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SUPPLEMENT

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No. 69

No. 67

THE DISASTER RISK MANAGEMENT ACT

THE DISASTER RISK MANAGEMENT (ENFORCEMENT MEASURES)
(NO. 3) (AMENDMENT) (NO. 2) ORDER, 2020

WHEREAS the Minister responsible for disaster preparedness and emergency management has given written notice to the Prime Minister that Jamaica appears to be threatened with or affected by the SARS - CoV-2 (Coronavirus COVID-19), and that measures apart from or in addition to those specifically provided for in the Disaster Risk Management Act should be taken promptly:

AND WHEREAS on the 13th day of March, 2020, the Prime Minister by Order declared the whole of Jamaica to be a disaster area:

NOW THEREFORE:

In exercise of the powers conferred upon the Prime Minister by section 26(2) of the Disaster Risk Management Act, and every other power hereunto enabling, the following Order is hereby made:—

1. This Order may be cited as the Disaster Risk Management (Enforcement Measures) (No. 3) (Amendment) (No. 2) Order, 2020, and shall be read and construed as one with the Disaster Risk Management (Enforcement Measures) (No. 3) Order, 2020, hereinafter referred to as the principal Order, and all amendments thereto.

2. The principal Order is amended by inserting, next after paragraph 13, the following paragraphs—

“ 13A.—(1) Notwithstanding paragraphs 6, 7, 8, 9, 11, 12 and 13 of this Order, this paragraph shall apply, during the period beginning from 5:00 am on the 15th day of April, 2020, and ending at 5:00 am on the 22nd day of April, 2020, in respect of the entire area of the parish of St. Catherine.

(2) Subject to sub-paragraph (3), during the period specified in sub-paragraph (1), each person who is in the parish of St. Catherine shall remain at an abode or place of residence (which includes the yard) in St. Catherine, except as follows—

- (a) for the purpose of food, medical supplies or other essentials of life, the person may travel to the closest practicable location, within the parish, where the food, medical supplies or other essentials of life can be obtained, and then immediately return to the abode or place of residence, and—
 - (i) in the case of a person who has attained the age of 65 years or more, or who is pregnant, or who has a disability, all such travel and return shall begin and be completed—
 - (A) between the hours of 8:00 am and 10:00 am on Wednesday, the 15th day of April, 2020; and
 - (B) between the hours of 8:00 am and 10:00 am on Saturday, the 18th day of April, 2020;
 - (ii) in the case of a person who does not fall within sub-paragraph (i), and whose surname begins with any letter falling within the alphabetical sequence “A” to “H” (using, in the case of a person who has two surnames, the last surname as it appears on the person’s photo identification), all such travel and return shall begin and be completed—
 - (A) between the hours of 10:00 am and 1:30 pm on Wednesday, the 15th day of April, 2020; and

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- (B) between the hours of 1:30 pm and 4:30pm on Saturday, the 18th day of April, 2020;
 - (iii) in the case of a person who does not fall within sub-paragraph (i), and whose surname begins with any letter falling within the alphabetical sequence “I” to “P” (using, in the case of a person who has two surnames, the last surname as it appears on the person’s photo identification), all such travel and return shall begin and be completed—
 - (A) between the hours of 1:30 pm and 5:00 pm on Wednesday, the 15th day of April, 2020; and
 - (B) between the hours of 5:00 pm and 8:00 pm on Saturday, the 18th day of April, 2020;
 - (iv) in the case of a person who does not fall within sub-paragraph (i), and whose surname begins with any letter falling within the alphabetical sequence “Q” to “Z” (using, in the case of a person who has two surnames, the last surname as it appears on the person’s photo identification), all such travel and return shall begin and be completed—
 - (A) between the hours of 5:00 pm and 8:00 pm on Wednesday, the 15th day of April, 2020; and
 - (B) between the hours of 10:00 am and 1:00 pm on Saturday, the 18th day of April, 2020;
 - (b) for the purpose of seeking urgent medical care, or accompanying—
 - (i) a person seeking urgent medical care; or
 - (ii) a person falling within sub-paragraph (a)(i), at a time specified in that sub-paragraph;
 - (c) for the purpose of duties—
 - (i) of employment concerning the provision of health and hospital services;
 - (ii) of employment concerning the provision of water by the National Water Commission or by suppliers regulated by the Office of Utilities Regulation or contracted by the Local Authority;
 - (iii) of employment concerning the manufacture or processing, of food, medical supplies or sanitization products, within the parish of St. Catherine;
 - (iv) of employment concerning the transportation, distribution, retail delivery, or packaging, of food, medical supplies or sanitization products;

