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AMENDED STATE OF EMERGENCY ORDERS FOR CORONAVIRUS (COVID-19) 17th April 2020

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GOVT. PRESS SECRETARIAT; New amendments have been added to the State of Emergency Orders for Coronavirus (COVID 19) as prescribed by the constitution and signed into law by le Ao Mamalu ole Malo, Tuimaleali'ifano Va'aletoa Sualauvi II this evening.

Under the mandate prohibiting no public gathering of more than 5 people at any public place, it has been extended to include any gathering at water pools, waterfalls, rivers, beaches; and any other kinds of gatherings in areas where the public has access to.

Small shops have been granted exemption to open for businesses while the business hours for Supermarkets remain the same, reiterated in the new orders.

For supermarkets:

- (a) from Monday – Saturday, the opening hours are from 6.00am-6.00pm; and
 - (b) for Sunday, the opening hours are from 3.00pm-6.00pm; and
 - (c) this rule for supermarkets does not affect small shops which may operate normal hours.
- (1) All businesses must close on Sunday, except:
- (a) small shops which may operate normal hours; and
 - (b) the supermarkets in the restricted opening hours as stated above in (2)(b).

Fishing boats will again be denied entry effective 18th April 2020 with exemption for deep sea fishing vessels permitted for offloading, refueling and supplies up to 26 April 2020;

And any vessel's entry will be decided by Cabinet for urgency and necessity.

The Updated State of Emergency Orders are published below in its entirety;

1. National fasting and prayer:

A national period of fasting and prayer is to be observed by every family in Samoa from

Sunday 22 March 2020 until Sunday 29 March 2020 from 6.00am – 12.00pm daily.

2. International travel, planes and ships:

- (1) Except in exceptional circumstances with Cabinet approval, starting from 12am of Thursday morning, 26 March 2020, all international travel to and from Samoa by plane are ceased.
- (2) All boats and ships are prohibited access except:
 - (a) for trade and petroleum; and
 - (b) fishing boats approved access up to Saturday 18 April 2020; and approved deep sea fishing vessels permitted for offloading, refueling and supplies up to 26 April 2020; and
 - (c) any others as decided by Cabinet for urgency and necessity.
- (3) The Ministry of Health is required to continue with the approved medical clearance of all involved.

3. Public gatherings:

- (1) There shall be no public gathering of more than 5 people at any public place.
- (2) There shall be no public gatherings of any sort which include but are not limited to:
 - (a) church gatherings;
 - (b) funerals, birthdays, reunions;
 - (c) opening ceremonies for buildings (umusaga);
 - (d) sports events, games and gaming of any kind;
 - (e) entertainment gatherings; and
 - (f) any gathering at waterpools, waterfalls, rivers, beaches; and
 - (g) any other kinds of gatherings in areas where the public has access to.
- (3) All nightclubs, bars, theatres, bars attached to restaurants or hotels, or any other public place people accustomed for social gatherings are to be closed.
- (4) All people are prohibited from gathering at airports or wharves unless it is for permitted travel.
- (5) Restaurants are opened:
 - (a) for dining and take away from 6.00am to 9.30pm; and
 - (b) during dining, the restaurant owners are to monitor and enforce the 2 meters social distancing rule.

4. Public transport:

Buses and Vehicles

- (1) Buses are in operation on the following conditions:
 - (a) Only 20 passengers on the bus are allowed at any one time.
 - (b) The last bus trip from town must take off from town before or by 5.30pm.
 - (c) No bus service is to operate on Sunday; and
 - (d) Bus operators are to continue the monitoring and enforcement of the 2 meters social distancing rule.
- (2) Operators of public transport that carry 5 people or less are permitted to continue operation.

Ferries

- (3) Services are opened to the public on the following conditions:
 - (a) All persons 60 years and above are strongly advised to adhere with the restrictions under Order 8 (travel restricted to only if seeking medical attention);
 - (b) A Pensioner who chooses to travel for any reason outside of those under Order 8 will not be able to use the Pension benefit of free travel.
 - (c) Ferry services between Upolu and Savaii are restricted to the following terms:

- (i) There shall be no ferry services on Sunday.
- (ii) Ferry services are on Monday, Wednesday, Friday and Saturday, operating the normal schedules.
- (iii) Ferries are to operate on the following capacities per trip:
 - A. Lady Samoa III – 100 passengers (excluding vehicle drivers)
 - B. Lady Naomi – 60 passengers (excluding vehicle drivers)
 - C. MV SSC 40 – 20 passengers (excluding vehicle drivers)
 - D. Fotu o Samoa – 20 passengers (excluding vehicle drivers)
- (iv) The shipping authorities are to monitor and enforce the 2 meters social distancing rule during travel.

