

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 44 of 2021

Emergency Powers (COVID-19) (No. 15) Regulations, 2021

In exercise of the power conferred by section 5 of the Emergency Powers Act, Cap. 19.02 the Governor-General makes the following Regulations:

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**Part I
Preliminary**

1. Citation and duration.

(1) These Regulations may be cited as the Emergency Powers (COVID-19) (No. 15) Regulations, 2021.

(2) These Regulations shall come into force from Saturday 11th December, 2021 and shall expire on Friday 31st December, 2021.

2. Interpretation.

In these Regulations,

“Court” includes the Magistrates’ Courts and the Eastern Caribbean Supreme Court;

“COVID-19 (Prevention and Control) Act” means the COVID-19 (Prevention and Control) Act, No. 16 of 2020;

“COVID-19” means the COVID-19 novel coronavirus (2019-n CoV);

“fully vaccinated” means 14 days have passed since a person received

- (a) a single-dose vaccine; or
- (b) the second dose in a two-dose vaccine.

Part II

Emergency Measures for the Federation of Saint Christopher and Nevis

3. Businesses and offices operations.

(1) Subject to sub-regulations (2) and (3) and regulations 5 and 12, all businesses and offices may operate.

(2) Senior persons, older persons or persons in the pre-retirement age range and persons with chronic underlying conditions should be given priority to work remotely from home.

(3) Subject to sub-regulation (1), where a business is unable to operate by its employees practicing social distancing and physical distancing in accordance with the provisions of regulation 5, it shall allow its employees to work remotely from home utilizing virtual means.

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

Subject to regulations 5 and 12, the public service, the Courts, a statutory body, or a State-owned enterprise shall operate.

5. Social distancing and physical distancing protocols.

Any establishment, that is permitted to operate pursuant to the provisions of these Regulations, shall make the necessary arrangements to facilitate social distancing and physical distancing and shall

- (a) ensure that all customers and staff maintain physical distancing of at least six feet (6 ft.) in or outside of their business, if in a line to enter the business;
- (b) determine the total number of persons that may be permitted in the establishment at any one time by permitting one person for every thirty square feet of store space;
- (c) place distance markers at least six feet apart, indicating where each customer must stand on a line at a check out point or other line;
- (d) place distance markers at least six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

6. Education and religious instruction.

(1) All educational places of instruction including pre-schools, nurseries, day care centres or other early childhood education facilities, may apply to, and operate in accordance with the directives of, the Ministry of Education, subject to the provisions of regulations 5 and 12 and where applicable, shall apply to the Early Childhood Development Unit.

(2) All religious places of instruction or worship may operate in accordance with the provisions of regulations 5 and 12 and any other conditions or directives given by the National COVID-19 Taskforce and the following persons should be encouraged to connect to virtual church services from home or may attend a separate early morning service designated for that purpose

- (a) senior persons, persons in the pre-retirement age range or persons over 65 years old;
- (b) persons with underlying health conditions;
- (c) individuals with disabilities; and
- (d) those who might not be able to wear a mask for the duration of the service.

(3) Sub-regulations (1) and (2) do not prohibit any activity referred to therein by electronic or virtual means.

7. Entertainment and other social events or activities.

(1) A person or organization may host an entertainment event, in a building, club or stadium or other similar location.

(2) Pursuant to sub-regulation (1), the host or management of an entertainment event shall apply to the Commissioner of Police, at www.police.kn, for permission to host an event.

(3) The Commissioner of Police may, in consultation with the Chief Medical Officer and the Chief Fire Officer, grant permission for a person to host an event.

(4) Where permission is granted to a person to host an entertainment event

- (a) all patrons shall be required to produce proof of full vaccination, by presenting their COVID-19 vaccination record or other valid proof of vaccination, authorised by the Ministry of Health, before entry into the event;
- (b) the total number of persons that may be permitted to attend inside of the building or stadium is a maximum of seventy-five percent capacity with one person for every six square feet;
- (c) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 12; and
- (d) the management shall ensure that an accurate record of all persons in attendance at the event is kept, including their name, address, telephone number and the patient number on the COVID-19 vaccination record card.

(5) Pursuant to paragraph 7(4)(b), the full capacity of the building or stadium shall be posted on the entrance or entrances and the approval from the Commissioner of Police shall state the maximum number of patrons allowed at the event.

