

STATUTORY INSTRUMENT

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THE PUBLIC HEALTH (COVID-19 EMERGENCY RESPONSE) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation.

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THE PUBLIC HEALTH ACT, 1960
(ACT No. 23 OF 1960)

The Public Health (Covid-19 Emergency Response) Regulations, 2021 Short title

In exercise of the powers conferred upon him by subsection (1) of section 34 of the Public Health Act, 1960 (Act No. 23 of 1960), the Minister hereby makes the following Regulations –

PART I–PRELIMINARY

1. In these Regulations unless the context otherwise requires – Commencement

2. In these Regulations unless the context otherwise requires – Interpretation.

"authorised person" means a person appointed to carry a function under these Regulations;

"Centre" means the COVID-19 Emergency Response Coordination Centre referred to in sub-regulation (1) of sub-regulation (a) Regulation 5;

"Coordinator" means the person responsible for coordinating activities of the Covid-19 Emergency Response Coordination Centre under sub-regulation (2) of Regulation 4;

"Endemic Control Authority" means the Covid-19 Emergency Response Coordination Centre authorised by the Minister to carry out a Covid-19 Emergency Response Coordination function under Regulation 4;

"Endemic Control Scheme" means the COVID-19 Endemic Control Scheme approved by the Minister under Regulation 5;

"public place" includes, government offices, courts, markets, hospitals, public transport;

"unit" means a Covid-19 Emergency Response Coordination unit referred to in paragraph (a) of Regulation 5.

PART II—ENDEMIC CONTROL AREA AND ENDEMIC CONTROL AUTHORITY.

Declaration of endemic control area.

3. Pursuant to section 11 of the Public Health Act, 1960 (Act No. 23 of 1960) the Minister hereby declares the whole of Sierra Leone to be an endemic control area.

Appointment of endemic control Authority.

4. (1) Pursuant to section 12 of the Public Health Act, 1960 (Act No. 23 of 1960) the Minister hereby appoints the Covid-19 Emergency Response Coordination Centre to be the Endemic Control Authority which shall be responsible for coordinating activities of the COVID-19 Endemic Control Scheme approved by the Minister .

(2) The Endemic Control Authority appointed by the Minister under subsection (1), shall be headed by a Coordinator who shall be responsible for coordinating activities of the Covid-19 Emergency Response Coordination Centre, including -

- (a) oversight of COVID-19 Emergency Response Coordination Units;

- (b) quarantine and isolation facilities;
- (c) isolation and quarantine case management;
- (d) psychosocial support;
- (e) laboratory investigations;
- (f) infection prevention and control, with the provision and administration of COVID-19 vaccines;
- (g) food and nutrition supplies; and
- (h) monitoring and enforcement of COVID-19 protocols.

5. An Endemic Control Scheme approved by the Minister shall, for the purpose of dealing with reported or suspected cases of the corona virus disease, provide for -

Endemic Control Scheme.

- (a) establishment of a Covid-19 Emergency Response Coordination Centre and units; comprising isolation facilities, quarantine facilities or community care centres; and
- (b) designation of areas or premises to be used for the purpose of self-isolation or self-quarantine.

PART III—THE IMPOSITION OF CURFEW

6. (1) There is hereby imposed a curfew between the hours of 11 pm to 5 am throughout Sierra Leone, for a period of 4 weeks, commencing on the 5th day of July, 2021.

Imposition of curfew.

(2) A person is in breach of sub-regulation (1), if he is out-of-door between the hours of 11 pm to 5 am without a valid permit granted by the Endemic Control Authority.

(3) The Inspector-General of Police or other officer authorised by him in that behalf shall have powers to implement sub-regulation (1) including power to-

- (a) arrest and detain a person who contravenes sub-regulation (1);
- (b) restrict movement of persons within defined areas or localities;
- (c) impose a fine not exceeding Le 500, 000.

Responsibility of police officer.

7. The Inspector-General of Police or other officer authorised by him who makes an arrest under sub-regulation (1) of Regulation 6 shall maintain a record of persons arrested, fined or detained under paragraph (a) of sub-regulation (3) and submit such records to the Coordinator for auditing purposes.

