

BELIZE:

**BELIZE CONSTITUTION (EMERGENCY POWERS)
REGULATIONS, 2020**

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BELIZE:

STATUTORY INSTRUMENT

No. 111 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 6th August, 2020.)

PART I

Preliminary

1. These Regulations may be cited as the

Citation.

**BELIZE CONSTITUTION (EMERGENCY POWERS)
REGULATIONS, 2020.**

2. For the purposes of these Regulations—

Interpretation.

“**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;

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

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

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

“**Minister**” means the Minister responsible for national security;

S.I.110 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;

S.I.110 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;

“**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;

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

PART II*Regulations for Ambergris Caye, Santa Martha Village,
Shipyard Village and Guinea Grass Village*

3. The regulations under this Part shall apply to the following areas—

Application.

- (a) Ambergris Caye, Belize District; and
- (b) Santa Martha Village, Orange Walk District;
- (c) Shipyard Village, Orange Walk District; and
- (d) Guinea Grass Village, Orange Walk District.

4.—(1) No person shall enter or exit any of the areas specified under regulation 3 during the period of public emergency declared by Proclamation.

Prohibition on movement.

(2) Notwithstanding sub-regulation (1), during the period of public emergency declared by Proclamation, a person may, with the prior approval of the Ministry responsible for health and the Ministry responsible for national security, enter or exit any of the areas specified under regulation 3 in the event of an emergency.

5.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, during the period of public emergency declared by Proclamation, a curfew is hereby imposed for the areas specified under regulation 3 during the hours of 8:00 p.m. until 4:59 a.m. of the following morning.

Curfew.

(2) 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.

(3) Sub-regulations (1) and (2) 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), or to any other essential worker who possesses a pass badge issued by the Minister responsible for national security.

(4) No minor shall be on any public road or in any public place during the hours 6:00 p.m. and 7:59 p.m., unless that minor is accompanied by his parent or guardian.

Restriction
on movement
outside of
curfew.

6.—(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. 110 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 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, disabled or elderly persons or to children, going to and from work;

- (f) 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;
- (g) a person seeking or obtaining services of an approved business or office.

(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.

7. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, no person shall gather in numbers of more than ten persons at a time anywhere in the areas specified under regulation 3, whether in any public place, public space or on private property,

**Restriction
on public
gatherings.**

provided that a gathering of ten or more persons on private property is allowed where persons are residents of that property.

Businesses approved to operate.

8.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, only the following businesses, services or offices located in the areas specified under regulation 3 may operate during the period of public emergency declared by Proclamation, 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 management between the hours of –

(a) 7:00 a.m. and 6:00 p.m.–

- (i)** fuel stations, fuel depots, LPG suppliers, LPG depots and LPG distributors;
- (ii)** agro-processors, food manufacturers, and factories;
- (iii)** agricultural and aquaculture farms;
- (iv)** fishing for livelihood and sustenance but not including sport fishing and leisure fishing;
- (v)** essential services;
- (vi)** markets (agricultural produce, fish and meat);
- (vii)** bakeries and tortilla factories;
- (viii)** pharmacies;
- (ix)** convenience stores, food stores, supermarkets, meat shops, butchers, distributors of carbonated and other beverages, including spirits (including potable water) and food;

(x) street food vendors,

provided that street food vendors shall operate from home for take-out and delivery only;

(xi) banks and financial institutions (including commercial banks, credit unions, money lending institutions, money transfer institutions, pawn shops); and

(b) 7:00 a.m. to 7:00 p.m., the service of take-out, delivery or drive thru' facility at restaurants, saloons, diners and other similar establishments.

(2) For the avoidance of doubt, during the period of public emergency declared by Proclamation—

(a) construction work shall not be conducted;

(b) every business, establishment or service not specified under sub-regulation (1) shall be closed.

PART III

Regulations for other specified areas

9. The regulations under this Part shall apply to the following areas—

Application.

(a) Belize District, excluding Ambergris Caye;

(b) Corozal District;

(c) Orange Walk District, excluding the villages of Santa Martha, Shipyard and Guinea Grass;

- (c) Cayo District;
- (d) Stann Creek District; and
- (e) Toledo District.

Curfew.

10.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, during the period of public emergency declared by Proclamation, a curfew is hereby imposed for the areas specified under regulation 9 during the following hours—

- (a) from Sunday to Thursday, during the hours of 10:00 p.m. until 4:59 a.m. of the following morning; and
- (b) on Friday and Saturday, during the hours of 12:00 a.m. until 4:59 a.m. of the following morning.

