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No. 108

No. 142

THE DISASTER RISK MANAGEMENT ACT

THE DISASTER RISK MANAGEMENT (ENFORCEMENT
MEASURES) (No. 8) (AMENDMENT) ORDER, 2021

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 March 13, 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.—(1) This Order may be cited as the Disaster Risk Management (Enforcement Measures) (No. 8) (Amendment) Order, 2021, and shall be read and construed as one with the Disaster Risk Management (Enforcement Measures) (No. 8) Order, 2021 (hereinafter referred to as the principal Order).

(2) This Order shall come into operation on the 27th day of July, 2021.

2. Paragraph 5 of the principal Order is amended—

(a) by deleting paragraph (1)(c) and substituting therefor the following—

“ (c) whose intended abode or place of residence in Jamaica is at a place—

(i) within the area of the Resilient Corridor as described in the Second Schedule; or

(ii) that is a “hotel” or “resort cottage” (as those terms are defined in the Tourist Board Act, and whether located within or outside of the area described in the Second Schedule) and is—

(A) licensed under that Act;

(B) certified by the Tourism Product Development Company Limited; and

(C) operating in accordance with the “*Covid-19 Ministry of Tourism Health and Safety Protocols for the Jamaica Tourism Sector 2020*”.”;

(b) by deleting sub-paragraph (3)(a) and substituting therefor the following—

“ (a) in accordance with an order issued to that person under this paragraph, remain at the person’s abode or place of residence—

(i) within the area of the Resilient Corridor described in the Second Schedule; or

(ii) at a place referred to in sub-paragraph (1)(c)(ii); and”;

(c) in sub-paragraph (5) by deleting the words “A stay in the Resilient Corridor” and substituting therefor the word “An”;

(d) in sub-paragraph (6)(b) by inserting next after the words “Second Schedule” the words “or at a place referred to in sub-paragraph (1)(c)(ii)”;

(e) in sub-paragraph (6)(i) by inserting next after the words “Second Schedule”, wherever they appear, the words “or at a place referred to in sub-paragraph (1)(c)(ii)”.

3. Paragraph 10 of the principal Order is amended—

(a) in sub-paragraph (1) by—

(i) deleting the words “August 11, 2021” wherever they appear, and substituting therefor the words “July 27, 2021”; and

(ii) deleting sub-paragraphs (a)(v) and (a)(vi) and inserting the word “and” at the end of sub-paragraph (a)(iv); and

(b) by inserting next after sub-paragraph (1) the following sub-paragraph—

“ (1A) Except as otherwise permitted under the Third Schedule, each person is directed to remain at an abode or place of residence (including the yard) during the period from July 27, 2021, to August 11, 2021, during the hours from 8:00 pm each day to 5:00 am on the following day, beginning at 8:00 pm on July 27, 2021, and ending at 5:00 am on August 11, 2021, except that—

(a) on each of the following days, each person is directed to remain at an abode or place of residence (including the yard) during the hours from 3:00 pm that day to 5:00 am on the following day—

(i) Sunday, August 1, 2021;

(ii) Monday, August 2, 2021 (Emancipation Day);

(iii) Friday, August 6, 2021 (Independence Day); and

(iv) Sunday, August 8, 2021; and

(b) a person who is in need of urgent medical care, and a person accompanying that person for the purposes of rendering assistance to that person, may leave their abode or place of residence to obtain such medical care, notwithstanding the provisions of this paragraph.”.

4. Paragraph 14 of the principal Order is amended—

(a) by deleting sub-paragraph (2) and substituting therefor the following—

“ (2) During the period from July 1, 2021, to August 10, 2021, markets shall operate, and vending in public arcades and public transportation centres shall take place, only during the hours from 6:00 am to 7:00 pm, except that all markets shall remain closed and no vending shall take place in public arcades and public transportation centres on—

(a) Sundays;

(b) Monday, August 2, 2021 (Emancipation Day); and

(c) Friday, August 6, 2021 (Independence Day).”;

(b) in sub-paragraph (4), by—

(i) deleting the words “August 10, 2021” and substituting therefor the words “July 26, 2021”; and

(ii) deleting the words “sub-paragraph (4)” and substituting therefor the words “sub-paragraph (5)”;

(c) by inserting next after sub-paragraph (4) the following sub-paragraph—

“ (4A) During the period from July 27, 2021, to August 10, 2021, all public transportation for which a licence is required under the Transport Authority Act—

- (a) shall operate only from 4:00 am until 9:00 pm, but no passengers shall be in any such transportation—
 - (i) between 4:00 am and 5:00 am; and
 - (ii) between 8:00 pm and 9:00 pm;
- (b) shall, notwithstanding sub-paragraph (a), operate on Sundays, and on Monday, August 2, 2021 (Emancipation Day), and Friday, August 6, 2021 (Independence Day), only from 4:00 am until 4:00 pm, but no passengers shall be in any such transportation—
 - (i) between 4:00 am and 5:00 am; and
 - (ii) between 3:00 pm and 4:00 pm,

and the driver of the transportation is directed to ensure that the provisions of this sub-paragraph and sub-paragraph (5) are complied with in respect of the transportation.”;

