

BELIZE:

STATUTORY INSTRUMENT

NO. 46 OF 2020

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BELIZE:

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No. 46 of 2020

REGULATIONS made by the Governor-General in exercise of the powers conferred upon him by section 18(9) of the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2011, and all other powers thereunto him enabling.

(Gazetted 1st April, 2020)

1. These Regulations may be cited as the

Citation.

BELIZE CONSTITUTION (EMERGENCY POWERS) REGULATIONS, 2020.

2. For the purposes of these Regulations—

Interpretation.

“**COVID 19**” means the Novel Coronavirus (2019-nCov), which is an infectious disease caused by a virus which, having emerged during 2019, was declared a global pandemic by the World Health Organisation on the 11th March, 2020;

“**emergency area**” means the area declared to be under a public state of emergency under the Proclamation;

“**essential service**” means the offices listed in Schedule I;

Schedule I.

“**essential worker**” means an employee of an essential service;

“**Minister**” means the Minister responsible for National Security;

- S.I. 45 of 2020. **“period of public emergency”** means the period stated in the Proclamation issued by the Governor-General and during which the Proclamation remains in force and effect;
- “public transportation”** means any form of transportation available to the public, which runs on fixed or established routes and charges a fare;
- “public utility”** includes services of electricity, water, telecommunications, cable and internet service providers;
- S.I. 45 of 2020. **“Proclamation”** means the Proclamation made by the Governor-General under section 18 of the Belize Constitution declaring that a state of public emergency exists in the entire country of Belize;
- CAP. 41. **“Quarantine Authority”** means the Director of Health Services as designated by section 3 of the Quarantine Act;
- “security forces”** means any member of the Coast Guard, Belize Police Department, or Belize Defence Force;
- “social distancing”** includes- the practice of staying home, avoiding crowds and refraining from touching one another and maintaining a distance of no less than three feet from other persons.
- Application. **3.** These Regulations shall apply to the entire country of Belize.
- Curfew.
S.I. 45 of 2020. **4.–(1)** For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19 and maintaining peace and public order, a curfew is hereby imposed during the hours of eight o’clock p.m. until four fifty-nine a.m. of the following morning for the entire country of Belize during the period of public emergency declared by Proclamation.

(2) For the purposes of sub-regulation (1), no person shall be on the streets or in any public place and on any public road between the hours specified in that subregulation.

(3) Subregulations (1) and (2) shall not apply to essential workers providing essential services during the period of public emergency.

5.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19 and subject to sub-regulations (2) and (3), a person shall not loiter, wander, assemble, or otherwise move in any public place and on any public road during the hours of 5:00 a.m. and 7:59 p.m.

Restriction of movement outside of curfew.

(2) During the period of public emergency declared by Proclamation, a person's right to move in any public place and on any public road during the hours of 5:00 a.m. and 7:59 p.m. is hereby restricted to movement for the purpose of—

- (a) purchasing essential needs;
- (b) attending for medical or veterinary attention;
- (c) emergencies;
- (d) an essential worker or employee of an approved business going to or from work;
- (e) a home-health care provider of services to sick and elderly only, going to and from work;
- (f) an essential worker acting within the scope of his duties, including but not limited to security guards patrolling, whether on foot or by conveyance, agricultural or factory workers or other similar operations requiring the movement of personnel for the effective conduct of the business or operations.

(3) For the purposes of these regulations, movement includes movement on foot and by a conveyance of any kind, whether mechanically propelled, propelled by animals, or otherwise propelled.

(4) An officer of the security services may stop and question any person found moving with an aim to ascertain that person's motives for moving.

(5) A person stopped and questioned by an officer of the security forces between the hours specified in sub-regulation (1), who is unable to reasonably explain or prove that his reasons for movement fall within the reasons set out in subregulation (2), commits an offence.

Exception to restrictions of right to move.

