

BELIZE:

STATUTORY INSTRUMENT

No. 65 of 2020

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BELIZE:

STATUTORY INSTRUMENT

No. 65 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 30th 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.

“**approved business or office**” means a business or office allowed to operate under regulation 9;

“**BPO**” means Business Process Outsourcing;

“**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;

S.I.63 of 2020.

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

Schedule I.

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

“**independent private practice**” means a private medical practice operated by a medical practitioner on his own;

“**medical institutions**” includes the mental hospital and all public hospitals, dispensaries, all hospitals in, or attached to, any prison or public institution in Belize;

“**medical officer**” includes the Director of Health Services and medical practitioners in the public service;

Act No. 28 of
2013.

“**medical practitioner**” means any physician or surgeon who is registered in accordance with section 7 of the Medical Practice Act;

“**minor**” means a person sixteen years or under;

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

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“**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;

“**professional services**” means a type of personal service in the service sector requiring special training in the discipline of arts or sciences and which requires, as a condition precedent to the rendering of such service, the obtaining of a license or other legal authorization;

“**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;

“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;

S.I. 63 of 2020.

“Quarantine Authority” means the Director of Health Services as designated by section 3 of the Quarantine Act;

CAP. 41.

“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, refraining from touching one another and maintaining a distance of no less than six feet from other persons.

3. These Regulations shall apply to the entire country of Belize.

Application.

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.

Curfew.

(2) Notwithstanding sub-regulation (1), the time specified for curfew under the Families and Children (Protection of Children) Regulations, 2020, as amended, shall apply to minors.

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64 of 2020.

(3) For the purposes of sub-regulation (1), no person shall be on the streets or in any public place nor on any public road between the hours specified in that sub-regulation.

(4) Sub-regulations (1) and (3) shall not apply to any members, who are on duty, of the security forces, Customs

and Excise Department, Department of Immigration Services only, any frontline health care provider on duty working for the Ministry responsible for health (including hospitals which are statutory bodies), nor to any other essential worker who possesses a pass badge issued by the Minister responsible for national security.

Restriction
of movement
outside of
curfew.

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.

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2020.

(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—

(a) during the hours of 5:00 a.m. and 7:59 p.m. is hereby restricted to movement for the purpose of—

- (i) purchasing essential needs;
- (ii) attending for medical or veterinary attention;
- (iii) emergencies;
- (iv) an essential worker or employee of an approved business going to or from work;
- (v) a home-health care provider of services to sick, disabled or elderly persons or to children, going to and from work;

- (vi) an essential worker or employee of an approved business, 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, delivery services or other similar operations requiring the movement of personnel for the effective conduct of the business or operations;
 - (vii) a person seeking or obtaining services of an approved business or office;
- (b) during the hours of 5:00 a.m. to 8:00 a.m. is hereby restricted to movement for the purpose of exercising by jogging, running, walking or cycling only,

provided that in so doing, a person shall practice social distancing protocols including the wearing of a face mask or face (mouth) covering and maintain a minimum of six feet distance between persons while exercising;

and provided further that in the case of cycling, no person shall ride two abreast.

(3) For the purposes of these regulations, movement includes movement on foot or 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 sub-regulation (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.

“Restriction on cross district movement and cross locality movement.
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7. During the period of public emergency declared by Proclamation, no person shall move across any district boundaries nor across localities within any district, city, town, village or community except for the purposes listed in regulation 5(2)(a).

Essential services.
Schedule I.

8. 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.

9.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, the following businesses, service or offices may operate during the period of public emergency declared by Proclamation only, and if that business, service or office decides to operate, that business, service or office shall operate for such periods as may be determined by the management, between the hours of-

(a) 5:00 a.m. and 7:00 p.m.-

(i) fuel stations, fuel depots, LPG suppliers, LPG depots and LPG distributors;

(ii) agro-processors, food manufacturers, and factories and manufacturers of

- carbonated and other beverages including spirits (but excluding potable water);
- (iii) agricultural and aquaculture farms;
 - (iv) fishing for livelihood and sustenance but not including sport fishing and leisure fishing;
 - (v) waste disposal and sanitation companies and auxiliary personnel;
 - (vi) productive sector industries, personnel and auxiliary workers (potable water production; agricultural workers);
 - (vii) markets (agricultural produce, fish and meat);
 - (viii) public transportation providers;
 - (ix) construction and construction sites (private and commercial);
 - (x) local manufacturers;
 - (xi) bakeries and tortilla factories;
- (b) 8:00 a.m. to 7:00 p.m., the following establishments—
- (i) pharmacies;
 - (ii) convenience stores, food stores, supermarkets, meat shops, butchers, distributors of carbonated and other beverages, including spirits (including potable water) and food;

- (iii) hotels, villas and other rental accommodations,

provided that hotels, villas and other rental accommodations may open for guest hotel lodging to the general local public but shall not make, nor take, any international bookings nor shall any such accommodations entertain guests for the day only;

and provided further that where a hotel, villa or other rental accommodation houses a restaurant, that restaurant shall not operate for dining-in services and shall offer only services of delivery, take-out or drive thru' to the general local public and shall offer room service only, to any guests who are lodged there;

