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COVID-19 (TEMPORARY MEASURES) ACT 2020
(ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES)
(PERFORMANCES AND OTHER ACTIVITIES —
CONTROL ORDER) REGULATIONS 2020

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In exercise of the powers conferred by section 34(1) of the COVID-19 (Temporary Measures) Act 2020, the Minister for Health makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the COVID-19 (Temporary Measures) (Performances and Other Activities — Control Order) Regulations 2020 and come into operation on 1 November 2020.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“approving authority” means the Senior Director (Operations), Ministry of Trade and Industry;

“audience area”, for a live performance, means such area within the live performance venue for a live performance as is designed to be used by audience members to attend or watch the live performance (such as but not limited to spectator stands or patron seating), but excludes the following:

- (a) the stage area for the live performance in that live performance venue;

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- (b) any ticketing area, turnstile or other entry and exit place, washroom or other like facilities for the convenience of audience members;

“audience member”, for a live performance, means an individual who is entitled to be admitted to a live performance venue where the live performance is being or is to be staged for the purpose of attending or watching the live performance or to report on the live performance (such as spectators or patrons who are customers of a person staging the live performance or a live performance hirer) but excludes —

- (a) any crew for the live performance; and
- (b) any individual the principal purpose of his or her being in the live performance venue is to provide services in connection with the live performance;

“building” includes part of a building;

“crew”, in relation to a live performance, means an individual who is employed in connection with the staging of a performance other than as a performer in the live performance, whether under a contract of employment by or a contract for service with, any person staging the live performance;

“dramatic work” includes a script for a film, play or television, and a dumb show or choreography if described in writing in the form in which the show or choreography is to be presented;

“live performance” means any, or a combination of any, performance as follows by performers in person in a live performance venue in the presence of an audience in the same live performance venue:

- (a) a performance (including an improvisation) of a dramatic work, including such a performance given with the use of puppets;
- (b) a performance (including an improvisation) of a musical work (whether vocal or instrumental) and

includes a concert or a series of music-focused performances at a single place;

- (c) the play-reading, poetry-reading or recital, or other reading, recitation or delivery of a literary work, or the recitation or delivery of an improvised literary work;
- (d) a performance of a dance (including a weapon dance);
- (e) a performance of a circus act or a variety act or any similar presentation or show;
- (f) any performance of legerdemain or magic;
- (g) a performance of an expression of folklore;
- (h) a live art performance;
- (i) any performance of acrobatics,

but does not include any of the following:

- (j) any lecture, talk, address, debate or discussion;
- (k) any reading, recitation or delivery of a literary work for the purpose of promoting the sale of the literary work;
- (l) any exhibition of animals or a display involving wholly or substantially animals performing;
- (m) any ceremony, rite, sermon, or religious service or celebration lawfully conducted by priests or ministers of religion in premises consecrated or dedicated generally or specifically for the conduct of such ceremony, rite, sermon, or religious service or celebration;
- (n) any exhibition or display of a martial art, any combat sport entertainment or sporting competition;

“live performance hirer” means a person who engages or contracts any performer or person staging a live performance

for the purpose of a live performance, but excludes a person who merely —

- (a) provides or agrees to seek or find work opportunities for a performer;
- (b) negotiates the terms or an agreement for a live performance by the performer; or
- (c) arranges for publicity attendances and related publicity responsibilities of such a performer;

“live performance venue” means any of the following premises to which the public or any class of the public has access (gratuitously or otherwise):

- (a) a theatre, a music hall, a concert hall, an auditorium or a cinema;
- (b) a room in which a live performance is or is to be staged;

“Main Control Order” means the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020);

“marketing material”, for a live performance, means any of the following:

- (a) a ticket for the live performance;
- (b) any catalogue or price list of tickets mentioned in paragraph (a);
- (c) any advertisement (online or otherwise) or other publicity material promoting the live performance;

“performer”, in a live performance, means —

- (a) an actor, a model or a dancer;
- (b) a singer, musician or member of an orchestra;
- (c) an acrobat or a stunt performer; or

- (d) any other individual who contributes in person to the sounds, movements or visual elements (or any combination thereof) of the performance,

and if the performance includes a live performance of a musical work (whether vocal or instrumental), includes the conductor;

