

BELIZE:

STATUTORY INSTRUMENT

NO. 85 OF 2020

Arrangement of Regulations

1. Citation.
2. Interpretation.
3. Application.
4. Curfew.
5. Exception to restriction of movement during curfew.
6. Essential services.
7. Closure of businesses, services and offices.
8. Conditions on activities, businesses, services and offices.
9. Closed businesses.
10. Social distancing, etc.
11. Social distancing protocols and other requirements.
12. Operating remotely.
13. Restriction on social activities.
14. Restriction on travel.
15. Transportation.
16. Ports of entry and exit.
17. Procedure on arrest and charge of persons entering or exiting Belize illegally.
18. Entry of persons.

19. Permission to enter Belize.
20. Mandatory quarantine.
21. Restriction on independent private practice during period of public emergency.
22. Duty of medical practitioners engaged in independent private practice to report.
23. Offence and penalty.
24. Repeal and savings.
25. Commencement and duration of regulations.

SCHEDULE I

SCHEDULE II

BELIZE:**STATUTORY INSTRUMENT****No. 85 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 11th June, 2020.)

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;

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;

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

Act No. 28 of
2013.

“minor” means a person sixteen years or under;

“Minister” means the Minister responsible for National Security;

S.I. 63 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. 63 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.

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, during the period of public emergency declared by Proclamation, a curfew is hereby imposed during the following hours –

Curfew.

(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) 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
84 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.

Exception to restrictions of movement during curfew.

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

Essential services. Schedule I.

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

Closure of businesses, services and offices.

7.—(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, every business, service or office shall close no later than—

(a) 9:00 pm on Sundays to Thursdays; and

(b) 11:00 pm on Fridays and Saturdays.

(2) Notwithstanding sub-regulation (1), every business, service or office that holds a licence or permit to operate, which licence or permit prescribes conditions for the closure of that business, service or office—

(a) at a time earlier than the time specified under sub-regulation (1), that business, service or office shall close at the time specified in the licence or permit; and

(b) at a time later than the time specified under sub-regulation (1), that business, service or office shall close at the time specified under sub-regulation (1).

Conditions on activities, businesses, services and offices. Schedule II.

8. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, the conditions specified in the second column of Schedule II, shall apply to the activity, business, institution, service or office specified in the first column.

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

Closed
businesses

- (a)** discotheques, bars, rum shops and night clubs;
- (b)** day care centres, child-care centres, nurseries and other similar establishments or businesses.

10.–(1) 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 (nose and mouth) covering,

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;
- (c)** every employee of any 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 (nose and mouth) covering.

(2) Notwithstanding sub-regulation (1)–

- (a)** a person exercising shall not be required to wear a face mask or other face (nose and mouth) covering;
- (b)** persons of the same party shall not be required to practice social distancing while swimming;

- (c) persons engaged in any sporting activity–
 - (i) shall not be required to wear a face mask or other face (nose and mouth) covering; and
 - (ii) shall not be required to practice social distancing.

Social distancing protocols and other requirements.

11.–(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) place distance markers six feet apart, indicating where each customer must stand on 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.

(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.

12.–(1) For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease

Operating
remotely.

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.

Social
activities.

13. For the purposes of preventing, controlling, containing and suppressing the spread of the infectious disease COVID-19, a person may host or attend any of the following social activities with no more than 100 persons—

- (a) a private party which includes any person from outside of the immediate household of the house occupant;
- (b) a recreational event;
- (c) a wedding;
- (d) a banquet, ball or reception;
- (e) any social event;

- (f) a funeral; or
- (g) a meeting of a fraternal society, private or social club or civic association or organization.

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

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;
- (d) emergency flights approved by the Minister in concurrence with the Department of Civil Aviation.

15.–(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 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.

Ports of entry
and exit.

16.-(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

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) 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 20.

17.—(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.

(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 for the offence of entering or exiting Belize illegally 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 for the offence of entering or exiting Belize illegally, 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 16 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.

Entry of persons.

18.—(1) No person shall be allowed entry through any port of entry unless that person—

(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.

19. A Belizean qualified under regulation 18 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.

Permission to enter Belize.

20.—(1) 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—

Mandatory quarantine.

- (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 with responsibility 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.

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

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, no medical officer employed by the Government of Belize, during the period of public emergency declared by Proclamation, shall engage in independent private practice.

Duty of medical practitioners engaged in independent private practice to report.

22. 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.

23.—(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.

Offence and
penalty.

(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.

24.—(1) Upon the commencement of these Regulations, the Belize Constitution (Emergency Powers) Regulations, 2020, Statutory Instrument No. 78 is 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.

Commencement
and duration
of regulations.

25.—(1) These Regulations come into force on the 12th day of June, 2020.

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 6]**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 8]

BUSINESSES, INSTITUTIONS, SERVICES OR ACTIVITIES	CONDITIONS
Gymnasiums (gyms)	All gymnasiums (gyms) shall follow guidelines issued by the National Sports Council.
Hotels, villas and other rental accommodations	Hotels, villas and other rental accommodations shall not make, or take, any international bookings.
Restaurants	<p>Guests of the same party, which party is limited to ten members, are allowed to be seated together.</p> <p>Owners or operators of a restaurant shall observe a minimum distance of six feet between tables;</p> <p>Dining shall be by reservation only</p> <p>Live bands, DJs or similar entertainment are allowed and members of the band and DJs shall be exempt from wearing a face mask or other face (nose and mouth) covering and from practicing social distancing while performing only.</p>
Establishments which hold a publican's special licence	<p>Holders of a publican's special licence shall operate the establishment in relation to which the licence is issued, as a restaurant and not as a bar or other similar business.</p> <p>Guests of the same party, which party is limited to ten members, are allowed to be seated together at that establishment.</p> <p>Holders of a publican's special licence operating as a restaurant shall observe a minimum distance of six feet between tables.</p> <p>Dining shall be by reservation only.</p>

Beauty salons , spas (including massage parlours and waxing parlours) and barber shops	Services offered shall be by appointment only. Except for the employees, if any, only two customers shall be allowed 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.
Casinos and gaming establishments	No smoking or drinking shall be allowed. Owners or operators of a casino or gaming establishment shall ensure that persons wear a face mask or other face (nose and mouth) covering and maintain a distance of no less than six feet from other persons.
Swimming	A person shall wear a mask if that person has exited a public pool, sea or river.
Churches and places of public worship	The congregation shall consist of no more than one hundred persons. Every person shall wear a face mask or other face (nose and mouth) covering for the duration of the service, except for the priest, pastor or other person conducting the service or sermon.
Sports	All sporting activities are allowed except for competitive sporting events.

MADE by His Excellency the Governor-General Sir Colville N. Young this 11th day of June, 2020.



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