- (iv) store front outlets for essential businesses (public utilities companies);
- (v) financial institutions (including commercial banks, credit unions, insurance companies money lending institutions, money transfer institutions, pawn shops;
- (vi) mechanic shops, garages and auto parts stores;
- (vii) service of take-out, delivery or drive thru' facility, at restaurants, saloons, diners and other similar establishments;

- (viii) international delivery services by international delivery service providers (such as DHL, Federal Express (FedEx) Amerijet, etc.);
- (ix) domestic delivery services of goods by delivery service providers (such as BPMS, Speedit etc.);
- (x) domestic delivery services of goods, or pick-up of goods or meals by social service organizations or volunteer groups operating under the auspices of the Ministry responsible for human development;
- (xi) wholesalers of goods and services directly related to an approved business or office;
- (xii) businesses that provide ancillary services or goods to the government, statutory bodies or other approved businesses;
- (xiii) the Belize Zoo and Tropical Education Centre (and any research undertaken or being done);
- (xiv) wildlife and environmental organizations;
- (xv) hardware stores;
- (xvi) domestic workers including gardeners, yardmen and other domestic services;

(xvii) professional services;

(xviii) beauty salons for hair and nail services only, and barber shops,

provided that services offered shall be by appointment only;

and provided further that except for the employees, if any, only two customers shall be allowed to be in a beauty salon or barber shop at any one time, the customer being attended to and the customer who is waiting, but where the square footage is such that social distancing protocols cannot be observed between both customers, there shall only be one customer at a time;

(xix) car washing and detailing services;

(xx) laundromat services of pick-up and drop off, only;

Schedule II.
Schedule I.

(c) between the hours of 9:00 a.m. to 4:00 p.m., all offices listed in Schedule II and all government offices and statutory bodies not listed in Schedule I;

(d) twenty-four hours a day and seven days a week—

(i) food mills;

(ii) sugar, citrus and other approved food production factories;

(iii) oil production and drilling for oil exploration;

- (iv) port operations and services connected with the loading and unloading of ships and aircrafts, and delivery to and from ports;
- (v) public utilities and independent energy producers which provide energy to public utilities.

10. 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;
- (c) gymnasiums (gyms), sporting complexes;
- (d) discotheques, bars, rum shops and night clubs.

11. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19,

Social distancing, etc.

- (a) every person shall practice social distancing;
- (b) every person in a public place, public space, or public office or building shall wear a face mask or other face (mouth) covering;
- (c) every employee of an approved business or office who, in offering services to the public, or who, on account of his work, has constant interaction with the public, shall wear a face mask or other face (mouth) covering.

Social distancing protocols and other requirements.

12.-(1) 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-

- (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, 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 six 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 six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

(2) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, every BPO company or business shall maintain, at any given time, a number of employees that is proportionate to the square footage of the establishment and the social distancing protocols to be observed.

(3) Every BPO shall install or appoint a special internal auditor for COVID-19 who shall submit a written weekly report to the Ministry of Health detailing-

- (a) the number of employees of the BPO and the number of employees who presented themselves to work during the reported week;
- (b) the number of floors being utilized for the operation of the BPO;
- (c) the number of supervisors per floor during the reported week;
- (d) the number of employees who call in sick and who are working on a rotational basis;
- (e) the protocols being implemented and observed by the BPO;
- (f) any other information required by the Ministry responsible for health.

(4) The Ministry responsible for health may carry out spot checks and inspections of any BPO to ensure compliance with these Regulations.

(5) A BPO found to be in contravention of any provision of these Regulations is liable to immediate closure of the BPO by Notice served on the BPO under the hand of the Director of Health Services.

13.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, employers of approved businesses and offices listed in regulation 9, 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.

Approved
businesses.

(2) Employees who are permitted to work remotely under sub-regulation (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 9(a) (b) or (c), as the case may be; and
- (b) the employer shall implement social distancing protocols under regulation 12 in addition to safety measures advised by the Ministry with responsibility for health.

Restriction
on social
activities.

14. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, no person shall host nor attend—

- (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; nor
- (h) a meeting of a fraternal society, private or social club or civic association or organization.

15.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19-

Prohibited activities.

- (a) no street food vendor is allowed to operate;
- (b) no person shall swim in a river or sea.

(2) No person staying as a guest at a hotel, villa or other rental accommodation shall swim in the sea, river nor in any swimming pool nor jacuzzi, if any, nor utilize any sauna or other similar facility at that establishment.

16.-(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.

**Restriction on travel.
S.I. 63 of 2020.**

(2) Notwithstanding sub-regulation (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.

Transportation. 17.–(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19–

- (a) every person travelling on public transportation shall wear a cloth or other face mask or face (mouth) covering during the duration of the travel; and
- (b) no person who is not wearing a cloth or other face mask or face (mouth) covering, shall be allowed to board any means of public transportation.

(2) The provision of public transportation by any means is limited to seating capacity.

(3) While social distancing of six feet shall not be observed on any public transportation, every operator of public transportation shall have a hand sanitizer for use by every passenger.