5. Markets and supermarkets:

- (1) For markets:
 - (a) the markets at Savalalo, Fugalei, Salelologa, Vaitele, Taufusi and Afega, and all other flea markets, fish market or any market which the public have access to:
 - (i) are permitted to open from Monday to Saturday, from 6.00am – 6.00pm; and
 - (ii) no person is to sleep overnight at any marketplace; and
 - (b) all markets are closed on Sunday, inclusive of:
 - (i) the markets at Savalalo, Fugalei, Salelologa, Vaitele, Taufusi, Afega; and
 - (ii) the Fish Markets at Savalalo, Vaigaga, Fasitoo Uta, Afega, and any other roadside fish selling; and
 - (iii) any such market where the public has access to.
- (2) For supermarkets:
 - (a) from Monday – Saturday, the opening hours are from 6.00am-6.00pm; and
 - (b) for Sunday, the opening hours are from 3.00pm-6.00pm; and
 - (c) this rule for supermarkets does not affect small shops which may operate normal hours.
- (3) All businesses must close on Sunday, except:
 - (a) small shops which may operate normal hours; and
 - (b) the supermarkets in the restricted opening hours as stated above in (2)(b).

6. Street vendors:

- (1) There shall be no selling of any goods beside roads, street, culverts or footpaths in the town areas of Apia, Vaitele and Salelologa.
- (2) Children selling goods in public is strictly prohibited.

7. Schools:

- (1) All schools are to close until further notice.

8. Access to Health Facilities:

- (1) All persons of the age of 60 and above are encouraged to remain at home and not move out and about in public, unless he or she is seeking medical attention at any health facility.
- (2) All persons are prohibited from accessing any health facility unless he or she is seeking medical attention at any health facility.
- (3) A person that is admitted to the hospital may:
 - (i) only have one carer to tend to him or her; and
 - (ii) only be visited by 2 people at any one time.
- (4) All patient care intended for travel overseas under the Samoa Medical Treatment Scheme are hereby suspended until further notice.

9. Restriction for Government services:

- (1) The Public Service Commission ("Commission") is to determine conditions in which employees are to continue working under, with the objective of ensuring minimal spread of infection.
- (2) The Commission's conditions shall apply to all Government Ministries and Public Bodies.
- (3) All Government trips overseas are hereby suspended until further notice.

10. Ministry of Health duties:

The Ministry of Health shall ensure to implement awareness programmes for the prevention of the spread the Covid-19.

11. Samoa Police Service:

The Samoa Police Service shall implement this Order.

12. Special Powers of Government Chief Executive Officers:

- (1) All Chief Executive Officers of Government Ministries and Public Bodies are empowered to exercise their statutory functions, duties and powers provided under any legislation, or administrative functions for the implementation of the Sector Preparedness and Response Matrix Consolidated for Corona Virus Pandemic ("Response Matrix").
- (2) Cabinet is empowered to make Regulations, Rules or Orders for the implementation of the public sector duties and responsibilities, for maintaining safety, for the best interests of and the welfare of the country.

13. Emergency Order Offence Notice:

- (1) A police officer may serve an Emergency Order Offence Notice on a person who has committed an offence to which this Emergency applies.
- (2) A Notice under this Order shall be in the form approved by the Commissioner of Police.
- (3) A person who has been served with a Notice may elect to pay the fine stated in the Notice within 24 hours of the issuance of the Notice.

14. Penalties:

- (1) A person commits an offence where the person does not comply with any of the above orders, attracting the following penalties:
 - (a) a fine of:
 - (i) for an individual, a fine of \$200 for a first offence, and a fine of \$500 for a continuous offence; or
 - (ii) for an organization or corporation or similar such legal entity, a fine of \$5,000 for a first offence, a fine of \$7,000 for a continuous offence; or
 - (b) detainment by the Police not exceeding 3 months; or
 - (c) both detainment and fines prescribed under paragraph (a).
- (2) The payment of a fine under this Order, shall avoid any further prosecution for the offence stipulated in the Notice issued under Order 13.
- (3) Where a person is convicted of an offence under these Orders, he or she shall be liable to a fine not exceeding \$10,000.00 or imprisonment not exceeding 12 months, or both.

15. Advisory Board – Article 108:

The Advisory Board appointed under Article 108 of the Constitution, shall not incur any liability for actions done in good faith under Article 108.

16. Flexibility of procedures:

(1) Given the pandemic Covid19, procedures of Cabinet and Parliament, may be relaxed during the State of Emergency, so that decision making for the good of the country may continue.

(2) For effective decision making for the country, the above Orders do not bar any urgent and essential meetings of Cabinet and Parliament to take place during the State of Emergency.

17. Financing:

The financing of the implementation of this Order shall be funded by the appropriate budget approved by the Government.

The Emergency Order 8 issued on 14 April 2020 is revoked.

This Order commences on 18th April 2020.

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