

TURKS AND CAICOS ISLANDS

EMERGENCY POWERS (COVID-19)(NO. 5) REGULATIONS 2020

(Legal Notice 56 of 2020)

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MADE by the Governor under section 4(1) of the Emergency Powers Ordinance and article 6(1) of the Emergency Powers (Overseas Territories) Order 2017 (*S.I. 2017 No. 181*), and acting on the advice of the Cabinet.

Citation, commencement and expiry

1. (1) These Regulations may be cited as the Emergency Powers (COVID-19)(No. 5) Regulations 2020 and shall come into operation at 6:01 a.m. on 1 June 2020 and shall, except in accordance with subregulation (2), expire at 5.00 a.m. on 22 June 2020.

(2) Regulations shall expire on such dates as are specified in the Schedule.

Interpretation

2. In these Regulations—

“aircraft” includes any aeroplane or helicopter or other means of airborne navigation by means of which a person can travel within the Islands or across international borders;

“airport” means an area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft, and which is designated an airport under the Airports Authority Ordinance;

“business” includes an establishment, institution, an office, store or organisation;

“British Overseas Territories Citizen” has the meaning assigned to that term in section 2(1) of the Immigration Ordinance;

“CDC” means the Centers for Disease Control and Prevention;

“Chief Medical Officer” has the meaning given in section 2(1) of the Public and Environmental Health Ordinance;

“child” means a person under the age of eighteen years;

“Covid-19” means the disease known as novel Coronavirus (2019-n CoV);

“health officer” has the meaning given in section 2(1) of the Public and Environmental Health Ordinance;

“Ministry” means the Ministry responsible for health;

“permanent resident” has the meaning assigned to that term in section 2(1) of the Immigration Ordinance;

“public health officer” means a health officer under the Public and Environmental Health Ordinance;

“Residence Permit” has the meaning assigned to that term under section 2(1) of the Immigration Ordinance;

“responsible adult” means, in relation to a child, a person with parental responsibility for the child (within the meaning of the Children (Care and Protection) Ordinance or a person who has custody or charge of the child for the time being;

“ship” means every description of vessel used in navigation however propelled;

“Turks and Caicos Islander” has the meaning assigned by section 2 of the Turks and Caicos Islander Status Ordinance;

“Work Permit” has the meaning assigned to that term in section 2(1) of the Immigration Ordinance.

Purpose and application

3. (1) These Regulations are made for the purpose of preventing, controlling and suppressing the spread of Covid-19.

(2) The measures under these Regulations are subject to review and may be varied.

Curfew

4. (1) A curfew is imposed from 10:00 p.m. to 5:00 am. every night starting from 1 June 2020 until 5:00 a.m. on 22 June 2020.

(2) Every person shall, during the curfew period under subregulation (1), remain confined to his place of residence (inclusive of the yard space) to avoid contact outside of their family, except—

(a) for essential travel to and from the doctor or hospital;

(b) an attorney, for travel to and from a police station;

(c) essential workers, who are directed to report to work by the person in charge of the service, provided that an essential worker shall, at all times.

(3) For the purposes of this regulation, an “essential worker” includes essential officers of—

- (a) the Royal Turks and Caicos Islands Police Force and 911 Centre;
- (b) the Fire Services;
- (c) Her Majesty’s Prisons;
- (d) the Environmental Health Department;
- (e) the Department of Immigration;
- (f) the Customs Department;
- (g) the Airports Authority;
- (h) the Civil Aviation Authority;
- (i) the Ports Authority;
- (j) waste disposal and sanitation companies;
- (k) the Emergency Medical Services Department;
- (l) Public Health;
- (m) any hospital, health care or medical facility; and
- (n) any water, electricity, telecommunications (including internet services) or other sector encompassing the provision of electronic communications including print and electronic media.

(4) All essential workers shall at all times carry personal identification.

(5) A person who is exempted under subregulation (2) shall use the most direct routes of travel from his home to his place of work, or such other places mentioned in paragraph (a) of that subregulation, and back to his home directly without making detours.

Wearing of face mask

5. To prevent the spread of Covid-19, every person shall wear a face mask or face covering, covering his nose and mouth, when in a public place, until 31 December 2020.

