



AFKONDIGINGSBLAD VAN SINT MAARTEN

Jaargang 2020

No. 30

Regeling van de Minister-President van 16 mei 2020, tot het vaststellen van fase 2 zoals opgenomen in bijlage 3, en tot wijziging van bijlage 1, beide behorende bij het Landsbesluit van 10 mei 2020, no 2020/0324, tot verlenging van de uitzonderingstoestand afgekondigd bij Landsbesluit verlenging uitzonderingstoestand van 18 april 2020, no. 2020/ 0316 voor het gehele gebied van het land Sint Maarten.

DE MINISTER VAN ALGEMENE ZAKEN,

In overweging genomen hebbende:

dat op voordracht van de Minister-President bij landsbesluit uitzonderingstoestand van 18 april 2020 no 2020/0326, de uitzonderingstoestand zoals afgekondigd bij landsbesluit van 04 april 2020, no.2020/ 0314 voor het gehele gebied van het land Sint Maarten, met zes weken is verlengd;

dat gedurende de sindsdien verlopen periode is gebleken dat de cijfers ter zake van de besmetting van het coronavirus zijn gestabiliseerd;

dat de regering naar aanleiding van het voorgaande heeft besloten om bij landsbesluit van 10 mei 2020, no. 2020/0324 tot verlenging van de uitzonderingstoestand van 18 april 2020, no. 2020/0316, voor het gehele gebied van het land Sint Maarten over te gaan tot met zes weken en tot een gefaseerde opening van meerdere bedrijven, waarbij bedoelde bedrijven zich moeten houden aan de richtlijnen en fasen opgenomen in de bijlagen bij dat landsbesluit;

dat het publiek is toegestaan om zich door de week vanaf 6 uur in de ochtend tot 8 uur in de avond op de openbare weg te begeven voor het doen van inkopen van goederen en diensten bij de in bijlagen 1 en 3 bij het landsbesluit van 10 mei 2020 opgenomen ondernemingen, gedurende de van toepassing zijnde fase.

dat de Minister-President op grond van artikel 2, vierde 4, van voormeld landsbesluit, de daarin bedoelde fasen bij ministeriële regeling kan vaststellen;

dat de Minister-President voorts op grond van artikel 2, vijfde lid, de bijlagen bij dat landsbesluit, bij ministeriële regeling kan wijzigen;

dat de Minister-President middels het onderhavige landsbesluit de fase 2, zoals opgenomen in genoemde bijlage 3, wil vaststellen en ook wijzigingen wil brengen in bijlage 2 van het landsbesluit van 10 mei 2020.

Gelet op artikel 2, vierde en vijfde lid, van het Landsbesluit uitzonderingstoestand van 10 mei 2020, no. 2020/0324, tot verlenging van de uitzonderingstoestand afgekondigd bij Landsbesluit verlenging uitzonderingstoestand van 18 april 2020, no. 2020/ 0316 voor het gehele gebied van het land Sint Maarten;

BESLUIT:

Artikel I

Fase 2 als bedoeld in de bijlage 3 van het landsbesluit uitzonderingstoestand van 10 mei 2020, no. 2020/0324, wordt vastgesteld met de aanpassingen zoals opgenomen in bijlage 1 bij deze ministeriële regeling.

Artikel II

- a. De bijlage 3 van het landsbesluit tot verlenging van de uitzonderingstoestand van 10 mei 2020, no. 2020/0324 wordt vervangen door de bijlage 2 bij deze ministeriële regeling.
- b. De bijlage 2 van het landsbesluit tot verlenging van de uitzonderingstoestand van 10 mei 2020, no. 2020/0324 wordt hierbij vervangen door de bijlage 3 bij deze ministeriële regeling.

Artikel III

Deze regeling treedt, gezien het spoedeisend belang hiervan als bedoeld in artikel 127, derde lid, van de Staatregeling, in werking op de dag van de ondertekening hiervan en wordt bekendgemaakt in het Afkondigingsblad en beschikbare lokale media.

