## Belize Constitution

#### **BELIZE:**

## STATUTORY INSTRUMENT

#### NO. 72 OF 2020

#### **Arrangement of Regulations**

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#### Belize Constitution

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Schedule I

Schedule II

No. 72 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 14th May, 2020.)

1. These Regulations may be cited as the

**BELIZE CONSTITUTION (EMERGENCY POWERS)** 

REGULATIONS, 2020.

2. For the purposes of these Regulations-

allowed to operate under regulation 9;

"approved business or office" means a business or office

"BPO" means Business Process Outsourcing;

"child" means a person twelve years or under;

"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

S.I.63 of 2020.

Citation.

Interpretation.

public state of emergency under the Proclamation;

2	Belize Constitution	[No. 72
Schedule I.	"essential service" means the offices listed in Schedule I;	
	"essential worker" means an employee of an essent	ial service;
	"independent private practice" means a private practice operated by a medical practitioner on his	
	"medical institutions" includes the mental hospit public hospitals, dispensaries, all hospitals in, o to, any prison or public institution in Belize;	
	"medical officer" includes the Director of Healt and medical practitioners in the public service;	h Services
Act No. 28 of 2013.	"medical practitioner" means any physician of who is registered in accordance with section 7 of the Practice Act;	C
	"minor" means a person sixteen years or under;	
	"Minister" means the Minister responsible for Security;	r National
	"open air restaurant" "outdoor restaurant" or dining" means a restaurant that is not enclosed building or other facility and which is out in the sufficiently out in the open to have air naturally within;	d within a open or is
S.I. 63 of 2020.	"period of public emergency" means the period the Proclamation issued by the Governor-General which the Proclamation remains in force and effective or the period of public emergency.	and during
	"professional services" means a type of personal the service sector requiring special training in the diarts or sciences and which requires, as a condition to the rendering of such service, the obtaining or or other legal authorization;	scipline of precedent

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	means any form of transportation hich runs on fixed or established	
	s services of electricity, water, e and internet service providers;	
Governor-General under se	the Proclamation made by the ection 18 of the Belize Constitution blic emergency exists in the entire	S.I. 63 of 2020.
•	' means the Director of Health section 3 of the Quarantine Act;	CAP. 41.
· ·	any member of the Coast Guard, or Belize Defence Force;	
avoiding crowds, refraining	des the practice of staying home, ng from touching one another and no less than six feet from other	
<b>3.</b> These Regulations sha Belize.	all apply to the entire country of	Application.
and suppressing the spread of and maintaining peace and imposed during the hours fifty-nine a.m. of the follow	preventing, controlling, containing of the infectious disease COVID-19 dipublic order, a curfew is hereby of eight o'clock p.m. until four wing morning for the entire country di of public emergency declared by	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.

S.I. 40 of 2020 64 of 2020.

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	(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.	<b>5.</b> –(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.			
S.I. 63 of 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)

(iii)

(iv)

attention;

work;

emergencies;

attending for medical or veterinary

an essential worker or employee of an approved business going to or from

(v)

- (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;

a home-health care provider of services to sick, disabled or elderly persons or

- (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 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.

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	security forces betw (1), who is unable	opped and questioned by an veen the hours specified in so to reasonably explain or pent fall within the reasons somits an offence.	ub-regulation rove that his
Exception to restrictions of right to move.	a person in possess and seal of the Mini be authorized to mor protocols, at any pl	g anything contained in these on of a pass badge issued un ster responsible for national we freely while observing soc face or at any time, as author e for national security.	nder the hand security shall ial distancing
Essential services. Schedule I.	prescribed in Sched	ses of these Regulations, ule I to these Regulations and emed essential services.	
Operations of approved businesses.	<b>8.</b> –(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, L LPG depots and LPG dist	
	(ii)	agro-processors, food mand factories and mand of carbonated and other including anisits (but evaluated)	nufacturers r beverages

water);

(iii)

including spirits (but excluding potable

agricultural and aquaculture farms;

and auxiliary personnel;

waste disposal and sanitation companies

productive sector industries, personnel and auxiliary workers (potable water production; agricultural workers);

markets (agricultural produce, fish and

construction and construction sites

public transportation providers;

fishing;

meat);

(v)

(vi)

(vii)

(viii)

(ix)

