



OFFICIAL GAZETTE

REPUBLIC OF SEYCHELLES

EXTRAORDINARY

Published by Authority of the Government

Vol. XLVI

Wednesday 10th March 2021

No. 22

TABLE OF CONTENTS

GENERAL NOTICES

Gazette Notice No. 168 of 2021 are published by Order.

GAZETTE SUPPLEMENT

Gazette	Description	Price
22	Trade of Wild Fauna and Flora Bill, 2021. (Bill No. 10 of 2021)	120.00

GENERAL NOTICES

No. 168 of 2021

PUBLIC HEALTH ACT, 2015

(Act 13 of 2015)

PUBLIC HEALTH (INFECTIOUS DISEASE) REGULATIONS

ORDERS

Infectious Disease (Prohibition of Outdoor Movement) (No. 3) Order, 2021

Infectious Disease (Prohibition of Public Assemblies), Order (No. 4), 2021

Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 5) Order, 2021

RECOGNISING that the Coronavirus Disease 2019 (COVID-19) has spread and continue to spread rapidly across the world;

RECALLING that the Public Health Commissioner published a Notice in the Gazette on 20th March, 2020 declaring a Public Health Emergency in Seychelles under section 25(5) of the Public Health Act, 2015, and directed all persons to comply with the directions and orders therein, and cooperate with the Public Health Commissioner, the Public Health Authority and other relevant authorities in preventing, controlling and suppressing the spread of COVID-19 in Seychelles;

FURTHER RECALLING that during the declaration of the Public Health Emergency up to the present time, the Public Health Commissioner in order to prevent, control and suppress the spread of COVID-19 in Seychelles made several Orders, amongst other things —

- (a) prohibiting public assemblies and indoor public assemblies;
- (b) restricting the opening and closing hours of retail outlets and retail food outlets;
- (c) restricting the opening and closing hours of offices, establishments, trade premises and shops;
- (d) restricting movement of persons by vehicles and vessels;
- (e) prohibiting non-Seychellois from entering Seychelles;
- (f) confining persons to their place of residence, inclusive of their yard space, for a period of 28 days; and
- (g) restricting entry to, exit from and return to Seychelles.

AND FURTHER RECALLING that by the enactment of the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 (S.I. 132 of 2020) the wearing of face masks is mandatory for all persons in Seychelles on public transportation, indoor places, outdoor places, places of work and other circumstances where one metre physical distancing cannot be maintained subject to conditions and exemptions thereunder;

ACKNOWLEDGING that up to the present time, the health care providers and public health officers continue to record and report rapid increases in the number of persons infected by COVID-19 on **15th February, 2021**, and the presence community transmission of the virus;

FURTHER ACKNOWLEDGING that:—

- (i) The Infectious Disease (Restriction on Attendance of Schools), Order (No.2), 2021 (*Gazette Notice No. 20 of 2021*), as amended by Order (*Gazette Notice No. 149 of 2021*), is still in force until further notice;
- (ii) the current circumstances in relation to the recorded cases of persons infected by COVID-19 require making further prohibition or restriction orders and varying some prohibitions or restrictions orders so as to effectively prevent, control and suppress the spread of COVID-19 subject to such exceptions and exemptions set out in the said Order and at the same time to enable persons to participate actively and fully in the sustainable development of Seychelles and the operation and provision of essential and critical services;

BEING CONSCIOUS of the seriousness of problems and threats that COVID-19 poses to the safety, health and posterity of Seychelles and its people, if suitable precautionary and protective health measures are not in place and complied with;

WHEREAS the Public Health Commissioner considers it necessary and expedient to maintain existing prohibitions and/or restrictions and impose further restrictions on the movement and assembly of people in Seychelles, the movement of by vehicles and vessels and restriction on activities and operation of establishments, trade premises and shops in order to effectively prevent, control and suppress the spread of COVID-19 in the community.

