

Ordinance 02 of 2021

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**PROTECTION OF PUBLIC HEALTH (COVID-19)
ORDINANCE 2021**

An Ordinance to make provision for the protection of public health in connection with Covid-19
and for connected purposes.

R. Thomson
ADMINISTRATOR

14 January 2021

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

CONTENTS

PART 1
Preliminary

1. Short title and commencement
2. Interpretation
3. Application

PART 2

Provisions relating to the movement of individuals

4. Prohibition on leaving a place of residence
5. General exceptions to the prohibition on leaving a place of residence
6. Exceptions to the prohibition on leaving a place of residence between 5am and 9pm
7. Requirements when leaving a place of residence
8. Requirements when leaving a place of residence in a motor vehicle

PART 3

Provisions relating to places

9. Prohibited areas
10. Visiting old peoples' homes etc.
11. Places of residence
12. Provisions on masks

PART 4

Provisions relating to activities

13. Prohibited activities
14. Events and gatherings
15. Religious worship
16. Weddings, funerals and christenings
17. Relevant health and safety guidelines for operating a ferry etc.
18. Trade Unions: remote meetings and elections

PART 5

Provisions related to business activities

19. Permitted retail businesses
20. Open air markets
21. Construction sites
22. Catering premises
23. Number of persons to be permitted to enter business premises
24. Number of persons permitted to work at a private business
25. Opening hours of pharmacies and grocery stores
26. Signage
27. Relevant health and safety guidelines

PART 6

Provisions related to public services

28. Immigration centres
29. Courts
30. Residential and support facilities
31. Employees of community councils and municipality councils

PART 7

Health professionals

32. Power to give instructions to doctors, surgeons and nurses

PART 8

Infected Premises

33. Infected premises

PART 9

Price Caps

34. Price caps

PART 10

Enforcement

35. Offences and penalties
36. Interim ex parte order
37. Detained persons
38. Amendment to the Fixed Penalty Ordinance 2010

PART 11

Final Provisions

39. Repeals

SCHEDULE 1 — Form A – Confirmation for Employee’s Movement
SCHEDULE 2 — Form B – Declaration of Citizen’s Movement by Exception
SCHEDULE 3 — Price Caps

PART 1

Preliminary

Short title and commencement

1.—(1) This Ordinance may be cited as the Protection of Public Health (Covid-19) Ordinance 2021.

(2) This Ordinance comes into force at 06:00 pm on 14 January 2021.

Interpretation

2.—(1) In this Ordinance—

“cultural institution” means a—

- (a) library,
- (b) museum, or
- (c) archaeological or historical site;

“disability” has the same meaning as in the Disabled Person Ordinance 2016(a);

“high-achieving athletes” means—

- (a) athletes included in the list of the Cyprus Olympic Committee or in the High Performance Plan of the Cyprus Sports Organisation, and
- (b) coaches of athletes in paragraph (a);

“place of residence” includes any place or premises which comprises the private residence of an individual and to which the public does not have access;

“public gathering space” means a place where the public, apart from under this Ordinance, congregate, not including roads or any other thoroughfare;

“relevant health and safety guidelines” means any guidelines, as amended from time to time—

- (a) referred to in a provision of the legislation of the Republic corresponding to a provision of this Ordinance where the phrase “relevant health and safety guidelines” is used, and
- (b) the purpose of which is to prevent or protect against the incidence or spread of Covid-19;

“reseller” means in relation to a product, a person who sells the products without the permission of the manufacturer.

(2) Relevant health and safety guidelines apply in the Areas as if—

- (a) the Areas formed part of the Republic, and
- (b) those parts of the Areas which, before 16 August 1960, lay within—
 - (i) the district of Limassol now lay within the district of Limassol of the Republic,
 - (ii) the district of Larnaca now lay within the district of Larnaca of the Republic, and
 - (iii) the district of Famagusta now lay within the district of Famagusta of the Republic,

(3) Subsection (4) 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,

(a) Ordinance 17/2016

(4) 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.

(5) Where a provision of this Ordinance requires the wearing or use of a mask by a person, it requires the mask to cover the person's nose and mouth.

Application

3.—(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 35, this Ordinance binds the Crown.

PART 2

Provisions relating to the movement of individuals

Prohibition on leaving a place of residence

4. Subject to sections 5 and 6, a person is prohibited from leaving their place of residence.

General exceptions to the prohibition on leaving a place of residence

5. A person is permitted to leave their place of residence to—

- (a) commute to and from their place of work if either they—
 - (i) are in possession of a completed Form A in the form set out in Schedule 1 that relates to that commute, or
 - (ii) are in a uniform as part of their duties and wearing of that uniform is not unlawful under the Unauthorised Use of Uniforms Ordinance(a),
- (b) attend a medical centre, hospital, pharmacy or dentist for urgent medical attention, or
- (c) attend a vet for urgent treatment for an animal.

