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Content

S.I. 2022 No. 42: Emergency Management (COVID-19)
(Protocols) (No. 8) Directive, 2022.



BARBADOS

S.I. 2022 No. 42

Emergency Management (COVID-19) Order, 2022

S.I. 2022 No. 18

**EMERGENCY MANAGEMENT (COVID-19) (PROTOCOLS) (NO. 8)
DIRECTIVE, 2022**

WHEREAS pursuant to paragraph 15 of the *Emergency Management (COVID-19) Order, 2022*, (S.I. 2022 No. 18) made under the *Emergency Management Act*, Cap. 160A, it is provided that the Prime Minister on the advice of the Chief Medical Officer may issue a directive requiring every person to observe such physical distancing and associated protocols in the interest of public health as may be specified;

AND WHEREAS a public health emergency exists in Barbados;

The Prime Minister, by virtue of the power and authority vested in her and on the advice of the Chief Medical Officer pursuant to paragraph 15 of the *Emergency Management (COVID-19) Order, 2022*, hereby issues the following Directive:

1. This Directive may be cited as the *Emergency Management (COVID-19) (Protocols) (No. 8) Directive, 2022*.
2. All businesses, establishments, organizations and persons shall comply with this Directive.
- 3.(1) Subject to this Directive, all businesses, establishments and organizations are permitted to open and operate daily.
(2) Gyms, dance and exercise studios shall only operate in accordance with protocols issued by the COVID-19 Protocol Monitoring Unit, in this Directive referred to as “the Unit”.

(3) Subject to this Directive, meetings shall be held virtually whenever they can be efficiently and effectively conducted.

4.(1) The owner or operator of any business, establishment or organization shall

(a) ensure that

(i) the staff of the business, establishment or organization; and

(ii) all persons who enter the business, establishment or organization, comply with the physical distancing protocols;

(b) provide hand sanitizing stations for staff and all persons who enter the business, establishment or organization;

(c) restrict the number of persons within and outside the business, establishment or organization at any one time in order to ensure that a physical distance of at least 3 feet is maintained between persons;

(d) ensure that persons do not assemble otherwise than for the purpose of transacting business; and

(e) comply with such other protocols as may be established by the Chief Medical Officer and the Unit.

(2) The owner or operator of any business, establishment or organization in which there are 25 or more employees shall designate an employee as a COVID-19 compliance officer.

5.(1) Subject to this Directive, pleasure craft, private boats and party cruises are permitted to be operated in the manner specified in this paragraph.

(2) Pleasure craft and private boats may be chartered for private cruises and may be operated if all passengers produce evidence that they

(a) are fully vaccinated; or

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- (b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to board the pleasure craft or private boat and that the result of that test is negative.
- (3) Party cruises are permitted and may be operated if
- (a) all passengers produce evidence that they
- (i) are fully vaccinated; or
- (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to embark on the cruise and that the result of that test is negative;
- (b) staff and performers produce evidence that they
- (i) are fully vaccinated; and
- (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to embark on the cruise and that the result of that test is negative; and
- (c) a member of the Unit is on board the vessel.
- (4) The promoter of a party cruise shall bear the cost for the service of the member of the Unit referred to in subparagraph (3)(c).
- (5) The persons referred to in subparagraphs (3)(a) and (b) shall produce the evidence referred to in those subparagraphs to the member of the Unit referred to in subparagraph (3)(c).
- (6) For the purposes of this Directive, a person is fully vaccinated if that person has completed, at least 14 days or more prior to seeking to enter or remain within the precincts of a venue for the event, a full regimen of COVID-19 vaccinations approved by the Ministry of Health and Wellness.
- 6.** No person shall host or attend
- (a) a fete;
- (b) a private party;

- (c) a private ball or dance;
- (d) a private banquet;
- (e) a social event known as "a bus crawl"; or
- (f) a bus or other vehicular excursion.

7. Subject to paragraphs 8, 9, 10 and 11 a person may host or attend

- (a) a graduation;
- (b) a prize giving ceremony;
- (c) a reception; or
- (d) a karaoke event.

8.(1) Notwithstanding paragraph 6, a person who wishes to host an event at which members of the public may be entertained for payment of money directly or indirectly, shall comply with the protocols set out in subparagraph (2).

