

COVID-19 (TEMPORARY MEASURES) (CONTROL ORDER) REGULATIONS 2020

Posted on April 10, 2020



Categories: [CNPupdates](#), [Covid-19 Resource](#)

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Published: 10 April 2020

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Background

1. In response to the COVID-19 pandemic, the COVID-19 (Temporary Measures) Act 2020 (the “**Act**”) was passed by Parliament on 7 April 2020. Part 7 of the Act on COVID-19 Control Orders gave the Health Minister the power to make regulations for the purpose of, amongst others, controlling the incidence or transmission of COVID-19 in Singapore. In the exercise of such powers, the Health Minister made the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (the “**Control Order**”).
2. The Control Order came into force on 7 April 2020 and will last until 4 May 2020 (both dates inclusive). It has since been amended several times, with the latest round of amendments coming into force on 10 April 2020.

No social gatherings

3. The Control Order provides that no one can meet another person who does not live in the same place

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of residence for any social purpose.

Stay at home with limited exceptions

4. Moreover, the Control Order requires everyone to stay at their ordinary place of residence in Singapore. This is subject to very limited exceptions, which includes the following:
 - (a) to work for or with an essential service provider (“**ESP**”) (please see paragraph 10 below), a specified school or an early childhood development centre;
 - (b) 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 designated medical institutions ; or
 - (ii) medical treatment that is of a pressing nature;
 - (d) to engage in any recreational activity alone or with any other individual who lives in the same place of residence on a public path, or in a green or an open space that is managed or maintained by the Government or a public body and is open to the general public free of charge;
 - (e) to transfer temporary custody or care of a child pursuant to any legal agreement, or in discharge of a legal obligation;
 - (f) to assist any individual who has a physical or mental disability, or is 12 years of age and below, or 60 years of age and above, with his or her daily needs, where there is no other assistance available to the individual;
 - (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 the extent necessary to comply with an order of a court or a direction given in exercise of a power under any written law;
 - (j) to attend a funeral or funeral wake;
 - (k) to seek or render help in an emergency;
 - (l) to move to another place of accommodation;
 - (m) to leave Singapore; or
 - (n) to do anything reasonably connected with and for the purposes of the matters set out above.
5. If the person is coughing, sneezing, breathless, or has a runny nose (each a “**Specified Symptom**”) or has a fever, the person cannot leave their ordinary place of residence for the reasons set out in paragraphs 4(a), (d), (f), (l) and (m) above.
6. Any person leaving their ordinary place of residence for any of the above purposes must do so only to

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the extent necessary. In addition, an individual must not allow any other person to enter his or her ordinary place of residence unless for the purposes set out below:

- (a) to enable an ESP to supply goods or services;
- (b) for any purpose connected with paragraph 4(e), (i) or (l) above;
- (c) to receive any assistance mentioned in paragraph 4(f) above; or
- (d) to receive help in an emergency.

Safe distancing

7. If any person leaves their ordinary place of residence for one of the purposes set out in paragraph 4 above, they must keep a distance of at least one metre from any other individual, except in:
 - (a) any motor vehicle or other modes of transport; or
 - (b) any premises used in connection with the provision of public transport.
8. An individual must also not, amongst others, stand in a queue less than one metre away from another individual in the queue in a public place except those places set out in paragraphs 7(a) and (b) above.

Essential and non-essential service providers

9. The Control Order distinguishes ESPs from non-essential service providers (“**non-ESPs**”), for the purposes of prescribing the manner in which they may conduct their businesses.
10. Under the Control Order, ESPs refer to the following persons or institutions:
 - (a) the Government or any public body;
 - (b) a person who provides any essential service, which is the provision of goods or services by the Government or any public body in the exercise of its public functions or those goods or services specified on the website <https://covid.gobusiness.gov.sg/essentialservices/>; and
 - (c) a person who is given permission by the Minister charged with the responsibility for domestic business policies to provide certain goods or services.
11. ESPs may continue to carry out their business at their premises if they have received permission from the Minister charged with the responsibility for domestic business policies, and abide by the restrictions stated on the website <https://covid.gobusiness.gov.sg/essentialservices/> or any other conditions as may be imposed on them.

