

Ordinance 11 of 2020

Published in Gazette No. 1918 of 03 May 2020

**PROTECTION OF PUBLIC HEALTH (COVID-19)
(AMENDMENT NO.5) ORDINANCE 2020**

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

R. Thomson
ADMINISTRATOR

03 May 2020

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

Citation and commencement

1.—(1) This Ordinance may be cited as the Protection of Public Health (Covid-19) (Amendment No.5) Ordinance 2020.

(2) This Ordinance comes into force at 6am on 4 May 2020.

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

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

(2) Omit section 3 (Duration).

(3) In section 4 (Interpretation)—

(a) Ordinance 4/2020, amended by Ordinances 5/2020, 8/2020, 9/2020, 10/2020 and extended by P.I.s 8/2020 and 11/2020.

- (a) move the definition of “investigating officer” before the definition of “place of residence”; and
 - (b) after the definition of “place of residence” insert the following definition—
 - ““relevant health and safety guidelines” means the following requirements—
 - (a) a distance of 2 metres must be maintained at all times between all persons;
 - (b) no person having control of premises may, intentionally, recklessly or through lack of reasonable care, permit or suffer the number of persons present in the premises to exceed an average of 1 person per 8 square metres;
 - (c) antiseptic gel must be placed at the entrance to the premises;
 - (d) a sign must be displayed at the entrance to the premises detailing the number of people allowed in the premises;
 - (e) all surfaces and door handles must be cleaned and decontaminated on a daily basis;
 - (f) employees must have access to face masks and thermometers where required; and
 - (g) basic rules of hygiene (particularly with respect to frequent hand-washing) must be observed at all times.”.
- (4) In section 5 (Restriction on movement)—
- (a) in subsection (2)—
 - (i) in paragraph (d) omit the words “which are necessary, for the time being, for a person to obtain, whether for themselves or for others”;
 - (ii) in paragraph (l), for “within proximity to the person’s place of residence in the company of no more than one other person” substitute “subject to section 8(5), in the company of any number of other persons under the age of 18 years and no more than one other person aged 18 or over”;
 - (iii) after paragraph (l) insert—
 - “(m) to transport a privately-owned boat between licensed docking areas for the purpose of maintenance and repair;
 - (n) to assist a person needing to leave their place of residence for one of the purposes referred to in paragraphs (a) to (m) by driving them, if they are unable to do so.”;
 - (b) in subsection (2A), for “9.00pm” substitute “10.00pm”;
 - (c) in subsection (3), after “subsection” insert “(3)(n) or”;
 - (d) in subsection (4), for “once” substitute “three times”;
 - (e) in subsection (6)—
 - (i) in paragraph (e) after “camp” insert “;”
 - (ii) after subsection 6(e) insert—
 - “(f) taking an animal to a veterinarian”.
 - (f) at the beginning of subsection (7), insert “Subject to subsection (7A)”;
 - (g) after subsection (7) insert—
 - “(7A) For the purposes of subsection (7), where the parent or guardian of a child under the age of 18 is also present in the vehicle, that child does not count towards the calculation of the number of individuals present in the vehicle.”.
 - (h) in subsection (8), for “Subsection 8” substitute “Subsection (7)”.
- (5) In section 6 (Suspension of activities)—
- (a) in subsection (1), at the end, insert “unless the person organising the open-air market ensures that the relevant health and safety guidelines are observed”.
 - (b) for subsection (2), substitute—
 - “(2) No person may permit or suffer more than 10 people to simultaneously attend a place of religious worship.”.

(c) for subsection (4), substitute—

“(4) No person may permit or suffer more than 10 people to attend a wedding, funeral or christening.”.

(d) in subsection (5)—

(i) in paragraph (a) insert the words “unless the seller observes the relevant health and safety guidelines”

(ii) in paragraph (b) for the words after “sites”, substitute “unless the person overseeing the work ensures that the relevant health and safety guidelines are observed”;

(iii) in paragraph (c), at the end, insert the words “unless the person carrying out the business ensures that the relevant health and safety guidelines are observed”; and

(iv) in paragraph (d) for the words “subject to section 7(1)” substitute “unless the person carrying out the business ensures that the relevant health and safety guidelines are observed”.

(e) for subsection (5A) substitute—

“(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—

(a) is under 18 years of age;

(b) is visiting the place of residence to care for persons who are unable to care for themselves;

(c) is carrying out repair or maintenance work; or

(d) is delivering goods on behalf of a retail business.

(5B) Any person admitted to a place of residence under subsection (5A)(c) above must wear a face mask and gloves and maintain a distance of two metres from any other person at all times.”

