AN UPDATE: COVID-19 (TEMPORARY MEASURES) (CONTROL ORDER) REGULATIONS 2020

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Categories: CNPupdates, Covid-19 Resource

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1. Since we released the first article on the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 ("**Control Order**") on 10 April 2020 ("**Original Article**"), the Control Order has been amended on 15 April 2020 ("**Amendment**") to implement various enhanced measures introduced to curb the transmission of COVID-19 in Singapore. This is an update on the key changes made to the Control Order.

Baseline restriction: Masks must be worn when outside, with limited exceptions

2. The Amendment introduced a new requirement for every individual to wear a mask over the nose and mouth at all times when the person is not at home. Moreover, a person escorting a child that is at least 2 years old must ensure that the child is wearing a mask over the nose and mouth at all times as well.

3. However, masks need not be worn in the following circumstances:

- (a) when the individual or child is engaging in any strenuous physical exercise e.g. jogging and running;
- (b) when lawfully directed by a person to remove the mask for identity verification;

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- (c) when travelling in a motor car or van alone, or where the driver and passengers ordinarily live with the individual; or
- (d) when carrying out, in the course of employment, an activity that requires that no mask may be worn, or that it must be removed in order that other equipment may be worn (e.g. welding), or when riding a motorcycle in the course of employment or otherwise.

Stay at home with limited exceptions

4. The Control Order continues to require everyone to stay home with limited exceptions. The Amendment introduced and amended various exceptions to the stay home requirement.

5. For ease of reference, the following is a list of all the exceptions to the stay home requirement as of the Amendment:

- (a) to work for or with an essential service provider ("**ESP**"), a specified school or an early childhood development centre;
- (b) to procure any goods or services from an ESP, an early childhood development centre or a specified school;
- (c) to obtain:
    - (i) medical treatment for a suspected COVID-19 infection at a hospital, medical clinic or any other place designated for the treatment of COVID-19; or
    - (ii) medical treatment that is of a pressing nature;
- (ca) to bring a child daily to and from an individual's home to the home of the child's grandparents, for the care of the child, and back to individual's home, in any of the following circumstances:
    - (i) the individual and the other parent or guardian of the child each works for or with a person mentioned in paragraph 5(a);
    - (ii) the individual or the individual's spouse (if the spouse ordinarily resides in the same place of residence) is a healthcare worker; or
    - (iii) the individual or the individual's spouse works for or with a person mentioned in paragraph 5(a) and the child is below 3 years of age;
- (cb) to go daily to the home of an individual's grandchild to care for the child, in any of the following circumstances:
    - (i) the child's parents or guardian each works for or with a person mentioned in paragraph 5(a);
    - (ii) one of the child's parents or the child's guardian is a healthcare worker; or
    - (iii) one of the child's parents or the child's guardian works for or with a person mentioned in paragraph 5(a) and the child is below 3 years of age;
- (cc) where paragraph 5(ca) or 5(cb) does not apply:
    - (i) where the individual is a parent or guardian, to bring the individual's child to the place of

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residence of the child's grandparents for the care of the child; or
    - (ii) where the individual is a grandparent, to move to the place of residence of the individual's grandchild to care for the child;
- (d) to walk, run, cycle or engage in other similar exercise at any of the following places, either alone or with any other individual living in the same place of residence:
    - (i) on a public path;
    - (ii) in a green or an open space that is managed or maintained by the Government or a public body and is accessible free of charge to the general public;
- (e) to transfer temporary custody or care of a child pursuant to any agreement regarding the access rights of a parent of the child, or in discharge of a legal obligation;
- (f) to assist an individual in activities of daily living where no alternative care arrangements for that individual are available, being an individual with disability, or who is 60 years of age and above;
- (g) to report for enlistment or national service;
- (h) to report to any law enforcement officer or to attend at any court in accordance with any warrant, summons or order made under any written law or order of a court;
- (i) to comply with an order of a court or a direction given in exercise of a power under any written law;
- (ia) to attend a funeral or funeral wake;
- (j) to seek or render help in an emergency;
- (k) to move from the individual's home to stay in another accommodation;
- (l) to leave Singapore;
- (m) to do anything reasonably connected with and for the purposes of the matters in paragraphs 5(a) to 5(l).

6. The Amendment has also removed restrictions on persons who is coughing, sneezing, breathless, or has a runny nose (each, a "**Specified Symptom**") or has a fever set out in paragraph 5 of the Original Article.

7. The Amendment has introduced restrictions on caregivers and children who have changed their place of residence for purposes set out in paragraph 5(cc) above. After the child or the caregiver has moved to a new place of residence, he or she cannot move back to the original place of residence or to any other place of residence.

8. In addition to the exceptions in paragraphs 6(a) to (d) of the Original Article, the Amendment now allows individuals to let others to enter their homes for the purposes connected with paragraphs 5(ca), (cb) or (cc) above.

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Safe distancing

9. The Amendment clarifies that the reference to "public transport" in paragraph 7(b) of the Original Article is a reference to "public passenger transport services by road or rail".

Requirements in relation to essential service providers and essential service workers

No cross-deployment of essential service workers

10. The Amendment introduces a new requirement in relation to the cross-deployment of essential service workers ("**ESWs**") by ESPs who provide goods or services from 2 or more fixed premises and their branch managers (i.e. persons authorised by ESPs to control or manage their premises). This requirement, however, does not apply to ESPs if movement of its ESWs is integral to its business e.g. transporters of goods or public passenger transport service providers.

11. Under this new requirement, ESPs and their branch managers must not deploy, transfer or otherwise post any relevant ESW to work in a premise at which the ESW was not, immediately before 15 April 2020, working.

Safe distancing measures

12. ESPs are required to implement the following additional safe distancing measures at the workplace:

- (a) as far as reasonably practicable, minimise physical interaction between ESWs; and
- (b) as far as is reasonably practicable, ensure that every ESW at work wears a mask, unless paragraphs 3(b) or (d) above applies.

13. The Amendment also clarifies that ESPs who provide transportation for its ESWs must take all reasonable steps to ensure that every ESW is either seated or standing at least one metre apart from each other. This obligation extends to:

- (a) the person providing the private transport pursuant to an arrangement with the ESP; and
- (b) the driver of the vehicle.

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Obligations of occupiers of ESPs' premises

14. The Amendment now requires occupiers of the ESP's premises to undertake the measures under paragraph 21 (b), (c) and (f) of the Original Article on a reasonably practicable basis, including the obligation to take temperatures and obtain contact details of individuals entering the premises.

We are here to help

We understand that this may be a challenging time for you and your businesses. If you have any queries about how the Act or the Control Order will affect you and your businesses, we will be more than happy to address them. Please feel free to contact Ms Tan Min-Li or Ms Ge Xiaomeng.

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