Exceptions to the prohibition on leaving a place of residence between 5am and 9pm

6. A person is permitted to leave their place of residence between 5am and 9pm if—

- (a) they have a disability or are escorting a person with a disability and they are within 500 metres of their place of residence,
- (b) they are present on, or moving between, land forming part of a station of Her Majesty's Forces where they have their permanent place of residence, or work,
- (c) they are—
 - (i) carrying out physical exercise as permitted under this Ordinance, or
 - (ii) exercising or attending to the needs of a pet,and they are within 500 metres of their place of residence,

(a) Cap. 165, Laws of Cyprus, 1959 ed. Legislation of the former colony of Cyprus has effect in the Areas by virtue of article 5 of the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960/1369. Schedule 2 to the Interpretation Ordinance 2012 provides for the interpretation of such legislation

- (d) they are travelling for the purpose of taking a child to or from school,
- (e) they—
 - (i) have complied with the requirements of sections 7 and 8,
 - (ii) are—
 - (aa) travelling for the purposes of—
 - (i) accessing public services,
 - (ii) purchasing goods or services from a business whose operation has not been prohibited by this Ordinance,
 - (iii) attending a doctor or pharmacy,
 - (iv) attending a dentist,
 - (v) attending a vet,
 - (vi) giving blood,
 - (vii) taking a test for Covid-19,
 - (viii) taking a vaccination for Covid-19,
 - (ix) going to a bank to obtain a service that is not available electronically,
 - (x) providing assistance to a person who is—
 1. not able to care for themselves, or
 2. isolating for reasons relating to the prevention of the spread or incidence of Covid-19,
 - (xi) attending the funeral, wedding and christening (or a similar ceremony) of a person with the first or second kindred, within the meaning of section 48 and Schedule 2 of the Wills and Succession Ordinance(a),
 - (xii) carrying out physical exercise,
 - (xiii) attending a place of residence that is not their own place of residence in accordance with section 11(2), and
 - (bb) being divorced or separated from the other parent of a child of theirs, are travelling to have reasonable access to those children.

Requirements when leaving a place of residence

- 7.—(1) A person who is outside their place of residence must—
- (a) if doing so under section 5 have in their possession their valid identity card or passport,
 - (b) if doing so under section 6(e) have in their possession—
 - (i) their valid identity card or passport, and
 - (ii) a valid movement permission text message obtained from the Republic for that journey or a completed Form B in the form in Schedule 2 that evidence’s the person’s entitlement to be outside their place of residence under section 6(e).
- (2) A person may not, in any given day, be present outside their place of residence under section 6(e) more than two times, or for longer than three hours each of those times.

Requirements when leaving a place of residence in a motor vehicle

8. A person who is in a motor vehicle must comply with relevant health and safety guidelines.

(a) Cap. 195

PART 3

Provisions related to places

Prohibited areas

9.—(1) No person may enter—

- (a) a playground,
- (b) subject to subsections (2) and (3) a public gathering space, or
- (c) a hospital, clinic or diagnostic centre as a visitor,

(2) A public gathering space may be used for physical exercise provided this is done in groups of no more than two people.

(3) Subsections (1) and (2) do not prevent the presence in a public gathering space of a person who is—

- (a) under the age of 18,
- (b) accompanying a person who is present in the public gathering space in accordance with subsection (2), and
- (c) a child of that person or a child under the care and supervision of that person as a guardian within the meaning of the Children Ordinance^(a).

Visiting old peoples' homes etc.

10.—(1) Subject to subsection (2) no person may visit another person in—

- (a) an old peoples' home,
- (b) a care home for the elderly,
- (c) a chronic care unit,
- (d) a shelter facility for vulnerable groups,
- (e) a temporary shelter facility for the homeless, or
- (f) a day care centre or childcare facility.

(2) Subject to subsection (3) a person is permitted to enter a place listed in subsection (1) where—

- (a) they are visiting a person with a disability, and
- (b) that person with a disability has not had two visitors in any week.

(3) A person may visit a person with a disability who has had more than one visitor in any week if permission is given by a social worker responsible for the person with the disability.

Places of residence

11.—(1) Subject to subsection (2) no person may be present at a place of residence that is not their place of residence.

(2) A person may be present at a place of residence that is not their place of residence—

- (a) where it is necessary in order to—
 - (i) care for a person that is disabled,
 - (ii) care for or mind a child who is under the age of 18, or
 - (iii) assist a person who is unable to care for themselves,
- (b) in order to provide maintenance to that place of residence,

(a) Cap. 352

- (c) in order to provide housekeeping services,
- (d) in order to provide health services to residents, or
- (e) where approval is granted by the Chief Officer for exceptional welfare reasons.

Provisions on masks

12. Except as provided by relevant health and safety guidelines, where two or more people are in the presence of each other, all the persons aged 12 years old or more must wear a mask.

PART 4

Provisions related to activities

Prohibited activities

13.—(1) No person may operate any of the following—

- (a) a shopping centre,
- (b) a conference centre,
- (c) a trade fair,
- (d) an art exhibition,
- (e) a betting shop,
- (f) a casino,
- (g) except on land occupied by the Crown in right of its Government of the United Kingdom, a gym,
- (h) subject to subsection (3) a dance school,
- (i) subject to subsection (3) a sport school,
- (j) except for the use by people with a disability for therapeutic exercise, a swimming pool,
- (k) a cultural institution,
- (l) a flea market,
- (m) a hair dressing salon,
- (n) a barber shop,
- (o) a tattoo salon,
- (p) a night club or disco,
- (q) a reception hall,
- (r) an entertainment, music or dance venue,
- (s) a theatre or amphitheatre,
- (t) a cinema,
- (u) a performance hall,
- (v) a playground, fun fair or theme park,
- (w) a sport, social or cultural club, association or society,
- (x) a zoological garden or zoo park,
- (y) a driving school,
- (z) subject to subsection (3) a sports facility.