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

(3) Sub-regulations (1) and (2) 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 worker who possesses a pass badge issued by the Minister responsible for national security.

Social gatherings.

11. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, no person shall gather in numbers of more than twenty five persons at a time anywhere in the areas specified under regulation 9, whether in any public place or public space.

12. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, discotheques, bars, rum shops and night clubs shall be closed during the period of public emergency declared by Proclamation.

Closure of businesses and establishments. S.I. 110 of 2020.

13. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, no smoking or drinking shall be allowed at casinos and gaming establishments during the period of public emergency declared by Proclamation.

Prohibition on smoking at casinos and gaming establishments.

PART IV

Regulations for the entire country of Belize

14. The regulations under this Part shall apply to the entire country of Belize.

Application.

15.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19 every person shall, at all times and in every place, whether public or private, wear a face mask or other face (nose and mouth) covering,

Wearing of masks.

provided that children under the age of six years old shall not be required to wear a face mask or other face (nose and mouth) covering.

(2) Notwithstanding sub-regulation (1) a person shall not be required to wear a face mask or other face (nose and mouth) covering if that person is-

(a) at a private residence;

(b) exercising;

(c) engaging in any sporting activity;

- (d) swimming;
- (e) driving alone or driving with immediate family members;
- (f) riding a motorcycle or bicycle;
- (g) the priest, pastor, member of the choir, or other person conducting the service or sermon of a church or other place of worship; or
- (h) seated at a restaurant where dining-in is allowed,

provided that every person shall wear a face mask or other face (nose and mouth) covering when entering a restaurant where dining-in is allowed.

(3) No owner or manager of a business, office or establishment shall allow any person to enter that business, office or establishment without wearing a face mask or other face (nose and mouth) covering.

(4) Notwithstanding anything contained in sub-regulation (1), the owner or manager of a business, office or establishment may prescribe the types of face mask or other face (nose and mouth) coverings which are permissible for entry to that business, office or establishment.

Social
distancing.

16.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19 every person shall practice social distancing.

(2) Notwithstanding sub-regulation (1) the following persons shall not be required to practice social distancing-

- (a) persons of the same party swimming;
- (b) persons engaged in any sporting activity;

- (c) persons attending a church service or other place of worship;
- (d) persons of the same party seated together at a restaurant where dining-in is allowed or other similar establishment;
- (e) employees at a business or office allowed to operate under these Regulations, including government office, where the square footage of the building in proportion to the number of employees, does not allow for the observance of social distancing protocols,

provided that all such employees shall wear a face mask or other face (nose and mouth) covering.

17.-(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, every business, office or establishment allowed to operate under these Regulations, including government offices, shall abide by social distancing protocols if the square footage of that business or office allows for persons to maintain a distance of six feet from other persons.

Social distancing protocols and other requirements for businesses and offices.

(2) If the square footage of a business or office, including a government office, allows for persons to maintain a distance of six feet from other persons, that business or office 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) place distance markers six feet apart, indicating where each customer must stand in a line at a check out point;
- (d) place distance markers six feet apart on the outside of the establishment, indicating where customers must stand while waiting to enter the establishment.

(3) Notwithstanding sub-regulation (1)–

- (a) every restaurant where dining-in is allowed, or other similar business allowed to operate under these Regulations shall–
 - (i) maintain a minimum distance of six feet between tables; and
 - (ii) ensure that all customers and staff maintain physical distancing of no less than six feet in or outside the business;
 - (iii) ensure that guests of the same party, which party is limited to twenty-five members, are allowed to be seated together;

provided that holders of a publican's special licence may operate and where they decide to operate, shall operate the establishment in relation to which the licence is issued, as a restaurant and not as a bar or other similar business, and shall observe

a minimum distance of six feet between tables.

(b) every BPO company or business allowed to operate under these Regulations shall—

(i) maintain, at any given time, a number of employees that is proportionate to the square footage of the establishment; and

(ii) observe social distancing protocols;

(c) casinos allowed to operate under Part III shall ensure—

(i) that all patrons and staff maintain physical distancing of no less than six feet in or outside the casino; and

(ii) that gaming machines are arranged or made available to be used in a way that allows for social distancing of no less than six feet by patrons of the casino.

(4) Every BPO allowed to operate under these Regulations 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.

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

(6) 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.

Closure of schools.

18. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, schools shall remain closed.

Operating remotely.

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

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

Transportation.

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

(b) no person who is not wearing a face mask or other face (nose and mouth) covering, shall be allowed by the operator of a public transportation 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 disembark 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.

