

Ordinance 36 of 2020

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**PROTECTION OF PUBLIC HEALTH (COVID-19)
(CONSOLIDATION NO.2) (AMENDMENT NO.12)
ORDINANCE 2020**

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

R. Thomson
ADMINISTRATOR

19 October 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 No.12) Ordinance 2020.

(2) This Ordinance comes into force on the day following the day of its publication in the Gazette.

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) In section 3(1), after the definition of “high-achieving athletes”, insert—

““indoor area” means an area that it not an outdoor space;”.

(3) After section 3(3), insert—

“(4) Subsection (5) applies within an area of land—

(a) owned or occupied by the Crown in right of Her Majesty’s Government of the United Kingdom, and

(b) to which the public does not have access.

(5) In the application of this Ordinance in an area of land to which this subsection applies, a reference to the public applies as if the class consisting of the persons having access to any part of the area of land in question were the public.”.

(4) After section 3, insert—

“Application

3A.—(1) No requirement of this Ordinance applies where that requirement would make it impossible to achieve, to a satisfactory standard, any of the purposes specified in subsection (2).

(2) The purposes specified in this subsection are—

(a) military activities, or

(b) the prevention or detection of crime, or the apprehension or prosecution of offenders, by the Sovereign Base Areas Police Service or the Sovereign Base Areas Customs and Immigration Service.

(3) Except for section 15, this Ordinance binds the Crown.”.

(5) Omit subsection 7(4).

(6) In section 9A(2)(b), for ““an overlapping community or municipality”, substitute “a public authority”.

(7) For the definition of “the person in charge” in subsection 9A(3), substitute—

““the person in charge” means a person having control of the business or public authority referred to in subsection (2);”.

(8) In section 9A(9), for “16”, substitute “15”.

(9) In section 9A(10)(a), for “, community or municipality”, substitute “or public authority”.

(10) In section 11(1)(a), for “the wider public sector and local administration authorities”, substitute “public authorities”.

(11) In section 11(5), after “any person”, insert “moving”.

(a) Ordinance 18/2020, amended by Ordinances 19/2020, 20/2020, 24/2020, 25/2020, 26/2020, 27/2020, 28/2020, 29/2020 30/2020, 33/2020 and 35/2020 .

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 No.12) 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. Section 2 amends the Protection of Public Health (Covid-19) (Consolidation No.2) Ordinance 2020 ("the principal Ordinance").

3. Section 2(2) inserts a definition of "indoor area" in the principal Ordinance.

4. Section 2(3) makes provisions for the application of the phrase "the public" on property owned or occupied by the Crown in right of Her Majesty's Government of the United Kingdom, and to which the public does not have access. Section 7(5) of the principal Ordinance, which made a similar provision in relation to the occupancy of premises open to the public, is omitted by section 2(5).

5. Section 2(4) inserts a new section 3A in the principal Ordinance, which deals with its application. It provides that the requirement of this Ordinance do not apply to the extent that they would make it impossible to achieve, to a satisfactory standard, the purposes specified in subsection 3A(2). These are military activities, or the prevention or detection of crime, or the apprehension or prosecution of offenders, by the Sovereign Base Areas Police Service or the Sovereign Base Areas Customs and Immigration Service. Section 3A(3) of the principal Ordinance, inserted by section 2(4) of the Ordinance, provides that the Ordinance binds the Crown, except for its section 15, which concerns criminal offences.

6. Section 2(6) to (9) substitute, for the references to local authorities in section 9A of the principal Ordinance, which deals with the process to follow when a COVID-19 case is discovered in workplaces, with references to public authorities.

7. Section 2(10) replaces a reference, in the section of the principal Ordinance dealing with personal protective equipment, to "the wider public sector and local administration" with a reference to public authorities.

8. Section 2(11) provides that the requirements of section 11(5) of the principal Ordinance, on the wearing of masks indoors, apply to persons "moving" indoors.

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