

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4809 GIBRALTAR Friday 8th January 2021

LEGAL NOTICE NO. 51 OF 2021.

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS) (HEALTH PROTECTION MEASURES NO.4) (AMENDMENT NO.2) REGULATIONS 2021

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) (Health Protection Measures No.4) (Amendment No.2) Regulations 2021.

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 86,436,449 confirmed cases globally and more than 1,884,341 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) (Health Protection Measures No.4) Regulations 2021.

4.(1) The Civil Contingencies Emergency (Coronavirus) (Health Protection Measures No.4) Regulations 2021 are amended in accordance with this regulation.

(2) Substitute the following for regulation (4)–

‘Protection of persons.

4.(1) Subject to subregulations (2) and (5), a person (P), for the purposes of the protection of the health of P and others from Coronavirus, is prohibited from leaving their place of residence except–

- (a) to purchase food, beverages, pharmaceutical products or such other essential items in Gibraltar;
- (b) to take food, beverages, pharmaceutical products or such other essential items to a person over the age of 60 or to a person referred to in regulation 5;
- (c) to attend a medical or care facility of any kind and howsoever described or an essential services provider, for accessing services provided therein;
- (d) to provide care to a person where P is the carer of a person with a disability or who is a vulnerable person;
- (e) where P is on the autism spectrum or has a learning disability and may need to temporarily leave their place of residence on account of said disability;
- (f) to exercise a dog outdoors;
- (g) to exercise;
- (h) to exercise children, where P is a parent, guardian or carer;
- (i) where P is a non-resident parent, to collect a child from, or go back to, the child’s residence;
- (j) when taking a child to an official activity, a childcare facility (other than at a school- whether at a private residential place or otherwise) or a school and returning from that activity or place, provided that in the case of a school the child falls within the category of children for whom the facility is available;

- (k) if P is in employment or self-employed or is the holder of a public office, to go to work, and P may be required to provide evidence of such employment or self-employment being registered in Gibraltar;
 - (l) in the exercise of any ministerial or parliamentary duties;
 - (m) if P is employed or self-employed in the written or audio-visual media, to go to work;
 - (n) to travel by vessel;
 - (o) for essential travel to or from the frontier, airport or port in order to enter into or depart from Gibraltar;
 - (p) to go to a bank or other financial institution;
 - (q) where required to go to court, to file any court documents or for purposes relating to it;
 - (r) in doing so with the prior approval of the Office of the Civil Contingencies Coordinator and subject to such conditions as may be specified in writing;
 - (s) any case where P is at risk of injury or death;
 - (t) any other activity that is absolutely necessary.
- (2) Subject to subregulations (3), (4) and (7), where P pursues any of the exceptions set out in paragraphs (a), (b), (c), (d), (h), (i), (j), (k), (m), (o) and (p), of subregulation (1), P must do so alone or accompanied by no more than one other person from the same household and any children, provided that each person practises social distancing from other persons not from the same household.
- (3) P may use a public service vehicle in order to pursue any of the exceptions referred to in subregulation (2) provided that the public service vehicle is occupied by only P, no more than one other person from the P's household, any children and the driver.
- (4) P may share a vehicle with one person from another household in order to pursue the exception listed under subregulation (1)(c).
- (5) Subject to subregulation (6), where P pursues any of the exceptions set out in paragraphs (f), (g) and (n) of subregulation (1), P must do so alone or accompanied by other persons from the same household, provided that each person practises social distancing from other persons not from the same household;
- (6) Subregulation (5) shall not apply to an official vehicle of the Government or to emergency services.

- (7) Subregulation (2) shall not apply in the exception set out in subregulation (1)(h), where the child being cared for has a disability or is vulnerable and the care includes accompanying that person or child outdoors.
- (8) Where subregulation (7) applies, P may accompany the person to whom P provides care provided that each person practises social distancing from other persons.
- (9) A person who fails to comply with or contravenes this regulation commits an offence and is liable on summary conviction to a fine up to level 5 on the standard scale.
- (10) For the purposes of these Regulations—

“Coronavirus” means SARS-CoV-2 or Covid-19; and

“Public service vehicle” has the meaning given in section 2 of the Traffic Act 2005.”.

Dated: 8th January 2021.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Coronavirus) (Health Protection Measures No.4) Regulations 2021.

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