(8) This regulation shall not apply to the areas specified under regulation 3.

Ports of entry
and exit.

21.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, all ports of entry into and exit out of Belize shall be closed.

(2) Notwithstanding sub-regulation (1), ports of entry into and exit out of Belize shall not be closed to—

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

- (e) persons allowed to return under regulation 22 and granted permission in accordance with regulation 23.

22.-(1) A person returning to Belize shall be allowed entry at any port of entry if that person—

Entry of persons returning to Belize.

- (a) is a Belizean or Permanent Resident returning from abroad with proof of having received urgent medical care;
- (b) is a Belizean or Permanent Resident required to be in Belize to assist health officials in Belize in urgent medical situations;
- (c) is a returning Belizean student or Permanent Resident student enrolled at, or a graduand of, an educational institution abroad;
- (d) is a returning Belizean national or Permanent Resident;
- (e) is a resident Belizean diplomat;
- (f) is a foreign diplomat resident in, and accredited to, Belize.

(2) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, a person allowed entry pursuant to sub-regulation (1) shall be put into immediate mandatory quarantine or self-isolation at the discretion of the Quarantine Authority.

23. A person qualified under regulation 22 who desires to return to 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.

Permission to enter Belize.

Offence and penalty for entering or exiting Belize contrary to regulation 23.

24.—(1) Every person entering or exiting Belize contrary to regulation 23 commits an offence and is liable to—

- (a) mandatory quarantine; and
- (b) six months imprisonment.

(2) 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.

(3) A person who is liable to mandatory quarantine under this regulation shall, if convicted, be quarantined—

- (a) for a period of time as directed by the Quarantine Authority; and
- (b) at a place to be determined by the Quarantine Authority.

(4) 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 26.

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

25.—(1) The following procedures shall be followed on the arrest and charge of a person who enters or exists Belize in contravention of regulation 23—

- (a) upon arrest and charge, the person shall immediately be submitted to the Ministry responsible for 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 responsible for health, that person shall—

- (a) be isolated in a cell at the police station in the judicial district where the offence was committed; and
- (b) be brought before the court at its earliest sitting.

(3) After the completion of the period of quarantine directed by the Quarantine Authority, a person arraigned shall be—

- (a) released pending trial if that person was granted bail; or
- (b) remanded pending trial if that person was not granted bail.

(4) Notwithstanding the pronouncement by the magistrate of the guilt or innocence of a person arrested and charged, that person shall serve the period of mandatory quarantine prior to being committed to prison or released, as the case may be.

(5) Where a person charged under regulation 24 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.

26.—(1) A person who develops flu-like symptoms and who reasonably suspects he is infected with COVID-19 or that

**Mandatory
quarantine.**

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.

(2) 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 and shall include any guidelines or additional measures of the Ministry with responsibility for health.

(3) 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.

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

(5) 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.

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

27.–(1) A person commits an offence if that person–

- (a) contravenes regulation 26; or
- (b) escapes or leaves mandatory quarantine before the period of time directed by the Quarantine Authority.

Offences in relation to mandatory quarantine.

(2) A person who commits an offence under this regulation is liable on summary conviction to–

- (a) mandatory quarantine; and
- (b) six months imprisonment.

(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.

PART V

Miscellaneous

28. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, any person found with a good that is prohibited or restricted under the Customs Regulation Act shall be deemed to be a person entering Belize contrary to regulation 23 and liable to the penalty under regulation 24.

Persons deemed to be entering Belize contrary to regulation 23.

CAP. 49.

29.–(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.

General offence and penalty.

(2) Any person who contravenes any of the provisions of these Regulations for which no penalty is specifically

provided 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 for which no penalty is specifically provided 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.

Commencement. **30.** These Regulations shall come into force on the 7th day of August, 2020.

SCHEDULE

[regulation 2]

Essential Services

1. Medical and auxiliary services
 - (a) including veterinary services;
 - (b) services by private medical institutions including private clinics; and
 - (c) ambulance services
2. private security services
3. public utility workers and auxiliary staff responding to emergencies
4. social workers authorized to respond to emergencies
5. sanitation workers and auxiliary staff
6. productive sector industries, personnel and auxiliary workers (potable water production, agricultural workers)
7. The National Fire Service
8. Belize Electricity Limited
9. Belize Water Services Limited
10. Belize Telemedia Limited
11. Speednet Communications Limited (Smart)

MADE by His Excellency the Governor-General Sir Colville N. Young
this 6th day of August, 2020.



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