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- (v) as correctional services officers, immigration officers or customs officers;
 - (vi) as an employee of a business providing private security;
 - (vii) in the provision of electricity, public works, sanitation, firefighting, civil aviation, or telecommunications;
 - (viii) as a member of any of the security forces or the municipal police;
 - (ix) as a member of Parliament, or an employee of the Parliament;
 - (x) as a Mayor or Councillor, or the Chief Executive Officer, Chief Technical Officer or Inspector of the Poor, of a Municipal Corporation or City Municipality;
 - (xi) as a Permanent Secretary, or the Chief Personnel Officer of the Offices of the Services Commissions;
 - (xii) of employment in the Cabinet Office or the Office of the Prime Minister, or as an employee of a Ministry, Department or Agency of the Government who is designated in writing in the form set out as Form 1 of the Schedule, by the Permanent Secretary of the Ministry, the Chief Personnel Officer or the Head of the Department (as the case may require) to be key personnel involved in the operations of the Ministry, Department or Agency of the Government;
 - (xiii) as any of the following persons employed in services connected with oil-refining and with the loading, distribution or transportation of petroleum fuel, liquefied natural gas or any renewable energy source—
 - (A) employees of Petrojam with identification marked “essential services”; and
 - (B) tanker drivers employed to GB Energy/Texaco, Rubis, Total, Cool Oasis, Petcom, Johnson’s Petroleum, Jamaica Aircraft Refueling Services, IGL, Gas Pro, Jampet, Multipet, Massy Gas, United Petroleum, Yaadman, or Superior Gas;
 - (xiv) of employment in services connected with the loading and unloading of ships or with the storage and delivery of goods at, or from, docks, wharves or warehouses operated in connection with docks or wharves;
 - (xv) of employment in the provision of public transportation by the Jamaica Urban Transit Company, during the hours of 5:00 am and 9:00 pm;

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- (xvi) of employment in the provision of courier services;
 - (xvii) of employment in a “factory”, as defined in the Factories Act, in the manufacture or processing of food, medical supplies or sanitization products;
 - (xviii) of employment in the Ministry with responsibility for health and wellness, the Ministry with responsibility for labour and social security, the Ministry with responsibility for local government and community development, the Ministry with responsibility for industry, commerce, agriculture and fisheries, or the Ministry with responsibility for education, youth and information, if designated in writing, in the form set out as Form 1 of the Schedule, by the Permanent Secretary of the relevant Ministry to be a person who assists in providing services relating to feeding and giving shelter to vulnerable groups including children and the elderly;
 - (xix) as a stenotype writer employed to the Government;
 - (xx) as an employee of the Jamaica Printing Services Limited;
 - (xxi) as the Commissioner of the Independent Commission of Investigations or an employee of the Independent Commission of Investigations;
 - (xxii) involving the hearing of emergency matters before a court, as determined by that court;
 - (xxiii) of employment in a funeral home or mortuary;
 - (xxiv) of employment in the sugar cane industry;
 - (xxv) of employment to the Toll Authority established under the Toll Roads Act;
 - (xxvi) of employment in the transportation of agricultural produce or livestock or employment in the poultry industry (including catching crew, poultry processing plant staff and the staff of feed mills);
 - (xxvii) in respect of the urgent need to care for livestock, fish or other animals, or crops;
 - (xxviii) as a member of the Judiciary or as an employee of a court;
 - (xxix) as an excise officer employed by Tax Administration Jamaica;