De *zestiende* mei 2020
De Minister van

Uitgegeven de *zeventiende* mei 2020
De Minister van Algemene Zaken
Namens deze,
Hoofd afdeling Juridische Zaken & Wetgeving

BIJLAGE 1 BIJ MINISTERIELE REGELING VAN 16 MEI 2020, NUMMER 10493, TOT VASTSTELLING VAN FASE 2 ZOALS BEDOELD IN BIJLAGE 3 BIJ HET LANDSBESLUIT VAN 10 MEI 2020, NO 2020/0324.

1. List of businesses allowed to open

The below businesses, services and recreational activities may resume, as part of Phase 2 of the re-opening plan.

Recreational Activities	Personal & Professional Services
1. Non-Contact Sports	13. Real Estate Firms
2. Beach going	14. Employment Agencies
Medical & Paramedical Services	15. Laundromats/ Dry-cleaners <i>(pick-up & drop-off only)</i>
3. Physiotherapy clinics	16. Car Wash Services
4. Mental Health Facilities	17. Photo Studios
5. Rehabilitation Facilities	18. Exterminating services
6. Dental Services	19. Graphic Design Studios & Printeries
Public Services (fully operational)	Public Transportation Services
7. Government Services (incl. ZBOs)*	20. Bus & Taxi service <i>(at 50% capacity)</i>
8. Utilities & Telecommunication Companies (<i>GEBE, TELEM, UTS</i>)	21. School bus service <i>(at 50% capacity and subject to approved safety plan)</i>
Educational Institutes (if plans are intact)	Retail of Goods (walk-ins allowed)
9. Primary & Secondary Schools <i>(special arrangements allowed)</i>	22. Hardware Stores
10. The Library	
Food & Beverages (pick-up only)	23. Horticulture (incl. Flower & Gift shops)
11. Food Vendors (incl. sale of provision)	24. Retail of stationary, books, school & office supplies and musical instruments
Financial Services	25. Baby & Maternity Stores
12. Money Transfer Services	26. Electronic Stores (incl. A/C sales & repairs)
	27. Sales of Auto & Marine Parts

***Government services will re-open to the public in a phased manner. Please monitor public notices for updates.**

- 2 Suppliers of abovementioned businesses and services are allowed to provide deliveries to those services.
- 3 Opening hours are 5 days per week (Monday through Friday) from 6 am – 8 pm.
- 4 Deliveries to the public from the allowed services may continue from Monday through Saturday, excluding holidays, between 6 am and 6 pm.
- 5 The first two hours of opening are to be reserved for the elderly, disabled and pregnant women.
- 6 Contrary to what is mentioned in point 1 of this addendum, the following essential & emergency services may operate seven (7) days per week:
 - a. Hotels, Guesthouses, Yachting Agents, Marinas and Ship yards, which still have guests to tend to;
 - b. Security Companies;
 - c. Agriculture (Farmers) & Fisheries (fishermen);
 - d. Media Outlets;
 - e. Garbage Collection and Sewage Services;
 - f. Infrastructure management;
 - g. Funeral Services;
 - h. Essential public utility services

Emergency Services & Remote Technical Customer Support Services may continue for telecommunication (i.e. TELEM, UTS) and utility companies (GEBE);

- i. Postal Services St. Maarten (PSS);
- j. Emergency & Paramedic Services (EMS);
- k. Government Owned Entities

The Sint Maarten Harbour Group of Companies and the Princess Juliana International Airport;

- l. Pharmacies;
- m. Medical Practitioners and Dental Clinics (emergencies only);
- n. Laboratories;

7 Waivers (written permission to cross the border)

Persons who live in Sint Maarten and work in Saint Martin or have urgent medical appointments should get the necessary waiver signed by their employer and the Prefet of St. Barths and Saint

Martin via the online form (<https://forms.gle/QuqqNVS1nWrCnY9U9>) and send digital copies to (covid19pref@saint-barth-saint-martin.gouv.fr). This also counts for deliveries.

- 8 Persons making use of their right to move around on the public road and shop or seek services on the designated days (see section 1) must adhere to the following regulations:
 - a. Only one person per family allowed to stand in line and shop;
 - b. Maximum 2 persons are allowed per vehicle to allow for proper social distancing (driver and backseat on passenger side);
 - c. Wear face protective gear (masks - including home-made masks are allowed) in public;
 - d. Refrain from hugging, kissing and handshakes.