(2) The following protocols apply for the purposes of subparagraph (1):

- (a) the venue for the event and the maximum number of patrons who may attend the event shall be approved by the Unit and the National Cultural Foundation;
- (b) all service providers, staff and performers shall produce evidence that they
 - (i) are fully vaccinated; or
 - (ii) have had a Rapid Antigen test administered no more than 48 hours prior to the event and that the result of that test is negative;
- (c) all caterers and food hospitality workers shall produce evidence that they
 - (i) are fully vaccinated; and

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- (ii) have had a Rapid Antigen test administered no more than 48 hours prior to the event and that the result of that test is negative;
 - (d) all patrons shall produce evidence that they
 - (i) are fully vaccinated; or
 - (ii) have had a Rapid Antigen test administered no more than 48 hours prior to the event and that the result of that test is negative; and
 - (e) the duration of the event shall not exceed 3 hours where the event is held at an indoor venue.
- (3) The persons referred to in subparagraphs (2)(b) and (c) shall produce the evidence referred to in that subparagraph to a person approved by the Chief Medical Officer or to a member of the Unit.
- 9.(1)** A person who wishes to host a graduation, a prize giving ceremony or a reception shall apply to the Chief Medical Officer for permission to do so.
- (2) The Chief Medical Officer may grant permission in relation to an application made under subparagraph (1) subject to any conditions that he may deem reasonable.
- (3) An event referred to in this paragraph shall not exceed 3 hours in duration.
- 10.(1)** Night clubs are permitted to open and the owner or operator of night clubs shall comply with the protocols set out in subparagraph (2).
- (2) The following protocols apply for the purposes of subparagraph (1):
- (a) all staff and patrons shall produce evidence that they
 - (i) are fully vaccinated; or
 - (ii) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the night club and that the result of that test is negative; and

- (b) the owner or operator of a night club shall, at least 48 hours before he opens the night club, notify the Unit in writing of his intention to open and operate the night club.

11.(1) A person who wishes to host or attend a karaoke event shall comply with the protocols set out in subparagraph (2).

- (2) The singer at a karaoke event shall maintain a physical distance of at least 6 feet from all other patrons and such patrons shall maintain a physical distance of at least 3 feet apart in every direction.

12.(1) Indoor cinemas are permitted to be opened subject to the following conditions:

- (a) there shall be a physical distance of at least 3 feet between patrons;
- (b) there shall be no more than such number of persons, sitting at least 3 feet apart in every direction as may be approved by the Unit; and
- (c) members of the same household may sit together at a distance of less than 3 feet apart.

- (2) Drive-in cinemas are permitted to be opened subject to compliance with the protocols specified by the Chief Medical Officer and the Unit.

13. The following outdoor events shall be permitted but may be attended by no more than 30 persons:

- (a) the social event known as “a lime”; and
- (b) a picnic.

14.(1) Any member of the Police Service or the Unit may enter any business, establishment or organization at any time during its hours of operation in order to ensure that the business, establishment or organization is in compliance with this Directive and for that purpose, may ask questions of the owner, operator, employees or patrons of the business, establishment or organization.

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- (2) An owner, operator or employee referred to in subparagraph (1) who
- (a) denies entry to;
 - (b) fails to answer any question put to him by or gives a false or misleading answer to any such question to;
 - (c) assaults, insults, obstructs or uses threatening words or gestures to; or
 - (d) fails to comply with any instructions given to him by
- a member of the Police Service or the Unit, contravenes this Directive.

15.(1) Subject to this paragraph, all sporting activities are permitted.

- (2) Indoor non-contact sports and outdoor contact sports are permitted where all participants produce evidence that they
- (a) are fully vaccinated; or
 - (b) have had a Rapid Antigen test administered no more than 24 hours prior to the sporting activity.
- (3) Indoor contact sports are permitted where all participants produce evidence that they
- (a) are fully vaccinated; or
 - (b) have had a Rapid Antigen test administered no more than 24 hours prior to the sporting activity.
- (4) The host of an organized competitive sporting event which is conducted outdoors is permitted to admit the full capacity of spectators that the venue can accommodate, if all spectators produce evidence that they
- (a) are fully vaccinated; or
 - (b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test is negative.

(5) Players, coaches and ancillary staff of the organized competitive sporting event shall produce evidence that they

(a) are fully vaccinated; and

(b) have had a Rapid Antigen test administered no more than 24 hours prior to seeking to enter the event venue and that the result of that test is negative.

(6) Notwithstanding subparagraph (4), spectators are permitted to attend horse racing at the Garrison Savannah on the infield adjacent to the sand track and outside the outermost rail.

16.(1) Rapid Antigen tests required for the purposes of this Directive shall be of a type approved by the Chief Medical Officer.