(6) All children under the age of 17 who are not eligible for vaccination shall be treated as having the same vaccination status as their parents or guardians.

8. Sports and training.

(1) Notwithstanding the provisions of the COVID-19 (Prevention and Control) Act, a person may attend sports training or practice sessions for amateur or other recreational sporting events in accordance with regulation 12 and

- (a) all persons shall adhere to the social distancing and physical distancing protocol, as far as is reasonably practicable;
- (b) all persons shall wear a face mask, covering their nose and mouth, except during the training or practice exercise;
- (c) all persons shall adhere to the hygiene protocol;
- (d) all sports or practice sessions shall be in accordance with any other conditions or directives given by the National COVID-19 Taskforce and the Ministry of Sports.

(2) Pursuant to sub-regulation (1), the management of teams or clubs within each sport discipline may apply, to the Ministry of Sports in the form set out in Part II of Schedule III of the COVID-19 (Prevention and Control) Act, for permission to host inter-team or inter-club competitive matches and

- (a) all spectators shall be required to produce proof of full vaccination, by presenting the COVID-19 vaccination record or other valid proof of vaccination, authorised by the Ministry of Health, before entry into the event;
- (b) the total number of persons that may be permitted to attend inside of the building or stadium is a maximum of seventy-five percent spectator capacity or one person for every thirty square feet, whichever is greater;

- (c) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 12; and
- (d) the management shall ensure that an accurate record of all persons in attendance at the event is kept, including their name, address, telephone number and patient number on the COVID-19 vaccination record card.

(3) Pursuant to paragraph 7(4)(b), the full capacity of the building or stadium shall be posted on the entrance or entrances and the approval from the Commissioner of Police shall state the maximum number of patrons allowed at the event.

(4) All children under the age of 17 who are not eligible for vaccination shall be treated as having the same vaccination status as their parents or guardians.

9. **Exceptions.**

(1) Notwithstanding regulation 7, a person may attend a wedding and all persons, except the bride and groom, shall adhere to safety protocols and social distancing and physical distancing protocols pursuant to regulations 5 and 12.

(2) Notwithstanding regulation 7, a person may attend a funeral and all persons shall adhere to safety protocols and social distancing and physical distancing protocols pursuant to regulations 5 and 12.

(3) Notwithstanding regulation 7, a person may visit a public beach

- (a) for the purposes of swimming or exercise; and
- (b) where all persons shall adhere to safety protocols and social distancing and physical distancing protocols pursuant to regulations 5 and 12.

(4) Notwithstanding regulation 7, restaurants and takeaway food vendors may operate

- (a) for the purposes of food delivery or food take away services;
- (b) for in-dining and
 - (i) all persons shall adhere to the social distancing and physical distancing protocols pursuant to regulation 5;
 - (ii) all persons shall adhere to the hygiene protocol pursuant to regulation 12;
 - (iii) spacing between tables shall allow for a minimum of six feet;
 - (iv) all persons including restaurant staff shall wear a face mask, covering their nose and mouth in accordance with regulation 12, except when eating or drinking;
 - (v) live musical or other entertainment shall adhere to safety protocols and social distancing and physical distancing protocols pursuant to regulations 5 and 12.

(5) Notwithstanding regulation 7, a bar may be opened for the sale of liquor in accordance with the provisions of the Liquor Licences Act, Cap. 18.21 and

- (a) all persons shall adhere to the social distancing and physical distancing protocols pursuant to regulation 5;

- (b) all persons shall adhere to the hygiene protocol pursuant to regulation 12;
 - (c) spacing between tables shall allow for a minimum of six feet between persons;
 - (d) all persons including staff shall wear a face mask, covering their nose and mouth in accordance with regulation 12, except when eating or drinking;
 - (e) live musical or other entertainment shall adhere to safety protocols and social distancing and physical distancing protocols pursuant to regulations 5 and 12.
- (6) Salons and barbers' shops may be opened and no more than two persons shall be allowed to remain in the waiting area and
- (a) all persons shall, as far as is practicable, adhere to the social distancing and physical distancing protocols pursuant to regulation 12;
 - (b) all persons shall adhere to the hygiene protocol pursuant to regulation 12, except if their treatment requires the removal of a face mask.
- (7) All street vendors shall operate within the confines of the public market or other designated area approved by the relevant State agency as directed by the Cabinet Secretary and
- (a) where practicable an accurate record of all persons visiting the market shall be kept, including their names, addresses and telephone numbers;
 - (b) all persons shall adhere to social distancing and physical distancing protocols pursuant to regulation 5; and
 - (c) all persons shall adhere to the hygiene protocols pursuant to regulation 12.

