

BY COMMAND OF HIS EXCELLENCY,
TIMOTHY J. FOY, OFFICER OF THE
MOST EXCELLENT ORDER OF THE
BRITISH EMPIRE, GOVERNOR OF
ANGUILLA

PROCLAMATION

**(STATE OF EMERGENCY LIMITED TO TERRITORIAL MARITIME BORDER
SECURITY AND CONTROL TO MITIGATE THE SPREAD OF COVID 19 PANDEMIC)**

GREETING

IN THE NAME OF HER MOST EXCELLENT BRITANNIC MAJESTY ELIZABETH II, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

WHEREAS the disease known as coronavirus (COVID-19) has been declared a global pandemic which threatens the public health and safety of many territories and states around the globe resulting in widespread infection of persons and resultant deaths of many;

AND WHEREAS the rate of infection and territorial spread of the COVID-19 disease has now been confirmed to be present and rapidly spreading in the communities of the territories and states proximate to Anguilla;

AND WHEREAS the disease known as coronavirus (COVID-19) is a highly infectious and communicable disease and the risk of transmission of this pestilence into the Anguilla community is substantially increased and potentiated by rapid spread of this disease in the population of nearby and bordering territories, coupled with the porous nature of the borders of the territory and the unrestricted movement of marine vessels in and out of the territorial waters of Anguilla;

AND WHEREAS in consequence of the very present danger and risk of the transmission and outbreak of this infectious disease in Anguilla by the unrestricted movement of persons unknown and those known or suspected to have contracted the disease in nearby and bordering territories from which community spread of the disease is notorious being transported to Anguilla upon marine vessels sailing in and out of the territorial waters of Anguilla, it has become urgently necessary to take certain preventive measures in the interest of public safety and border security;

AND WHEREAS it is enacted by section 17 of the Constitution aforesaid that the Governor may, by Proclamation which shall be published in the Official Gazette, declare that a state of emergency exists and that a declaration of emergency may at any time be revoked by the Governor, by Proclamation which shall be published in the Official Gazette, and, unless sooner revoked, shall without prejudice to the making of a further declaration in like manner, expire at the expiration of ninety days from the date on which it was made.

AND WHEREAS it is provided by section 2(1) (a) and (b) of the Emergency Powers Act RSA c. E45 that whenever it appears to the Governor that a public emergency has arisen as a result of the occurrence of any outbreak of pestilence, outbreak of infectious disease or any

other calamity; or that 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 maintenance of public safety or public order, the Governor may, declare that a state of emergency exists in Anguilla;

AND WHEREAS section 3(3) of the said Emergency Powers Act provides that a declaration of a state of emergency may be made so as to apply only to such part or area or parts or areas of Anguilla as may be specified in the Proclamation.

AND WHEREAS for the time being the threat to public safety arises from the outbreak of this pestilence in nearby and bordering territories aforesaid and by the presence and unrestricted movement of vessels in the waters of Anguilla which is a matter directly related to border control and internal security under section 28 (2) (a) of the Constitution of Anguilla (as amended);

AND WHEREAS by virtue of the foregoing powers and by Proclamation dated the 9th day of April, 2020 a declaration of a state of emergency limited to the territorial waters of Anguilla, its foreshore and coastline was declared to exist and declared to continue to exist by further Proclamation dated the 29th day of October 2020.

AND WHEREAS the declaration of emergency which came into force by the latter mentioned Proclamation aforesaid was made effective from the 1st November, 2020 to the 12th December, 2020.

NOW THEREFORE, I, TIMOTHY J FOY, OBE Governor of Anguilla, under and by virtue of the powers conferred upon me by the said section 17 of the Constitution of Anguilla and in pursuance of the provisions of sections 2 and 3 of the Emergency Powers Act, and, acting in my own deliberate judgment, **HEREBY FURTHER DECLARE** that a state of emergency continues to exist within the territorial waters of Anguilla, its foreshore and coastline.

AND THAT pursuant to section 2(2) of the Emergency Powers Act, I am satisfied that a public emergency has arisen as a result of the outbreak of the infectious COVID-19 disease in nearby and bordering territories which presents an imminent threat and risk of transmission and possible outbreak in Anguilla via the porous maritime border with those territories aforesaid; by the increasing risk of unrestricted movement of persons to and from those territories in which community spread of the disease is notorious, being transported to Anguilla upon marine vessels sailing in and out of the territorial waters of Anguilla; **AND** I am further satisfied that this declaration of emergency is reasonably justifiable in the interest of public safety and public health.

AND THAT this declaration of limited public emergency shall come into force and effect from the 13th day of December 2020 until the 23rd day of January, 2021.

AND I DIRECT THAT regulations made pursuant to the Emergency Powers Act shall have continuing application and effect until the 23rd January, 2021 or unless sooner revoked by further proclamation.

AND ALL Her Majesty's officers and loving subjects in Anguilla and all other persons whom it may concern are hereby required to take due notice hereof and to govern themselves accordingly.

Given under my Hand and the Public Seal of Anguilla at Government House this 4th day of December, 2020.



Timothy J Foy, OBE
GOVERNOR OF ANGUILLA

GOD SAVE THE QUEEN