

General – COVID-19

## Control Orders under the COVID-19 Circuit Breaker Measures

### Introduction

Under the new circuit breaker measures introduced to combat the spread of COVID-19, one of the key safeguards is the imposition of control orders, which restrict the movement of people and the operation of businesses and premises. This measure seeks to prevent and control the incidence or transmission of COVID-19 in Singapore.

On 7 April 2020, the Singapore Parliament passed the [COVID-19 \(Temporary Measures\) Act 2020](#) ("**Act**") and the Act came into force partially on the same day.

Among other measures, the Act provides the Government the legal basis to enforce the circuit breaker measures. The Minister for Health is empowered to make temporary control orders which may require an individual to stay at a specified place and not to leave except for certain purposes, require the closure of premises such as workplaces, and impose restrictions such as those relating to the manner of carrying on business or work or the gathering of individuals in any place. This provision came into effect on 7 April 2020, and will remain in force for one year.

On 7 April 2020, the [COVID-19 \(Temporary Measures\) \(Control Order\) Regulations 2020](#) ("**Regulations**") were issued under the Act to impose restrictions on:

- (a) premises and businesses in relation to the closure of premises and the respective controls on essential and non-essential service providers; and
- (b) the movement of people, both in public places and in places of residence.

The Regulations are in force from **7 April 2020 to 4 May 2020**.

In this Update, we provide a summary of the movements which are or are not permitted under the Regulations.

### Restrictions in Relation to Premises and Businesses

#### What IS permitted

Essential service providers are still allowed to carry on business, provided that:

- (a) they operate from their permitted premises;



### General – COVID-19

- (b) they obtain the necessary permission from the Ministry of Trade and Industry ("MTI"); and
- (c) they operate in accordance with the prescribed restrictions.

Accordingly, the owner or occupier of the permitted premises may allow any employee, contractor, customer or other individual to enter the premises only for the purposes of working for or dealing with the essential service provider. However, the owner or occupier must also take all reasonable steps to comply with the safe distancing requirements:

- (a) If fixed seating is provided, alternate seats must be designated as not to be occupied;
- (b) If non-fixed seating is provided, each seat must be at least one metre away from any other seat;
- (c) If individuals may form a queue in the premises, practices must be applied to ensure that they are at least one metre away from each other.

For more information on the suspension of activities at the workplace and the scope of allowance for essential services, please see our earlier Client Update on "[COVID-19 Circuit Breaker Measures: Suspension of Activities at Workplace.](#)"

### What IS NOT permitted

Apart from the above exceptions, the owner or occupier of all non-residential premises must ensure that the premises are closed to entry by any individual. This includes workplaces, schools, recreational facilities and places of worship.

For residential premises, the sports and recreation facilities in a condominium, such as the swimming pool, gym, sauna, function room or barbecue pit, must also be closed.

Individuals in non-essential services may only carry on business from their own place of residence.

### Enforcement and penalties

The Act imposes penalties for contravention of a control order without reasonable excuse.

- (a) Upon conviction, an offender is liable to a fine of up to S\$10,000 or to imprisonment of up to six months or to both.
- (b) In a second or subsequent offence, an offender is liable to a fine up to S\$20,000 or to imprisonment up to 12 months or to both.

Businesses, employers and owners of premises should thus be aware of the restrictions imposed by the Regulations. Failure to comply could result in the aforementioned penalties.

- (a) For non-essential services, it should be ensured that the workplace premises are closed to entry, and that their employees do not return to the premises unless duly authorised by MTI.

### General – COVID-19

Otherwise, both employer and employee may be guilty of an offence.

- (b) For essential services, it should be ensured that operations are in accordance with the relevant restrictions. Owners of premises must also implement the necessary safe distancing measures.

The Act also facilitates the enforcement of control orders by allowing enforcement officers to direct any person at any premises or facility to:

- (a) stop carrying on the business or undertaking, and stop working, at the premises or facility;
- (b) take steps to comply with the restrictions in the control order; and
- (c) close or limit access to the premises or facility.

If an individual or a business, without reasonable excuse, fails or refuses to comply with a direction of an enforcement office, they may also be liable to same penalties set out above.