- (d) in sub-paragraph (5), by deleting the words “sub-paragraph (3)” and substituting therefor the words “any of sub-paragraphs (4) or (4A)”;
- (e) in sub-paragraph (6) by deleting the words “August 10, 2021” and substituting therefor the words “July 26, 2021”;
- (f) by inserting next after sub-paragraph (6) the following sub-paragraph—

“ (6A) During the period from July 27, 2021, to August 10, 2021,

- (a) beaches may open during the hours from 6:00 am to 4:00 pm, except that they shall close no later than 2:00 pm on—
 - (i) Sundays;
 - (ii) Monday, August 2, 2021 (Emancipation Day); and
 - (iii) Friday, August 6, 2021 (Independence Day); and

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- (b) the operator of a beach is directed to ensure that the requirements specified in subparagraphs (6)(b)(i) to (xi) are complied with at the beach.”;
 - (g) in sub-paragraph (7), by deleting the words “August 10, 2021” and substituting therefor the words “July 26, 2021”;
 - (h) by inserting next after sub-paragraph (7) the following sub-paragraph—
 - “ (7A) During the period from July 27, 2021, to August 10, 2021—
 - (a) rivers may only be used (including for river rafting) during the hours from 6:00 am to 4:00 pm, except that they shall close no later than 2:00 pm on—
 - (i) Sundays;
 - (ii) Monday, August 2, 2021 (Emancipation Day); and
 - (iii) Friday, August 6, 2021 (Independence Day); and
 - (b) the provisions of subparagraphs (7)(b) to (e) shall be complied with by persons at a river.”;
 - (i) by deleting subparagraphs (8)(a) and (b) and substituting therefor the following—
 - “ (a) zoos shall close no later than 7:00 pm, except that—
 - (i) on Sundays, from Sunday, July 4, 2021, to Sunday, July 25, 2021, they shall close no later than 5:00 pm;
 - (ii) on Sunday, August 1, 2021, and Sunday, August 8, 2021, they shall close no later than 2:00 pm; and
 - (iii) on Monday, August 2, 2021 (Emancipation Day), and Friday, August 6, 2021 (Independence Day), they shall close no later than 2:00 pm;

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- (b) parks (including theme parks but excluding amusement parks, water parks and water attractions) may operate only between the hours of—
 - (i) 6:00 am and 10:00 pm, during the period from July 1, 2021, to July 26, 2021;
 - (ii) 6:00 am and 7:00 pm, during the period from July 27, 2021, to August 10, 2021, except that—
 - (A) on Sundays; and
 - (B) on Monday, August 2, 2021 (Emancipation Day), and Friday, August 6, 2021 (Independence Day),
- they shall close no later than 2:00 pm;”;
- (j) in sub-paragraph (8)(i), by deleting the numerals “70%” and substituting therefor the numerals “50%”;
 - (k) in sub-paragraph (9)—
 - (i) by deleting the words “August 10, 2021” and substituting therefor the words “July 26, 2021”; and
 - (ii) in sub-paragraph (b)(i), by deleting the numerals “70%” and substituting therefor the numerals “50%”; and
 - (l) by inserting next after sub-paragraph (9) the following sub-paragraph—
 - “ (9A) During the period from July 27, 2021, to August 10, 2021—
 - (a) gyms may operate only between the hours of 6:00 am and 7:00 pm, except that they shall close no later than 2:00 pm on—
 - (i) Sundays;
 - (ii) Monday, August 2, 2021 (Emancipation Day); and
 - (iii) Friday, August 6, 2021 (Independence Day); and

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- (b) the operator is directed to ensure that the requirements specified in sub-paragraphs (b)(i) to (xiv) are complied with at the gym.”;
- (m) by deleting sub-paragraph (11) and substituting therefor the following—
- “ (11) Subject to the provisions of sub-paragraph (12), bars that operate under a village retail licence under the Spirit Licence Act may open no earlier than 9:00 am, and shall close no later than—
- (a) 10:00 pm, during the period from July 1, 2021, to July 26, 2021, except that on Sundays they shall close no later than 5:00 pm;
- (b) 7:00 pm, during the period from July 27, 2021, to August 10, 2021, except that they shall close no later than 2:00 pm on—
- (i) Sundays;
- (ii) Monday, August 2, 2021 (Emancipation Day); and
- (iii) Friday, August 6, 2021 (Independence Day).”;
- (n) by deleting sub-paragraph 13 and substituting therefor the following—
- “ (13) Bars that operate under a club licence under the Spirit Licence Act may open no earlier than 8:00 am, and shall close no later than—
- (a) 10:00 pm, during the period from July 1, 2021, to July 26, 2021, except that on Sundays they shall close no later than 5:00 pm;
- (b) 7:00 pm, during the period from July 27, 2021, to August 10, 2021, except that they shall close no later than 2:00 pm on—
- (i) Sundays;
- (ii) Monday, August 2, 2021 (Emancipation Day); and
- (iii) Friday, August 6, 2021 (Independence Day).”;
- (o) by deleting sub-paragraph (14)(b) and substituting therefor the following—
- “ (b) in respect of the period from—
- (i) July 1, 2021, to July 26, 2021, no more than 70%; and
- (ii) July 27, 2021, to August 10, 2021, no more than 50%,
- of the persons that can normally be accommodated at the bar shall be at the bar at any time;”;
- (p) by deleting sub-paragraph (15)(d) and substituting therefor the following—
- “ (d) in respect of the period from—
- (i) July 1, 2021, to July 26, 2021, the number of persons dining at the establishment shall not exceed 70% of the establishment’s total dining capacity; and