6. Notwithstanding anything contained in these Regulations a person in possession of a pass badge issued under the hand and seal of the Minister responsible for national security shall be authorized to move freely while observing social distancing protocols, at any place or at any time, as authorized by the Minister responsible for national security.

Essential services. Schedule I.

7. For the purposes of these Regulations, the offices prescribed in Schedule I to these Regulations and the services they provide are deemed essential services.

Operations of approved businesses outside of curfew. S.I. 45 of 2020.

8. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, the following businesses and offices, may operate for business during the period of public emergency declared by Proclamation only, and if that business or office decides to operate, that business or office shall operate only during the specified period as follows—

- (a) for such periods as may be determined by the management, between the hours of 5:00 a.m. and 7:00 p.m.—

- (i) fuel stations, fuel depots, LPG suppliers, LPS depots and LPG distributors;
 - (ii) public transportation providers;
 - (iii) bakeries and tortilla factories;
 - (iv) agro-processors, food and carbonated and other beverage manufacturers ;
 - (v) agricultural and aquaculture farms;
 - (vi) fishers;
 - (vii) construction and construction sites (private and commercial);
 - (viii) port operations and services connected with the loading and unloading of ships and aircrafts, delivery at and from ports;
 - (ix) waste disposal and sanitation companies and auxiliary personnel;
- (b) for such periods as may be determined by the management, between the hours of 8:00 a.m. to 7:00 p.m., the following establishments—
- (i) pharmacies;
 - (ii) convenience stores, food stores, supermarkets, meat shops, butchers, distributors and factories of carbonated and other beverages, including spirits (excluding potable water) and food;
 - (iii) financial institutions (including commercial banks, credit unions, money

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- lending institutions, money transfer institutions, pawn shops;
- (iv) hotels, villas and other rental accommodations;
 - (v) markets (agricultural produce, fish and meat);
 - (vi) service of take-out or drive thru' facility only, at restaurants, saloons, diners and other similar establishments;
 - (vii) international delivery services by international delivery service providers (such as DHL, Federal Express (FedEx) Amerijet, etc.) related strictly to medical supplies and equipment;
 - (viii) domestic delivery services related strictly to meals, groceries, medical supplies and equipment;
 - (ix) mechanic shops, garages and auto parts stores;
 - (x) store front outlets for essential businesses (public utilities companies);
 - (xi) hardware stores;
 - (xii) wholesalers and retailers of services directly related to any approved business herein specified;
 - (xiii) the Belize Zoo and Tropical Education Centre (and any research undertaken or being done);
- (c) twenty-four hours a day and seven days a week—

- (a) mills;
- (b) sugar, citrus and other approved food production factories;
- (c) oil production and drilling for oil exploration;
- (d) between the hours of 9:00 a.m. to 4:00 p.m., all government offices listed in Schedule II.

Schedule II.

9. For the avoidance of doubt, the following establishments shall remain closed until further notice for the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19 —

Closure of businesses.

- (a) casinos and gaming establishments;
- (b) spas, beauty salons and barber shops;
- (c) gymnasiums (gyms), sporting complexes;
- (d) discotheques, bars, rum shops and night clubs;
- (e) restaurants, saloons, diners, and other similar establishments,

provided that restaurants, saloons diners and other similar establishments may operate to offer take out services only.

10. For the purposes of these Regulations, every person shall practice social distancing.

Social distancing.

11. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, every business and office operating under these Regulations shall abide by social distancing protocols and shall—

Social distancing protocols.

- (a) ensure that all customers and staff maintain physical distancing of no less than three feet (3ft.) in or outside their business;
- (b) determine the number of persons that may be permitted in the establishment at any one time, provided that the determined number is proportionate to the square footage of the establishment and the social distancing protocols to be observed;
- (c) within twenty-four hours of the commencement of these regulations, place distance markers three feet apart, indicating where each customer must stand on a line at a check out point;
- (d) within twenty-four hours of the commencement of these regulations, place distance markers three feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

**Approved
businesses.**

12.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, employers of approved businesses listed in regulation 8, if they operate pursuant to these Regulations, shall implement measures to allow their employees to operate remotely where that business is one which the duties of the employee are capable of being performed from the employee's place of residence.