- 9 Business and Services allowed to serve the public in connection with point 1 above must adhere to the guidelines outlined in addendum 2, entitled ***Guidelines for the Preparation of COVID-19 Prevention and Safety Plans for the Business Community of Sint Maarten*** and must have their operational plans in place prior to opening to the public. Failure to do so, will result in closure of the business. **Additional guidelines may be developed and published in the interest of Public Health & Safety by the relevant authorities.**

**BIJLAGE 3 BIJ MINISTERIELE REGELING VAN 16 MEI 2020,
NUMMER 10493, TOT WIJZIGING VAN BIJLAGE 2 BIJ HET
LANDSBESLUIT VAN 10 MEI 2020, NO 2020/0324.**

Phased re-opening of Businesses

Conditions for re-opening:

1. The phased re-opening is contingent upon the Country's ability to contain the spread of the corona virus (COVID-19). If there is a resurgence in the numbers, the phased re-opening will be delayed and/ or reversed.
2. Business and Services allowed to resume operations must adhere to the guidelines outlined in addendum 2, entitled **'COVID-19 Prevention and Safety Plan for the Business Community of Sint Maarten'** and must have their operational plans in place prior to opening to the public. Failure to do so, will result in closure of the business.
3. Although businesses/ services may be allowed to resume operations, it remains the discretion of the business/ service to indicate if/ when they will resume operations based on their readiness.
4. Recreational activities must be carried out taking proper social distancing into effect, when possible. The conditions attached to each recreational activity will be communicated upon introduction of the new phase.
5. Businesses offering a combination of activities, which fall in different phases, may only carry out that part of the business activity, which is allowed in the present phase. E.g. A hair salon which also offers massage services, may re-open in phase 3, but only carry out massage services in phase 4.

1. Phase 1 effective May 11, 2020

The below businesses, services and recreational activities may resume, as part of Phase 1 of the re-opening plan. Some of the below have been already allowed to provide services throughout the state of emergency. The additions to the list have been highlighted in yellow.

Accommodations	Financial Services
1. Hotels and other types of short-term accommodation	23. Banks & Financial Services (with the exception of money transfer services)
2. Yachting agents & Marinas	24. Insurance activities
Home, Auto & General Repair	Personal & Professional Services
3. Maintenance and repair of buildings, motor vehicles, boats, machinery and equipment	25. Textiles (seamstresses, tailors and shoe repair)
4. Construction companies	26. Consulting Services
5. Rental and leasing of heavy machinery and equipment	27. Accounting Services
6. Repair of Communication and ICT equipment	28. Legal & Notarial Services
	29. Commercial Laundry Services <i>(for essential businesses)</i>
Food & Beverages	30. Cleaning Companies, Garbage Collection & Landscaping
7. Food & beverage suppliers (wholesale & distributors)	31. Funeral Services
8. Supermarkets/ Grocery Stores	32. Security Services
9. Restaurants <i>(pick-up, delivery & drive through only)</i>	33. Shipping, Cargo & Courier Services (incl. FedEx & DHL) <i>(delivery only)</i>
10. Bakeries	Retail of Goods (curbside pick-up/ Delivery only)
11. Food distributions by charitable organizations	34. Hardware stores <i>(curbside pick-up & delivery only)</i>
12. Commercial fishing	35. Horticulture <i>(curbside pick-up & delivery only)</i>
	36. Baby & Maternity Stores <i>(delivery only)</i>
	37. Electronic Stores <i>(delivery only)</i>
Medical & Paramedical Services	38. Sale of Auto & Marine Parts <i>(curbside pick-up & delivery only)</i>
13. Sint Maarten Medical Center	Other Services
14. General Practitioners	39. Suppliers of fuel (diesel, gasoline & jetfuel)
15. Pharmaceutical Suppliers & Pharmacies	40. Suppliers of cooking gas
16. Medical Laboratories	Public Services (limited services)
17. Veterinary Services	41. Essential Government Services (incl. ZBOs)
18. EMS Services	42. Utilities & Telecommunication Companies <i>(GEBE, TELEM, UTS)</i>
19. Paramedic Services	43. Postal Services

20. Opticians/ Optical Stores	44. Sint Maarten Housing Development Foundation
Educational Institutes <i>(if plans are intact)</i>	45. Unions
21. Day care Institutes	46. Media
22. Early Childhood development Centers	Recreational Activities
	47. Walking, jogging & Cycling

2. Phase 2 effective May 18, 2020

The below is allowed in addition to those mentioned in phase 1.