“segregation zone” means a part of the audience area within a live performance venue for a live performance —

- (a) the purpose of which is to restrict or deny the opportunity for audience members attending the live performance and allocated to the segregation zone to associate or interact with an audience member allocated to any other segregation zone established for the purposes of the same live performance; and
- (b) the perimeter of which comprises, or is demarcated in a substantially unbroken manner by, any or a combination of the following:
- (i) any wall or other non-porous partition or screen that is 1.8 metres or taller measured from the floor of the part of the audience area;
 - (ii) any stanchion with barrier rope or tape, screen or other similar physical barrier, that is at least 3 metres away from the perimeter of another segregation zone;

“stage area”, for a live performance —

- (a) means such area within the live performance venue as is designed to be used by performers in a live performance to perform on or in; and
- (b) includes the backstage, a dressing room, a projection or lighting suite, a sound booth, an orchestra pit or a flying scenery or other similar theatrical prop or infrastructure;

“ticket”, for a live performance, means a ticket issued or offered for sale by a person authorised to make the first supply of

tickets entitling the purchaser of such a ticket or a holder thereof to enter the live performance venue to attend or watch the live performance;

“unmasked”, in relation to an individual, means to be not wearing a mask and includes an individual wearing a face shield in lieu of a mask;

“work”, whether dramatic, literary or musical, includes part of such work.

(2) For the purposes of these Regulations, a live performance is staged —

(a) by the person noted on any public liability insurance policy provided to the occupier of the live performance venue for the live performance; or

(b) if there is no such person in sub-paragraph (a) for that live performance, by the person who makes the arrangements necessary for the performance (including elements of the performance not consisting of sounds) to take place.

(3) For the purposes of these Regulations, a rehearsal of a live performance is treated as a live performance even though no audience is present during the performance, and a reference to a live performance includes a rehearsal thereof unless otherwise provided.

(4) For the purposes of these Regulations, the period of a live performance is the period —

(a) for a rehearsal of a live performance —

(i) starting at the time that the rehearsal is stated will begin by or on behalf of the person staging the live performance; and

(ii) ending at the time that the rehearsal is stated will end by or on behalf of the person staging the live performance; and

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- (b) for a live performance that is not a rehearsal —
- (i) starting at the time that the live performance is stated will begin on any marketing material relating to the live performance; and
 - (ii) ending 60 minutes after the time that the live performance is stated will end on any marketing material relating to the live performance.

(5) Unless expressly provided otherwise in these Regulations, any word or expression in these Regulations that is defined in the Main Control Order has the meaning given to it by the Main Control Order.

Scope of Regulations

3.—(1) Subject to paragraphs (2) and (3), these Regulations apply to the provision of an authorised service that consists wholly or substantially of a live performance staged or to be staged in a live performance venue.

(2) Where an authorised service consisting wholly or substantially of a live performance is provided —

- (a) to a live performance hirer which is a permitted enterprise; and
- (b) at an event involving an organised gathering that —
 - (i) is caused by the live performance hirer; and
 - (ii) is not disallowed under regulation 13F of the Main Control Order,

Part 2 of these Regulations is disappplied in relation to —

- (c) the live performance hirer as an occupier of the live performance venue where the live performance takes place;
 - (d) the person staging the live performance; and
 - (e) the crew and performers in the live performance,
- and Part 3A of the Main Control Order applies to them instead.

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- (3) Where a live performance is provided —
- (a) by a permitted enterprise with an authorised service that consists wholly or substantially of a live performance; and
 - (b) for the production of income from that authorised service at an event involving an organised gathering that is not disallowed because of regulation 13F(3)(a) of the Main Control Order,

and the live performance does not go beyond what is incidental only, and is not of a substantial nature, having regard to the occasion or purpose of the event, then Part 2 of these Regulations is disapplied in relation to —

- (c) the permitted enterprise;
- (d) the person staging the live performance; and
- (e) the crew and performers in the live performance,

and Part 3A of the Main Control Order applies to them instead.