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(private and commercial); (x)local manufacturers; bakeries and tortilla factories; (xi) (xii) dive shops and other similar businesses, provided that no dive shop or other similar business shall engage in any fishing activity; *(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;

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	(iii)	hotels, villas and oth accommodations,	ner rental
		provided that hotels, vill rental accommodations may general local public but sha nor take, any international	open to the ll not make,
		and provided further the hotel, villa or other rental acceleration houses a restaurant that is air restaurant, outdoor rean all fresco dining restaurant shall not operate in services and shall offer of delivery, take-out or draw the general local public and room service only, to any are lodged there;	ommodation not an open estaurant or aurant, that e for dining- nly services ive thru' to d shall offer
	(iv)	store front outlets for essentia (public utilities companies)	
	(v)	financial institutions commercial banks, cred insurance companies mor institutions, money transfer pawn shops;	lit unions, ney lending
	(vi)	mechanic shops, garages ar stores;	nd auto parts
	(vii)	service of take-out, delive thru' facility, at restauran diners and other similar esta	ts, saloons,
	(viii)	open air, outdoor restaur fresco dining restaurants,	rants, or al

together,

operators of an open air restaurant, outdoor restaurant or al fresco dining restaurant shall observe a minimum distance of six feet between tables, and provided further that dining shall

be by reservation only;

provided that guests of the same party, which party is limited to ten members, are allowed to be seated

provided further that owners or

(ix) international delivery services by international delivery service providers (such as DHL, Federal Express (FedEx) Amerijet, etc.);

(x) domestic delivery services of goods by delivery service providers (such as BPMS, Speedit etc.);(xi) 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;

(xii) wholesalers of goods and services directly related to an approved business or office;

(xiii) businesses that provide ancillary services or goods to the government, statutory bodies or other approved businesses;

(xiv) the Belize Zoo and Tropical Education Centre (and any research undertaken or being done); and restricted, respectively;

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

twenty-four hours a day and seven days a week-

sugar, citrus and other approved food

and provided further that businesses and activities prohibited under regulations 10 and 15 or restricted under regulation 14, shall remain prohibited 11

Schedule II. Schedule I.

Closure of businesses.

(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

food mills;

production factories;

producers which provide energy to public utilities.

9. For the avoidance of doubt, the following establishments shall remain closed until further notice for the purposes of

(a) casinos and gaming establishments;

preventing, controlling, containing and suppressing the spread

**(b)** spas;

of the infectious disease COVID-19-

(c)

I:

*(i)* 

(ii)

be permitted in the establishment at any

establishment and the social distancing protocols to be observed;

(c) within twenty-four hours of the commencement

one time, provided that the determined number is proportionate to the square footage of the

- 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;

# the duties of the employee are capable of being performed from the employee's place of residence. sub-regulation (1) shall-

(a) be available for work during that employee's normal working hours;

(2) Employees who are permitted to work remotely under

- (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) or (c), 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.**–(1) All public pools, beaches and rivers are open to the public for the specific purpose of swimming, under the following conditions–
- Access to public pools, beaches and rivers, etc.
- (a) strict adherence to social distancing protocols, except as relates to parents or guardians and their children and to persons of the same party;
- (b) no more than ten persons of the same party may gather together;
- (c) social gatherings, parties, picnics, barbecues or other similar social activities are prohibited; and
- (d) where a person has exited a public pool, sea or river, he shall wear a mask.
- (2) Where swimming in a sea or river entails the use of a boat or other vessel, the boat or other vessel shall be limited to seating capacity and every passenger not engaged in swimming shall wear a mask.

cargo flights and cargo shipments;

emergency medical flights approved by the Director of Health Services in consultation with the Minister responsible for national security;

emergency flights approved by the Minister responsible for national security in concurrence

Transportation.

with the Department of Civil Aviation.

(a) every person travelling on public transportation shall wear a face mask or other face (mouth) covering for the duration of the travel; and

no person who is not wearing a face mask or

other face (mouth) covering, shall be allowed to board any means of public transportation;

**18.**–(1) For the purposes of preventing, controlling,

containing and suppressing the spread of the infectious

commercial courier flights;

**(b)** 

(c)

disease COVID-19-

**(b)** 

boarding of the bus.

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

(3) While social distancing of six feet shall not be

(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

social distancing of six feet between persons, for an orderly

- 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.