(2) Employees who are permitted to work remotely under subregulation (1) shall-

- (a) be available for work during that employee's normal working hours;
- (b) stay at home and observe social distancing protocols and curfew impositions; and

(c) report to the employer as required or instructed.

(3) Where an employee's assigned tasks at his place of employment can only be discharged at his place of employment, that employee shall report to work unless instructed by the employer not to report to the place of work in order to try to contain the spread of COVID 19.

(4) Where an employee is required to report for work under this regulation—

(a) the employee shall report to work between the hours specified in regulation 8(a) (b) (c) or (d), as the case may be; and

(b) the employer shall implement social distancing protocols under regulation 11 in addition to safety measures advised by the Ministry with responsibility for health.

13. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, no person shall host nor 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 ten or more persons other than the bride, bridegroom, official witnesses and the marriage officer;

(d) a banquet, ball or reception;

(e) any social event;

- (f) any other ceremony of public worship in any facility or public place which involves the participation of any member of the general public or a congregation;
- (g) a funeral, except ten members of the immediate family and at least one officiant and essential mortuary staff; or
- (h) a meeting of a fraternal society, private or social club or civic association or organization.

Restriction
on travel.
S.I. 45 of
2020.

14.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, all ports of entry shall be and remain closed during the period of public emergency declared by Proclamation.

(2) Notwithstanding subregulation (1), the following services are excepted from the travel restrictions—

- (a) cargo flights and cargo shipments;
- (b) commercial courier flights;
- (c) emergency medical flights approved by the Director of Health Services in consultation with the Minister responsible for national security;
- (d) emergency flights approved by the Minister responsible for national security in concurrence with the Department of Civil Aviation.

Mandatory
quarantine.

15.—(1) Notwithstanding regulation 14, a Belizean shall not be denied entry at any port of entry.

(2) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID 19, every Belizean entering Belize from any country

and at any port of entry shall be put into immediate mandatory quarantine at the direction of the Quarantine Authority—

- (a) at his own expense;
- (b) at a place pre-determined and identified as properly suited for the purpose of quarantine; and
- (c) for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry with responsibility for health.

(3) A person who develops flu-like symptoms and who reasonably suspects he is infected with COVID 19 or that he may have had contact with someone who has travelled to or from a country affected by COVID 19—

- (a) shall immediately inform the Ministry with responsibility for health; and
- (b) at the person's own expense, shall be put into immediate mandatory quarantine at the direction of, and for a period of time as directed by, the Quarantine Authority and in accordance with the guidelines of the Ministry responsible for health.

(4) A directive by the Quarantine Authority to quarantine a person under this regulation shall be given in writing and addressed to the person being put in quarantine specifying requirements at subregulation (2) and shall include any guidelines or additional measures of the Ministry with responsibility for health.

(5) The Quarantine Authority shall direct that a log be kept of every person put into quarantine under this regulation and that details be recorded of the person's progress during the period of time under quarantine.

(6) Upon completion of the time period of quarantine under this regulation, if the person exhibits no flu-like symptoms, the person may be released at the direction of the Quarantine Authority.

(7) Where a person kept under quarantine develops flu-like symptoms, the Quarantine Authority shall direct that the person be put into immediate isolation at a designated hospital or other isolation centre.

(8) The Quarantine Authority may issue any directives or institute any administrative measures necessary in carrying out the mandate of this regulation.

Offence and penalty.

16.—(1) Every person who contravenes any of the provisions of these Regulations or incites or attempts to incite any other person to contravene any of these Regulations commits an offence and is liable on summary conviction to a fine of five thousand dollars (\$5,000.00) or to imprisonment for two (2) years.

(2) It shall be the duty of every member of the security services to enforce, using force if necessary, compliance with these Regulations and with any order, rules instruction or condition lawfully made, given or imposed by any officer or other person under the authority of this Regulation, and for such purpose any member of the security forces may enter any premises, board any ship or aircraft, without a warrant.