NOW, THEREFORE, in exercise of the powers conferred by **regulations 7C, 8, 9, 11, 12, 13A, 19A and 20** of the Public Health (Infectious Diseases) Regulations (S.I. 8 of 1960), the Public Health Commissioner hereby makes the following orders until further notice published on any official Government website or official means of communication and, as soon as possible thereafter, in the Gazette, or until the date set out in the Order —

A. Infectious Disease (Prohibition of Outdoor Movement) (No. 3) Order, 2021
(*Regulation 13A read regulations 7C, 19A & 20*)

In accordance with regulation 13A read with regulations 7C, 19A and 20 of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders that starting from **10:00 PM on 1st March, 2021, until further notice**, no person within

Seychelles shall be in a vehicle, vessel or at any public or private place, outside of the person's place of residence between 10:00 PM and 4:00 AM of the following day, except —

- (1) a member of the *Platinum Command for COVID-19 and Gold Command for COVID-9*;
- (2) an authorised worker or contractor of the provider of a service or of an entity specified under Part 1 of the Schedule hereto;
- (3) a person seeking access to a service under Part 2 of the Schedule hereto;
- (4) a person that has been authorised by the Commissioner of Police to leave the person's place of residence for any purpose.

In furtherance of the Order and in accordance therewith —

1. Every person shall remain in the confines of the person's place of residence, inclusive of their yard space during the said prohibition period.
2. The establishments, institutions, businesses, organisations and offices listed as an essential service under Part 1 of the Schedule hereto shall observe and practice social or physical distancing according to directions issued by the Public Health Commissioner in respect of their workers and the persons accessing the service.
3. The establishments, institutions, businesses, organisations and offices listed as a essential service under Part 1 of Schedule hereto shall make travel arrangements for their workers to carry out their duties and where necessary seek the authorisation from the Commissioner of Police for the movement of the workers during the prohibition period.
4. All entities, public or private, in any industry, whether construction, manufacturing of goods or provision of services, that also provide shared or common accommodation for their workers shall ensure that their workers who are not performing work as an essential service under Part 1 of the Schedule hereto comply with the orders of the Public Health Commissioner and that the workers remain in their living quarters at all times except when seeking to access an essential service set out under Part 2 of the Schedule hereto;
5. A person who is outside the confines of the person's place of residence between 10:00 PM and 4:00 AM of the following day shall on request of a police officer answer any questions to enable the police officer to ascertain who the person is and whether the person is allowed to be outside the confines of the person's place of residence pursuant to the Schedule hereto, and where the person does not satisfy the police officer that the person is allowed to be outside the confines of the person's place of residence pursuant to the Schedule hereto, the police officer may —
 - 5.1 direct the person to go immediately to the person's place of residence;
 - 5.2 detain and convey the person to the person's place of residence; or
 - 5.3 issue the person with any applicable fixed penalty notice;
 - 5.4 arrest and detain the person.

SCHEDULE

Part 1

1. **Authorised workers or contractors of the provider of the following services or of the specified entity.**
 - 1.1 Hospital, medical or health services;
 - 1.2 Service relating to the generation, supply or distribution of electricity;

- 1.3 Service relating to the supply or distribution of water;
- 1.4 Breakdown service relating to the management of sewage;
- 1.5 Police services
- 1.6 Defence Forces;
- 1.7 Fire and rescue services;
- 1.8 Air traffic control;
- 1.9 Airport and port and marine services including civil aviation, customs, immigration, airline catering and loading, unloading and service of ships or aircrafts;
- 1.10 Wireless, telephone, internet, television and cable communication services (including the Government Department of Information and Communication Technology);
- 1.11 Forecasters of the meteorological service;
- 1.12 Indian Ocean Tuna Limited canning factory;
- 1.13 Waste collection service;
- 1.14 Breakdown and safety services of the Seychelles Petroleum Company Limited;
- 1.15 Security services of premises;
- 1.16 Disaster management and emergency services (including the Government Department of Risk and Disaster Management);
- 1.17 Print, audio and visual media or broadcasting services; and

Part 2

2. **Essential services that the public may access: —**
 - 2.1 Hospital, medical or health services; and
 - 2.2 Police Services.