(2) The Rapid Antigen test referred to in subparagraph (1) shall be administered by an entity or person approved by the Chief Medical Officer.

17. A meeting of a fraternal society, private or social club or civic association or organization is permitted, and may be attended by such number of persons as the venue can accommodate where a distance of at least 3 feet is maintained between persons.

18.(1) Places of religious worship are permitted to be opened for religious services and meetings but shall be attended by no more than the number of persons that can be accommodated where a distance of at least 3 feet is maintained between persons.

(2) Sacraments and rituals of faith may be administered at places of religious worship and the following protocols shall be observed:

(a) communion shall be by individual servings of sacraments only; and

(b) officiants and participants in the sacrament of baptism, except the person who is being baptized, shall wear face masks and face shields.

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- (3) Funeral services shall be attended by no more than the number of mourners that the place of religious worship can accommodate where a distance of at least 3 feet is maintained between persons.
- (4) Wedding ceremonies shall be attended by the bride and bridegroom, 2 witnesses, the marriage officer and no more than the number of guests that the venue can accommodate where a distance of at least 3 feet is maintained between persons.
- (5) Wedding receptions may be hosted as they were hosted before the state of public health emergency commenced on the 28th day of March, 2020.
- (6) Religious services, meetings, wedding ceremonies and funeral services shall not exceed 3 hours.
- (7) Members of the same household may sit together at any event referred to in subparagraphs (1), (3) and (4).

19.(1) Where persons exercise together outdoors, they shall maintain a physical distance of

- (a) at least 6 feet, where they are not wearing face masks; and
- (b) at least 3 feet, where they are wearing face masks,

unless they are members of the same household.

- (2) Hiking in a group of more than 30 persons is prohibited.
- (3) Aerobic and dance exercise classes shall be conducted outdoors.

20. A person who is in a public place shall

- (a) wear a face mask as specified in paragraph 21;
- (b) comply with the physical distancing protocols established by the Chief Medical Officer, unless they are members of the same household; and
- (c) comply with every condition specified by the Chief Medical Officer and the Unit.

21.(1) No person shall, without reasonable explanation,

- (a) be in a public building or public place; or
- (b) travel on a public service vehicle or other public transport, whether as a driver, conductor or passenger,

unless he wears a face mask, face shield or face-covering which covers his nose, mouth and chin.

(2) Where the person referred to in subparagraph (1) is a child who is accompanied by an individual who has responsibility for the child, the individual shall provide and ensure that the child has and wears a face mask, face shield or face covering as required by subparagraph (1).

(3) The owner or operator of any business, establishment or organization, which provides goods or services to the public shall ensure that no member of the public is permitted to enter, or, having entered, to remain within any enclosed space of the business, establishment or organization unless the person is wearing a face mask, face shield or face covering which covers his mouth, nose and chin.

(4) Subparagraph (3) binds the State.

(5) Subparagraphs (1) to (3) shall not apply to children under 5 years of age.

(6) Subparagraph (1) does not apply to persons travelling in a private vehicle.

(7) Notwithstanding subparagraph (1)(a), a person may, if he is required to speak and is physically distanced from other persons present, remove his mask only for the duration of the speech.

(8) For the purposes of subparagraph (1), a person has a reasonable explanation

- (a) where the person cannot put on, wear or remove a face mask, face shield or face covering by reason of any medical, physical or mental illness or disability;

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- (b) where the person is travelling with or providing assistance to another person and the other person relies on lip-reading to communicate with the first person;
 - (c) where the person is eating, drinking, taking medication or exercising;
 - (d) where a request is made of the person to remove his face mask, face shield or face covering temporarily for security and identification purposes; or
 - (e) in such other circumstances as may be provided for in such protocols as the Chief Medical Officer may determine.
- (9) For the purposes of this Directive, “public building” or “public place” includes a building or a place to which members of the public have a general or conditional right of access.
- 22.** No person shall visit any place of quarantine or an isolation station.
- 23.(1)** No person shall visit a prisoner or a ward of a Government Industrial School.
- (2) A person may visit a prison or a Government Industrial School to transact business.
- 24.(1)** No more than one person at a time shall visit a patient in a hospital, or a facility for the treatment of persons with an addiction to, or a dependency on, a drug or a narcotic substance.
- (2) No person may visit a patient in a nursing home, senior citizens’ home, a geriatric hospital or a district hospital but may visit such an institution to deliver care packages and transact business.
- 25.(1)** No person shall transmit a video recording or an audio recording of any person or in any way make known to the public the identity of any person
- (a) who has been tested for COVID-19 or the result of any such test; or

(b) who is in quarantine or in an isolation station.

