

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4713 GIBRALTAR Monday 18th May 2020

LEGAL NOTICE NO. 184 OF 2020

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS) (CATERING AND OTHER ESTABLISHMENTS) (CONSTRUCTION AND SHIPBUILDING AND REPAIR) (No.3) (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) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) (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 11th March 2020 the World Health Organisation (WHO) declared to be a pandemic; at the time of the publication of these Regulations there are more than 4,589,500 confirmed cases globally and more than 310,300 people have died; Coronavirus has, to date, reached 215 countries, areas or territories, and it is therefore necessary to take measures to prevent, mitigate and control the spread of Coronavirus in Gibraltar;
- (b) the conditions in section 12 of the Act are met;
- (c) 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
- (d) 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) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations 2020.

4. The Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations are amended as follows-

(a) in regulation 4-

(i) in subregulation (1), delete paragraph (e); and

(ii) delete subregulation (3);

(b) in regulation 6, delete subregulation (7); and

(c) after regulation 6A insert-

“Gymnasiums and Personal Trainers.

6B.(1) A person responsible for-

(a) carrying on a business of a gymnasium or providing the facilities of a gymnasium; or

(b) providing a service as a personal trainer,

shall require a permit from the Director of Public Health.

(2) A permit issued by the Director of Public Health may be subject to such conditions as may be specified therein.

(3) A person referred to in subregulation (1) must-

(a) keep a daily list of the name and contact telephone number of all persons attending the gymnasium or making use of their services;

(b) keep such list for 10 days;

(c) where the Director of Public Health deems it necessary for contact tracing purposes to request a specific daily list, that specific daily list must be provided to him.

(4) 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.

(5) If an offence under this regulation committed by a body corporate 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 an offence and is liable to be proceeded against and punished accordingly.

(6) In this regulation-

“a person responsible for carrying on a business” includes the owner, proprietor, and manager of that business;

“gymnasium” means a gymnasium that-

(a) is open to any member of the public whether on the payment of a fee or otherwise;

(b) is accessible to members, whether or not also accessible to members of the public;

“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.

(7) This regulation shall not apply in respect of a gymnasium that forms part of the amenities available to residents of a residential development.”.

Dated: 18th May 2020.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations 2020.

It provides for the re-opening of gymnasiums and the provision of services of a personal trainer subject to a permit from the Director of Public Health.