B. Infectious Disease (Prohibition of Public Assemblies), Order (No. 4), 2021

(Regulation 8 read with regulations 9, 11, 12, 19A & 20)

In accordance with regulation 8 read with regulations 9, 11, 12, 19A and 20 of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders the prohibition of outdoor and indoor public assemblies in Seychelles from **10.00 P.M. on 1st March, 2021, until further notice.**

In furtherance of the Order and in accordance with regulation 9, 11 and 12 of the **Public Health (Infectious Disease) Regulations, 1960 —**

1. Subject to this Order, every person shall refrain from engaging in or taking part in public assemblies, whether outdoor or indoor.
2. (a) Subject to this Order and the Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 5) Order, 2021 —
 - (i) no assembly of more than 4 persons shall be held for any purpose in any area or place, including but not limited to building and roads;
 - (ii) A person on his or her own or a group of not more than 2 persons from the same household may be on the beach for the purpose of jogging or walking as a physical exercise activity;
 - (iii) A person may be on the beach for the purpose of accessing the sea for any permitted activity or to supervise any person from his or her household who is undergoing any such permitted activity in the sea;

- (iv) A person on his or her own or a group of not more than 2 persons from the same household may swim in the sea;
 - (v) A person on his or her own or a group of not more than 2 persons from the same household may engage in kayaking, surfing, snorkeling or paddle boarding in the sea;
 - (vi) A person may on his or her own or accompanied by a person from his or her household use a jet ski or other watercraft that can carry not more than 2 persons;
 - (vii) A person on his or her own or in a group of not more than 4 persons from the same household may make use of pleasure crafts or similar vessels;
 - (viii) A visitor who is in Seychelles under a visitor's permit under the Immigration Decree may on his or her own or in the company of the persons that form part of the group that he or she has entered into Seychelles with and staying in the same tourism establishment may assemble on the beach or swim in the sea as a group or engage in kayaking, surfing or paddle boarding in the sea.
- (b) A person may make an application to the Public Health Commissioner to hold an assembly of more than 4 persons on a specified date and time, and if the application is approved, every person in the assembly shall comply with the Public Health (Infectious Disease) (Mandatory Wearing of Face Masks) regulations, 2020, and the existing guidelines issued by the Public Health Commissioner and such other conditions that the Public Health Commissioner may deem necessary to impose in regards to the said assembly.
3. For the purposes of preventing, controlling and suppressing the spread of COVID-19 in the community —
- 3.1 no person shall host any social or private entertainment event whatsoever such as a house party which includes any person from outside of the immediate household of the dwelling house where the party takes place;
 - 3.2 No person shall visit another person's place of residence for any social purpose. For avoidance of doubt, a person who is a caregiver or who delivers essential goods to an elderly, vulnerable or disabled person may visit the person's place of residence for such purpose subject to complying with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 and practice good hand hygiene and social or physical distancing, as the case may be, according to directions issued by the Public Health Commissioner;
4. No group of more than 4 persons (unless they are part of the same household or at school, where the Infectious Disease (Restriction on attendance of Schools) (No.2) Order, 2021, as amended, has been lifted, or at the workplace) shall assemble spontaneously including when making use or accessing any service. Any such spontaneous assembly shall disperse and any member of such group who fails to depart the assembly when instructed by a police officer to do so commits an offence and may be arrested without warrant or be subject to any applicable penalty.
5. A person who encourages, coerces, entices or persuades any person to engage in or take part in an assembly of more than 4 persons commits an offence.
6. This prohibition order shall not have the effect of prohibiting assembly exclusively for the following purposes —

