty assigned to him by the Chief Medical Officer pursuant to this Order 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.

4. This Order shall come into operation on the 24th day of March, 2022.

Made by the Cabinet this 23rd day of March, 2022.

H. ALLMAN
Secretary to the Cabinet



BARBADOS

S.I. 2022 No. 21

Emergency Management Act

CAP. 160A

EMERGENCY MANAGEMENT (COVID-19) (NURSES) ORDER, 2022

The Cabinet, in exercise of the powers conferred on it by section 28A(4) of the *Emergency Management Act*, makes the following Order:

1. This Order may be cited as the *Emergency Management (COVID-19) (Nurses) Order, 2022*.
- 2.(1) Notwithstanding anything contained in any enactment, the Cabinet may call upon nurses who are qualified to practice in Cuba to work in Barbados for the duration of the public health emergency declared pursuant to section 28A(1) of the *Emergency Management Act*, Cap. 160A, caused by COVID-19.
 - (2) The nurses referred to in paragraph (1) shall be
 - (a) exempt from the registration requirements set out in the *Nurses Act*, Cap. 372; and
 - (b) under the supervision and control of the Chief Medical Officer.
3. A person who obstructs a nurse referred to in paragraph 2 in the performance of any function or duty assigned to him by the Chief Medical Officer pursuant to this Order 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.

4. This Order shall come into operation on the 24th day of March, 2022.

Made by the Cabinet this 23rd day of March, 2022.

H. ALLMAN
Secretary to the Cabinet



BARBADOS

S.I. 2022 No. 22

Emergency Management (COVID-19) Order, 2022

S.I. 2022 No. 18

**EMERGENCY MANAGEMENT (COVID-19) (PROTOCOLS) (NO. 4)
DIRECTIVE, 2022**

WHEREAS pursuant to paragraph 15 of the *Emergency Management (COVID-19) Order, 2022*, (S.I. 2022 No. 18) 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, 2022*, hereby issues the following Directive:

1. This Directive may be cited as the *Emergency Management (COVID-19) (Protocols) (No. 4) Directive, 2022*.
2. All businesses, establishments, organizations and persons shall comply with this Directive.
- 3.(1) Subject to this Directive, all businesses, establishments and organizations are permitted to open and operate daily.
(2) Gyms, dance and exercise studios shall only operate in accordance with protocols issued by the COVID-19 Protocol Monitoring Unit, in this Directive referred to as “the Unit”.

(3) Subject to this Directive, meetings shall be held virtually whenever they can be efficiently and effectively conducted.

4.(1) The owner or operator of any business, establishment or organization shall

(a) ensure that

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

(ii) all persons who enter the business, establishment or organization, comply with the physical distancing protocols;

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

(c) restrict the number of persons within and outside the business, establishment or organization at any one time in order to ensure that a physical distance of at least 3 feet is maintained between persons;

(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, establishment or organization in which there are 25 or more employees shall designate an employee as a COVID-19 compliance officer.

5.(1) Subject to this Directive, pleasure craft, private boats and party cruises are permitted to be operated in the manner specified in this paragraph.

(2) Pleasure craft and private boats may be chartered for private cruises and may be operated if all passengers produce evidence that they

(a) are fully vaccinated; or

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- (b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to board the pleasure craft or private boat and that the result of that test was negative.
- (3) Party cruises are permitted and may be operated if
- (a) all passengers produce evidence that they
- (i) are fully vaccinated; or
- (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to embark on the cruise and that the result of that test was negative;
- (b) staff and performers produce evidence that they
- (i) are fully vaccinated; and
- (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to embark on the cruise and that the result of that test was negative; and
- (c) a member of the Unit is on board the vessel.
- (4) The promoter of a party cruise shall bear the cost for the service of the member of the Unit referred to in subparagraph (3)(c).
- (5) The persons referred to in subparagraphs (3)(a) and (b) shall produce the evidence referred to in those subparagraphs to the member of the Unit referred to in subparagraph (3)(c).
- (6) For the purposes of this Directive, a person is fully vaccinated if that person has completed, at least 14 days or more prior to seeking to enter or remain within the precincts of a venue for the event, a full regimen of COVID-19 vaccinations approved by the Ministry of Health and Wellness.
- 6.** No person shall host or attend
- (a) a fete;
- (b) a private party;

- (c) a private ball or dance;
- (d) a private banquet;
- (e) a social event known as "a bus crawl"; or
- (f) a bus or other vehicular excursion.