(3) Any member of the security forces may arrest, without a warrant, any person whom he has reasonable cause to believe to have committed any offence against these Regulations or any order, rules instruction or condition lawfully made, given or imposed by any officer or other person under the authority of this Regulation.

Power to make orders and rules.

17.—(1) The Minister with responsibility for national security may make orders and rules for the purposes of preventing,

controlling, containing and suppressing the spread of the infectious disease COVID-19.

(2) Such orders and rules under subregulation (1) shall be made by Order published in the *Gazette* and shall have effect as law from the date thereof and for a period not being longer than the period of public emergency declared by Proclamation.

18.—(1) The following Orders are hereby suspended for the duration of these Regulations—

- (a) Quarantine (COVID 19 Emergency Measures) Order, as amended, 2020;
- (b) A Proclamation Declaring a State of Public Emergency in Ambergris Caye, Belize District and its amendment; and
- (c) Belize Constitution (Emergency Powers) Ambergris Caye Regulations, 2020.

(2) The Orders referred to in subregulation (1) shall be reinstated upon effluxion of time of these Regulations or until revoked, whichever is earlier.

19.—(1) These Regulations come into force on signature.

(2) These Regulations shall have effect during the period of public emergency.

S.I 45 of
2020.

Suspension
of Orders,
Proclamation
and
Regulations.

S.I. No. 38 of
2020.
41 of 2020.
44 of 2020.

S.I No. 36 of
2020.
39 of 2020.

S.I. No 37 of
2020.

Commencement
and duration
of
regulations.

SCHEDULE I

*[regulation 7]**Essential Services*

1. Ministry of National Security
2. Department of Border Management and Immigration Services
3. Customs and Excise Department
4. Cabinet members and members of the National Assembly
5. Medical and auxiliary services
 - (a) including veterinary services;
 - (b) services by private medical institutions; and
 - (c) ambulance services,
6. private security services
7. public utility workers and auxiliary staff responding to emergencies
8. social workers authorized to respond to emergencies
9. sanitation workers and auxiliary staff
10. productive sector industries, personnel and auxiliary workers (potable water production, agricultural workers)
11. media (workers supporting radio, newspapers and online media services)
12. any other person or entity deemed to be essential by the Minister with responsibility for national security.

SCHEDULE II

[regulation 8(d)]

(Government Offices, departments, statutory bodies and state-owned companies)

1. Office of the Prime Minister
2. Ministry of Finance
3. Attorney General's Ministry (including the Belize Companies and Corporate Affairs Registry, the Belize Intellectual Property Office, Vital Statistics Unit)
4. The Judiciary of Belize
5. Ministry of Health (including) Central Medical Laboratory
6. Ministry of Human Development, Social Transformation and Poverty Alleviation
7. Ministry of Food and Agriculture
8. Ministry of the Public Service
9. Ministry of Works
10. Department of Transport
11. Central Information and Technology Office
12. Government of Belize Press Office
13. Belize Gazette publications
14. The Belize Bureau of Standards
15. The Belize Tax Services Department
16. Karl Heusner Memorial Hospital Authority
17. Office of the Director of Public Prosecutions

18. The National Fire Service
19. National Meteorological Service
20. National Emergency Management Organization (Emergency Operations Centre)
21. Treasury Department
22. Central Bank of Belize
23. Department of Civil Aviation
24. Belize Airports Authority
25. Belize Agricultural Health Authority
26. Belize Marketing and Development Corporation
27. Belize Electricity Limited
28. Belize Water Services Limited
29. Belize Telemedia Limited
30. Speednet Communications Limited (Smart)

MADE by His Excellency the Governor-General Sir Colville N. Young
this 1st day of April, 2020.



(COLVILLE N. YOUNG)
G.C.M.G., M.B.E., Ph.D., J.P.(S)
Governor-General