- 6.1 work at the workplace;
- 6.2 attendance of school or school activities (where the Infectious Disease (Restriction on attendance of Schools)(No. 2) Order, 2021, as amended, has been lifted);
- 6.3 shopping at shops or retail outlets that are permitted to open;
- 6.4 access to healthcare facilities;
- 6.5 travel at bus stops, bus station, ports or airports;
- 6.6 access to, and collection or consumption at, a restaurant or any other food outlet that is permitted to operate;
- 6.7 funeral service in accordance with the guidelines issued by the Public Health Commissioner;
- 6.8 celebration of marriage in church or at Civil Status office or any other approved venues, which shall comprise of the parties, the celebrant, witnesses and a limited number of invitees as per guidelines issued by the Public Health Commissioner; or
- 6.9 queuing or making use of any other service or at a trade premises, establishment or facility that is permitted to operate,

provided that the employer, worker, owner, manager, consumer or any person in control of the premises or providing the service or organising the event shall comply with any direction of the Public Health Commissioner in respect of social or physical distancing and hygiene and ensure compliance with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020.

- 7. (a) All sporting activities, games (including water sports save as excepted herein, the playing of dominoes and cards) and any similar activities outside the confines of the person's place of residence are prohibited.
 - (b) A person shall not use any sports, recreation or entertainment facilities —
 - (i) in the common property of a subdivided building;
 - (ii) in any public place, whether managed or maintained by the Government or private body and is accessible to the general public (including the outdoor gym located at Beau Vallon beach and Roche Caiman Sports Complex, which shall be cordoned off.
 - (c) This prohibition order shall not have the effect of prohibiting jogging and walking by individuals or with members of the same household as a physical exercise activity in any public place (including fitness trails).
- 8. All entities, public or private, in any industry, whether construction, manufacturing of goods or provision of services, that also provide shared or common accommodation for their workers shall —
 - 8.1 transport their workers from their residence directly to their workplace, where practicable, or limit the movement of their workers to the workers' residence and workplaces, while this Order is in operation;
 - 8.2 not permit that their workers to hold any social or private entertainment event whatsoever such as a parties, dances, fairs within the premises, common areas or the yard space of their accommodation;
 - 8.3 ensure that after their workers comply with the conditions of their gainful occupation permit and does not engage in any work outside their workplace after their working time with their employer; and

- 8.4 ensure that their workers comply with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020, and comply and observe the orders of the Public Health Commissioner and the directions and guidelines issued by the Public Health Commissioner in respect of social and physical distancing while transporting their workers from their residence to their workplace and from their workplace to their residence and while the workers are in their residence, inclusive of their yard space.
9. All establishments, institutions, businesses, organisations authorised to conduct any activity shall ensure that all persons on its premises comply with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 and practice good hand hygiene and social or physical distancing, as the case may be, according to directions issued by the Public Health Commissioner in respect of the workers, customers, students, attendees or invitees and should employ adequate number of staff to ensure practice and observance thereof so as to remove the risk of infection or spread of COVID-19.
10. Appropriate action shall be taken against any person who fails to comply with these orders under the Public Health (Infectious Diseases) Regulations.

C. Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 5) Order, 2021

(Regulation 8 read with regulations 9(2), 19A & 20)

In accordance with regulation 8 read with regulations 9(2), 9A or 20 of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders that from **1st March, 2021 until further notice**, the following prohibitions or restrictions shall apply in respect of activities and operation of establishments, trade premises and shops

1. Except otherwise specifically prohibited or restricted by these Orders and subject to these Orders, all services in public and private sector may open and operate during normal opening hours;
2. The following prohibitions or restriction, as the case may be, shall apply to shops, retail outlets and wholesale outlets —
 - 2.1 All shops and other retail outlets may open between the hours of 6:00 AM to 6:00 P.M only.
 - 2.2 All operators of shop or retail outlets shall comply with the IPC standards and any other directives and guidelines of the Public Health Commissioner for their opening and operation of their premises as approved by the Public Health Commissioner.
 - 2.3 Wholesalers of all goods may open and operate for taking orders and delivery of their products to shops and retail outlets referred to under paragraphs 1.2 above or at trade premises referred to in paragraph 3 below.
 - 2.4 Nothing in this Order prohibits the online or electronic sales of any product subject that the product shall be delivered at such residence, premises or workplace of a person specified in the order in accordance with guidelines issued by the Public Health Commissioner.
3. The following trade premises may open subject to observance and compliance with the general restrictions, prohibitions or conditions and specific restrictions, prohibitions or conditions under paragraph 4 —

