

Ordinance 19 of 2020

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**PROTECTION OF PUBLIC HEALTH (COVID-19)
(CONSOLIDATION NO.2) (AMENDMENT)
ORDINANCE 2020**

An Ordinance to amend the Protection of Public Health (Covid-19) (Consolidation No.2)
Ordinance 2020.

R. Thomson
ADMINISTRATOR

19 June 2020

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

Short title and commencement

1.—(1) This Ordinance may be cited as the Protection of Public Health (Covid-19) (Consolidation No.2) (Amendment) Ordinance 2020.

(2) This Ordinance comes into force on the day following the day when it is made.

Amendment of the Protection of Public Health (Covid-19) (Consolidation No.2) Ordinance 2020

2.—(1) The Protection of Public Health (Covid-19) (Consolidation No.2) Ordinance 2020(a) is amended as follows.

(2) After section 9, insert—

“Infected premises

9A.—(1) This section applies where—

- (a) a person who has worked, in the past 4 weeks, in premises used for an activity to which this section applies has been infected with Covid-19; and
- (b) the person in charge of the activity knows or ought reasonably to have known the fact referred to in paragraph (a).

(2) This section applies to the following activities—

- (a) a business; and
- (b) the activities of an overlapping community or municipality.

(3) In this section—

“contact” has the same meaning as in the Quarantine (Public Health) Regulations(b);

“the person in charge” means—

- (a) a person having control of the business referred to in subsection (2)(a); or
- (b) the council of the community or municipality referred to in subsection (2)(b);

“the premises” means the premises referred to in subsection (1)(a); and

“the relevant time” means the time when the person in charge knows, or ought reasonably to have known, the fact referred to in subsection (1)(a), whichever is earlier.

(4) The person in charge must, as soon as possible after the relevant time, and until completion of the process referred to in subsection (7), take all reasonable steps necessary to—

- (a) prevent the business from operating at the premises; and
- (b) prevent all persons working for the business from entering the premises,

in either case except for the purpose of this section.

(5) The person in charge must, as soon as possible after the relevant time, cause the premises to be disinfected in accordance with the relevant health and safety guidelines.

(6) Once disinfection under subsection (5) is completed, the person in charge must take all reasonable steps necessary to ensure that all doors and windows of the premises remain closed for three hours.

(7) After the closure referred to in subsection (6) has come to an end, the person in charge must take all reasonable steps necessary to ensure that all doors and windows of the premises remain open for 30 minutes.

(8) After the process referred to in subsection (7) is completed, the person in charge must take all reasonable steps necessary to prevent the person referred to in subsection (1)(a), and any contact of that person, from entering the premises until the Chief Officer is satisfied that such a person does not present a risk of infecting others with Covid-19.

(9) Where a person is charged with an offence under section 16 for a failure to comply with a provision of this section requiring the person to act reasonably, it is for the person to prove that the person so acted.

(a) Ordinance 18/2020.

(b) Col. Sub. Leg 1954 Rev Ed Vol 1, p.259, 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 Interpretation Ordinance 2012 (8/2012).

(10) Where this section applies, the person in charge must, as soon as possible after the relevant time, inform the Chief Officer of—

- (a) the name of the business, community or municipality concerned;
- (b) the address of the premises, and
- (c) if the Chief Officer considers that any other information is needed in order to exercise the functions conferred by subsection (11), any such information as the Chief Officer may require.

(11) Subject to subsection (13), on receiving the information stated at subsection (10), the Chief Officer must, within the time stated in subsection (12), publicise—

- (a) the information specified in subsection 10(a) and (b); and
- (b) any other information relating to the facts mentioned in subsection (1)(a) that the Chief Officer considers to be in the public interest to publicise.

(12) The Chief Officer must take the action specified in subsection (11) as soon as reasonably practicable.

(13) Subsection (11) does not require the Chief Officer to take any action that is prohibited by the Human Rights Ordinance 2004(a) or the Protection of Property Ordinance 2004(b).

(14) The functions of the Chief Officer under subsections (8), (10) and (11) are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007(c).”.

(3) Omit section 10 (Employees of community councils and municipality councils).

(4) Omit Schedule 1 (Vulnerable persons).

(a) Ordinance 9/2004, as amended by Ordinance 19/2005.
(b) Ordinance 35/2004, as amended by Ordinance 19/2006.
(c) Ordinance 17/2007.

EXPLANATORY NOTE

((This note is not part of the Ordinance))

1. This explanatory note relates to the Protection of Public Health (Covid-19) (Consolidation No.2) (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.

3. The Ordinance amends the Protection of Public Health (Covid-19) (Consolidation No.2) Ordinance 2020 (“the principal Ordinance”).

4. Section 2(2) of the Ordinance amends the principal Ordinance by inserting a section requiring a business, an overlapping community or a municipality to close and disinfect their premises where a person who has worked there has been infected with Covid-19. They must report this fact to the Chief Officer, who must publicise it, unless this would contravene the Human Rights Ordinance 2004 or the Protection of Property Ordinance 2004. The functions of the Chief Officer under that section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

5. Section 2(3) and 2(4) of the Ordinance amend the principal Ordinance by deleting provisions which require employees of community councils and municipality councils who belong to vulnerable groups to work from home or be given special annual leave. It is intended to mirror the Quarantine (Measures to Prevent the Spread of the coronavirus COVID-19) (Order No.29) Order 2020, PI 258/2020 of the Republic.

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