Recreational Activities	Personal & Professional Services
1. Non-Contact Sports	13. Real Estate Firms
2. Beach going	14. Employment Agencies
Medical & Paramedical Services	15. Laundromats/ Dry-cleaners <i>(pick-up & drop-off only)</i>
3. Physiotherapy clinics	16. Car Wash Services
4. Mental Health Facilities	17. Photo Studios
5. Rehabilitation Facilities	18. Exterminating services
6. Dental Services	19. Graphic Design Studios & Printeries
Public Services <i>(fully operational)</i>	Public Transportation Services
7. Government Services (incl. ZBOs)*	20. Bus & Taxi service <i>(at 50% capacity)</i>
Utilities & Telecommunication Companies <i>(GEBE, TELEM, UTS)</i>	21. School bus service <i>(at 50% capacity and subject to approved safety plan)</i>
Educational Institutes <i>(if plans are intact)</i>	Retail of Goods <i>(walk-ins allowed)</i>
9. Primary & Secondary Schools <i>(special arrangements allowed)</i>	22. Hardware Stores
10. The Library	23. Horticulture (incl. Flower & Gift shops)
Food & Beverages <i>(pick-up only)</i>	24. Retail of stationary, books, school & office supplies and musical instruments
11. Food Vendors (incl. sale of provision)	25. Baby & Maternity Stores
Financial Services	26. Electronic Stores (incl. A/C sales & repairs)
12. Money Transfer Services	27. Sales of Auto & Marine Parts

****Government services will re-open to the public in a phased manner. Please monitor public notices for updates.***

3. Phase 3 effective June 1, 2020

The below is allowed in addition to those mentioned in phases 1 and 2.

Food & Beverages	Personal & Professional Services
1. Restaurants (dine-in with social distancing)	21. Laundromats (<i>for public use</i>)
Retail of goods	22. Travel Agencies
2. Retailers of Clothes, Jewelry, Shoes & Souvenirs	Freight Services (<i>Pick-up service allowed</i>)
3. Furniture & Appliance Stores	23. Cargo, Shipping & Mailbox services
4. Natural Health Stores	Public Transportation Services
5. Pet Stores	24. Tours & Groups (<i>at 50% capacity</i>)
6. Cosmetic Stores	25. Car Rental Services
7. Retail of Vehicles & Vessels	Education (<i>if plans are intact</i>)
8. Retail of Alcohol & Tobacco	26. Universities
9. All other Retail Stores	27. Vocational Training Institutes
Recreational Activities	28. All Other Educational Institutes
10. Bars (with social distancing)	Personal Care Services
11. Cinemas & Theatres	29. Barbershops, Hair & Nail salons
12. Casinos & Lotteries	Religious Services
13. Contact Sports	30. Churches & Other worship services
14. Sport facilities (e.g. gyms) & stadiums	31. Weddings
15. Beach & Water Activities	Marine Services
16. Indoor & Outdoor Activities	32. Boat Rental / Charter Services
17. Art galleries & Exhibition Halls	33. Ferry Services (@ 50% capacity)*
18. Recreational Centers	34. Vessels
Public Services	
19. Community Councils	
20. Non-Gov't Organizations (foundations, associations)	

****Contingent upon the National Ordinance on Admission & Expulsion of Visitors, Notice to Mariners, Timatic notices and other regulations/ restrictions related to travel by air and sea.***

4. **Phase 4** effective June 15, 2020

All remaining businesses, services and recreational activities may resume, including, but not limited to the below.

Retail of goods	Other Services
1. Market Vending	4. Manufacturers & Breweries
Recreational Activities	Personal Care Services
2. Nightclubs & Dance Establishments	5. Massage Parlors, incl. Body & Beauty Treatments
3. Adult Entertainment Establishments	