



MINISTERIAL REGULATION

DIV Nr. 10351

Regulation of the Minister of Justice of 29 March 2020, containing regulations as referred to in Article 1 of the General Police Ordinance to enforce the government's social distancing policy to prevent the further spread of the corona virus (Temporary regulation public order measures COVID- 19)

THE MINISTER OF JUSTICE,

Having considered:

Whereas the World Health Organization has declared that a pandemic has arisen as a result of the so-called coronavirus (COVID-19) and has called on countries to take urgent and radical measures to prevent the further growth of this pandemic;

that as a result of this infectious disease a serious disturbance of public security has also arisen in Sint Maarten, which seriously threatens the life, health and well-being of the residents of the Country;

whereas urgent measures should be taken to counter the further spread of the Covid-19 virus in the context of the protection of public health and to avoid putting pressure on healthcare to such an extent that general healthcare provision as well as completely jeopardizing public order, safety and tranquility;

that the Country has already introduced and announced a number of social distancing measures to prevent or limit the spread of the coronavirus among its population, which are implemented to safeguard public health in view of the acute danger of further spread of the COVID-19 (corona) virus, are the most appropriate and necessary after consideration of all interests at stake;

whereas, in view of the foregoing, it is advisable to strictly monitor compliance with these measures;

that an evaluation by the Sint Maarten Police shows that, in particular in the evenings, action is taken in violation of the social distancing measures announced by the Country;

that there are undeniably exceptional circumstances as referred to in article 1 of the General Police Ordinance, under which article the Minister of Justice can impose regulations in the interest of public order, peace or security to which everyone must submit;

Considering article 1 of the General Police Ordinance;

DECISION:

Article 1

1. Everyone is instructed to strictly follow and comply with the 'social distancing' measures laid down in the Regulation regarding the opening and closing times of service companies to combat the corona virus, with the accompanying appendix.

Article 2

1. During the period that the social distancing measures referred to in Article 1 are in force, no licenses under the General Police Ordinance shall be granted to:
 - a. conduct, lead or organize parades on public roads;
 - b. provide public entertainment or to hold public gatherings for leisure or entertainment.
2. The permits already granted for events as referred to in the first paragraph should be deemed not to have been granted.

Article 3

1. In order to protect health, it is prohibited to hold a meeting to confess religion or belief, or a meeting or demonstration in a public place as referred to in Article 1, sub b, of the National Ordinance on Public Events.
2. Anyone who uses a public place is obliged to stay at least two meters away from other persons in his vicinity.

Article 4

1. It is forbidden to use the public road between 20:00 and 06:00 local time.

2. The prohibition in the first paragraph does not apply to:
 - a. The Governor and Ministers, including their security officers and drivers;
 - b. the Members of Parliament;
 - c. persons who work for a company or organization which one of the essential functions or processes listed in the Annex to these regulations, insofar as they must move or reside outside the home or residence in the context of the performance of their function and the exercise the function or execution of the process is not tolerated;
 - d. persons who must travel for urgent reasons to or from a medical care institution or a pharmacy with evening and night shifts which cannot be delayed;
 - e. persons in charge of the care of an elderly family member and moving to and from this family member for an urgent reason that cannot be delayed.
1. The persons referred to in article 4 sub 2 must identify themselves on the public road with a valid identification document. The persons referred to in the article 4 sub 2, under c, must also carry a letter from the employer (Professional Travel Proof) stating that they must travel in order to carry out work on the public road for a reason which cannot be delayed.
2. Persons may not be on the public roads during the day between 6:00 and 20:00 without being in possession of a Personal Travel Waiver, a Certificate of Exception or a valid emergency pass.
3. If necessary, the Minister of General Affairs may designate vital functions or vital processes to which the provisions of the second paragraph, sub c, apply accordingly.

Article 5

This ministerial regulation will enter into force on March 30, 2020.

The Minister of Justice