

## **VIRGIN ISLANDS**

### **IMPOSITION OF A CURFEW (NO. 25) ORDER, 2020**

#### **ARRANGEMENT OF SECTIONS**

##### *Section*

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##### **SCHEDULE**

**VIRGIN ISLANDS**

**STATUTORY INSTRUMENT 2020 NO. 86**

**CURFEW ACT, 2017  
(No. 20 of 2017)**

**Imposition of a Curfew (No. 25) Order, 2020**

[Gazetted 30<sup>th</sup> July, 2020]

The Governor, in exercise of the powers conferred by section 3, read together with section 4 of the Curfew Act, 2017 (No. 20 of 2017) makes the following Order:

Citation and commencement.

**1. (1)** This Order may be cited as the Imposition of a Curfew (No. 25) Order, 2020.

(2) This Order shall come into force on the 30<sup>th</sup> day of July, 2020.

Imposition of a curfew.

**2. (1)** For the purposes of controlling, suppressing or preventing the spread of COVID-19 and for the protection of all persons within the Territory, a curfew is hereby imposed from the date this Order comes into force until Thursday 13<sup>th</sup> August, 2020, between the hours of 12:00 midnight to 5:00 a.m daily, subject to such conditions as stipulated in this Order.

(2) For the purposes of subsection (1), no person shall be on the streets, and every person shall remain confined to their place of residence (inclusive of their yard space) between the hours specified in that subsection.

Exemptions. Schedule

**3.** Subject to such conditions as may be stipulated, this Order shall not apply to the persons or class of persons specified in the Schedule to this Order.

Approved establishments or businesses to open subject to inspection, approval and certification.

**4.** Every approved business or establishment may open and operate during the hours of 5:01a.m to 11:59 p.m daily for the period under section 2(1), provided that such businesses or establishments have been inspected and approved by the Social Distancing Monitoring Task Force and certified by the Environmental Health Division.

Social distancing and sanitisation measures and employees to report and leave work within imposed hours.

S.I No. 60 of 2020

**5.** Every approved business or establishment owner or operator under section 4, shall

- (a) adhere to social distancing protocols and put in place relevant sanitisation measures, including ensuring that all customers and staff maintain physical distancing of no less than six feet, as provided under the Public Health (Covid-19 Control and Suppression Measures) (No. 3) Order, 2020; and
- (b) ensure that allowance is made for staff and employees to report to and leave work within the imposed hours.

Vessels and Ferries to move within territorial waters.

**6.** (1) From the date this Order comes into force until Thursday 13<sup>th</sup> August, 2020 private vessels shall be permitted to move within the Territorial waters, except in waters that are classified as an exclusion zone.

(2) Subject to subsection (1), private vessels shall be permitted to move within the Territorial waters

- (a) between the hours of 5:01a.m to 7:00 p.m daily; and
- (b) within the navigational limits East of 64.38300'W on the south side of Tortola and an area East of the dividing line between the western most tip of Jost Van Dyke and Western most tip of Tortola (This area will be further confined by navigational limits to the North, East and South).

(3) Notwithstanding the restrictions under subsections (1) and (2)(b), vessels may be permitted to move through the exclusion zone and outside of the navigational limits, once a pre-clearance is obtained from the Multi-Agency Operational command prior to transit.

(4) For the purposes of this section vessels fitted with Automatic Identification System technology shall be required to use such technology while navigating within the territorial waters, especially in the exclusion zone so as to allow for easy identification by law enforcement.

(5) From the date this Order comes into force until Thursday 13<sup>th</sup> August, 2020 ferries shall be permitted to move within the Territorial waters between the hours of 5:01 a.m to 12:00 midnight daily.

Quarantine.

**7.** Notwithstanding sections 4, 6 and 8, a person who is the subject of

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- (a) mandatory quarantine order; or
- (b) direction by a quarantine officer, appointed under the Quarantine Act, 2014, to be in quarantine,

No. 10 of 2014

shall be prohibited from leaving his or her home for the period of his or her quarantine.

**8. (1)** From the date this Order comes into force until Thursday 13<sup>th</sup> August, 2020 all beaches within the Territory may be accessed by persons within the territory between the hours of 5:01 a.m to 11:59 p.m daily, solely for the purposes of exercise and therapy.

Access to beaches.

