

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4676 GIBRALTAR Friday 13th March 2020

LEGAL NOTICE NO. 111 OF 2020

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS No.2) (AMENDMENT No.2) REGULATIONS 2020

In exercise of the powers conferred on her by section 11 of the Civil Contingencies Act 2007, and all other enabling powers, the Minister with responsibility for Civil Contingencies, acting with the consent of the Chief Minister, has made these Regulations-

Title.

1. These Regulations may be cited as the Civil Contingencies Emergency (Coronavirus No.2) (Amendment No.2) Regulations 2020.

Commencement.

2. These Regulations come into operation on the day of publication.

Statement in accordance with section 11(2) of the Act.

3. The Minister declares that –

- (a) there is an outbreak of Coronavirus which on the 11 March 2020 the World Health Organisation (WHO) declared to be a pandemic; there are more than 132,000 confirmed cases globally and more than 4500 people have died so far; the virus has so far reached 123 countries, areas or territories, and it is therefore necessary to take measures to prevent, mitigate and control the spread of the virus in Gibraltar;
- (b) on 12 March the UK Government announced new measures to delay or prevent further transmission of the virus;
- (c) conditions in section 12 of the Act are met;
- (d) these regulations contain only provisions which are appropriate for the purpose of preventing, controlling or mitigating an aspect or effect of the emergency in respect of which the regulations are made; and
- (e) the effect of these regulations is in due proportion to that aspect or effect of the said emergency.

Amendment of the Civil Contingencies Emergency (Coronavirus No.2) Regulations 2020.

4. After regulation 19 of the Civil Contingencies Emergency (Coronavirus No.2) Regulations 2020 insert-

“Restriction on opening hours of certain establishments.

19A.(1) The following establishments must remain closed to any member of the public during the hours of 8 p.m. and 7 a.m.-

- (a) restaurants;
 - (b) bars;
 - (c) cafeterias;
 - (d) discotheques/nightclubs.
- (2) Subregulation (1) does not prevent any establishment from operating a kitchen for the purposes of the sale or supply of food and beverages to consumers for consumption off the premises (that is as a takeaway meal) or through a home delivery service provider.
- (3) A person who contravenes the provisions of this regulation commits an offence and is liable on summary conviction to a fine up to level 5 on the standard scale.
- (4) If an offence under this regulation committed by a corporate body is proved—
- (a) to have been committed with the consent or connivance of; or
 - (b) to be attributable to any neglect on the part of,
- an officer, the officer as well as the corporate body commits the offence and is liable to be proceeded against and punished accordingly.
- (5) In subregulation (4), “officer” means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity and if the affairs of a corporate body are managed by its members, “director” means a member of that body.”.

Dated: 13th March 2020.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Coronavirus No.2) Regulations 2020.

The effect of these regulations is that as from Friday 13 March a number of establishments (restaurants, cafes, bars and discotheques/nightclubs) must be closed to the public from 8p.m. through to 7 a.m.

These regulations do not prevent these establishments from providing food and beverages for collection by the consumer or a home delivery service provider.