Work remotely from home

6 (1) All businesses shall, unless exempted under regulations 8, 9 and 10 and in stages provided under those regulations, continue their business operations by allowing their employees to work remotely from home utilising virtual means, unless those workers are permitted to work under regulations 8, 9 and 10, or are designated as being essential workers under regulation 4.

(2) Where a business is unable to have its employees work remotely from home, that business shall cease its operations.

(3) Notwithstanding subregulation (1), the requirement to work remotely from home does not apply to an attorney who is required to appear before a court or visit a client who is in lawful custody.

Public sector

7. (1) All persons employed within the public service shall continue to work remotely from home, except as may otherwise be directed by the Deputy Governor.

(2) All persons employed within a statutory body or other public body shall continue to work remotely from home, except as may otherwise be directed by the head of the statutory body, in consultation with the governing board of that body.

(3) The directives issued under subregulations (1) and (2) shall ensure that adequate provisions for physical distancing are in place for all employees inclusive of adequate hand washing and hand sanitising facilities for employees and customers, and reduction in numbers of persons within offices.

(4) Every person in an office referenced under subregulations (1) and (2) shall distance themselves from other persons at a minimum of six feet (6ft.) from any other person.

Closure of businesses and exception

8. (1) Other than all businesses which are open, businesses shall continue to suspend operations to the general public, subject to regulation 10.

(2) All businesses shall remain closed to the public on Sunday each week, except—

(a) doctor's offices, hospitals or medical facilities;

(b) hotels where guests are in residence, excluding any casinos, spas, gyms, discotheques, bars and restaurants therein, however such restaurants may only offer room service to guests;

- (c) ferry service for emergency cases;
- (d) commercial aviation;
- (e) airports; and
- (f) security services business.

Continued opening of businesses

9. The following businesses may continue to be open from 1 June 2020—

- (a) doctor's offices, hospitals or medical facilities;
- (b) medical supply establishments;
- (c) hotels (currently with guests), excluding any casinos, spas, gyms, discotheques, bars and restaurants therein, however such restaurants may offer room service;
- (d) commercial ports and related businesses;
- (e) airports based on local flights only;
- (f) security services business;
- (g) ferry service for emergency cases (but not non-essential travel); and
- (h) water, electricity, telecommunications (including internet services) or other sector encompassing the provision of electronic communications including print and electronic media.

Phased opening of businesses

10. (1) The following businesses may continue to be open from 1 June 2020—

- (a) pharmacies;
- (b) gas stations and fuel delivery service;
- (c) commercial aviation;
- (d) laundromats and wash houses for hygienic purposes;
- (e) pet food store;
- (f) courier services;
- (g) construction companies;
- (h) tool and contractor's equipment rental businesses;
- (i) concrete plants;

- (j) quarry pits;
- (k) sand mining businesses;
- (l) tyre shops;
- (m) electrical supplies/plumbing supplies/parts supplies businesses;
- (n) landscaping businesses;
- (o) concrete testing labs;
- (p) in-house maintenance shops;
- (q) millworks and stonework shops;
- (r) customs clearance brokers and shippers;
- (s) mobile toilet businesses;
- (t) cleaning services, not including housecleaning or maid services at private residence;
- (u) HVAC (heating, ventilation and air-conditioning businesses.);
- (v) restaurants for take away only;
- (w) convenience stores;
- (x) office supplies businesses;
- (y) auto parts businesses;
- (z) office-based small businesses (including lawyers offices, architects, survey companies, engineers);
- (aa) wholesale or retail grocery store, the first two shopping hours to be reserved for seniors, disabled persons and essential workers;
- (bb) food delivery service;
- (cc) hardware stores;
- (dd) banks; and
- (ee) any water depot facility.

(2) The following businesses may open from 5 June 2020—

- (a) remaining retail businesses;
- (b) real estate and property businesses;
- (c) licensed day care centres and child home care, provided that—
 - (i) they register with the Ministry prior to opening and they are inspected; and

- (ii) they shall adhere to Standard Operating Protocols issued by the Ministry; and
 - (d) personal service businesses including barbershops and hair salons, provided that services are offered on appointment only and they adhere to Standard Operating Protocols issued by the Ministry.
- (3) All businesses shall resume operations on 6 July 2020, including—
- (a) hotels;
 - (b) dine in restaurants;
 - (c) casinos, bars and discotheques; and
 - (d) gyms, spas and fitness centres.
- (4) For the purposes of the curfew under regulation 4(1) all businesses may be open until 8.00 p.m.