(2) Subsection (1) does not prohibit activities that do not involve the presence of users on the premises of the activity.

(3) A person may operate a dance school, sports school or other sports facility provided that they only allow it to be used for the purpose of physical exercise or training by no more than two people at any one time, including any instructor.

(4) A person may operate a sport facility provided at least one of the following conditions is complied with—

- (a) the facility is used for the purpose of sports training exercise by high-achieving athletes who do so either individually or in groups of no more than 5 persons, including any instructor,
- (b) the facility is used for the training, competitions or matches of the First Category of the Cyprus Sports Organisation, or of national sports teams, provided that—
 - (i) this is in the absence of spectators, and
 - (ii) changing rooms are not used, except on the day a game is being played and only for the players taking part.

Events and gatherings

14. No person may organise or attend, in any place—

- (a) a parade,
- (b) an assembly or procession within the meaning of the Assemblies and Processions Ordinance^(a),
- (c) a concert,
- (d) a fair,
- (e) a trade fair, or
- (f) a team sport or social event.

Religious worship

15.—(1) Subject to subsection (3) the person in charge of a place of religious worship must ensure that no congregation is present at that place of religious worship.

(2) Subject to subsection (3) no person may attend a service with a congregation at a place of religious worship.

(3) A person is permitted to pray in a place of religious worship provided that no more than 10 persons are simultaneously present on the premises at any given time.

Weddings, funerals and christenings

16. A person may organise or permit a ceremony such as a wedding, funeral or christening to take place only if that person ensures that—

- (a) no more than 10 people are simultaneously present, and
- (b) no person may organise a meal to celebrate or mark an event such as a wedding, funeral or christening for any of the guests.

Relevant health and safety guidelines for operating a ferry etc.

17. The person operating the following must ensure that the relevant health and safety guidelines are complied with—

- (a) a ferry,
- (b) an amateur fishing vessel, or

(a) Cap. 32

- (c) a vessel being used for the purpose of diving or other water sports.

Trade Unions: remote meetings and elections

18.—(1) In this section, “Trade Union” means a trade union registered under the Trade Unions Ordinance 1968(a).

(2) This section applies where any enactment, rules of law or contractual provision or anything done under such an enactment, rule or law or contractual provision, would prevent a Trade Union from holding—

- (a) a meeting of its members where the participants of the meeting are not in the physical presence of each other, or
- (b) an election of officials of the Trade Union where the persons voting or being concerned in the holding of the election are not in the physical presence of each other.

(3) Where this section applies, the provision referred to in subsection (2) preventing such meeting or election from being held is to be of no effect if the Chief Officer so directs.

(4) The functions of the Chief Officer under subsection (3) are general delegated functions under the Delegation of Functions of the Republic Ordinance 2007(b).

PART 5

Provisions related to business activities

Permitted retail businesses

19.—(1) Subject to subsections (2) and (3) no person shall operate a retail business providing services directly to the public.

(2) Subsection (1) does not apply to the following—

- (a) a supermarket or retail premises that sells food and drinks for consumption off the premises,
- (b) a pharmacy,
- (c) a private health business,
- (d) a clinical laboratory,
- (e) a petrol station,
- (f) a workshop or business that provides orthopaedic items or items for disabilities,
- (g) a workshop or business that provides medical and industrial gases and machinery,
- (h) an optician,
- (i) a business selling hearing aids,
- (j) a business selling medical equipment and consumables,
- (k) a business selling car spare parts and accessories,
- (l) a business selling tyres,
- (m) a business selling and repairing bicycles,
- (n) a business that provides a cleaning service for car exteriors,
- (o) a business that repairs cars or motorcycles,
- (p) a dry cleaners,
- (q) a business that provides postal or courier services,

(a) Ordinance 4/1968

(b) Ordinance 17/2007, as amended by Ordinance 8/2012

- (r) a business selling animal feed or veterinarian medicines,
- (s) a business selling pets or nutrition for pets or providing care for pets,
- (t) a business providing telecommunications services, to the extent that it relates to the payment of bills, balance renewal, repair and replacement of mobile devices,
- (u) a business selling or trading pesticides, fertilizers or agricultural medicinal products, materials or equipment,
- (v) a plant nursery,
- (w) a flower shop,
- (x) a hotel or tourist accommodation provided that they only accommodate and make available their facilities to—
 - (i) persons who are not permanent residents of the Republic, or
 - (ii) persons who are isolating for reasons relating to the prevention of the spread or incidence of Covid-19.

(3) Subsection (1) does not prohibit activities that do not involve the presence of users on the premises of the business.

Open air markets

20. A person may not operate an open air market unless they ensure that the number of persons attending the premises does not exceed 50% of the capacity of that open air market.