- 3.1 Restaurant, cafeteria, take away food outlets and other food outlets;
 - 3.2 Gymnasium and fitness centres;
 - 3.3 Spa and beauty parlours;
 - 3.4 hairdressers and barbershops.
4. The following restriction, prohibition or conditions shall apply —
- 4.1 in respect of the operation of the trade premises under paragraph 3 above —
 - 4.1.1 approval of the Public Health Commissioner for opening subject to compliance with defined IPC Criteria;
 - 4.1.2 the service shall be on previous non-physical request for appointment or reservation;
 - 4.1.3 customers should at all times during the provision of the service be physically and adequately distanced;
 - 4.1.4 comply with the IPC standards and any other directives and guidelines of the Public Health Commissioner for the opening and operation of the premises; and
 - 4.1.5 ensuring that all persons on its premises comply with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020, where applicable, and practice good hand hygiene and social or physical distancing, as the case may be, according to directions issued by the Public Health Commissioner.
 - 4.2 in respect of restaurant, cafeteria, take away food outlets and other food outlets —
 - 4.2.1 bars shall be open for, and service given to, seated customers only;
 - 4.2.2 dancing or karaoke is prohibited; and
 - 4.2.3 ensuring social or physical distancing for any queuing for the service.
 - 4.3 in respect of operation of spa and beauty parlours and hairdresser and barbershops —
 - 4.3.1 at no time should there be any person waiting for the service at the premises whilst other clients are being attended to;
 - 4.3.2 wearing face mask and visors for workers and mask for customers where practicable; and
 - 4.3.3 proper sanitization of workers, customers and equipment.
 - 4.4 in respect of operation of gymnasium and fitness centres —
 - 4.4.1 admission to existing members only;
 - 4.4.2 no group activities shall be held;
 - 4.4.3 limited number of persons shall be admitted so as to ensure adequate social or physical distancing;
 - 4.4.4 at no time should there be any person waiting for the service at the premises whilst other clients are being attended to; and
 - 4.4.5 proper sanitization of equipment.
5. The following activities are prohibited or restricted, as specified herein —
- 5.1 religious service and ceremonies except for funeral service and celebration of marriage;

- 5.2 dances or social events in any night clubs, dance halls, discotheques, restaurant or bars;
 - 5.3 fairs, fun fairs, fancy fairs, parish fetes;
 - 5.4 festivals;
 - 5.5 cultural and musical shows, concerts or performances;
 - 5.6 trade fairs consisting of exhibition, advertisement or sale of the products of industries or of other materials; and
 - 5.7 Subject to *The Infectious Disease (Prohibition of Public Assemblies) (No. 3) Order, 2021*, all sporting activities and games (including water sports, the playing of dominoes and cards) and any similar activities outside the confines of the person's place of residence.
6. The organisers, celebrants, workers, participants of funeral ceremonies and ceremonies for the celebration of marriages shall adhere to or comply with, or ensure adherence to and compliance with, the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020, and directions and guidelines issued by the Public Health Commissioner so as to remove the risk of infection or spread of COVID-19.
 7. The following trade premises or premises, as the case may be, shall remain closed to the public or shall not operate except as specified herein —
 - 7.1 public bar except bars in a hotel or a restaurant that shall adhere to Orders made specific to their operation;
 - 7.2 cinema;
 - 7.3 casino;
 - 7.4 night clubs, dance halls or and discotheques;
 - 7.5 stadiums for sporting events;
 - 7.6 amusement parks;
 - 7.7 swimming pools for common or shared use by the public but excludes swimming pools at tourism establishments which shall be used by guests staying in the establishment;
 - 7.8 children or kids' club in tourism establishments;
 - 7.9 social centres or other premises for any cultural, musical performances or concerts;
 - 7.10 premises for trade fairs or exhibitions.
 8. No person shall be permitted to visit any person admitted to any hospital or resident health care establishment or any home for the elderly.
 9. All establishments, institutions, businesses, organisations authorised to conduct any activity or to be open to the public shall at all times ensure compliance with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) regulations, 2020, and practice good hand hygiene and social or physical distancing according to directions issued by the Public Health Commissioner in respect of their workers and customers and should employ persons to ensure practice and observance thereof so as to remove the risk of infection or spread of COVID-19.

