

2020

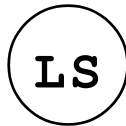
**EMERGENCY POWERS  
AMENDMENT**

**ACT 9**

**COMMONWEALTH OF DOMINICA**

ACT NO. 9 OF 2020.

*I assent*



**CHARLES A. SAVARIN**  
*President*

8<sup>th</sup> April, 2020

**AN ACT TO AMEND THE EMERGENCY POWERS  
ACT, CHAP. 15:02.**

*(Gazetted* April, 2020.)

**1 .** This Act may be cited as the –

Short title.

**EMERGENCY POWERS  
(AMENDMENT) ACT 2020.**

Interpretation.

**2.** In this Act the Emergency Powers Act is referred to as “the Act”.

Amendment of section 2  
of the Act.

**3.** Section 2 of the Act is amended- -

(a) by deleting subsection (1) and substituting the following:

“(1) Where the President is satisfied -

(a) that a public emergency has arisen as a result of the imminence of a state of war between Dominica and a foreign State or that any action has been taken or is immediately threatened by any person or body of persons of such a nature and on so extensive a scale as to be likely to endanger the public safety or to deprive the community or any substantial portion thereof, of any supplies or services essential to life; or

(b) that a public emergency has arisen as a result of the occurrence or impending occurrence of any earthquake, hurricane, flood, fire, outbreak of pestilence, outbreak of infectious disease or other calamity whether similar to the foregoing or not,

the President may by Proclamation declare that a state of emergency exists in the State or any portion thereof, whereupon the provisions of this Act shall immediately come into force.”.

(b) in subsection (2) by deleting paragraph (d) and substituting the following:

“(d) prohibit any person from being in a public place between such hours as may be specified, except as provided in Regulations or Orders made under

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this Act or under the authority of a written permit granted by such authority or person as may be specified;”.

4. Section 3 of the Act is amended –

Amendment of section 3  
of the Act.

- (a) by renumbering the section as subsection (1);
- (b) by inserting the following as subsections (2) and (3):

“(2) Regulations and Orders made under this section may without prejudice to the generality of the powers conferred on the President by this Act, provide -

- (a) for the restriction on the movement of persons in and between specified parts of Dominica or throughout the entire country and that includes provisions respecting curfew, and the regulation of gatherings;
- (b) for requisitioning and regulating the supply and distribution of food, clothing, water, fuel, light and other necessities of life, and fixing maximum wholesale and retail prices in respect thereof;
- (c) for the requisitioning of private lands, buildings and premises;
- (d) for conferring on any person the right of entry on or passage through or over any private lands, buildings or premises;
- (e) for the demolition of any building or other structure deemed to be dangerous;
- (f) for the disposal of the dead and for dispensing

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**EMERGENCY POWERS  
(AMENDMENT)**

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**ACT 9**

Chap. 4:30.  
Chap. 35:30.  
Cap.184.

with inquiries under the Coroners Act and from the provisions of the Registration of Births and Deaths Act and the Cemetery Act.

(3) The expiry or revocation of any Regulations or Orders made under this section shall not be deemed to have affected the previous operation thereof or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention or failure to comply therewith, or any proceeding or remedy in respect of any such punishment or penalty.”.

Amendment to section 5  
of the Act.

**5.** Section 5 of the Act is amended by deleting the word “five” and substituting “ten”.

Passed in the House of Assembly this 6<sup>th</sup> day of April, 2020.

**DANIEL JAMES**  
*Clerk of the House of Assembly*