Physical distancing protocols for businesses

11. (1) Every business shall—

- (a) determine the number of customers that may be permitted in the establishment at any one time not exceeding the maximum number of ten customers (save for supermarkets, hardware stores and hospitals so long as every person in such business or establishment shall distance themselves from other persons at a minimum of six feet (6ft.) from any other person);
- (b) ensure that all customers and staff maintain physical distancing of no less than six feet (6ft.) in or outside their business or establishment;
- (c) subject to paragraph (a), determine the number of persons that may be permitted in the business at any one time by permitting one person for every thirty square feet of store space;
- (d) place distance markers six feet (6ft.) apart, indicating where each customer shall stand in a line at a check out point;
- (e) place distance markers six feet (6ft.) apart on the outside of the business, indicating where customers shall stand while waiting to enter the establishment; and
- (f) ensure that there is a reduction in numbers of employees within offices at any given time.

(2) Every person in such business shall distance themselves from other persons at a minimum of six feet (6ft.) from any other person.

(3) Regulations 19(3) and (4) shall be applicable to this regulation.

Closure of airports and seaports

12. (1) For the purpose of preventing, controlling and suppressing the spread of Covid-19—

- (a) all airports shall remain closed to regional and international flights, whether commercial or private until 22 July 2020;
- (b) all sea ports shall remain closed to regional and international seafaring until 22 July 2020; and
- (c) no person shall be permitted to enter or transit through the Turks and Caicos Islands, other than those persons who are permitted to enter in accordance with subregulation (2)(i).

(2) The restriction contained in subregulation (1) does not apply to—

- (a) outgoing flights or outgoing ships, as the case may be;
- (b) cargo flights or cargo ships, as the case may be;
- (c) courier flights;
- (d) medevac flights;
- (e) technical stops (stops by aircraft to refuel and proceed onward to another destination);
- (f) emergency flights approved by the Civil Aviation Authority and the Airports Authority;
- (g) naval vessels, however no person shall be allowed on or off the vessel with the exception of the Chief Medical Officer or other public health officials;
- (h) flights carrying emergency services response staff involved in Covid-19 pandemic response (medical personnel, new police recruits, etc.), however such person shall be placed under quarantine in a specified place for such period as may be determined by the Chief Medical Officer to enable a test to be conducted by a medical officer or nurse to ensure that the person is not Covid-19 positive; or

- (i) incoming flights for the purpose of returning Turks and Caicos Islanders or residents to the Islands in accordance with regulations 13(1) and (2).

(3) Cruise ports shall remain closed until 31 August 2020 and no cruise ship shall be permitted to enter the Islands until after 31 August 2020, subject to guidance from the Ministry, the CDC and the cruise industry.

Return to the Islands

13. (1) Any—

- (a) Turks and Caicos Islander;
- (b) permanent resident who ordinarily resides in the Islands for the majority of the year as opposed to those who reside outside of the Islands and only travel to the Islands occasionally during the year;
- (c) Residence Permit holder who is married to a Turks and Caicos Islander; or
- (d) British Overseas Territories Citizen,

shall be permitted entry into the Islands by international air travel subject to the satisfaction of these Regulations.

(2) A permanent resident and a Residence Permit holder who is not specified under subregulation (1), and a Work Permit holder, may return to the Islands from 22 June 2020.

(3) A person referred to under subregulations (1) and (2) who is desirous of returning to the Islands must contact the airlines directly to book a seat.

(4) A person referred to under subregulations (1) and (2) shall be required to complete and submit to the airline, a health screening questionnaire for Covid-19 prior to arrival in the Islands.

(5) Every person returning to the Islands shall—

- (a) be placed under quarantine in a specified place for a period of fourteen days and shall be monitored by a health officer for symptoms and signs of Covid-19; and
- (b) be required to sign a quarantine order and to complete other relevant forms as required by the Ministry.

(6) Any aircraft or airline proposing to travel to the Islands to return a person referred to in this regulation, is required

to apply to the Ministry and submit such information as may be required, for the necessary approval prior to departure.

Power to order self-isolation, etc.