Offence and penalty.

8. (1) A person arrested under paragraph (a) of sub-regulation (3) of Regulation 6 shall be taken immediately to the nearest police station.

(2) A person arrested under paragraph (a) of sub-regulation (3) of Regulation 6 is liable to -

- (a) a fine of Le. 300,000.00; or
- (b) detention for a term of 3 months where he fails to pay the fine imposed under clause (a).

PARTIV-COVID-19 EMERGENCY RESPONSE PROTECTIVE MEASURES

Assembly in a public place of worship prohibited.

9. (1) A person shall not convene or cause to be convened, an assembly of persons in a place of worship, including a church, mosque or temple, for the purpose of conducting, observing, or participating in a religious rite.

(2) A person in charge of a place of worship who contravenes sub-regulation (1) commits an offence and is liable to a fine of Le. 5,000, 000.

10. (1) A person shall not assemble with another person or cause another person, to assemble with another person or persons in

Assembly for sporting activities and other group entertainment prohibited.

- (a) a sporting facility or any other place used for the purpose of conducting, observing or participating in sporting or other physical activity that involves body contact;

- (b) a bar, restaurant, nightclub, cinema or video centre, for the purpose of conducting, observing or participating in group entertainment.

(2) Notwithstanding paragraph (b) of sub regulation (1), bars and restaurants shall be opened to the public from 5am to 9 pm daily.

(3) A person who contravenes sub-regulation (1) or (2) commits an offence and is liable to a fine of Le 500, 000.

11. (1) A person shall not convene or cause to be convened, a gathering of more than 50 persons for the purpose of conducting, observing, or participating in a wedding, funeral or other traditional ceremony.

Convenor of weddings, funerals, and other traditional ceremonies.

(2) A person who convenes or causes to be convened, a gathering of not more than 50 persons under subsection (1), shall ensure that -

- (a) a person attending the ceremony is wearing a face mask;
- (b) a distance of, at least, 2 metres is maintained between each person attending the ceremony; and
- (c) soap, water and hand sanitizer are available at all times, for use by persons attending the ceremony.

(3) A person who contravenes sub-regulation (1) or (2) commits an offence and is liable to a fine of Le 500, 000.

Public
space.

12. (1) A person who is in charge of a public space, including a park, road, beach, government building, marketplace and other place that is generally open and accessible to the public, shall ensure that -

- (a) a person in or using the public space is wearing a face mask;
- (b) a distance of, at least, 2 metres is maintained between each person in or using the public space; and
- (c) soap, water and hand sanitizer are available at all times, for use by persons entering or using the public space.

(2) A person who enters or otherwise accesses a public space in contravention of directives issued by a person in charge of the public space, commits an offence and is liable to a fine of Le. 500, 000.

(3) Notwithstanding sub-regulation (1), persons using a public space shall not come together in a cluster or close group exceeding 50 persons.

(4) A person who contravenes sub-regulation (1) commits an offence and is liable to a fine of Le.100, 000.

PART V-TRANSPORTATION OF PERSONS, GOODS ETC.

Transportation
of passenger
in vehicle,
ferry, boat.

13. (1) A person who is in charge of a vehicle, including a car, bus, truck, ferry, boat, tricycle, motorcycle, bicycle shall not carry another person as passenger unless -

(a) he is wearing a face mask; etc.

(b) the other person or passenger is wearing a face mask.

(2) Paragraph (a) of sub-regulation (1), shall not apply where the person who is in charge of a vehicle is alone in the vehicle.

(3) A person who enters a vehicle in violation of directives issued by the person in charge of the vehicle under sub-regulation (1), commits an offence and is liable to a fine of Le 100, 000;—

(4) A person who contravenes sub-regulation (1) commits an offence and is liable to -

(a) a fine of Le 100, 000;

(b) in the event of a second offence, have his vehicle impounded and shall be released on the payment of a fine, in the case of -

(i) a motorcycle or tricycle - Le250,000; and

(ii) a car, bus or truck - Le1,000,000.

14. (1) A person who carries another person as passenger in a vehicle, ferry, boat etc. under Regulation 13 shall not carry, in the case of -

Maximum
number of
persons to
be carried.