Construction sites

21. A person may not operate a construction site unless they do so in accordance with the relevant health and safety guidelines.

Catering premises

22.—(1) Subject to subsection (2), no person may operate a catering activity—

- (a) where food or drink is provided to customers for consumption on the premises, or
- (b) where, as part of the catering service, alcoholic drinks are sold for consumption off the premises.

(2) Subsection (1) does not apply to the following catering activities—

- (a) dining premises located within hotels and tourist accommodation to persons staying overnight at the hotel or tourist accommodation,
- (b) catering premises located within an airport terminal,
- (c) a military catering facility situated on land occupied by the Crown in right of its Government of the United Kingdom.

(3) Where subsection (2) applies the following conditions apply—

- (a) food and drink must not be served or provided to customers for consumption after 9pm,
- (b) except as provided by the relevant health and safety guidelines, food and drink may only be served to people who are seated at tables,
- (c) except as provided by the relevant health and safety guidelines, no more than 6 people may be seated at any table,
- (d) no bar service may be provided to customers, and the bar area may only be used by staff for the preparation of food and drinks.

(4) No person may, between the hours of 8:30pm and 5am, operate a catering activity where food is provided to customers on the premises for consumption off the premises,

(5) For the purpose of subsection (4), where seating is made available for customers in an area adjacent to premises where food is being sold, the food is deemed to be sold for consumption on those premises, whether or not the seating is made available by the seller.

Number of persons to be permitted to enter business premises

23.—(1) Subject to subsection (4) no person operating an establishment where services are being provided to the public may, intentionally, recklessly or through lack of reasonable care, permit or suffer the ratio in subsection (2) to exceed 1 person per 10 square metres.

(2) The ratio in this subsection is that of the number of persons present in any area of such establishment that is open to the public to the surface, in square metres, of the floor of that area where the public may be present.

(3) For the purposes of this section, an establishment where services are being provided to all, or a significant proportion of, those who have the right to be present in a military establishment, is deemed to be an establishment where services are being provided to the public.

(4) Where a person is required to comply with relevant health and safety guidelines which provide that more than 1 person per 10 square metres may be present in a particular type of establishment, subsection (1) does not apply to a person operating such an establishment.

Number of persons permitted to work at a private business

24.—(1) Subject to subsection (2) a person operating a private business must ensure no more than 15% of the total number of employees, up to a maximum of 20 people, are on the premises at any one time.

(2) A person may operate a private business without a limit on the total number of employees on the premises at any one time if the business relates to—

- (a) bank services,
- (b) services providing public safety and order,
- (c) services required to monitor and manage the Coronavirus pandemic,
- (d) providing social services and pay allowances and other benefit to citizens,
- (e) ensuring continuous electricity and water supply,
- (f) providing for irrigation,
- (g) operating electronic communication systems, telecommunications and post offices,
- (h) operating air transports and control air traffic,
- (i) operating sea traffic management and monitoring systems,
- (j) operating civil defence,
- (k) hospitals and related services of the health sector,
- (l) repairing or maintain equipment and electrical and mechanical installations of national infrastructure,
- (m) managing waste,
- (n) operating ports,
- (o) veterinary services,
- (p) prisons, or
- (q) asylum and immigration services.

Opening hours of pharmacies and grocery stores

25.—(1) Subject to subsection (2) prior to 10am on any day, pharmacies and grocery stores must refuse entry to any person unless that person—

- (a) is 65 years old or over, or

(b) has a disability.

(2) Subsection (1) does not apply on land occupied by the Crown in right of its Government of the United Kingdom.

Signage

26. A person operating a retail business must put in place signalling on the premises to ensure that a distance of two metres is maintained between persons at shop counters and at queues outside shops.

Relevant health and safety guidelines

27. A person operating or in charge of any undertaking or operation must ensure that relevant health and safety guidelines are complied with.

PART 6

Provisions related to public services

Immigration centres

28.—(1) Subject to subsection (2), no person may enter or exit a place approved by the Chief Officer under section 34(1) of the Immigration Ordinance 2020^(a) for the detention of persons under Part 5 of that Ordinance.

(a) Subsection (1) does not apply to a person—

- (i) exercising functions with the authority of the Crown in right of its Administration of the Areas in relation to the place,
- (ii) residing in the place,
- (iii) entering or exiting the place for humanitarian purposes,
- (iv) entering or exiting the place as a health professional,
- (v) whose entry or exit has been approved by the Chief Officer for exceptional reasons, including going to court.

Courts

29. The person in charge of a court must ensure that relevant health and safety guidelines are complied with.

Residential and support facilities

30. The person in charge of a residential or support facility for the elderly or vulnerable people must ensure that relevant health and safety guidelines relating to testing for Covid-19 for staff, residents and service users are complied with.

Employees of community councils and municipality councils

31.—(1) This section applies to employment by community councils and municipality councils.

(2) Community councils and municipality councils may only provide services to the public in urgent or exceptional circumstances.

(a) Ordinance 34/2020

(3) Subject to subsections (4) and (5), community councils and municipality councils must allow their employees to work remotely, unless it is not reasonably possible to do so.

(4) A community council or municipality council need not allow an employee to work remotely where this would prevent the council from fulfilling its functions referred to in subsection (2).