(6) In section 7 (Services to continue operating)—

(a) omit subsections (1) to (3), (6), (7B) and (7C);

(b) for subsection (9), substitute—

“(9) Prior to 10:00am, pharmacies and grocery stores must refuse entry to any person unless that person—

(a) is aged 60 or older;

(b) suffers from a chronic respiratory disease

(c) suffers from chronic renal failure, and—

(i) whose creatine clearance is 30 millilitres per minute or below, or

(ii) is under haemodialysis;

(d) suffers from diabetes mellitus type 1;

(e) suffers from diabetes mellitus with target organ damage;

(f) has a body mass index of 40 or more;

(g) suffers from haemoglobinopathies;

(h) suffers from chronic liver failure with a Child-Pugh score of C;

(i) suffers from a severe genetic coagulation disorder;

(j) suffers from a neuromuscular disease;

(k) is pregnant;

(l) is a breastfeeding mother;

(m) has given birth within the past 3 months;

(n) suffers from cardiac arrhythmia and uses a permanent defibrillator;

- (o) suffers from a heart disease and uses either a permanent defibrillator or a biventricular pacemaker;
 - (p) suffers from heart failure of NYHA Class II or IV;
 - (q) has recently suffered from acute coronary syndrome;
 - (r) has undergone angioplasty or stent transplant within the past 12 months;
 - (s) has undergone a coronary artery bypass graft in the past 12 months;
 - (t) suffered from a cerebrovascular accident in the past 12 months;
 - (u) suffers from a cardiomyopathy;
 - (v) suffers from a congenital heart disease with significant residual impairment;
 - (w) uses biological agents (such as TNF inhibitors, interleukin inhibitors) or other immunosuppressive drugs;
 - (x) has taken more than 20mg prednisone, or equivalent, for more than one month;
 - (y) has a history of organ transplantation or haematopoietic progenitor cells transplantation;
 - (z) suffers from malignancy and undergoes chemotherapy, radiotherapy or immunotherapy;
 - (aa) is being treated for the presence of Human Immunodeficiency virus in their body;
 - (bb) has a CD4 number of lymphocytes of less than 200 per cubic millilitre; or
 - (cc) suffers from immunodeficiency.”
- (c) omit subsection (9A);
- (d) in subsection (10) for “Subsections (9) and 9(a)” substitute “Subsection (9)”.
- (7) For section 7C (Provisions of personal protective equipment), substitute—

“**7C.**—(1) The owners and managers of the businesses listed below must ensure that the staff of the following businesses are provided with face masks and gloves—

- (a) supermarkets;
- (b) bakeries;
- (c) food markets;
- (d) mini markets and kisoks;
- (e) cava;
- (f) other businesses or services concerned in the preparation, supply, or sale of food and drink;
- (g) businesses forming part of the supply chain of the businesses and services referred to paragraphs (a) to (f); and
- (h) care homes for the elderly.

(2) The staff of the businesses referred to in subsection (1) must not carry out work in that capacity or move inside the premises of the businesses in question without wearing masks and gloves and without complying with the relevant health and safety guidelines.”

- (8) After section 7C, insert—

“Provision of face masks

7D.—(1) The owners and managers of the businesses listed below must ensure that the staff of the following businesses are provided with face masks—

- (a) private businesses not listed at section 7C which are open to the public;
- (b) public sector and local authority offices which are open to the public;
- (c) retail businesses not listed at section 7C;

- (d) construction; and
- (e) collective transport including public transport.

(2) The staff of the businesses referred to in subsection (1) must not carry out work in that capacity or move inside the premises of the businesses in question without wearing masks and without complying with the relevant health and safety guidelines.”

(9) For section 8 (Prohibited areas), substitute—

“**8.**—(1) No person may enter or remain in parks, public gathering places (including dams, walking trails and marinas) or outdoor training areas, indoor or outdoor sports grounds except for the purpose of exercising.

(2) No person may enter or remain on a beach except to gain access to and from the sea for the purpose of swimming.

(3) No person may enter a place of religious worship, except outside the customary time where a religious ceremony would be celebrated but for this provision, and then only for the purpose of individual worship.

(4) No person may enter a playground or a swimming pool.

(5) High-achieving athletes who are included in the list of the Cyprus Olympic Committee or are training to achieve qualification for the 2021 Olympic Games may train in indoors sports or relevant facilities, in groups of no more than five people.”.

(10) Omit section 8A (Special provisions relating to Greek Orthodox Easter).

(11) After section 8 (Prohibited areas) insert—

“No business activity in prohibited areas

8B. No person may operate any business in an area referred to in section 8 (prohibited areas).”.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Protection of Public Health (Covid-19) (Amendment No.5) 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 (“principal Ordinance”) 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 (Measures to prevent the spread of the coronavirus Covid-19)(No. 20) Order of 2020 of the Republic in respect of provisions on the movement of people, suspension of activities, the provision of services, requirements in relation to protective equipment and prohibited areas.
5. Section 2(4) of the Ordinance amends section 5 of the principal Ordinance and provides additional allowances for people to leave their place of residence.
6. Sections 2(5) to (8) of the Ordinance amend sections 6 and 7 of the principal Ordinance and delete provisions that prohibited the practice of certain activities, and, insert provisions that restrict the practice of these activities, including health and safety requirements.
7. Section 2(9) of the Ordinance amends section 8 of the principal Ordinance and provides exceptions to areas in which a person is prohibited from entering.

SBA/AG/2/H/180