10. **Restriction on domestic travel.**

- (1) A hiring car or taxi, motor omnibus or any passenger ferry may operate at full capacity and,
- (a) all persons shall wear a mask at all times, pursuant to regulation 12;
 - (b) windows shall remain open or partially open depending on the weather conditions;
 - (c) all persons shall practice good hand hygiene, proper sanitary behaviour and social distancing protocols.
- (2) The Saint Christopher and Nevis Police Force and the Saint Christopher and Nevis Defence Force shall have powers to stop any vehicle and inquire as to the purposes for which that vehicle is being utilized, and may arrest anyone found in violation of this regulation.
- (3) For the purposes of this regulation,
- “vehicle” includes a motor vehicle or motorbike;
 - “motor omnibus”, “motor vehicle for hire or reward” and “taxi” have the meanings assigned under the Vehicles and Road Traffic Act, Chapter 15.06.

11. **Restriction on visitation.**

No person shall visit or be permitted to visit

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

12. Safety Protocols.

(1) All persons shall be required to comply with sections 6 and 7 of the COVID-19 (Prevention and Control) Act, social distancing, physical distancing and hygiene protocols.

(2) A person shall wear a face mask covering his or her nose and mouth when indoors or outdoors in a public place.

13. Restriction on Regional and International Travellers.

(1) Subject to the applicable Travel Protocols established pursuant to the COVID-19 (Prevention and Control) Act, all travellers shall be required to submit official proof of a negative RT-PCR test taken in the country where the trip originated or the country of embarkation, not more than 72 hours prior to entry into Saint Christopher and Nevis.

(2) Subject to the applicable Travel Protocols established pursuant to the COVID-19 (Prevention and Control) Act, all travellers shall be required to submit official proof of their vaccination status against the COVID-19 virus, prior to entry into Saint Christopher and Nevis.

(3) Pursuant to sub-regulation (2), a non-resident traveller shall be required to produce proof of full vaccination upon arrival in order to enter in Saint Christopher and Nevis.

(4) Notwithstanding sub-regulations (1), and (2) all cruise passengers and personnel shall

- (a) in the case of a fully vaccinated person, provide proof of a negative RT-PCR test or antigen test taken not more than 72 hours prior to entry into Saint Christopher and Nevis; or
- (b) in the case of a person who is not fully vaccinated, provide proof of a negative RT-PCR test taken not more than 72 hours prior to entry into Saint Christopher and Nevis.

(5) Notwithstanding the provisions of the COVID-19 (Prevention and Control) Act, all arriving travellers who are fully vaccinated against the COVID-19 virus shall be permitted entry into Saint Christopher and Nevis without the need for quarantine.

(6) All citizens and residents of Saint Christopher and Nevis shall be permitted entry irrespective of their vaccination status and

- (a) all persons who are not fully vaccinated shall remain in a government approved COVID-19 Hotel or quarantine facility for a period of 9 days; or
- (b) all persons who are not fully vaccinated shall quarantine, for a period of 9 days at their own cost for COVID-19 approved security services, at a private residence certified by the National COVID-19 Taskforce, with the written

permission of the Chief Medical Officer in consultation with the Commissioner of Police; and

- (c) shall only be released from quarantine upon receiving a negative RT-PCR test.

(7) All children under 18 who are travelling with their parents will be subject to the same quarantine conditions as their parents.

14. Penalty.

Subject to the provisions of section 22 of the COVID-19 (Prevention and Control) Act, a person who contravenes or fails to comply with these Regulations shall be liable on summary conviction to a fine not exceeding five thousand dollars or a term of imprisonment not exceeding 6 months or to both and to forfeiture of any goods or money in respect of which the offence has been committed.

15. Repeal

The Emergency Powers (COVID-19) (No. 14) Regulations, 2021 are hereby repealed.

Made this 10th day of December, 2021.

SIR S.W. TPLEY SEATON
GCMG, CVO, QC, JP, LLD
Governor-General