(a) a car, more than 4 persons, including himself;

(b) a bus, more than 50% of its capacity;

(c) a truck carrying passengers, more than 50% of its capacity;

(d) a ferry or a boat more than 50% of its capacity;

- (e) a tricycle, more than 3 persons, including himself;
- (f) a motorcycle or bicycle, more than 2 persons, including himself.

(2) A person who contravenes sub-regulation (1) commits an offence and is liable to a fine, in the case of -

- (a) a motorcycle - Le50,000;
- (b) a tricycle - Le100,000;
- (c) a car - Le 250,000
- (d) a mini-bus - Le500,000;
- (e) a bus or truck carrying passengers - Le1,000,000;
- (f) a ferry - Le2,000,000;
- (g) a boat - Le 500,000.

Responsibility
of business
establishment.

15. (1) A person who owns, manages or is otherwise in charge of a business establishment, including a hotel, restaurant, bank, supermarket, shop or pharmacy, offering goods or services to the public shall -

- (a) not allow a person to enter the business establishment unless that person is wearing a face mask;
- (b) provide soap, water and hand sanitizer at all times, for use by persons entering or using the business establishment;

- (c) ensure that a distance of, at least, 2 metres is maintained between each person in the business establishment;
- (d) ensure that the number of persons permitted to enter the business establishment, at any one time, do not exceed the number that will enable them to maintain a distance of, at least, 2 metres between each other;
- (e) ensure the safety of employees by-
 - (i) providing face masks for them;
 - (ii) ensuring that they put on their face masks; and
 - (iii) erect protective barriers between employees and customers in areas where employees are in close or direct contact with another person.

(2) A person shall not enter or otherwise access a business establishment unless he complies with directives issued by a person in charge of the business establishment.

(3) A person who contravenes sub-regulation (1) or (2) commits an offence and is liable to -

- (a) a fine of Le. 500, 000; or
- (b) in the event of a second offence, have his business premises closed.

PART VI-COVID-19 EMERGENCY RESPONSE ENFORCEMENT POWERS

Power to remove, restrain or restrict.

16. An authorised person may, with the assistance of the Sierra Leone Police or the Republic of Sierra Leone Armed Forces, for the purposes of enforcing these Regulations -

- (a) remove a person to a unit, isolation facility, quarantine facility, community care centre or designate an area in a residence or house;
- (b) restrain a person from leaving or entering a unit, isolation facility, quarantine facility, community care centre or designate an area in a residence or house;
- (c) restrict the movement of persons and vehicles to and from areas declared to be epicentres of the corona virus disease.

Responsibility of police officer.

17. The Inspector-General of Police or other officer authorised by him who makes an arrest under these Regulations shall maintain a record of persons -

- (a) arrested and fined;
- (b) detained, and submit records obtained to the Coordinator for auditing purposes.

PART VII-OFFENCES AND PENALTIES

Knowingly endangering other persons by exposure.

18. A person who -
- (a) knowing that he is infected with the corona virus disease;
 - (b) being in charge of a person infected with the corona virus disease;

wilfully coughs, sneezes, touches or otherwise exposes himself or that person, as the case may be, to another person, without proper precaution to avoid the spread of the disease, commits an offence and is liable on conviction to a fine not exceeding 3, 000, 000.00 Leones or to imprisonment for a term not exceeding 2 years or to both the fine and imprisonment.

19. A person who obstructs an authorised person, an officer of the Sierra Leone Police or the Armed Forces assisting that person in carrying out his duties under these Regulations commits an offence and is liable on conviction to a fine not exceeding 3, 000, 000.00 Leones or to imprisonment for a term not exceeding 2 years or to both the fine and imprisonment.

Obstruction of authorised person.

20. A person who conceals a person infected or suspected to be infected with the corona virus disease commits an offence and is liable on conviction to a fine not exceeding 3, 000, 000.00 Leones or to imprisonment for a term not exceeding 2 years or to both the fine and imprisonment.

Concealing infected person.

MADE *this 7th day of July, 2021*

DR. AUSTIN DEMBY
Minister of Health and Sanitation

FREETOWN,
SIERRA LEONE