(5) Community councils and municipality councils must apply subsection (4) so as to ensure that, as between employees, subsection (3) is applied fairly.

(6) Subject to subsection (7) and (8), an employer must allow to work remotely those of its employees who—

(a) are being require to isolate under—

(i) regulation 8 or 9 of the Quarantine (Public Health) Regulations(a), 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(b) 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 32, or

(c) need to act as carers for a child aged under 16 or has a disability—

(i) who 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.

(7) Where subsection (6) applies, if it is not reasonably possible to allow the employee to work from home, the employer must—

(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 (6)(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 (6)(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.

(8) Subsection (6)(a) only applies if the employee holds a Medical Certificate of Absence from Work for Public Health Reasons delivered by the authorities of the Republic.

(9) Where an employee is granted special leave for reasons of public health under this section, the employer must pay the employee, in respect of the time spent in special leave for reasons of public health, at least 60% of the employee's salary.

(a) Cap. 145
(b) PI 6/2020

(10) Time spent on special leave for reasons of public health under this section is considered to be time spent in the employer's employment for the purposes of any pension, retirement gratuities, Provident Funds and payment of increments, thirteenth salary and promotion.

(11) Subsection (12) applies where—

- (a) the factors increasing the risk of an becoming seriously ill upon contracting Covid-19, as determined by the relevant health and safety guidelines, are present in relation to an employee, and
- (b) it is not possible for the employee to keep from other persons the distances prescribed by the relevant health and safety guidelines.

(12) Where this subsection applies, the employer must allow the employee to work remotely, unless it is not reasonably possible to do so.

(13) Where subsection (12) does not apply because it is not reasonably possible to allow the employee to work remotely, the employer must grant the employee special leave for reasons of public health.

PART 7

Health professionals

Power to give instructions to doctors, surgeons and nurses

32.—(1) Any person authorised to practice medicine, surgery or nursing, by or under the Medical Practitioners Ordinance 1964(a) or the Nursing and Midwifery Ordinance 1964(b), must carry out such practice in accordance with any instructions given by the Chief Officer for the purposes of preventing the spread of Covid-19.

(2) Subsection (1) does not apply to—

- (a) any person who is employed by the Crown or an authorised service organisation as a medical practitioner, and
- (b) any person who is employed by the Crown or an authorised service organisation as a nurse or midwife.

(3) Instructions given under subsection (1) may relate to practice of the person outside the Areas.

(4) The functions of the Chief Officer under subsection (1) are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007(c).

(5) Despite any provision of the Medical Practitioners Ordinance 1964, any person may perform, in the Areas, any medical or surgical act which that person could perform in the Republic by virtue of paragraph 2.26 of the Quarantine (Determination of Measures of the Prevention of the Spread of Corona Virus Covid-19) Order (No. 2) of 2021 of the Republic(d).

(6) Despite any provision of the Nursing and Midwifery Ordinance 1964, any person may perform, in the Areas, any nursing act which that person could perform in the republic by virtue of paragraph 2.26 of the Quarantine (Determination of Measures of the Prevention of the Spread of Corona Virus Covid-19) Order (No. 2) of 2021 of the Republic.

(a) Ordinance 10/1964

(b) Ordinance 20/1964

(c) Ordinance 17/2007, as amended by Ordinance 8/2012

(d) PI 6/2021

PART 8

Infected Premises

Infected premises

- 33.**—(1) This section applies where—
- (a) a person who has worked, in the past 72 hours 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 a public authority.
- (3) In this section—
- “contact” has the same meaning as in the Quarantine (Public Health) Regulations;
- “the person in charge” means a person having control of the business or public authority referred to in subsection (2);
- “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 either—
- (a) the relevant health and safety guidelines, or
 - (b) the publication entitled “Disinfection of environments in healthcare and non-healthcare settings potentially contaminated with SARS-CoV-2”, issued by the European Centre for Disease Prevention and Control(a), as amended from time to time.
- (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 prior to the re-entry of staff.

PART 9

Price Caps

Price caps

- 34.**—(1) Subject to subsection (2), no person may sell or offer for sale any of the products listed in Schedule 3 at a price above the maximum price set out in that Schedule.

(a) See <https://www.ecdc.europa.eu/en/publications-data/disinfection-environments-covid-19>.

(2) Wholesale price caps listed in Schedule 3 do not apply to resellers.

(3) The maximum price listed for Coronavirus Covid-19 molecular test does not apply to such tests where charging a price lower or equal to the maximum price would contravene a contractual obligation—

- (a) to which the Republic is party,
- (b) which was entered into before 6am on 8 January 2021, and
- (c) which authorises or requires a person to charge a higher price.

PART 10

Enforcement

Offences and penalties

35.—(1) A person (“P”) commits an offence if P fails without reasonable excuse to comply with a restriction or requirement imposed by or under this Ordinance.

(2) Subject to subsection (4), any person contravening any of the restrictions or requirements imposed by or under this Ordinance is guilty of an offence and on conviction thereof is liable to imprisonment not exceeding six months or to a fine not exceeding €3000.

(3) If any offence under subsection (1) committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer of the body, or
 - (b) to be attributable to any neglect on the part of such an officer,
- the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted and proceeded against and punished accordingly.

