

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4802 GIBRALTAR Monday 28th December 2020

LEGAL NOTICE NO. 557 OF 2020

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS) (BUSINESSES AND RESTRICTIONS) (NO.8) (AMENDMENT NO.2) REGULATIONS

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) (Businesses and Restrictions) (No.8) (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 79,515,525 confirmed cases globally and more than 1,757,947 people have died; Coronavirus has, to date, reached 235 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 to Civil Contingencies Emergency (Coronavirus) (Businesses and Restrictions) (No.8) Regulations 2020.

4.(1) The Civil Contingencies Emergency (Coronavirus) (Businesses and Restrictions) (No.8) Regulations 2020 are amended in accordance with this regulation.

(2) In regulation 5–

(a) in subregulation (1)–

(i) in paragraph (e), for “bars” substitute “bars;”;

(ii) after paragraph (e), insert the following–

“(ea) retail shops;

“(eb) hair and beauty salons;”;

(b) substitute the following for subregulation (3)–

“(3) Subregulation (1) does not apply to–

(a) a restaurant in a hotel which only serves food and beverages to the guests of that hotel;

(b) the restaurant or any retail shops in the Gibraltar International Airport that are located airside, after passport and security controls;

(c) messing facilities within the Ministry of Defence estate which serve food and beverages to persons entitled to use such facilities (but this does not exempt a bar within that estate);

(d) supermarkets, grocery stores, bakers, confectioneries, butchers, fishmongers and pharmacies;

(e) petrol stations, port and bunkering activities; or

(f) wholesalers or other businesses operating for the sole purpose of providing supplies to the above.”;

(c) after subregulation (3), insert–

“(4) A retail shop that is not subject to the exemption under subregulation (3) may operate online or via telephone sales with an organised delivery or collection service in compliance with any recommendations or instructions from the Director of Public Health.”.

(3) After regulation 5, insert–

“Extension of return and refund policies.

5A. Any product that was purchased on or after the 1st of November 2020 that is subject to a return or refund policy shall have that policy extended to the 14th February 2021.”.

(4) In regulation 6 –

(a) substitute the following for the title –

“Retail Shops exempt from Regulation (5)(1).”;

(b) in subregulation (1), for “retail shop” substitute “retail shop listed in regulation 5(3)”;

(c) after the subregulation (4) insert–

“(4A) Subject to subregulation (4B), a business referred to in subregulation (1) must close no later than 9pm.

(4B) The requirement in subregulation (4A) does not apply to the duty chemist or any business carrying out port or bunkering activities.”.

(5) Delete regulation 7.

Dated: 28th December 2020.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Businesses and Restrictions) (No.8) Regulations 2020.