Interface with Main Control Order

4.—(1) The requirements specified in these Regulations are in addition to the requirements in the Main Control Order, and these Regulations prevail if, and to the extent, there is any inconsistency between these Regulations and the requirements in the Main Control Order insofar as those requirements in the Main Control Order may apply in connection with an authorised service consisting wholly or substantially of a live performance.

- (2) These Regulations do not apply to prevent or restrict —
- (a) the Government or any public body doing or omitting to do anything in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law; or
 - (b) any individual acting under the authority or direction of the Government or any public body in the performance of any function, the exercise of any power or the discharge of any

duty of the Government or public body (as the case may be) under law.

(3) Without limiting the meaning of “reasonable excuse” in section 34(7) of the Act, it is a reasonable excuse for a person doing or omitting to do any act in contravention of any provision of these Regulations if the act is done or omitted to be done in good faith and for the purpose of complying with or giving effect to —

- (a) any other written law; or
- (b) any order or requirement of the Government or a public body, or an individual mentioned in paragraph (2)(b), given in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law.

PART 2

SAFE MANAGEMENT MEASURES FOR LIVE PERFORMANCES

Division 1 — Person staging live performance

Permissible venues

5.—(1) A person staging a live performance must not cause or allow to be staged the live performance anywhere except within —

- (a) any premises specified in the Schedule; or
- (b) any permitted premises of a live performance hirer engaging or contracting the person staging the live performance for the purpose of that live performance.

(2) In addition, a person staging a live performance must not cause or allow the live performance to be staged in any of the following parts within any premises specified in the Schedule except with the prior approval of the approving authority in relation to the particular live performance:

- (a) an open space which is not roofed or is not enclosed by at least 2 walls;

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- (b) a green or other open space provided for the growing of grass or other vegetation;
 - (c) a retail common area (within the meaning given by regulation 10A of the Main Control Order) if the premises are a retail shopping centre;
 - (d) if the premises are the subject of a strata title plan, any part of the common property comprised in that strata title plan;
 - (e) any common area within the premises which is used by customers or individuals at work (or any of them in combination) in those premises to move through the premises.

Audience participation and interaction disallowed

6.—(1) A person staging a live performance must take all reasonably practicable measures —

- (a) to ensure no audience participation during the period of the live performance; and
- (b) to minimise any other physical interaction between any crew or any performer of the live performance, and any audience member during the period of the live performance.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

Distance between performers and audience

7.—(1) A person staging a live performance must ensure that any audience member attending that live performance is at least 3 metres away from any edge of the stage area when the live performance is taking place.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

Distance between performers

8.—(1) A person staging a live performance must take all reasonably practicable measures to ensure that every performer in

the live performance is at all times during the period of the live performance —

- (a) at least one metre away from any other performer in the live performance, unless sub-paragraph (b) applies; or
- (b) at least 2 metres away from any other performer in the live performance, if the firstmentioned performer does any of the following during the period of the live performance:
 - (i) play a wind musical instrument;
 - (ii) sing.

(2) However, paragraph (1)(a) does not apply to prevent the transient physical contact between performers or a temporary shorter distance between performers where the artistic merits of the live performance requires.

Stage area measures

9. A person staging a live performance must take all reasonably practicable measures to ensure that during the period of the live performance, there are not more than the following in total within the stage area on or in which the live performance takes place:

- (a) 30 performers or crew or a combination of performers and crew;
- (b) a higher number of performers or crew or a combination of performers and crew (but not exceeding 50) specified by the approving authority in relation to a particular live performance.

Maximum number unmasked

10.—(1) A person staging a live performance must take all reasonably practicable measures to ensure that at all times during the period of the live performance, there are on or in the stage area not more than the following number of performers in the live performance who are unmasked:

- (a) 5 performers singing;
- (b) 10 performers performing without singing;

- (c) if the performance consists of a combination of singing and other activities, not more than 10 performers performing, out of which not more than 5 are singing;
- (d) a higher total number of performers performing (but not exceeding 20) as specified by the approving authority in relation to the particular live performance.

(2) A person staging a live performance must take all reasonably practicable measures to ensure that at all times during the period of the live performance, every crew, and every other performer in the live performance not mentioned in paragraph (1), are each wearing a mask during the period of the live performance if the crew or performer does not have a reasonable excuse to be unmasked.