7. Subject to paragraphs 8, 9, 10 and 11 a person may host or attend

- (a) a graduation;
- (b) a prize giving ceremony;
- (c) a reception; or
- (d) a karaoke event.

8.(1) Notwithstanding paragraph 6, a person who wishes to host an event at which members of the public may be entertained for payment of money directly or indirectly, shall comply with the protocols set out in subparagraph (2).

(2) The following protocols apply for the purposes of subparagraph (1):

- (a) the venue for the event and the maximum number of patrons who may attend the event shall be approved by the Unit and the National Cultural Foundation;
- (b) all service providers, staff and performers shall produce evidence that they
 - (i) are fully vaccinated; and
 - (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test was negative;
- (c) all patrons shall produce evidence that they
 - (i) are fully vaccinated; or

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- (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test was negative; and
 - (d) the duration of the event shall not exceed 3 hours where the event is held at an indoor venue.
 - (3) The persons referred to in subparagraphs (2)(b) and (c) shall produce the evidence referred to in that subparagraph to a person approved by the Chief Medical Officer or to a member of the Unit.
- 9.(1)** A person who wishes to host a graduation, a prize giving ceremony or a reception shall apply to the Chief Medical Officer for permission to do so.
- (2) The Chief Medical Officer may grant permission in relation to an application made under subparagraph (1) subject to any conditions that he may deem reasonable.
 - (3) An event referred to in this paragraph shall not exceed 3 hours in duration.
- 10.(1)** Night clubs are permitted to open and the owner or operator of night clubs shall comply with the protocols set out in subparagraph (2).
- (2) The following protocols apply for the purposes of subparagraph (1):
 - (a) all staff and patrons shall produce evidence that they
 - (i) are fully vaccinated; or
 - (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the night club and that the result of that test was negative; and
 - (b) the owner or operator of a night club shall, at least 48 hours before he opens the night club, notify the Unit in writing of his intention to open and operate the night club.

11.(1) A person who wishes to host or attend a karaoke event shall comply with the protocols set out in subparagraph (2).

(2) The singer at a karaoke event shall maintain a physical distance of at least 6 feet from all other patrons and such patrons shall maintain a physical distance of at least 3 feet apart in every direction.

12.(1) Indoor cinemas are permitted to be opened subject to the following conditions:

- (a) there shall be a physical distance of at least 3 feet between patrons;
- (b) there shall be no more than such number of persons, sitting at least 3 feet apart in every direction as may be approved by the Unit; and
- (c) members of the same household may sit together at a distance of less than 3 feet apart.

(2) Drive-in cinemas are permitted to be opened subject to compliance with the protocols specified by the Chief Medical Officer and the Unit.

13. The following outdoor events shall be permitted but may be attended by no more than 30 persons:

- (a) the social event known as “a lime”; and
- (b) a picnic.

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

(2) An owner, operator 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

a member of the Police Service or a member of the Unit, contravenes this Directive.

15.(1) Subject to this paragraph, all sporting activities are permitted.

(2) Indoor non-contact sports and outdoor contact sports are permitted where all participants produce evidence that they

- (a) are fully vaccinated; or
- (b) have had a Rapid Antigen test administered no more than 24 hours prior to the sporting activity.

(3) Indoor contact sports are permitted where all participants produce evidence that they

- (a) are fully vaccinated; or
- (b) have had a Rapid Antigen test administered no more than 24 hours prior to the sporting activity.

(4) The host of an organized competitive sporting event which is conducted outdoors is permitted to admit the full capacity of spectators that the venue can accommodate, if all spectators produce evidence that they

- (a) are fully vaccinated; or
- (b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test was negative.

(5) Players, coaches and ancillary staff of the organized competitive sporting event shall produce evidence that they

(a) are fully vaccinated; and

(b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test was negative.

(6) Notwithstanding subparagraph (4), spectators are permitted to attend horse racing at the Garrison Savannah on the infield adjacent to the sand track and outside the outermost rail.

16.(1) Rapid Antigen tests required for the purposes of this Directive shall be of a type approved by the Chief Medical Officer.

(2) The Rapid Antigen test referred to in subparagraph (1) shall be administered by an entity or person approved by the Chief Medical Officer.