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- (xxx) as an employee of the Bank of Jamaica designated in writing in the form set out as Form 1 of the Schedule, by the Governor of the Bank of Jamaica, or a person authorised by the Governor to make such designations, to be key personnel of the Bank of Jamaica;
 - (xxxi) during the hours of 7:00 am and 9:00 pm, as an employee of a business permitted to operate under sub-paragraph (8)(b);
 - (xxxii) of employment to the media (such as journalists, television or radio presenters, camera operators, announcers, engineers, technicians and newspaper delivery personnel);
 - (xxxiii) of employment in the bauxite and alumina industries;
 - (xxxiv) as an employee of Food for the Poor, or the Red Cross, involved in packaging and distributing supplies;
 - (xxxv) the Governor-General and the personal staff of the Governor-General; or
 - (xxxvi) in any service or activity designated in writing, in the Form set out as Form 2 of the Schedule, by the Minister with responsibility for national security, with the prior approval of the Cabinet, as an exempt service or activity; or

- (d) for the purpose of travel through the parish of St. Catherine on the East/West portion or North/West portion of Highway 2000, without stopping in St. Catherine.

(3) During the period referred to in sub-paragraph (1), nothing in sub-paragraph (2) shall apply to a person who is ill (whether with the SARS – CoV-2 (Coronavirus COVID-19), a respiratory illness or a flu-like illness), and such a person shall—

- (a) remain indoors at the person’s abode or place of residence (excluding the yard); and
- (b) to the extent possible, remain isolated from other persons in that abode or place of residence, except for the purpose of seeking urgent medical attention.

(4) A person who under sub-paragraph (2) is permitted to leave an abode or place of residence, or to leave or enter the parish of St. Catherine under sub-paragraph (5), or who is seeking urgent medical attention as permitted under sub-paragraph (3), shall while outside an abode or place of residence during the period referred to in sub-paragraph (1)—

- (a) wear a mask fitted to that person so as to cover the person’s nose and mouth; and

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- (b) on being requested to do so by an authorized officer, produce—
 - (i) satisfactory proof of identification as person to whom sub-paragraph (2)(c) applies, in any case where the person asserts that that provision applies; or
 - (ii) in any other case, a valid photo identification that establishes the age of the person.

(5) No person shall travel into or out of the parish of St. Catherine during the period specified in sub-paragraph (1), except—

- (a) for duties as permitted under sub-paragraph (2)(c), other than duties referred to in sub-paragraph (2)(c)(iii); or
- (b) between the hours of 8:00am and 8:00 pm on Friday, the 17th day of April, 2020, and between the hours of 8:00am and 8:00 pm Tuesday, the 21st day of April, 2020, for the delivery of stock to the businesses permitted to operate under sub-paragraph (8)(b), if the person intending to travel into or out of the parish submits to a temperature check by an authorized officer and the person's temperature when so checked does not give rise to a reasonable suspicion that the person is ill.

(6) During the period specified in sub-paragraph (1), the employer of a person referenced in sub-paragraph (2)(c) shall ensure that the person is issued with appropriate identification for the purposes of sub-paragraph (4)(b), and that transportation is provided to the person between the place of employment and the person's abode or place of residence.

(7) During the period specified in sub-paragraph (1)—

- (a) an employee who is required to remain at an abode or place of residence under sub-paragraph (2) and is able to work from there shall do so; and
- (b) if an employee fails to attend at the employee's place of employment as a result of any provision of this paragraph, the failure shall not count against the person's leave entitlements, and no adverse consequences shall be imposed on the employee because of the failure, unless otherwise agreed between the employer and employee.

(8) During the period specified in sub-paragraph (1)—

- (a) no visitors shall be allowed in any correctional centre or police station within the parish of St. Catherine;
- (b) supermarkets, corner shops, pharmacies, petroleum filling stations, and any other place engaged in the distribution of food, medical supplies or sanitization products, in the parish of St. Catherine, may operate only between the hours of 8:00 am and 8:00 pm on—
 - (i) Wednesday, the 15th day of April, 2020;