(4) In the case of an offence consisting of a breach of an interim order imposed under section 36, the maximum fine to which the offender is liable is €20,000.

(5) In subsection (3), “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Interim ex parte order

36.—(1) A police officer may make an ex-parte application to the Resident Judge’s Court for an interim order to suspend operation of a business where a person has been charged with an offence under the provisions of this Ordinance related to the operation of the business, if that person—

- (a) controls the business or,
- (b) is an officer of a body corporate that controls the business.

(2) If an application is filed under subsection (1), the Court may make the order applied for where it appears to be just and convenient to do so.

Detained persons

37.—(1) For the purpose of preventing or protecting against the incidence or spread of Covid-19, a police officer or prison officer may require a person remanded in police custody or a prisoner serving a prison sentence to submit to—

- (a) a Covid-19 test,
- (b) a medical examination by a medical practitioner at a time and place specified by the police officer or prison officer, or
- (c) both.

(2) For the purpose of preventing or protecting against the incidence of spread of Covid-19, an immigration officer may require a person detained under Part 5 of the Immigration Ordinance

2020 at a place approved by the Chief Officer under section 34(1) of that Ordinance to submit to—

- (a) a Covid-19 test,
- (b) a medical examination by a medical practitioner at a time and place specified by the immigration officer, or
- (c) both.

Amendment of the Fixed Penalty Ordinance 2010

38.—(1) The Fixed Penalty Ordinance 2010(a) is amended as follows.

(2) In Schedule 2, for row 154 in the table substitute—

154.	Contravention of a restriction or requirement imposed by or under the Ordinance	€300	Protection of Public Health (Covid-19) Ordinance (2021)	Section 35(1) and (3)
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PART 11

Final Provisions

Repeals

39.—(1) The following Ordinances are repealed—

- (a) the Protection of Public Health (Covid-19) Ordinance (Consolidation No. 2) Ordinance(b).
- (b) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment) Ordinance 2020(c).
- (c) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 2) Ordinance 2020(d).
- (d) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 3) Ordinance 2020(e).
- (e) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 4) Ordinance 2020(f).
- (f) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 5) Ordinance 2020(g).
- (g) the Protection of Public Health (Covid-1) Ordinance (Consolidation No 2) (Amendment No. 6) Ordinance 2020(h).
- (h) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 7) Ordinance 2020(i).

(a) Ordinance 25/2010, as amended by Ordinances 4/2020, 5/2020, 13/2020 and 41/2020.
 (b) Ordinance 18/2020.
 (c) Ordinance 19/2020.
 (d) Ordinance 20/2020.
 (e) Ordinance 24/2020.
 (f) Ordinance 25/2020.
 (g) Ordinance 26/2020.
 (h) Ordinance 27/2020.
 (i) Ordinance 28/2020.

- (i) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 8) Ordinance 2020**(a)**.
- (j) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 9) Ordinance 2020**(b)**,
- (k) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 10) Ordinance 2020**(c)**.
- (l) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 11) Ordinance 2020**(d)**.
- (m) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 12) Ordinance 2020**(e)**.
- (n) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 13) Ordinance 2020**(f)**.
- (o) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 14) Ordinance 2020**(g)**.
- (p) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 15) Ordinance 2020**(h)**.
- (q) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 16) Ordinance 2020**(i)**.
- (r) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 17) Ordinance 2020**(j)**.
- (s) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 18) Ordinance 2020**(k)**.
- (t) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 19) Ordinance 2020**(l)**.
- (u) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 20) Ordinance 2020**(m)**.
- (v) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment No. 21) Ordinance 2020**(n)**.
- (w) the Protection of Public Health (Covid-19) Ordinance (Consolidation No 2) (Amendment) Ordinance 2021**(o)**.

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- (a)** Ordinance 29/2020.
 - (b)** Ordinance 30/2020.
 - (c)** Ordinance 33/2020.
 - (d)** Ordinance 35/2020.
 - (e)** Ordinance 36/2020.
 - (f)** Ordinance 37/2020.
 - (g)** Ordinance 38/2020.
 - (h)** Ordinance 39/2020.
 - (i)** Ordinance 40/2020.
 - (j)** Ordinance 41/2020.
 - (k)** Ordinance 42/2020.
 - (l)** Ordinance 43/2020.
 - (m)** Ordinance 44/2020.
 - (n)** Ordinance 54/2020.
 - (o)** Ordinance 55/2020.

SCHEDULE 1

Section 5

Form A

CONFIRMATION FOR EMPLOYEE'S MOVEMENT*

Employee

.....

of the company/service/organisation

.....

with identity card/passport no

.....

is obliged to travel for work purposes to the district(s)

.....

between and o'clock

The employee shall be identified by presenting his/her identity card/passport.

Name of employer/supervisor:

.....

Signature of employer/supervisor:

.....

Date:

*The same form applies for self-employed persons.