(4) Every person travelling on a bus is required to purchase a ticket which will entitle the holder to queue up, observing social distancing of six feet between persons, for an orderly boarding of the bus.

(5) Every operator of public transportation arriving at a terminal in Belize shall instruct the passengers to dis-embark and oversee the sanitization of the said means of public transportation by personnel on site at the terminal.

(6) Prior to boarding any means of public transportation at a terminal, every passenger shall wash and sanitize his hands at the conveniences provided at the terminal, and where passengers are picked up elsewhere than a terminal where proper sanitization of hands could not occur, every passenger boarding that public transportation shall sanitize his hands using hand sanitizer that is provided by the operator of the public transportation as required under sub-regulation (3).

(7) Without prejudice to the foregoing, all passengers and public transportation providers shall abide by guidelines issued by the Ministry with responsibility for health, prior to boarding or disembarking from any means of public transportation utilized.

18.-(1) All ports of entry into and exit out of Belize are closed.

Ports of entry
and exit.

(2) Every person entering or exiting Belize illegally commits an offence and, in addition to the imposition of mandatory quarantine, is liable to imprisonment for three months.

(3) A person convicted of a second or subsequent offence under this Regulation is liable, in addition to the imposition of mandatory quarantine, to imprisonment for a period of one year.

(4) Notwithstanding regulation 19, a person who is liable to mandatory quarantine under this regulation shall, if convicted, be quarantined at a place to be determined by the Quarantine Authority.

(5) Where a person arrested and charged but not convicted under this regulation is liable to mandatory quarantine, that person shall be subject to mandatory quarantine under Regulation 19.

**Mandatory
quarantine.**

19.– (1) No Belizean shall be allowed entry through any port of entry unless that Belizean–

- (a) is returning from abroad with proof of having received urgent medical care;
- (b) is required to be in Belize to assist health officials in Belize in urgent medical situations.

(2) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, a Belizean allowed entry pursuant to sub-regulation (1) 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 sub-regulation (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.

20. Notwithstanding anything contained in any other law, for the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, no medical officer employed by the Government of Belize, during the period of public emergency declared by Proclamation, shall engage in independent private practice.

Restriction on independent private practice during period of public emergency. S.I.63 of 2020.

Duty of medical engaged in independent private practice to report.

21. Notwithstanding anything contained in any other law, for the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, every medical practitioner engaged in independent private practice, during the period of public emergency declared by Proclamation, shall report to the Director of Health Services, or his designate, every patient which he has attended to which is exhibiting flu-like symptoms or who is exhibiting respiratory conditions or experiencing respiratory complications or other similar respiratory issue.

Offence and penalty.

22.—(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) A person convicted of a second or subsequent offence under these Regulations is liable to imprisonment for a period of two years.

(3) 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.

(4) 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.

23.—(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.

Power to make orders and rules.

(2) Such orders and rules under sub-regulation (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.

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24.—(1) Upon the commencement of these Regulations, the Belize Constitution (Emergency Powers) Regulations, 2020, Statutory Instrument No. 62 of 2020, are repealed.

Repeal and savings.

(2) Notwithstanding the repeal, nothing in these Regulations shall affect anything done, any proceedings taken or a right which has accrued or a liability which has been incurred under the repealed Regulations before the coming into force of these Regulations and anything done, any proceedings taken or a right which has accrued or a liability which has been incurred under the repealed Regulations shall be deemed to have been done, taken, accrued or incurred, as the case may be, under these Regulations.

25.—(1) These Regulations come into force on the 1st day of May, 2020.

Commencement and duration of regulations.
S.I. 63 of 2020.

(2) These Regulations shall have effect for the duration of the period of public emergency declared under Proclamation.

SCHEDULE I*[regulation 8]**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. National Assembly Staff
6. Medical and auxiliary services
 - (a) including veterinary services;
 - (b) services by private medical institutions including private clinics;
and
 - (c) ambulance services,
7. Forest Department
8. Department of the Environment
9. National Meteorological Service
10. National Emergency Management Organization (Emergency Operations Centre)
11. private security services
12. public utility workers and auxiliary staff responding to emergencies

13. social workers authorized to respond to emergencies
14. sanitation workers and auxiliary staff
15. productive sector industries, personnel and auxiliary workers (potable water production, agricultural workers)
16. media (workers supporting radio, newspapers and online media services)
17. Belize Port Authority
18. Office of the Governor-General
19. The National Fire Service
20. Belize Electricity Limited
21. Belize Water Services Limited
22. Belize Telemedia Limited
23. Speednet Communications Limited (Smart)

SCHEDULE II*[regulation 9(1)(c)]*

1. The Judiciary of Belize
2. Office of the Director of Public Prosecutions
3. Belize Legal Advice and Services Centre
4. Print Belize Ltd.
5. Municipal Bodies (town councils and city councils)
6. Diplomatic Missions
7. International and Regional Organizations (PAHO, UNICEF, etc.)

MADE by His Excellency the Governor-General Sir Colville N. Young
this 30th day of April, 2020.



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