## Restrictions on Movement of People

### What IS NOT permitted

Subject to certain exceptions which will be highlighted below, the Regulations prohibit an individual from:

- (a) leaving their place of ordinary residence in Singapore;
- (b) permitting another individual to enter their place of residence;
- (c) meeting another individual living in a difference residence for any social purpose;
- (d) using any sports or recreation facilities in common property or public places (except for open air stadiums or public parks); and
- (e) being less than one metre away from another individual in any public place or common property (except for lifts, vehicles or public transport facilities); and
- (f) without reasonable excuse, sitting or queueing less than one metre from another individual, or sitting in a seat in a public place that is designated as not to be occupied.

The penalties for contravention of these restrictions is the same as those for the contravention of the restrictions in relation to businesses and premises.

### What IS permitted

The Regulations set out certain exceptions to the general prohibitions set out above. An individual may leave their place of residence (only to the extent necessary) for, amongst others, the following purposes:

- (a) to work for, or obtain goods or services from, an essential service provider, a specified school or an early childhood development centre;
- (b) to obtain pressing or COVID-19 related medical treatment;

General – COVID-19

- (c) to engage in any recreational activity in an open-air stadium, public path or public park alone or with an individual they live with;
- (d) provided the individual works in essential services, to bring their child to a place to be cared for (such as childcare or a grandparents' residence);
- (e) to assist any individual who has a physical or mental disability, or is below 12 years of age or above 60 years of age, with their daily needs; or
- (f) to seek or provide help in an emergency.

An individual may also permit another person into their residence for the following reasons:

- (a) to provide or supply essential services;
- (b) to provide care for a child of an individual working in essential services;
- (c) to receive help in an emergency; and
- (d) to receive assistance with their daily needs (for individuals who have physical or mental disability, or are below 12 years of age or above 60 years of age).

## Concluding Words

The imposition of control orders is a significant component of the current circuit breaker measures. The passing of the Act and the Regulations sets out the scope of the restrictions to be observed, and allows for the enforcement of such restriction, whether by direction of an enforcement officer or by imposition of penalty. Businesses and individuals should this ensure strict compliance with the measures imposed.

For more articles and updates from our teams across the region on COVID-19 and related legal issues, please visit [Rajah & Tann Asia's COVID-19 Resource Centre](#).

## Contacts



**Leong Kah Wah**  
Head, Dispute Resolution  
Shipping & International Trade

T +65 6232 0504

[kah.wah.leong@rajahtann.com](mailto:kah.wah.leong@rajahtann.com)



**Abdul Jabbar Bin Karam Din**  
Head, Corporate and  
Transactional Practice

T +65 6232 0465

[abdul.jabbar@rajahtann.com](mailto:abdul.jabbar@rajahtann.com)



**Evelyn Wee**  
Deputy Head, Corporate and  
Transactional Practice  
Head, Capital Markets

T +65 6232 0724

[evelyn.wee@rajahtann.com](mailto:evelyn.wee@rajahtann.com)



**Adrian Wong**  
Deputy Head, Dispute Resolution  
Commercial Litigation

T +65 6232 0427

[adrian.wong@rajahtann.com](mailto:adrian.wong@rajahtann.com)



**Tan Mui Hui**  
Partner, Capital Markets

T +65 6232 0191

[mui.hui.tan@rajahtann.com](mailto:mui.hui.tan@rajahtann.com)



**Wang Ying Shuang**  
Partner, Insurance & Reinsurance

T +65 6232 0365

[ying.shuang.wang@rajahtann.com](mailto:ying.shuang.wang@rajahtann.com)

---

Please feel free to also contact Knowledge and Risk Management at [eOASIS@rajahtann.com](mailto:eOASIS@rajahtann.com)