D. Miscellaneous Orders

1. The following orders shall apply to Orders A, B, and C above —
 - 1.1 The owner, manager or operator of a trade premises, premises, establishment or public place providing a service to the public shall ensure that persons inside the premises, establishment, public place or trade premises wear face masks and shall

restrict the number of customers or persons inside the trade premises, premises, establishment or public place at any one time so that each customer or person is able to physically and optimally distance himself or herself from another person;

- 1.2. Each person in a public place shall at all times wear face masks where necessary under the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) regulations, 2020, and maintain optimal physical distance from another person as part of the observance and promotion of social or physical distancing;
- 1.3. Necessary action may be taken against any person who fails to comply with any of these orders;
- 1.4. Any person who contravenes an order without reasonable excuse commits an offence and is liable on conviction to a fine not exceeding SCR 20, 000 or imprisonment for a period not exceeding two years or to both or may be liable to be issued with any applicable spot fine or fixed penalty.
- 1.5. A person shall on request of a police officer answer any questions to enable the police officer to ascertain who the person is and whether the person is allowed to be in any assembly or performing any activity or trade or accessing any service and where the person does not satisfy the police officer that the person is allowed to be in such assembly outside the confines of the person's place of residence pursuant to any Infectious Disease Order made by the Public Health Commissioner that is in force, the police officer may —
 - 1.5.1 direct the person to go immediately to the person's place of residence;
 - 1.5.2 detain and convey the person to the person's place of residence;
 - 1.5.3 issue the person with any applicable spot fine or fixed penalty notice;
 - 1.5.4 arrest and detain the person.

E. Repeal

The following Orders are hereby repealed —

- (1) The Infectious Disease (Prohibition of Outdoor Movement) (No. 2) Order, 2021 (*Gazette Notice No. 149 of 2021*);
- (2) The Infectious Disease (Prohibition of Public Assemblies)(No.3), Order, 2021 (*Gazette Notice No. 149 of 2021*); and
- (3) The Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 4) Order, 2021 (*Gazette No. 149 of 2021*).

F. Valid Orders

Save for the repealed Orders, the following Orders are in full force and effect —

- (1) The Infectious Disease (Prohibition of Outdoor Movement) (No. 3) Order, 2021;
- (2) The Infectious Disease (Restriction on attendance of Schools) (No. 2) Order, 2021 (*Gazette Notice No. 20 of 2021*), as amended by The Infectious Disease (Restriction on attendance of Schools)(No.2) (Amendment) Order, 2021 (*Gazette Notice No. 149 of 2021*);
- (3) The Infectious Disease (Prohibition of Public Assemblies), Order (No. 4), 2021;

- (4) The Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 5) Order, 2021;
- (5) The Infectious Disease (Restriction on entry to, exit from and return to Seychelles) (No. 3) Order, 2020 (*Gazette Notice No. 300 of 2020*); and
- (6) The Infectious Disease (Restriction on Travel) (No. 3) Order, 2020 (*Gazette Notice No. 300 of 2020*), as amended by the Infectious Disease (Restriction on entry to, exit from and return to Seychelles) (No.3) (Amendment) Order, 2021 (*Gazette Notice No. 149 of 2021*).

MADE ON THIS MONDAY 1ST DAY OF MARCH, , 2021.

**DR. JUDE GEDEON
PUBLIC HEALTH COMMISSIONER**
