

Ordinance 05 of 2020

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**PROTECTION OF PUBLIC HEALTH (COVID-19)
(AMENDMENT) ORDINANCE 2020**

An Ordinance to make provision to amend the Protection of Public Health (Covid-19) Ordinance 2020.

R. Thompson
ADMINISTRATOR

02 April 2020

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:–

Short title

1.This Ordinance may be cited as the Protection of Public Health (Covid-19) (Amendment) Ordinance 2020.

Commencement

2. This Ordinance comes into force on the day after the day on which it is made.

Amendment of the Public Health (Covid-19) Ordinance 2020

3.—(1) The Protection of Public Health (Covid-19) Ordinance 2020(a) is amended as follows.

(a) Ordinance 04/2020.

(2) For section 3(1) (duration), substitute—

“(1) With the exception of section 11 and subject to subsection (2), the provisions of this Ordinance expire at 6:00am on 13 April 2020.”

(3) Renumber section 4(1) (interpretation) as section 4.

(4) In section 4 (interpretation), for the definition of “investigating officer”, substitute—

““investigating officer” has the meaning given to it by section 11(3) of the Criminal Procedure Ordinance**(b)**”.

(5) In section 5 (restriction on movement)—

(a) in subsection (2) for “Subject to subsection (3)”, substitute “Subject to the provisions of this section”;

(b) after subsection (2), insert—

“(2A) A person may not be outside their place of residence between the hours of 9:00pm and 6:00am daily except for the purpose set out in subsection (2)(a).”

(2B) On land occupied by the Crown in right of its Government of the United Kingdom, subsection (5)(2)(i) applies as if, for the words “in the company of no more than one other person”, there was substituted “either in the company of no more than one other person, or in the company only of persons with whom the person resides”; and

(c) at the beginning of subsection (3)(b), insert “except for a purpose to which subsection (5) applies,”.

(d) after subsection (3), insert—

“(4) Subject to subsection (5), a person may only leave their place of residence once per day for a purpose other than one set out in subsection (2)(a), except where subsection (5) applies.

(5) This section applies to the purpose of preventing serious harm or serious hardship.

(6) Particular instances where a purpose for leaving a place of residence may fall within the scope of subsection (5) include—

(a) going to a pharmacy;

(b) giving blood;

(c) visiting a doctor;

(d) providing assistance to persons who—

(i) are unable to care for themselves;

(ii) must protect themselves; or

(iii) are in self isolation and/or at mandatory isolation areas; or

(e) taking a soldier to a camp.

(7) No person may travel in any private vehicle (including a taxi) designed to carry up to eight passengers in addition to the driver unless there are no more than three people (including the driver) in the vehicle for the time being.

(8) Subsection 8 does not apply to a vehicle operated by or on behalf of the Crown in right of its Government of the United Kingdom.”.

(6) In section 6 (suspension of activities)—

(a) in subsection (5)(b), at the end, insert “, or works where there are three or fewer people present on site;”

(b) after subsection (5)(c), delete “and”, and, after subsection (5)(d), insert—

“; and

(e) tourism or travel businesses.”

(c) after subsection (5) insert—

“(5A) No person may admit to, or allow to be present in, their place of residence a person who does not reside there, unless that person is under 18 years of age or is visiting the place of residence to care for persons who are unable to care for themselves.”; and

(d) in subsection (6) for “subsection 9(1)(b)”, substitute “subsection (5)(b)”.

(7) In section 7 (services to continue operating)—

(a) after subsection (1), insert:

“(1A) A person may not operate a retail business selling food or drink to the public on Sundays, except for the purpose of delivering goods to the home of the customer.”;

(b) in subsection (6), for “Services that continue to operate”, substitute “A person operating a service that continues to operate”;

(c) after subsection (7), insert—

“(7A) A person operating a service that continues to operate in accordance with subsection (1) must put in place, at the premises where the service operates, signalling to ensure that a distance of two metres is maintained between persons at shop counters and at queues outside shops.

(7B) The operator of any retail business, other than a supermarket, must not cause or permit more than 5 employees of the business to be present at any establishment where the business offers services to the public.

(7C) For the purposes of subsection (7B), a business that offers services to all, or a significant proportion of, those who have the right to be present in a military establishment, is deemed to offer services to the public.”;

(d) after subsection 9 insert—

“(9A) No person may operate a pharmacy between the hours of 8:30pm and the normal opening hour of the pharmacy; and

(e) in subsection (10), for “Subsection (9) does”, substitute “Subsections (9) and (9A) do”.

(8) In section 9(2) (Power to give instructions to doctors, surgeons and nurses) for “Paragraph (1)”, substitute “Subsection (1)”.

(9) In section 10(2), for “€1,000”, substitute “€3,000”.

Amendment of the Fixed Penalty Ordinance 2010

4.—(1) The Fixed Penalty Ordinance 2010(c) is amended as follows.

(2) In Schedule 2, for rows 154 and 155 substitute:

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|------|---|------|---|--------------------|
| 154. | Contravention of a restriction or requirement imposed by or under the Ordinance | €300 | Protection of Public Health (Covid-19) Ordinance 2020 | Section 10(1), (3) |
| 155. | Contravention of any Regulations made under the Ordinance | €300 | Quarantine Ordinance | Section 7 |

(c) Ordinance 25/2010, as amended by Ordinances 34/2014, 8/2015, 10/2015, 09/2016, 11/2018, 12/2018 ad 04/2020.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Protection of Public Health (Covid-19) (Amendment) Ordinance 2020 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So, when a section or part of a section does not seem to require any explanation or comment, none is given.
3. The Ordinance makes provision to amend the Protection of Public Health (Covid-19) Ordinance 2020 and the Fixed Penalties Ordinance 2010 in order to enact further measures designed to protect public health in connection with COVID-19, and for connected purposes, in the Sovereign Base Areas of Akrotiri and Dhekelia.
4. The Ordinance is intended to largely mirror the measures set out in the Quarantine (Determination of Measures for the Prevention of the Spread of Corona Virus Covid-19) Order (no.12) of 2020 of the Republic in respect of provisions on the movement of people, suspension of activities and prohibited areas.
5. Section 3 (Amendment to the Protection of Public Health (Covid-19) Ordinance 2020) sets out amendments to the Protection of Public Health (Covid-19) Ordinance 2020 to introduce new measures designed to combat the spread of COVID-19.
6. Section 4 makes an amendment to the Fixed Penalties Ordinance 2010 to increase the financial penalties applicable to people failing to comply with the provisions of the Protection of Public Health (Covid-19) Ordinance 2020 and the Quarantine Ordinance^(d).

^(d) Cap. 260, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

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