## Our Regional Contacts

**RAJAH & TANN | *Singapore***

**Rajah & Tann Singapore LLP**

T +65 6535 3600  
sg.rajahtannasia.com

**R&T SOK & HENG | *Cambodia***

**R&T Sok & Heng Law Office**

T +855 23 963 112 / 113  
F +855 23 963 116  
kh.rajahtannasia.com

**RAJAH & TANN 立杰上海**

**SHANGHAI REPRESENTATIVE OFFICE | *China***

**Rajah & Tann Singapore LLP  
Shanghai Representative Office**

T +86 21 6120 8818  
F +86 21 6120 8820  
cn.rajahtannasia.com

**ASSEGAF HAMZAH & PARTNERS | *Indonesia***

**Assegaf Hamzah & Partners**

**Jakarta Office**

T +62 21 2555 7800  
F +62 21 2555 7899

**Surabaya Office**

T +62 31 5116 4550  
F +62 31 5116 4560  
www.ahp.co.id

**RAJAH & TANN | *Lao PDR***

**Rajah & Tann (Laos) Co., Ltd.**

T +856 21 454 239  
F +856 21 285 261  
la.rajahtannasia.com

**CHRISTOPHER & LEE ONG | *Malaysia***

**Christopher & Lee Ong**

T +60 3 2273 1919  
F +60 3 2273 8310  
www.christopherleeong.com

**RAJAH & TANN | *Myanmar***

**Rajah & Tann Myanmar Company Limited**

T +95 1 9345 343 / +95 1 9345 346  
F +95 1 9345 348  
mm.rajahtannasia.com

**GATMAYTAN YAP PATACSIL**

**GUTIERREZ & PROTACIO (C&G LAW) | *Philippines***

**Gatmaytan Yap Patacsil Gutierrez & Protacio (C&G Law)**

T +632 8894 0377 to 79 / +632 8894 4931 to 32  
F +632 8552 1977 to 78  
www.cagatlaw.com

**RAJAH & TANN | *Thailand***

**R&T Asia (Thailand) Limited**

T +66 2 656 1991  
F +66 2 656 0833  
th.rajahtannasia.com

**RAJAH & TANN LCT LAWYERS | *Vietnam***

**Rajah & Tann LCT Lawyers**

**Ho Chi Minh City Office**

T +84 28 3821 2382 / +84 28 3821 2673  
F +84 28 3520 8206

**Hanoi Office**

T +84 24 3267 6127  
F +84 24 3267 6128  
www.rajahtannlct.com

Rajah & Tann Asia is a network of legal practices based in South-East Asia. Member firms are independently constituted and regulated in accordance with relevant local legal requirements. Services provided by a member firm are governed by the terms of engagement between the member firm and the client.

This Update is solely intended to provide general information and does not provide any advice or create any relationship, whether legally binding or otherwise. Rajah & Tann Asia and its member firms do not accept, and fully disclaim, responsibility for any loss or damage which may result from accessing or relying on this Update.

## Our Regional Presence



Rajah & Tann Singapore LLP is one of the largest full-service law firms in Singapore, providing high quality advice to an impressive list of clients. We place strong emphasis on promptness, accessibility and reliability in dealing with clients. At the same time, the firm strives towards a practical yet creative approach in dealing with business and commercial problems. As the Singapore member firm of the Lex Mundi Network, we are able to offer access to excellent legal expertise in more than 100 countries.

Rajah & Tann Singapore LLP is part of Rajah & Tann Asia, a network of local law firms in Singapore, Cambodia, China, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand and Vietnam. Our Asian network also includes regional desks focused on Brunei, Japan and South Asia.

The contents of this Update are owned by Rajah & Tann Singapore LLP and subject to copyright protection under the laws of Singapore and, through international treaties, other countries. No part of this Update may be reproduced, licensed, sold, published, transmitted, modified, adapted, publicly displayed, broadcast (including storage in any medium by electronic means whether or not transiently for any purpose save as permitted herein) without the prior written permission of Rajah & Tann Singapore LLP.

Please note also that whilst the information in this Update is correct to the best of our knowledge and belief at the time of writing, it is only intended to provide a general guide to the subject matter and should not be treated as a substitute for specific professional advice for any particular course of action as such information may not suit your specific business and operational requirements. It is to your advantage to seek legal advice for your specific situation. In this regard, you may call the lawyer you normally deal with in Rajah & Tann Singapore LLP or e-mail Knowledge & Risk Management at [eOASIS@rajahtann.com](mailto:eOASIS@rajahtann.com).