14. (1) Without prejudice to any other powers conferred by these Regulations, any person who, in the opinion of the Chief Medical Officer or a health officer, has been exposed to the risk of infection by Covid-19, may, at the discretion of the Chief Medical Officer or health officer, be required to remain at home or such other place of quarantine as specified by the Chief Medical Officer or health officer for the purpose of surveillance by the Chief Medical Officer or medical officer for a period of fourteen days.

(2) Any person required to remain at home or a place of quarantine in accordance with subregulation (1)—

(a) shall furnish to the Chief Medical Officer or health officer all such information as may reasonably be required and shall comply with the orders and instructions of the Chief Medical Officer or health officer; and

(b) shall undergo such medical and clinical examinations as the Chief Medical Officer or health officer may require and shall submit himself and his personal effects or other articles to disinfection and other measures as the Chief Medical Officer or health Officer may order.

(3) Any responsible adult or person in charge of a child or person under disability shall be responsible for the compliance of such child or person with the requirements and provisions of this regulation.

Screening requirements

15. (1) For the purposes of these Regulations, the screening and clinical examination requirements, in relation to a person are requirements to the effect that a person shall—

(a) answer questions about his health or other relevant circumstances (including travel history and information about other individuals with whom he may have had contact);

(b) produce any documents which may assist a medical officer or nurse in assessing his health;

(c) at such time as a medical officer or nurse may specify, to allow the medical officer or nurse to take a biological sample of the person, including a

sample of his respiratory secretions or blood, by appropriate means including by swabbing his nasopharyngeal cavity, or phlebotomy to provide such a sample; and

- (d) provide sufficient information to enable the person to be contacted immediately by a medical officer or nurse during such period as a medical officer or nurse may specify, where the medical officer or nurse considers that such provision of information is necessary in order to reduce or remove the risk of the person infecting or contaminating others.

(2) Where the person is a child and is accompanied by a responsible adult, the responsible adult shall—

- (a) ensure that the child answers questions in accordance with subregulation (1)(a);
- (b) answer the questions if the child is unable to do so or cannot reliably do so;
- (c) produce any documents, required under subregulation (1)(b), on behalf of the child;
- (d) allow a medical officer or nurse, to take a biological sample of the child, including a sample of the child's respiratory secretions or blood, by appropriate means including by swabbing the child's nasopharyngeal cavity, or phlebotomy to provide such a sample; and
- (e) provide information where required by a medical officer or nurse under subregulation (1)(d).

Duty to provide information

16. (1) The Chief Medical Officer may, request any person to provide to the Chief Medical Officer with such information the Chief Medical Officer considers necessary to assess what precautions should be taken to prevent the spread of Covid-19 in the Islands.

(2) A person who is requested to provide information to the Chief Medical Officer in accordance with subregulation (1) shall provide the information so requested.

Application to Justice of the Peace

17. (1) Where a person has failed to comply with an order by the Chief Medical Officer or a health officer made under these Regulations, to take the necessary precautions to prevent the transmission in the Islands of Covid-19, the Chief Medical officer

or a health officer may make an application to a Justice of the Peace that the person has failed to comply with the requirements.

(2) Where the Justice of the Peace is satisfied with the application made under subregulation (1), he may, order that the person who has failed to comply with the requirements—

- (a) be taken into custody and be placed in quarantine at a designated facility;
- (b) be examined by a medical practitioner or health officer to ascertain whether or not the person is infected with Covid-19; or
- (c) be treated for Covid-19, where on examination of such person it is found that he is infected with Covid-19.

Authority to apprehend

18. (1) An order made under regulation 17 is authority for the Chief Medical Officer or a health officer to direct a police officer to—

- (a) locate and apprehend the person who is the subject of the order; and
- (b) deliver the person who is the subject of the order to the place of quarantine named in the order, or to a medical practitioner for examination.

(2) The police officer shall do all things reasonably able to be done to locate, apprehend and deliver the person to the place of quarantine specified in the order.

(3) The police officer who apprehends a person who is the subject of an order pursuant to subregulation (2) shall promptly—

- (a) inform the person of the reasons for the apprehension and of the person's right to retain and instruct counsel without delay; and
- (b) inform the person where the person is being taken.