(2) It is a defence for the person who is charged with an offence under subparagraph (1) if he proves that he had obtained the prior consent of the person who is the subject of the act.

26.(1) The driver of a public service vehicle may carry the maximum number of sitting and standing passengers as authorized by law for the vehicle.

(2) The driver of a public service vehicle shall ensure that the windows of the vehicle remain open throughout the journey, except during inclement weather.

(3) Subparagraph (2) does not apply to those public service vehicles the windows of which are sealed by the manufacturer.

(4) The owner or driver of a public service vehicle shall ensure that the vehicle is sanitized after setting down passengers and before picking up new passengers at the following motor omnibus depots and terminals:

- (a) Mangrove Bus Depot;
- (b) Oistins Bus Depot;
- (c) Constitution Road Terminal;
- (d) Fairchild Street Terminal;
- (e) Princess Alice Terminal; and
- (f) Speightstown Terminal.

(5) An owner or driver of a public service vehicle who fails to comply with any provision of this paragraph is, in addition to the penalty provided by paragraph 32, liable to have his licence or permit suspended.

27. A traveller to Barbados shall

- (a) give details of his accommodation in Barbados to the Chief Immigration Officer and to the Chief Medical Officer;
- (b) comply with this Directive; and

- (c) comply with the Travel Protocols for entry into Barbados and the Health and Safety Protocols for the Tourism Sector established by the Chief Medical Officer for the Ministry of Tourism.

28. A traveller to Barbados who gives false or misleading information or submits a false document on arrival in Barbados to the Chief Immigration Officer or the Chief Medical Officer concerning

- (a) his accommodation in Barbados;
- (b) whether he has been tested for COVID-19 and the result of such test; or
- (c) whether he has been fully vaccinated against COVID-19,

contravenes this Directive.

29. A person who

- (a) fails to answer any question; or
- (b) gives a false or misleading answer to any question

put to him by a doctor, a nurse, a member of the Unit or any other person authorized by the Chief Medical Officer who is seeking information for the purpose of tracing any other person who has been exposed to a person who is or may be infected with COVID-19, contravenes this Directive.

30. A person who is placed in quarantine or isolation contravenes this Directive if he

- (a) leaves the place in which he is quarantined or isolated without the consent of the Chief Medical Officer;
- (b) receives guests; or
- (c) fails to comply with the directions of the Chief Medical Officer.

31. The owner or operator of any business, establishment or organization who fails to comply with this Directive is, in addition to the penalty provided by paragraph 32, liable to be ordered by the Prime Minister or Attorney General, acting on the advice of the Chief Medical Officer or the Unit, to cease to operate for the duration of this Directive.

32. Any person who contravenes any provision of this Directive or fails to comply with any protocol specified by the Chief Medical Officer or the Unit is guilty of an offence and is liable on summary conviction to a fine of \$50 000 or to imprisonment for a term of one year or to both pursuant to paragraph 15(1) of the *Emergency Management (COVID-19) Order, 2022* (S.I. 2022 No. 18).

33.(1) Notwithstanding the penalty specified in paragraph 32, where a person contravenes paragraph 21(1) or (2), a member of the Police Service shall

- (a) ask the person to give his name and address;
- (b) serve personally upon the person, a fixed penalty notice in the form in the *Schedule*;
- (c) inform the person that if he does not wish to be prosecuted for the alleged offence in court, he may pay to the clerk of the Magistrate's Court in the district in which the offence was committed, the fixed penalty of \$100 specified in the fixed penalty notice, within the time specified in the notice; and
- (d) send a duplicate of the notice to the clerk of the Magistrate's Court referred to in subparagraph (c).

(2) The fixed penalty notice shall be signed by the member of the Police Service and shall state the following:

- (a) the date, time and place of service of the notice;
- (b) the provision of this Directive creating the offence alleged, and such particulars of the offence as are required under this Directive;

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- (c) the amount of the fixed penalty;
 - (d) the time within which the fixed penalty may be paid in accordance with paragraph 34(3); and
 - (e) the clerk of the Magistrate's Court to whom, and the address at or to which, the fixed penalty may be paid or remitted.
- (3) A person who refuses to answer or who gives a false name or a false address in answer to a question mentioned in subparagraph (1)(a) is guilty of an offence.

34.(1) A person upon whom a fixed penalty notice is served may pay the fixed penalty in accordance with the notice.