(3) If any direction under regulation 19(3) is addressed to a person staging a particular live performance, the person must, as far as is reasonably practicable, establish and apply appropriate procedures and controls specially relating to that live performance to comply with that direction.

Division 2 — Occupier of live performance venue

Occupier's responsibility

11.—(1) This Division applies to the occupier of a live performance venue where a live performance is taking place or is to take place.

(2) A person is an occupier of a live performance venue where a live performance is taking place or is to take place if the person is —

- (a) a permitted enterprise and the live performance venue is the permitted premises of the permitted enterprise; or
- (b) the permitted enterprise who hired out the live performance venue or stage area for the live performance to take place.

Contact tracing specially for live performance, etc.

12. In addition to regulation 10B(1)(c) of the Main Control Order, an occupier of a live performance venue where a live performance is taking place or is to take place must, as far as is reasonably

practicable, establish and apply appropriate procedures and controls specially relating to the live performance —

- (a) that enable or facilitate contact tracing of every audience member and any other visitor entering the live performance venue to attend or watch the live performance; and
- (b) to comply with any direction under regulation 19(3) addressed to the occupier in relation to that live performance.

Maximum permissible size of audience

13.—(1) An occupier of a live performance venue where a live performance is taking place or is to take place must take all reasonably practicable measures to ensure that the total number of audience members within the audience area of the live performance venue does not exceed the lower of the following:

- (a) either —
 - (i) 100; or
 - (ii) a higher number (but not exceeding 250) as specified by the approving authority in relation to the particular live performance;
- (b) the maximum number of individuals which the audience area may accommodate if regulation 14 is complied with.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

Seating and position of audience

14.—(1) An occupier of a live performance venue where a live performance is taking place or is to take place must take all reasonably practicable measures to ensure that every audience member, during the period of the live performance —

- (a) is seated alone or in a cohort not exceeding 5 audience members;

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- (b) is always at least one metre away from any other individual in that venue or another cohort; and
 - (c) is always at least 3 metres away from any performer in that live performance when measured from the edge of the stage area on or in which the live performance takes place or is to take place.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

Segregation zones for audience

15.—(1) In addition to regulation 10B(1)(j) of the Main Control Order, an occupier of a live performance venue where a live performance is taking place or is to take place must take all reasonably practicable measures in respect of audience members attending the live performance as follows:

- (a) to establish one or more segregation zones in the audience area, with each zone providing for not more than 50 such individuals to be seated;
- (b) to allocate every audience member into the respective segregation zones;
- (c) to ensure that any audience member who is allocated to a segregation zone does not, during the live performance, enter another segregation zone at that same live performance;
- (d) to establish and apply procedures or controls so as —
 - (i) to ensure that an audience member allocated to a segregation zone does not physically interact with another audience member allocated to another segregation zone when they enter or leave each other's allocated segregation zone; and
 - (ii) to minimise the transmission of COVID-19 between audience members in different segregation zones.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

No food and drinks to be consumed, etc.

16.—(1) An occupier of a live performance venue where a live performance takes place must ensure that during the period of the live performance, no food, liquor or other beverage is sold or served by any individual as follows:

- (a) within the stage area of the live performance venue;
- (b) within the audience area of the live performance venue.

(2) In addition, an occupier of a live performance venue where a live performance takes place must ensure that during the period of the live performance, no food or liquor is consumed by any individual as follows:

- (a) within the stage area of the live performance venue;
- (b) within the audience area of the live performance venue.

(3) However, paragraph (2) does not apply to prevent the consumption of liquor in an emergency where the liquor is necessary to preserve life or prevent injury or further injury.

Division 3 — Performers

Mask wearing

17.—(1) During the period of the live performance, a crew and a performer in a live performance must not be unmasked when he or she is on or in the stage area and, for a performer, when not engaged in performing in the live performance.

(2) Paragraph (1) does not apply where the crew or performer in a live performance would otherwise be permitted under these Regulations to not wear a mask or by a person staging the live performance in accordance with regulation 10.

Maintaining distance between performers and audience

18.—(1) A performer in a live performance must, when performing, remain as far as practicable at least 3 metres away from any audience member attending that live performance when measured from any edge of the stage area where the live performance takes place.

