

## **Frequently Asked Questions- National State of Emergency:**

### **Q. What happens following the declaration of a state of emergency?**

- A. Within three days of the making of the Proclamation, the President shall deliver to the Speaker for presentation to the House of Representatives a statement setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based, and a date shall be fixed for a debate on this statement as soon as practicable but in any event not later than fifteen days from the date of the Proclamation

### **Q. What is the standard duration of a national state of emergency?**

- A. Proclamation made by the President for the purposes of and in accordance with this section shall, unless previously revoked, remain in force for fifteen days.

### **Q. Can the state of emergency be extended?**

- A. Before its expiration the Proclamation may be extended from time to time by resolution supported by a simple majority vote of the House of Representatives, so however, that no extension exceeds three months and the extensions do not in this aggregate exceed six months. The Proclamation may be revoked at any time by a resolution supported by a simple majority vote of the House of Representatives.

### **Q. What is the power of the armed forces?**

- A. Soldiers will exercise powers enjoyed by police during the period of the Limited State of Emergency:
- Search and seizure powers enhanced because a search warrant is not needed
  - Powers of arrest and detention are included; soldiers can arrest individuals but must hand over detainees to the police.
  - Police can arrest and detain for up to 24 hours after which a magistrate, or assistant superintendent (or higher), will be able to add an extra 7 days
  - No bail for those arrested during the State of Emergency; courts no longer will have the power to grant bail.

You must comply with all requests by police to stop for search and seizure protocols

- A special 3-person tribunal will be set up by Chief Justice to oversee and adjudicate all possible cases of abuse of power

- **Religious services, educational services, entertainment, etc., are exempt from requesting advanced permission from the Police Commissioner**

**Q. What is the effect on the business community and their workers?**

A. Rights and freedoms may be suspended during an emergency, for instance, freedom of movement. The TTMA recommends that manufacturers located in the areas identified and manufacturers with employees residing in the areas under curfew, where possible implement the following:

1. Re-assign affected employees to the day shift
2. Create a 9pm-5am shift to accommodate affected workers

The Ministry of Labour and the Ministry of National security will be releasing further information during the week as it relates to the issuing of permits for employees.