

Subsidiary Legislation made under s.11.

**CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS)
(MEDICAL FACILITY RECORDINGS) (NO.2) REGULATIONS 2020**

LN.2020/364

Commencement **22.10.2020**

ARRANGEMENT OF REGULATIONS.

Regulation

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2007-14

Civil Contingencies

2020/364 Civil Contingencies Emergency (Coronavirus) (Medical Facility Recordings) (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) (Medical Facility Recordings) (No.2) Regulations 2020.

Commencement.

2. These Regulations come into operation on the 22nd October 2020 and cease to have effect on 14th November 2020.

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

3. The Minister declares that-

- (a) there is an outbreak of SARS CoV-2 also referred to as Covid-19 (“Coronavirus”) which on the 11th March 2020 the World Health Organisation (WHO) declared to be a pandemic; at the time of the publication of the Civil Contingencies Emergency (Coronavirus) (Medical Facility Recordings) Regulations 2020 there were more than 31,375,325 confirmed cases globally and more than 966,399 people had died; at the time of the publication of these Regulations there were more than 38,394,169 confirmed cases globally and more than 1,089,047 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.

Interpretation.

4. In these regulations–

“Coronavirus” means the coronavirus (SARS-CoV-2) also known as the coronavirus disease (Covid-19);

“medical facility” means any temporary or permanent medical facility in Gibraltar that has been used by the Gibraltar Health Authority to treat, test or otherwise accommodate patients and includes St. Bernard’s Hospital, the field hospital at Europa Sports Stadium, the retreat centre and the drive-through test centre.

Recordings in medical facilities.

5. A person commits an offence if they—

- (a) send by means of a public electronic communications network a message or other matter that features a recording within any medical facility in photographic, video or any other format; or
- (b) cause such message or other matter to be so sent,

unless such recording has been obtained with the prior written consent of the Gibraltar Health Authority.

Penalties.

6. A person who commits an offence under these Regulations is liable on summary conviction to a fine up to level 5 on the standard scale.