(4) An order made under regulation 17 is authority to detain the person who is the subject of the order in the place of quarantine named in the order and to care for and examine the person and to treat the person for Covid-19 in accordance with generally accepted medical practice for such period as the Chief Medical Officer or health officer shall determine.

Physical distancing protocols

19 (1) Any place where members of the public are gathered, shall ensure that persons adhere to physical distancing

requirements, where persons are distancing at least six feet (6ft.) from any other person and in accordance with guidelines issued under regulation 36.

(2) Any person in a public place shall adhere to physical distancing requirements, by distancing himself at least six feet (6 ft.) from any other person.

(3) A public health officer or a police officer shall have power to enforce the physical distancing protocol required by these Regulations.

(4) A public health officer or a police officer may order the immediate closure of a business or part of the business for failure of the business to comply with the physical distancing protocol as required by these Regulations and if the public health officer or police officer determines that the business operation or its surroundings are unsafe.

Education and religious instruction

20. (1) All educational places of instruction shall remain closed until 26 June 2020.

(2) All religious places of worship may continue to be open from 1 June 2020, provided that no more than a maximum number of ten persons shall be allowed to be inside at any given time.

(3) A religious place of worship may have more than one service per day, if necessary, in order to facilitate physical distancing.

(4) From 5 June 2020, a religious place of worship may provide for a service outdoors or through drive-in-option within its premises, but persons shall remain in their vehicles during the conduct of the service.

(5) From 22 June 2020, no more than a maximum number of twenty-five persons shall be allowed to be inside a religious place of worship at any given time.

Funeral Services and burial grounds

21. (1) Funerals may continue to be permitted with a maximum of ten members of the immediate family and at least one officiant and essential mortuary staff, which shall be approved by the Chief Medical Officer.

(2) From 5 June 2020, persons may attend a funeral outdoors or at burial grounds by means of a drive-in-option, but persons shall remain in their vehicles during the conduct of the funeral service.

(3) From 22 June 2020, a maximum number of twenty-five persons of the immediate family may be permitted to attend a funeral service and at least one officiant and essential mortuary staff, which shall be approved by the Chief Medical Officer.

Social activities, sports and training

22. (1) No person shall host or attend—

(a) any social activities of any description, including a wedding; or

(b) any sporting activity of any description.

(2) The following may be permitted from 5 June 2020—

(a) weddings and social gatherings of not more than a maximum number of ten persons;

(b) non-contact or non-team sporting activity; and

(c) personal training.

(3) From 22 June 2020, a maximum number of twenty-five persons may be permitted to attend weddings and social gatherings.

(4) All sporting events and contact sports may resume on 6 July 2020.

(5) For the purposes of this regulation, a “non-contact or non-team sporting activity” means a sport where the players are physically separated in such a way to make it nearly impossible for the players to make physical contact during the course of a game, and these activities include, tennis, darts, bowling, volleyball or netball.

Logbook

23. A logbook of attendees shall be kept and maintained for any indoor gathering at a church, funeral or wedding permitted under regulations 20, 21 and 22 to facilitate contact tracing.

Restriction on domestic travel

24. (1) No person shall offer for hire or seek to travel on any—

(a) public service vehicle transportation or any public transportation save for persons who are essential workers or are authorised under subregulations (2), (3), (4) and (5); or

(b) interisland private or commercial air or sea transport that is non-essential, provided that an

airline or a boat shall reduce the number of persons traveling on interisland transportation to permit physical distancing.

(2) For the purposes of subregulation (1), travel for the purpose of banking, businesses under regulation 9(h), doctor and hospital visits, funeral, travel to international travel, emergencies and cargo shall be considered as essential travel.

(3) Travel between the islands of Grand Turk and Salt Cay and between the islands of Middle Caicos and North Caicos is unrestricted provided physical distancing requirements are observed.

(4) A person desirous of returning to his home in Providenciales may travel from any of the other islands into Providenciales, however, except for essential travel, a person shall not be allowed to travel from Providenciales to any of the other islands.

(5) A member of the House of Assembly may travel from another island, to attend a meeting of the House of Assembly in the island of Grand Turk.

(6) From 22 June 2020, a person desirous of returning from Providenciales to an island he ordinarily resides on may travel from Providenciales to his home, provided that an airline shall maintain a travel log and reduce the number of persons to permit physical distancing.