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12. On the other hand, non-ESPs and their workers are only allowed to carry on business from their ordinary place of residence, and only through means that do not require meeting any other individual in person.

Requirements in relation to essential service providers and essential service workers

13. The Control Order imposes certain requirements in relation to ESPs and essential service workers (“**ESWs**”). ESWs not only include the ESPs’ employees, but also extend to the ESPs’ contractors, subcontractors and their employees where these people work under the direction of the ESPs. These requirements apply to all ESPs (other than the Government or a public body) and their business premises unless specified or exempted by other regulations. The Control Order expressly states that these requirements do not apply to hospitals and healthcare institutions.
14. ESPs must ensure that they provide the facilities necessary for every ESW who is not on leave to work from home and instruct them to do so, unless this is not reasonably practicable.
15. ESPs must also implement safe distancing measures at the workplace, including:
- (a) as far as reasonably practicable, grouping ESWs into teams and deploying ESWs to work within their teams to minimise physical interaction between different teams ;
 - (b) staggering the time that the ESWs arrive at and leave the workplace;
 - (c) requiring ESWs who are unwell to report to the ESP; and
 - (d) ensuring that every person in the workplace is at least one metre apart.
16. Furthermore, ESPs must impose entry restrictions on all persons (who are not ESWs) entering their premises, including:
- (a) limiting entry to individuals who procure or deliver goods or services connected to the ESP’s business; and
 - (b) ensuring that these individuals:
 - (c) arrive at the premises at different times;
 - (d) do not stay longer than is necessary; and
 - (e) keep a distance of at least one metre away from all other persons.
17. ESPs can only hold physical meetings between ESWs and any other person if:
- (a) it is critical to their business; or
 - (b) it is for professional or vocational training, testing certification or accreditation of an ESW.

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18. ESWs who are at the workplace are required to comply with all directions given by the ESP in relation to the above requirements as far as reasonably practicable.
19. For ESPs who provide transportation for its ESWs to and from work, they must ensure that the ESWs are seated at least one metre apart in the vehicle.
20. Finally, ESPs must, as far as reasonably practicable, communicate to all ESWs and individuals entering its premises about the measures that apply to them in relation to the above requirements.

Obligations of occupiers of ESPs' premises

21. Occupiers of the ESPs' premises are required to undertake certain measures, including:
 - (a) allowing natural ventilation of the premises during working hours;
 - (b) taking the body temperature of everyone entering the premises and look out for any Specified Symptom;
 - (c) obtaining the contact details of everyone entering the premises (except ESWs ordinarily working at the premises) for contact tracing purposes;
 - (d) stopping those with fever or Specified Symptom or refuse to have their temperature taken or furnish their contact details from entering the premises;
 - (e) where anyone is found to have a fever or a Specified Symptom:
 - (i) as far as reasonably practicable, providing him or her with a mask and require that person to wear it;
 - (ii) requiring the person to immediately leave the premises; or
 - (iii) isolating the individual if the person cannot leave the premises immediately; and
 - (f) stopping anyone from entering the premises unless that person works for, supplies an essential service to, procures goods or services from or otherwise deal with the ESP.

Restriction on use of sports or recreation facilities

22. An individual must not use any sports or recreation facilities:
 - (a) in the common property of a subdivided building which is the individual's ordinary place of residence; or
 - (b) in any public place, except at a green or an open space that is managed or maintained by the Government or a public body and is open to the general public free of charge.

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Other regulations

23. The Control Order also provides for other matters, such as requirements for specified dormitories, specified hostels and funeral parlours, and requirements for owners and occupiers of any premises with respect to safe distancing. Please refer to the Control Order for more details, which may be found at <https://sso.agc.gov.sg/SL/COVID19TMA2020-S254-2020>.

Penalties involved

24. Under the Act, any person who, without reasonable excuse, contravenes a control order, commits an offence and shall be liable on conviction to a fine not exceeding S\$10,000 or to imprisonment for a term not exceeding 6 months or to both.
25. In the case of a second or subsequent offence, the fine will be increased to an amount not exceeding S\$20,000 or to imprisonment for a term not exceeding 12 months or to both.

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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