SCHEDULE 2

Section 7

Form B

DECLARATION OF CITIZEN’S MOVEMENT BY EXCEPTION

I, the undersigned,
identity card/passport no
home address

hereby declare that the need for travelling at (fill in the exact time)
arises from the following reasons:
(tick the appropriate box below)

- 1. Going to a pharmacy, visiting a physician or for blood donation or laboratory testing for Covid-19 or for vaccination at the vaccination centres.
- 2. Going to a shop for essential goods/services, including take away.
- 3. Going to the bank for services that are not available online.
- 4. Strictly necessary visits to public services or services of the wider public sector and local authorities.
- 5. Helping people who cannot take care of themselves or people who must protect themselves or who are in self-isolation and/or in places of compulsory isolation (quarantine).
- 6. Physical activity or individual sports practiced in areas where access is permitted.
- 7. Going to a ceremony (e.g. funeral, wedding, christening) of first and second degree relatives not exceeding 10 people or for individual prayer.
- 8. Any other reason that may be justified under the lockdown measures (Note 2):
.....
.....

Notes: (1) During their movements, citizens should carry their identity card/passport.

(2) Point 8 above shall also include the following:

- movement of divorced or separated parents, which is necessary for the uninterrupted communication between parents and children;

- going for specialised therapies for people with disabilities or chronic diseases, together with their carer;
- driving a soldier from and to his army camp;
- going to and coming back from Larnaca and Paphos Airports for the transport of persons upon presentation of proof (ticket) showing the day and/or time of arrival/departure;
- movement of farmers and livestock farmers, provided that they produce the CAPO form of hectare or animal subsidy or, in case this is not available, a relevant certificate by the District Agricultural Office;
- going to and coming back from animal shelters to take care or feed stray animals, provided that the person has a certificate validated by a recognised animal welfare organisation and the relevant notification to the Veterinary Services.

Signature:

Date:

SCHEDULE 3

Section 34

Price Caps

Product Description	Maximum Wholesale Selling Price (including VAT) €	Maximum Retail Selling Price (including VAT) €
ANTISEPTICS		
Abyss Disinfectand Gel 100ml	2.62	3.55
Abyss Disinfectand Liquid 100ml	3.57	4.85
Activel Gel 80ml	2.21	2.95
Ane Medic - Antiseptic Gel 250ml	2.38	3.20
Ane Medic - Antiseptic Gel 300ml	2.82	3.50
Ane Medic - Antiseptic Gel 350ml	3.27	4.45
Ane Medic - Antiseptic Gel 1L	7.14	9.65
Aseptin 60ml Spray	5.88	8.05
Aseptin 300ml Spray	11.45	15.70
Aseptin 1L Spray (with pump)	21.42	28.90
Aseptin 1L Spray (without pump)	17.85	24.10
Bienclair – Antiseptic Spray 100ml	3.07	3.70
Bienclair – Antiseptic Spray 500ml	6.40	7.75
Biofresh Deep Cleansing Hand Gel 50ml	2.60	3.65
Champion Antiseptic Hand Gel 300ml	4.46	6.00
Champion Antiseptic Hand Gel 1L	8.33	11.25
Chem-Ist Antibacterial Hand Gel 135ml	2.38	3.50
Chem-Ist Antibacterial Hand Gel 500ml	5.95	8.00
Chem-Ist Antibacterial Hand Sterilizer 500ml	6.55	8.85
Chem-Ist Antibacterial Hand Sterilizer 1L	11.90	16.00
Conal Antibacterial Hand Sanitizer Gel 50ml	1.35	2.10
Conal Antibacterial Hand Sanitizer Gel 100ml	2.38	3.40
Conal Antibacterial Hand Sanitizer Gel 500ml	5.35	7.00
Conal Antibacterial Hand Sanitizer Spray 100ml	2.38	3.40
Conal Antibacterial Hand Sanitizer Spray 500ml	5.35	7.00
Cuticura Hand Gel - Floral 50ml	1.43	1.90
Cuticura Hand Gel - Mint 50ml	1.43	1.90
Cuticura Hand Gel - Mint 100ml	2.20	2.90
Cuticura Hand Gel - Mint 250ml	3.56	4.75
Dalon Alcohol Hand Gel 100ml	2.20	3.20
De Costa Antiseptic Gel 80ml	1.55	2.30
De Costa Antiseptic Gel 250ml (without pump)	3.00	4.50
De Costa Antiseptic Gel 250ml (with pump)	3.60	5.25
De Costa Antiseptic Gel 500ml (with pump)	5.40	7.95
De Costa Antiseptic Gel 1L	8.93	12.50
De Costa Ethyl Alcohol 70% Spray 75ml	2.40	3.55
De Costa Ethyl Alcohol 70% Spray 300ml	3.75	5.55

