

**Ordinance 42 of 2020**

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**PROTECTION OF PUBLIC HEALTH (COVID-19)  
(CONSOLIDATION NO.2) (AMENDMENT NO.18)  
ORDINANCE 2020**

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

R. Thomson  
**ADMINISTRATOR**

*23 November 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.18) Ordinance 2020.

(2) This Ordinance comes into force on 24 November 2020.

## **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 subsection (1) of section 3 (interpretation), after the definition of “reseller”, insert—

““sports facility” includes—

- (a) a swimming pool,
- (b) a gym,
- (c) any training, practice or performance facility, or any school, for sports or other physical activity, including dance;”.

(3) In section 5 (events and gatherings)—

- (a) in subsection (1) after “or open-air fair” delete “unless permitted by or under relevant health and safety regulations”.
- (b) in subsection (4) after “attend the event” insert “or allow the use of changing rooms”.

(4) In section 6 (restrictions on the operation of activities), after subsection (2), insert—

“(3) No person may use changing rooms at a sports facility.”.

(5) In section 6A (restriction on sporting and social activities Akrotiri Sovereign Base Area)—

- (a) in subsection (6), for “the swimming pool” substitute “the gym”,
- (b) in subsection (7)—
  - (i) for “the swimming pool” substitute “that facility”,
  - (ii) in paragraph (a), delete “is an outdoor facility and”.

(6) In subsection (1) of section 9 (relevant health and safety guidelines), omit paragraphs (k), (u) and (v).

(7) In section 10 (employees of community councils and municipality councils) for subsections (2) and (3) substitute—

“(2) Subject to subsections (3) and (4), an employer must allow to work remotely those of its employees who—

- (a) are being required to isolate under—
  - (i) regulation 8 or 9 of the Quarantine (Public Health) Regulations, or a legislative provision of the Republic having substantially the same effect on the territory of the Republic, or
  - (ii) the Quarantine (Measures to Prevent the Spread of Covid-19) (No.3) Regulations 2020 or a legislative provision of the Republic having substantially the same effect on the territory of the Republic,
- (b) need to be absent from their normal workplace as a result of the application of section 9A, or
- (c) need to act as carers for children under 16 who—
  - (i) are being required to isolate under anything done under any of the provisions referred to in paragraph (a), or
  - (ii) whose school is, for the time being, closed as a measure to prevent the spread of COVID-19.

(3) Where subsection (2) applies, if it is not reasonably possible to allow the employee to work from home, the employer must—

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(a) Ordinance 18/2020, as amended by Ordinances 19/2020, 20/2020, 24/2020, 25/2020, 26/2020, 27/2020, 28/2020, 29/2020, 30/2020, 33/2020, 35/2020, 36/2020, 37/2020, 38/2020, 39/2020, 40/2020 and 41/2020.

- (a) allow the employee to take special leave of absence for reasons of public health if the employee —
  - (i) is required to isolate under —
    - (aa) regulation 9 of the Quarantine (Public Health) Regulations, as a result of having come into contact with an infected person during the course of their employment,
    - (bb) a legislative provision of the Republic having the same effect on the territory of the Republic, as a result of having come into contact with any infected person during the course of their employment, or
    - (cc) the provisions referred to in subsection (2)(a)(ii), as a result of returning to the island of Cyprus from travel undertaken in the course of their employment, or
  - (ii) is of a description to which subsection (2)(b) or (c) applies, or
- (b) in any other case, allow the employee to either—
  - (i) take sickness leave, or
  - (ii) in exceptional circumstances, take special leave of absence for reasons of public health.”

## **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.18) 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 amendments are intended to mirror the Quarantine (Measures to Prevent the Spread of the Coronavirus COVID-19) Order (No.53) of 2020, P.I 531/2020 and the Quarantine (Measures to Prevent the Spread of the Coronavirus COVID-19) Order (No.54) of 2020, PI 532/2020 of the Republic.

**4.** Section 2 of the Ordinance amends the Protection of Public Health (Covid-19) (Consolidation No.2) Ordinance 2020.

**5.** Section 2(2) inserts a new definition of “sports facilities”, which includes gyms, swimming pools, and any training, practice or performance facility, or any school, for sports or other physical activity, including dance.

**6.** Section 2(3) removes reference to relevant health and safety guidelines in relation to arranging mass gatherings and prohibits the use of changing facilities at sporting events.

**7.** Section 2(4) prohibits the use of changing rooms at sports facilities.

**8.** In the Akrotiri Sovereign Base Area, section 2(5) allows both indoor and outdoor sports facilities to be used for physical exercise by no more than 4 persons (including any instructor).

**9.** Section 2(6) removes references to gyms, swimming pools, training and practice facilities from the list of activities where compliance with the relevant health and safety guidelines is required. Under section 2(2), these are now included in the definition of “sports facilities”, also mentioned in the list of activities

**10.** Section 2(7) amends the provisions relating to employees of community and municipality councils who cannot attend their workplace for reasons linked to the epidemic of COVID-19. In such a case, employees must be allowed to work from home if possible. If not, they must be granted leave take special leave of absence for reasons of public health if their absence is work related, or due to caring responsibilities. Otherwise, they must be granted sick leave, except that, in exceptional circumstances, the employer has a discretion to grant special leave of absence for reasons of public health to their employees.

SBA/AG/2/H180(B)