Public beaches

25. All public beaches shall continue to be opened from 1 June 2020 subject to the following conditions—

- (a) physical distancing requirements shall be observed;
- (b) no gathering of more than four adult persons outside the same household;
- (c) no alcohol should be taken onto or consumed on the beach;
- (d) no sports shall be allowed on the beach, except individual fitness activities.

(2) From 5 June 2020, no gathering of not more than ten persons outside the same household may be permitted at a beach.

(3) From 22 June 2020, no gathering of not more than twenty-five persons outside the same household may be permitted at a beach.

Restriction on visitation

26. (1) No person shall visit or be permitted to visit—

- (a) any place of quarantine or isolation station;
- (b) a patient in a hospital or facility, except a responsible adult in the case of a child; or
- (c) residential care establishment.

(2) Limited visitation will be permitted for a detainee in a detention centre, prison or police cell, with the appropriate application of physical distancing, due to the vulnerability of these populations.

(3) Nothing in subregulation (2) shall be construed as preventing an attorney from visiting a client who is in lawful custody.

(4) Limited visitation for a residential care establishment will be permitted from 5 June 2020.

Power to requisition any building, ship or aircraft, etc.

27. (1) Where the Governor is satisfied that it is reasonably required for any statutory purpose to do so for the duration of the emergency or any period therein, the Governor may give notice, in writing, to the person having control of any building, vehicle, ship in the Islands, or of any aircraft or article of any description in the Islands, of having requisitioned a building, vehicle, ship, aircraft or article.

(2) Where the Governor requisitions any building, ship, aircraft or article under subregulation (1) the Governor may, by himself or any other person under his direction, take possession of the building, ship, aircraft or article and do to or in relation to such building, ship, aircraft or article, anything which might lawfully have been done by the owner of such building, ship, aircraft or article as if such building, ship, aircraft or article had not been requisitioned under these Regulations, and may use such building, ship, aircraft or article for any purpose for which such building, ship, aircraft or article might lawfully have been used if it had not been so requisitioned.

(3) At the conclusion of the requisition, the Governor shall make prompt and adequate compensation in the circumstances to the owner or occupier of such building, ship, aircraft or article.

Power to requisition essential services

28 (1) Where the Governor is satisfied that it is reasonably required to do so for the duration of the emergency or any period therein, he may give notice, in writing, for the requisition of any

essential service to the person having the management or control of any essential service requisitioning such service with effect from such date as may be specified in such notice.

(2) Where any essential service is requisitioned under subregulation (1), the Governor shall by instrument in writing appoint some person as controller of the service requisitioned.

(3) Upon the appointment of some person as controller of any essential service, such person shall be entitled to take possession of all premises and assets of every description (other than money or securities for money) which, immediately before the giving of the notice by which such service was requisitioned, were used or intended to be used for the purposes of such service and, in relation to any premises and assets so taken possession of, and in relation to the service so requisitioned, to do or cause to be done any act or thing which might lawfully have been done by the person having control of such service if the service had not been so requisitioned.

(4) For the purposes of this regulation—

“essential services” means any service established, maintained or operated by the Government, or by any public or private enterprise, or otherwise, for—

- (a) the collection, storage, purification or distribution of water for use by the public or any class of the public;
- (b) the collection, storage, treatment and disposal of sewage or garbage or refuse;
- (c) the manufacture, storage or distribution of fuel (including gasoline, propane, diesel) for use by the public or any class of the public;
- (d) the provision of medical service, electricity services or telecommunication services (including internet); or
- (e) the removal, handling or burial of deceased persons or disposal of dead animals.

Power to stop, detain and arrest

29. (1) Where an authorised person has reasonable cause to believe that a person is in violation of these Regulations, he may stop, detain, question and arrest such person and confiscate any vehicle being used by that person, if he considers it necessary to do so.

(2) Any person who assaults, obstructs, hinders or resists or uses any threatening or abusive language or aids or incites any

other person to assault, obstruct, hinder or resist any authorised person in the execution of his duty under this regulation, commits an offence.

(3) The owner or person last having control of a vehicle confiscated under subregulation (1) shall pay the cost in respect of towing away of the vehicle or storage of the vehicle.

(4) For the purposes of this regulation, an “authorised person” means—

(a) any member of the Royal Turks and Caicos Islands Police Force, any other law enforcement officer, or a prison officer; or

(b) any person authorised by the Governor to do the act in relation to which the expression is used.