(2) Persons accessing beaches within the Territory for the purposes specified under subsection (1) shall adhere to social distancing protocols and restrictions on assembly of persons as provided under the Public Health (Covid-19 Control and Suppression Measures) (No. 3) Order, 2020.

(3) For the purposes of subsections (1) and (2) the activities on beaches shall be monitored by a Government appointed Beach Monitoring Task Force and where persons refuse to adhere to the social distancing protocols and restrictions on assembly of persons, beaches may be closed and persons shall not be allowed access to such beaches.

**9.** For the purposes of providing waste management services a territory wide schedule shall be issued and published or announced by the Waste Management Department by any public medium including radio or television broadcast.

Waste management services.

**10.** The Imposition of a Curfew (No. 24) Order, 2020 is revoked.

Revocation of S.I. No. 81 of 2020.

## SCHEDULE

[Section 3]

### PERSONS OR CLASS OF PERSONS TO WHOM THIS ORDER IS NOT APPLICABLE

- (a) The following Government officers and heads of statutory corporations:
- (i) Deputy Governor;
  - (ii) Attorney General;
  - (iii) Director of Public Prosecutions;
  - (iv) Financial Secretary;
  - (v) Cabinet Secretary;
  - (vi) Permanent Secretary;
  - (vii) Accountant General;
  - (viii) Clerk of the House of Assembly;
  - (ix) Registrar of the Supreme Court;
  - (x) Managing Director of the Financial Services Commission; and
  - (xi) Director the Financial Investigation Agency,

and essential staff of the offices of the above Government officers and statutory corporations who are required to report to work by such officers and who are either on duty, are traveling to or from duty;

No. 4 of 2010

- (b) persons employed in the essential services as defined in section 3 of the Labour Code, 2010, who are on duty when traveling to or returning from duty;

No. 10 of 2007

- (c) officers of private security service providers as defined in section 2 of the Private Security Industry Act, 2007, who are on duty, when traveling on to or from duty;
- (d) Customs and Immigration officers who are on duty, when traveling to or from duty;

- (e) persons employed in the public and private sector waste management services, who are on duty, when traveling to or from duty;
- (f) persons employed in the fuel distribution and delivery services, who are on duty, when traveling to or from duty;
- (g) persons employed as public and private sector social care providers, who are on duty, when traveling to or from duty;
- (h) Judges and Magistrates and other persons employed in the Courts, who are on duty, when traveling to or from duty;
- (i) persons employed in mortuary services, who are on duty, when traveling to or from duty;
- (j) persons employed for humanitarian support purposes, who are on duty, when traveling to or from duty;
- (k) persons employed as emergency call handlers, who are on duty, when traveling to or from duty;
- (l) persons employed as freight, courier and cargo distribution, who are on duty, when traveling to or from duty;
- (m) persons engaged to provide apostille and related statutory services, who are on duty, when traveling to or from duty;
- (n) persons employed in laundry services, who are on duty, when traveling to or from duty;
- (o) persons employed as media and broadcast providers, who are on duty, when traveling to or from duty;
- (p) persons engaged in bona fide farming agriculture or fisheries with urgent need to care for animals and persons offering veterinary services who are on duty, when traveling to or from duty;
- (q) persons employed in transportation services (providing transportation for essential and critical operations), who are on duty, when driving to or from duty;
- (r) persons employed in supermarkets providing services to and for essential and critical operations, who are on duty, when traveling to or from duty;
- (s) persons employed at the health and emergency operations centre who are on duty, when traveling to or from duty;

- (t) persons employed in the legal and financial services sector approved by the Governor to undertake specific and urgent legal and financial services transactions that cannot be carried out remotely or by electronic means, who are on duty, when traveling to or from duty;
- (u) persons who are traveling en route to a port or airport as approved by Cabinet under the Immigration and Passport (Authorised Ports of Entry) (Amendment) Regulations, 2020, (without a detour) for the purpose of leaving the Territory; S.I No. 10 of 2020.
- (v) persons employed for emergency household and business repairs, who are on duty, when traveling to or from duty; and
- (w) persons employed with sanitisation, insect, mold and bug control companies, who are on duty, when traveling to or from duty.

Made by the Governor this 30<sup>th</sup> day of July, 2020.

(Sgd.) Augustus J. U. Jaspert,  
Governor.