(2) This regulation does not apply in relation to a rehearsal of a live performance.

Division 4 — Alternative arrangements

Alternative arrangements

19.—(1) The approving authority may approve a part of premises mentioned in regulation 5(2), or specify a higher number under regulation 9(b), 10(1)(d) or 13(1)(a)(ii), in respect of a particular live performance only —

- (a) on the application of the person staging the live performance or the occupier of a live performance venue where the live performance is taking place or both; and
- (b) if he or she is personally satisfied that all the matters in paragraph (2) apply.

(2) The matters an approving authority must be satisfied are as follows:

- (a) the person staging the live performance and the occupier of the live performance venue concerned —
 - (i) have adequately identified the significant risks to the incidence and transmission of COVID-19 in the community in Singapore associated with the matter applied to be approved or specified;
 - (ii) have established an adequate plan on how to manage or control those risks; and
 - (iii) have the relevant knowledge, competency, experience and suitable compliance record connected with safe management measures for live performances of the same nature as the particular live performance;
- (b) there are requirements in other written law or there are other means that help minimise the public health risks associated with the matter to be approved or specified, besides the Main Control Order and these Regulations;

- (c) the granting of the approval or specifying a higher number (as the case may be) is necessary or desirable to facilitate resumption of business, or to avoid unnecessary restrictions on commerce, having regard to the incidence and transmission of COVID-19 in the community in Singapore when the application is made.

(3) Any approval under regulation 5(2), or specification under regulation 9(b), 10(1)(d) or 13(1)(a)(ii), by the approving authority in respect of a particular live performance may be accompanied by directions addressed to the person staging the live performance or the occupier of the live performance venue or both, containing —

- (a) variations of any requirements in the Main Control Order or these Regulations in relation to that particular live performance; or
- (b) other measures in respect of that live performance that satisfy the objectives and performance requirements in the Main Control Order and these Regulations for preventing, protecting against, delaying or otherwise controlling the incidence or transmission of COVID-19 in Singapore,

so as to mitigate the significant risks to the incidence and transmission of COVID-19 in the community in Singapore associated with the matter approved or specified, which may include more stringent requirements than in these Regulations.

THE SCHEDULE

Regulation 5

PERMISSIBLE LIVE PERFORMANCE VENUES

1. Any museum established by the National Heritage Board or a museum transferred to the National Heritage Board under section 37 of the National Heritage Board Act (Cap. 196A).
2. A building approved under the Planning Act (Cap. 232) for use as an exhibition space, event space or art gallery.
3. A building used for community-based activities and belonging to or managed or maintained by the People's Association, such as a community centre, community club or resident's committee centre.

THE SCHEDULE — *continued*

4. The community sports and fitness buildings called the National Stadium and the Singapore Indoor Stadium, respectively.
5. A building approved under the Planning Act for use as a cinema, theatre or performing arts centre.
6. A building used for the purpose of teaching, training or imparting knowledge or skill but is not a specified school.
7. A building granted a certificate of registration under the Hotels Act (Cap. 127).
8. A building within a garden, parkland (zoological or otherwise), amusement park, or other tourist attraction access to which by any member of the public is subject to payment of a fee.
9. A commercial vessel without a cargo deck, designed exclusively for commercial transport of 100 or more passengers in overnight accommodation on an international sea voyage ending not in Singapore and according to pre-determined routes and timetables that are advertised.
10. Pasir Panjang Power Station at 27 Pasir Panjang Road, Singapore 117537.
11. Changi Exhibition Centre at 9 Aviation Park Road, Singapore 498760.
12. Singapore EXPO Convention and Exhibition Centre at 1 Expo Drive, Singapore 486150.
13. SUNTEC Singapore Convention and Exhibition Centre at 1 Raffles Boulevard, Singapore 039593.
14. The building called the Pit Building at 1 Republic Boulevard, Singapore 038975.
15. Resorts World Singapore at 8 Sentosa Gateway, Singapore 098269.
16. Marina Bay Sands at 10 Bayfront Avenue, Singapore 018956.

Made on 31 October 2020.

NG HOW YUE
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(Health Development),
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