17. A meeting of a fraternal society, private or social club or civic association or organization is permitted, and may be attended by such number of persons as the venue can accommodate where a distance of at least 3 feet is maintained between persons.

18.(1) Places of religious worship are permitted to be opened for religious services and meetings but shall be attended by no more than the number of persons that can be accommodated where a distance of at least 3 feet is maintained between persons.

(2) Sacraments and rituals of faith may be administered at places of religious worship and the following protocols shall be observed:

(a) communion shall be by individual servings of sacraments only; and

(b) officiants and participants in the sacrament of baptism, except the person who is being baptized, shall wear face masks and face shields.

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- (3) Funeral services shall be attended by no more than the number of mourners that the place of religious worship can accommodate where a distance of at least 3 feet is maintained between persons.
- (4) Wedding ceremonies shall be attended by the bride and bridegroom, 2 witnesses, the marriage officer and no more than the number of guests that the venue can accommodate where a distance of at least 3 feet is maintained between persons.
- (5) Wedding receptions may be hosted as they were hosted before the state of public health emergency commenced on the 28th day of March, 2020.
- (6) Religious services, meetings, wedding ceremonies and funeral services shall not exceed 3 hours.
- (7) Members of the same household may sit together at any event referred to in subparagraphs (1), (3) and (4).

19.(1) Where persons exercise together outdoors, they shall maintain a physical distance of

- (a) at least 6 feet, where they are not wearing face masks; and
- (b) at least 3 feet, where they are wearing face masks,

unless they are members of the same household.

- (2) Hiking in a group of more than 30 persons is prohibited.
- (3) Aerobic and dance exercise classes shall be conducted outdoors.

20. A person who is in a public place shall

- (a) wear a face mask as specified in paragraph 21;
- (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.

21.(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 nose, mouth 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, establishment or organization, 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, establishment or organization 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 State.

(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;

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- (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.
- 22.** No person shall visit any place of quarantine or an isolation station.
- 23.(1)** No person shall visit a prisoner or a ward of a Government Industrial School.
- (2) A person may visit a prison or a Government Industrial School to transact business.
- 24.(1)** No more than one person at a time shall visit a patient in a hospital, or a facility for the treatment of persons with an addiction to, or a dependency on, a drug or a narcotic substance.
- (2) No person may visit a patient in a nursing home, senior citizens’ home, a geriatric hospital or a district hospital but may visit such an institution to deliver care packages and transact business.
- 25.(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.

26.(1) The driver of a public service vehicle may carry the maximum number of sitting and standing passengers as authorized by law for the vehicle.

(2) The driver of a public service vehicle shall ensure that the windows of the vehicle remain open throughout the journey, except during inclement weather.

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

(4) The owner or driver of a public service vehicle shall ensure that the vehicle is sanitized after setting down passengers and before picking 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 32, liable to have his licence or permit suspended.

27. A 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.

28. A traveller to Barbados who gives false or misleading information or submits a false document on arrival in Barbados to the Chief Immigration Officer or the Chief Medical Officer concerning

- (a) his accommodation in Barbados;
- (b) whether he has been tested for COVID-19 and the result of such test; or
- (c) whether he has been fully vaccinated against COVID-19,

contravenes this Directive.

29. A person who

- (a) fails to answer any question; or
- (b) gives a false or misleading answer to any question

put to him by a doctor, a nurse, a member of the Unit or any other person authorized by the Chief Medical Officer who is seeking information for the purpose of tracing any other person who has been exposed to a person who is or may be infected with COVID-19, contravenes this Directive.

30. A person who is placed in quarantine or isolation contravenes this Directive if he

- (a) leaves the place in which he is quarantined or isolated without the consent of the Chief Medical Officer;
- (b) receives guests; or
- (c) fails to comply with the directions of the Chief Medical Officer.

31. The owner or operator of any business, establishment or organization who fails to comply with this Directive is, in addition to the penalty provided by paragraph 32, liable to be ordered by the Prime Minister or Attorney General, acting on the advice of the Chief Medical Officer or the Unit, to cease to operate for the duration of this Directive.

32. Any person who contravenes any provision of this Directive or fails to comply with any protocol 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, 2022* (S.I. 2022 No. 18).

33. This Directive shall come into effect on the 24th day of March, 2022 and shall cease to have effect on the 7th day of April, 2022.

Made by the Prime Minister this 23rd day of March, 2022.

S. BRADSHAW
Prime Minister (Ag.)