- (2) Payment of the fixed penalty shall be
- (a) made to the clerk of the Magistrate's Court as stated in the notice; and
 - (b) accompanied by the notice, which shall be completed by the person in the manner prescribed.
- (3) A fixed penalty is payable within 14 days from the date of the fixed penalty notice.
- (4) Where a person upon whom a fixed penalty notice is served fails to pay the fixed penalty within the time specified in the notice, the duplicate sent to the Magistrate's Court under paragraph 33(1)(d) shall constitute a charge brought against the person named therein and the person shall be dealt with according to law and shall be liable to the penalty specified in paragraph 32.
- (5) Where the fixed penalty is paid in accordance with the fixed penalty notice, no person shall be liable to be prosecuted for the offence for which the notice was served and any information laid before the Magistrate shall be null and void.

35. In any proceedings for an offence specified in paragraph 21(1) or (2), a certificate that payment of the fixed penalty was or was not made to the clerk of the Magistrate's Court by the date specified in the fixed penalty notice shall,

if the certificate purports to be signed by the clerk, be sufficient evidence of the facts stated, unless the contrary is proved.

36. This Directive shall come into effect on the 15th day of May, 2022 and shall cease to have effect on the 15th day of June, 2022.

SCHEDULE

(Paragraph 33(1)(b))

Emergency Management (COVID-19) Order, 2022
S.I. 2022 No. 18

NOTICE OF FIXED PENALTY

Section A

Serial No.: _____

Take notice that, I, _____,
(Name of member of the Police Service) *(Rank)* *(Number)*,
have reason to believe that you have committed the offence herein. The fixed penalty for the offence is one hundred dollars (\$100).

If this amount is paid to the Clerk of the Magistrate's Court for District _____ within fourteen
(14) days from the date of this notice, that is to say, not later than _____
Date/Month/Year

no proceedings will be taken against you and any liability to conviction for the offence will be discharged. The offence carries a maximum fine of \$50,000.

In paying the fixed penalty, the following conditions shall be observed:

1. The payment of the fixed penalty shall be accompanied by this notice.
2. Where payment of the fixed penalty is made otherwise than in accordance with the *Emergency Management (COVID-19) (Protocols) (No.) Directive, 2022* the Clerk shall as soon as practicable after payment return the amount paid to the sender, and thereafter proceedings in respect of the alleged offence shall commence.

Schedule - (Cont'd)

3. Payment of the fixed penalty shall be made or remitted to the Clerk of the Magistrate's Court for District _____ .

This notice was given at _____

On _____ 20_____, at _____ a.m. / p.m.
(state date) (state time)

PARTICULARS OF OFFENCE

At _____ a.m. / p.m. on the _____ day of _____, 20 _____ you,

_____ of _____
(name) (address)

at / in _____ a public place/ public building
(place apprehended)

situate at _____ / being on board _____
(place) (description of vehicle)

a public service vehicle / other public transport did fail to wear a face mask, face shield or face covering that covered your nose, mouth and chin, / being the parent / guardian / individual with

responsibility for _____, a minor over the age of 5 years who
(name of minor)

was not wearing a face mask, face shield or face covering that covered his / her nose, mouth and

chin, contrary to paragraphs _____ and _____ of the *Emergency Management (COVID-19) (Protocols) (No.) Directive, 2022.*

Signature of member the Police Service

Schedule - (Cont'd)

Instructions to Offender

If before the end of **FOURTEEN (14) DAYS** from the above date, the sum of \$100.00 (being the fixed penalty for the offence) is paid to the Clerk of the Magistrate's Court for District_____, no proceedings for the offence will be taken and any liability to conviction for the offence will be discharged.

Cash should be paid to the Clerk. Cheques, postal orders or money orders may be sent by post and made payable to the Clerk of the Magistrate's Court for District_____. A receipt for the payment will be given. Part payment will not be accepted by the Clerk.

The person paying the fixed penalty must forward with the remittance, Section B of this notice or identify this notice by quoting its serial number.

If the fixed penalty is not paid, further action may be taken.

Schedule - (Concl'd)

Section B

Serial No.(of notice) _____

To: Clerk of the Magistrate's Court for District_____.

I enclosed the sum of \$100.00 as payment of the fixed penalty for the offence mentioned in Section A of this notice.

Name:_____

Address:_____

(Signature)

(Date)

Made by the Prime Minister this 13th day of May, 2022.

MIA AMOR MOTTLEY
Prime Minister