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- (ii) Friday, the 17th day of April, 2020, for the purpose of restocking and making external deliveries but not for the admission or service of customers at the business;
 - (iii) Saturday, the 18th day of April, 2020; and
 - (iv) Tuesday, the 21st day of April, 2020 for the purpose of restocking and making external deliveries but not for the admission or service of customers at the business,
- and all other businesses (including businesses in the business process outsourcing sector) located in that parish shall remain closed;
- (c) persons who provide public transportation within the parish of St. Catherine for which a licence is required under the Transport Authority Act may do so only between the hours of 7:00 am and 9:00 pm, and—
 - (i) the provision of such public transportation—
 - (A) by motor car, shall be limited to one person less than the maximum number of persons allowed to be carried under the relevant licence; or
 - (B) by bus shall be limited to seated passengers only, and
 - (ii) each person who is a driver or passenger of such public transportation shall—
 - (A) produce photo identification in the form required under sub-paragraph (4)(b) upon being required to do so by an authorized officer; and
 - (B) wear a mask fitted to that person so as to cover the person's nose and mouth.
- (9) During the period referred to in sub-paragraph (1), the operator of a place of business in the parish of St. Catherine shall—
- (a) as far as reasonably practicable, ensure that—
 - (i) all customers, visitors and staff at the business maintain physical distancing of no less than 91.44 centimetres (or 3 feet) from each other; and
 - (ii) distance markers are clearly placed, at least 91.44 centimetres (or 3 feet) apart at the business, indicating where each customer must stand,
- while waiting to be admitted for the conduct of business and while waiting for checkout; and

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- (b) regulate the number of persons that may be permitted inside the premises of the business at any one time, by permitting one person for every thirty square feet (30ft.²), but not exceeding ten persons in any one area at a time, and subject to the distancing requirements specified in sub-paragraph (a).

(10) For the avoidance of doubt, during the period referenced in sub-paragraph (1), paragraph 6(5) continues to apply to infirmaries located within the parish of St. Catherine.

13B.—(1) During the period from the 15th day of April, 2020 to the 14th day of May, 2020, the provisions of this paragraph shall apply to all businesses in the business processing outsourcing sector.

(2) The operator of a business to which this paragraph applies shall ensure that—

- (a) hand washing stations, or hand sanitizing equipment, are placed and maintained at the entrance of the business premises and at the entrance to every lunch room and every recreation area at the premises, so that persons entering have the opportunity to wash or sanitize their hands before entering the premises, lunch area or recreation area (as the case may be);
- (b) its employees are directed to wash or sanitize their hands before entering the business premises and before and after every lunch break and recreation break;
- (c) all employee workstations and all equipment on the business premises are sanitized before each work shift;
- (d) with effect from the 21st day of April, 2020, each employee is provided with a headset for the use only by that employee;
- (e) temperature checks are conducted on each employee upon the arrival of the employee for work or at the beginning of that employee's shift;
- (f) physical distance markers are placed at least 91.44 centimetres (or 3 feet) apart, so as to manage distancing of persons at entry queues to the business premises and in all recreational spaces at the business premises;
- (g) an isolation area is established for the temporary holding of a person who becomes symptomatic while on the business premises;
- (h) every employee wears a mask fitted so as to cover the nose and mouth of that employee, while in the business operation areas of the premises;

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- (i) the workstations of the employees are situated so that each employee is stationed at least 182.88 centimetres (or 6 feet) away from the stations of other employees;
 - (j) no more than ten persons are permitted to be in a recreational room, meeting room or training room of the business at any one time;
 - (k) the employees coming off a work shift exit the business premises before the employees starting the next work shift enter, or queue to enter, the business premises;
 - (l) employees with flu-like symptoms or respiratory symptoms are not permitted to come to work or, if already at work, are not permitted to remain at work;
 - (m) immediately on the operator becoming aware that a person at the business premises has tested positive for the SARS – CoV-2 (Coronavirus COVID-19), the business premises are closed and the Ministry with responsibility for health and wellness informed of the closure and that the person has tested positive;
 - (n) where the business is closed pursuant to sub-paragraph (m), the business does not re-open until the premises are sanitized and the Ministry with responsibility for health and wellness approves in writing the re-opening; and
 - (o) the name of every employee who fails to comply with the requirements of this paragraph, together with the residential address where that employee can be located and that employee's telephone number, is reported to the Ministry with responsibility for health and wellness and suspended from work at the business.

(3) An operator of a business to which this paragraph applies shall furnish a report daily to the Director-General, specifying whether the operator is in compliance with the provisions of this paragraph.