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- (ii) July 27, 2021, to August 10, 2021, the number of persons dining at the establishment shall not exceed 50% of the establishment's total dining capacity;"
- (q) in sub-paragraph (19), by—
- (i) deleting the words "During the period from July 1, 2021, to August 10, 2021, establishments" and substituting therefor the word "Establishments"; and
- (ii) deleting sub-paragraph (a) and substituting therefor the following—
- “ (a) during the period from—
- (i) July 1, 2021, to July 26, 2021, close no later than 10:00 pm, except on Sundays, when they shall close no later than 5:00 pm;
- (ii) July 27, 2021, to August 10, 2021, close no later than 7:00 pm, except that they shall close no later than 2:00 pm on—
- (A) Sundays;
- (B) Monday, August 2, 2021 (Emancipation Day); and
- (C) Friday, August 6, 2021 (Independence Day); and”;
- (r) in sub-paragraph (20), by—
- (i) deleting the words "During the period from July 1, 2021, to August 10, 2021, day care centre shall" and substituting therefor the words "Day care centres shall"; and
- (ii) deleting sub-paragraph (a) and substituting therefor the following—
- “ (a) during the period from—
- (i) July 1, 2021, to July 26, 2021, close no later than 10:00 pm, except on Sundays, when they shall close no later than 5:00 pm;
- (ii) July 27, 2021, to August 10, 2021, close no later than 7:00 pm, except that they shall close no later than 2:00 pm on—
- (A) Sundays;
- (B) Monday, August 2, 2021 (Emancipation Day); and
- (C) Friday, August 6, 2021 (Independence Day); and”;

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- (s) in sub-paragraph (21), by deleting the words “August 10, 2021” and substituting therefor the words “July 26, 2021”;
- (t) by insert next after sub-paragraph (21) the following sub-paragraph—

“ (21A) During the period from July 27, 2021, to August 10, 2021, amusement arcades (which term excludes the operations referred to in sub-paragraph (19)) shall close no later than 7:00 pm, except that they shall close no later than 2:00 pm on—

- (a) Sundays;
- (b) Monday, August 2, 2021 (Emancipation Day); and
- (c) Friday, August 6, 2021 (Independence Day),

and the operator of an amusement arcade shall ensure that the requirements specified in sub-paragraphs (21)(a) to (e) are complied with at the arcade.”; and

- (u) in sub-paragraph (22), by deleting sub-paragraph (a) and substituting therefor the following—

“ (a) amusement parks, water parks and water attractions shall close no later than 6:00 pm, except that—

- (i) they shall close no later than 5:00 pm on Sundays, during the period from July 1, 2021, to July 26, 2021;
- (ii) they shall close no later than 2:00 pm on Sunday, August 1, 2021, Monday, August 2, 2021 (Emancipation Day), Friday, August 6, 2021 (Independence Day); and Sunday, August 8, 2021;”.

5. Paragraph 19(4)(a) of the principal Order is amended by deleting sub-paragraph (a) and substituting therefor the following—

“ (a) during the period—

- (i) from July 1, 2021, to July 26, 2021, 70% of the figure obtained by dividing 40 square feet, the mathematical sum of the area designated for worship;
- (ii) from July 27, 2021, to August 10, 2021, 50% of the figure obtained by dividing 40 square feet, the mathematical sum of the area designated for worship; or”.

6. Paragraph 20(2)(a) of the principal Order is amended by deleting sub-paragraph (ii) and substituting therefor the following—

“ (ii) during the period—

- (A) from July 1, 2021, to July 26, 2021, 60% of the usable square footage of the event venue (excluding restrooms and kitchens) divided by 40 square feet;

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- (B) from July 27, 2021, to August 10, 2021, 50% of the usable square footage of the event venue (excluding restrooms and kitchens) divided by 40 square feet;”.

7. Paragraph 24 of the principal Order is amended by renumbering paragraph (c) as paragraph (d) and inserting the following as paragraph (c)—

- “ (c) where the inmate is a person, under the age of eighteen years, detained at a juvenile correctional centre or juvenile remand centre, any parent or guardian of that inmate;”.

8. Form C of the First Schedule of the principal Order is amended—

- (a) in the heading, by inserting next after the words “RESILIENT CORRIDOR” the words “OR SPECIFIED PLACE”; and
- (b) by inserting next after the words “area of any part of the Resilient Corridor” the words “, or at a place referred to in sub-paragraph (1)(c)(ii).”.

Dated this 27th day of July, 2021.

ANDREW HOLNESS
Prime Minister.