Ports of entry and exit.

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

(2) Every person entering or exiting Belize illegally commits an offence and, in addition to the imposition of

(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.

mandatory quarantine, is liable to imprisonment for three

months.

- (4) Notwithstanding regulation 21, 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 21.

**20.**–(1) The following procedures shall be followed on the

- arrest and charge of a person who enters or exists Belize illegally—

  (a) upon arrest and charge, the person shall
  - immediately be submitted to the Ministry of Health for testing;
  - (b) after testing, the person arrested and charged shall be taken to court to be arraigned; and
  - (c) after arraignment, the person shall be quarantined for the period directed by the Quarantine Authority, whether or not that person has been granted bail.
- (2) If a person who has been arrested cannot immediately be charged, or if charged, cannot immediately be taken to court after being tested by the Ministry of Health, that person shall-

Procedure on arrest and charge of persons entering or exiting Belize illegally. bail; or

Mandatory quarantine. granted bail.

(4) Notwithstanding the pronouncement by the magistrate of the guilt or innocence of a person arrested and charged for the offence of entering or exiting Belize illegally, that person serve the period of mandatory quarantine prior to

being committed to prison or released, as the case may be.

the offence of entering or exiting Belize illegally shall be-

(a) released pending trial if that person was granted

(b) remanded pending trial if that person was not

(5) Where a person charged under regulation 19 is found guilty of the offence, that person shall serve the term of imprisonment as directed by the magistrate after completing the period of mandatory quarantine directed by the Quarantine Authority.

- **21.**–(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;(c) is a returning student enrolled at, or a graduand of, an educational institution abroad;

(e) is a resident diplomat.

(d) is a returning national;

- (c) is a resident diplomat
- (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) (a), (b), (c), or (d) 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) 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) (d) shall be put into immediate mandatory quarantine at his home, at the direction of, and for a period as determined by, the Quarantine Authority, and he shall there remain for the duration of the quarantine period.
- (4) 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.

- (5) 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.
- (6) 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.
- (7) 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.
- (8) Where a person kept under quarantine develops flulike symptoms, the Quarantine Authority shall direct that the person be put into immediate isolation at a designated hospital or other isolation centre.
- (9) The Quarantine Authority may issue any directives or institute any administrative measures necessary in carrying out the mandate of this regulation.

Permission to enter Belize.

**22.** A Belizean qualified under regulation 21 who desires to enter Belize shall apply to the Ministry of Foreign Affairs or to the nearest consulate or embassy for permission to enter prior to arriving at any port of entry in Belize.

23. 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,

24. 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

shall engage in independent private practice.

independent

during period

private practice

of public emergency.

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.

25.–(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.

Duty of medical engaged in independent private practice to report.

Offence and penalty.

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.

(2) A person convicted of a second or subsequent offence

(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.

Power to make orders and rules.

**26.**–(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.

S.I 63 of 2020.

(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.

27.–(1) Upon the commencement of these Regulations, the

Belize Constitution (Emergency Powers) Regulations, 2020,

Repeal and savings.

> Statutory Instruments Nos. 65, 66, and 67 of 2020, are repealed. (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,

**28.**–(1) These Regulations come into force on the 15th day of May, 2020.

as the case may be, under these Regulations.

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.

(b) services by private medical institutions including private clinics;

10. National Emergency Management Organization (Emergency Operations

12. public utility workers and auxiliary staff responding to emergencies

15. productive sector industries, personnel and auxiliary workers (potable

16. media (workers supporting radio, newspapers and online media services)

13. social workers authorized to respond to emergencies

5.

6.

7. 8.

9.

National Assembly Staff

(c) ambulance services.

Department of the Environment National Meteorological Service

14. sanitation workers and auxiliary staff

water production, agricultural workers)

23. Speednet Communications Limited (Smart)

and

Centre)

Forest Department

11. private security services

17. Belize Port Authority

18. Office of the Governor-General

21. Belize Water Services Limited

19. The National Fire Service20. Belize Electricity Limited

22. Belize Telemedia Limited

Medical and auxiliary services

(a) including veterinary services;

25

[No. 72]

## SCHEDULE II

[regulation 8(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 14th day of May, 2020.

(SIR COLVILLE N. YOUNG) G.C.M.G., M.B.E., PhD., J.P.(S)

Governor-General

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