(4) The Director-General shall forward a copy of each report furnished under sub-paragraph (3) to the Medical Officer (Health), who shall take any appropriate action that may be required.

13C. During the period from the 21st day of April, 2020, to the 14th day of May, 2020 each employee of a food establishment shall wear a mask fitted to that employee's face so as to cover the employee's nose and mouth, while in any area of the establishment where food is stored or handled, or is served to customers.

13D.—(1) An authorisation for the purposes of paragraph 3(2) (authorisation to enter Jamaica), shall be in the form set out as Form 3 of the Schedule.

(2) An authorization for the purposes of paragraph 6(2)(r) (service, activity or public gathering authorised to be carried on involving more than ten persons), shall be in the form set out as Form 4 of the Schedule.

13E.—(1) No information shall be published which discloses the identity of—

- (a) a person who has tested positive for, or who is suspected to have, the SARS – CoV-2 (Coronavirus COVID-19), or another person who is a family member of that person; or
- (b) a person conducting any health examination, contact tracing or health investigation, in respect of any person mentioned in paragraph (a),

without that person's express consent, and an authorized officer may at any time make a direction to that effect.

(2) No person shall be within 30.48 metres (or 100 feet) of a person who is being tested for the SARS – CoV-2 (Coronavirus COVID-19) or a person who is conducting such testing, and an authorized officer may at any time make a direction to that effect.”.

3. The principal Order is amended by inserting next after paragraph 14 the following Schedule—

“ SCHEDULE (Paragraph 13A)

FORM 1

Designation under Paragraph 13A(2)(c) by Permanent Secretary, Chief Personnel Officer, Head of Department, or Governor of the Bank of Jamaica

THE DISASTER RISK MANAGEMENT ACT

The Disaster Risk Management (Enforcement Measures) (No. 3)
Order, 2020

To: All authorized officers

For the period from the day of , 2020, to the day of , 2020,

this confirms that _____, of
(Name of employee)

_____ in the parish of St. Catherine,
(address)

is employed to the _____ in duties for the
(Ministry/Department/Agency/Bank of Jamaica)

purposes of paragraph 13A(2)(c) of the Disaster Risk Management (Enforcement Measures) (No. 3) Order, 2020.

Dated this day of , 2020.

Governor/Permanent Secretary/
Chief Personnel Officer
/Head of Department



FORM 2

*Designation of Exempt Service or Activity by Minister with Responsibility for
National Security*

THE DISASTER RISK MANAGEMENT ACT

The Disaster Risk Management (Enforcement Measures) (No. 3)
Order, 2020

To: All authorized officers

This confirms that _____, is a
(name of exempt person)
person who has duties in respect of _____,
(description of service or activity)

which is hereby designated as an exempt service or activity for the purposes of the
Disaster Risk Management (Enforcement Measures) (No. 3) Order, 2020.

Dated this day of , 2020.

Minister of National Security

FORM 3

Authorisation to Enter Jamaica

THE DISASTER RISK MANAGEMENT ACT

The Disaster Risk Management (Enforcement Measures) (No. 3)

Order, 2020

To: All immigration officers and all authorized officers

This confirms that _____ of
*(authorised entrant or category of entrants)**(in the case of authorised entrant, address in Jamaica where the person permanently resides or will stay)*is hereby authorised to enter Jamaica on the _____ day of _____, 2020,
subject to the following conditions:*[state conditions, if any].*

Dated this _____ day of _____, 2020.

Minister of National Security

FORM 4

*Authorisation to Carry on Service, Activity or Gathering, Involving
More than 10 Persons*

THE DISASTER RISK MANAGEMENT ACT

The Disaster Risk Management (Enforcement Measures) (No. 3)
Order, 2020

To: All authorized officers

(description of service, activity, or event)

is hereby authorised to be carried on [on the day of , 2020,]
[during the period from the day of , 2020, to the
 day of , 2020], subject to the following conditions *[state conditions,
if any]*:

Name of event organizer/operator *(if applicable)*:

Dated this day of , 2020.

Medical Officer (Health)

..”

Dated this 14th day of April, 2020.

ANDREW HOLNESS
Prime Minister.