Obstruction

30. No person shall obstruct the Chief Medical officer, any health officer, public officer, police officer, any other law enforcement officer, or any prison officer, acting in the course of his duty as such, or any person exercising any powers or performing any duties conferred or imposed on him by or under any of these Regulations, or otherwise discharging any lawful functions in connection with the performance of any statutory purpose.

Price gouging

31. (1) No person shall declare the sale or offer for sale of goods during this period of public emergency at an unconscionable price.

(2) For the purposes of this regulation “unconscionable price” means an amount that represents a “gross disparity” between the price of the goods charged and the average price of the same item during the thirty days immediately prior to the declared state of emergency, provided that the increased price is not directly attributable to additional costs.

Forfeiture upon conviction

32. Upon the conviction of any person for an offence against regulation 4(1), the Court, in addition to any other penalty it may impose may order that any property including any vehicle used in the commission of the offence, be forfeited to the Government.

Governor's power to grant exception

33. (1) Notwithstanding regulation 4(2), the Governor may, by notice in writing, and subject to such conditions and restrictions as he deems fit to impose, exclude any person or business from the requirements of regulation 4(2).

(2) For the purposes of subregulation (1), notice in writing may be by notification on the official Government website or other official means of communication.

Publication of false statements

34. No person shall publish or cause to be published, posted or re-posted, over any media platform inclusive of social media, any purported news or report, or purported statement of fact, knowing or have reasonable cause to suspect that the same—

(a) is untrue or false; or

(b) may incite public fear, panic or ethnic hatred.

Offence

35. Any person who contravenes these Regulations commits an offence and is liable on summary conviction to a fine of five thousand dollars or to a term of imprisonment for three months, or to both.

Guidelines

36. (1) A relevant public authority may issue guidelines to supplement or provide for further clarification of these Regulations.

(2) A person, business or enterprise shall comply with any applicable guidelines issued pursuant to subregulation (1).

Enforcement

37. (1) A public health officer, a police officer or an officer of the relevant government department may visit any business, premises or public place to ensure compliance with the provisions of these Regulations and any guidelines issued under regulation 36(1).

(2) A public health officer, police officer or an officer of the relevant government department may, for failure to comply with the provisions of these Regulations or any guidelines issued pursuant to regulation 36(1)—

(a) order the immediate closure of a business or premises or part of the business or premises; or

(b) order the dispersal of persons at that business or premises or at any public place.

Revocation

38. The Emergency Powers (Covid-19)(No. 4) Regulations 2020 are revoked.

SCHEDULE

EXPIRATION DATES

(Regulation 1(2))

1. Regulation 20(1) expires on 26 June 2020.
2. The following regulations shall expire on 6 July 2020—
 - (a) regulation 6;
 - (b) regulation 7;
 - (c) regulations 8(1), 9 and 10;
 - (d) regulation 20(except subregulation (1));
 - (e) regulations 21 and 22;
 - (f) regulation 24;
 - (g) regulation 25.
3. The following regulations shall expire on 22 July 2020—
 - (a) regulation 8(2);
 - (b) regulations 12(1) and (2);
 - (c) regulation 13.
4. Regulation 12(3) expires on 31 August 2020.
5. The following regulation shall expire on 31 December 2020—
 - (a) regulation 1(2);
 - (b) regulation 2;
 - (c) regulation 3;
 - (d) regulation 5;
 - (e) regulation 11;

- (f) regulations 14, 15, and 16;
- (g) regulations 17 and 18
- (h) regulation 19;
- (i) regulation 23;
- (j) regulation 26,
- (k) regulation 29;
- (l) regulation 30;
- (m) regulation 31;
- (n) regulation 34;
- (o) regulation 35;
- (p) regulation 36
- (q) regulation 37.

MADE this 30th day of May 2020.

NIGEL DAKIN
GOVERNOR

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations seek to—

- (a) impose a curfew from 10:00 p.m. to 5:00 am. every night starting from 1 June 2020 until 5:00 a.m. on 22 June 2020;
- (b) continue and impose other measures considered necessary to prevent, control and suppress the spread of COVID-19 (Coronavirus);
- (c) continue the opening of businesses and provide for a phased reopening of additional businesses.