De Costa Ethyl Alcohol 96% Spray 75ml	3.05	4.50
De Costa Ethyl Alcohol 96% (with pump) 300ml	4.70	6.95
De Costa Ethyl Alcohol 96% (without pump) 300ml	2.70	4.00
De Costa Ethyl Alcohol 96% (with pump) 1L	11.31	15.85
De Costa Ethyl Alcohol 96% (without pump) 1L	9.52	13.35
Desderman Pure Gel 100ml	5.69	7.80
Desderman Pure Gel 500ml	8.15	11.15
Desderman Pure Gel 1L	13.92	19.05
Desderman Pure Liquid 100ml	5.69	7.80
Desderman Pure Liquid 500ml	7.97	10.95
Desderman Pure Liquid 1L	11.54	15.80
Dettol Hand Sanitizer Gel 50ml	2.78	3.75
Fami Sanitizing Hand Gel, 80ml	2.38	3.20
Fami Sanitizing Hand Gel, 1L	8.33	11.25
Greco Drug Ethyl Alcohol 70% 120ml	3.03	3.80
Greco Drug Ethyl Alcohol 70% 500ml	6.00	7.50
Just Rite Hand Gel (pump) 100ml	2.07	2.60
Just Rite Hand Gel (pump) 500ml	3.99	5.70
Just Rite Hand Sanit Gel 50ml	0.84	1.20
Just Rite Hand Sanit Gel 120ml	2.24	2.80
Just Rite Hand Sanit Gel 250ml	4.17	5.20
Kessler 85ml	2.38	3.30
Kessler 500ml	5.47	7.50
Kessler 1L	10.71	14.45
Medseptox Spray 100ml	6.66	9.00
Mister Brewer, denaturate alcohol (spray) 300ml	3.93	5.50
Mister Brewer, denaturate alcohol 350ml	3.99	5.50
Octiset 50ml	5.84	8.00
Octiset 250ml	11.45	15.45
Octiset 1L	19.43	26.25
Prime Solutions Hand Gel 100ml	3.33	4.50
Primo Antiseptic D40 60ml	2.38	3.30
Primo Antiseptic D40 250ml	4.76	6.55
Primo Antiseptic D40 500ml	7.14	8.95
Proseptic Spray 60ml	3.67	5.05
Proseptic Gel 200ml	5.00	6.96
Proseptic Gel 500ml	10.71	14.70
Reval plus 30ml	2.14	3.00
Reval plus with case 30ml	3.07	4.15
Reval plus natural 100ml	4.14	5.80
Reval plus natural 500ml	6.43	8.70
Reval plus Spray 1L	7.00	9.45
Rona Ross Antiseptic Gel 70ml	3.28	4.50
Rona Ross Antiseptic Gel 160ml	6.21	8.50
Sani Antiseptic Hand Sanitizer 300ml	3.57	5.00
Sani Antiseptic Hand Sanitizer 500ml	5.35	7.15

Sani Hand Gel 70% 500ml	5.35	7.15
Sani Hand Gel 72 300ml	4.46	5.95
Sani Hand Gel 72 500ml	8.33	10.95
Septtol Antibacterial Hand Gel 300ml	3.80	5.20
Sibon Hand Gel 70% 120ml	3.57	4.65
Sibon Hand Gel 70% 500ml	7.74	10.05
Silky Ethyl Alcohol 96% 75ml	3.57	4.65
Silky Hand Gel 70% 150ml	3.93	5.10
Silky Hand Gel 70% 300ml	5.95	7.80
Silky Hand Gel 70% 1L	9.52	12.40
SP Anticeptic Spray 70ml	5.87	7.90
Super Clean Spray 50ml	3.45	4.65
Super Clean Gel 100ml	2.86	3.85
Super Clean Gel 300ml	5.95	8.05
Super Clean Gel 500ml	7.38	9.95
Super Clean Gel 1L	13.09	17.65
Topline Hand Sanitizer Gel 300ml	4.58	6.00
Topline Hand Sanitizer Gel 500ml	5.36	7.20
Topline Hand Sanitizer Gel 1L	6.55	9.15
Total Care/ PK Eleven/ Silk/ ACD - Gel 60ml	1.79	2.50
Total Care/ PK Eleven/ Silk/ ACD - Gel 85ml	2.38	3.30
Total Care/ PK Eleven/ Silk/ ACD - Gel 100ml	2.80	3.80
Total Care/ PK Eleven/ Silk/ ACD - Gel 135ml	3.57	4.90
Total Care/ PK Eleven/ Silk/ ACD - Gel 150ml	4.34	5.60
Total Care/ PK Eleven/ Silk/ ACD - Gel 500ml	7.14	9.85
Total Care/ PK Eleven/ Silk/ ACD - Gel 600ml	8.33	11.50
Total Care/ PK Eleven/ Silk/ ACD - Gel 1L	13.09	18.00
Total Care/ PK Eleven/ Silk/ ACD - Liquid 1L	14.28	18.50
MASKS		
Simple Surgical Masks	0.62 per piece (31.00 / 50 pieces)	0.70 per piece (35.00 / 50 pieces)
THERMOMETERS		
Axillary thermometers	8.00	15.00
Covid-19 TEST		
Coronavirus Covid-19 molecular test		55.00 (but see section 34(3))
Rapid antigen test for Coronavirus Covid-19		25.00

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Protection of Public Health (COVID-19) Ordinance 2021 (“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 purpose of the Ordinance is to mirror provisions in the Quarantine (Measures to Prevent the Spread of the Coronavirus COVID-19) Order (No.2) of 2021(PI 6/2021).

4. Section 3 (Application) provides that the requirements 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 3 (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 3(3) provides that the Ordinance binds the Crown, except for its section 35, which concerns criminal offences.

5. Section 4 (Prohibition on leaving a place of residence) provides that no person may leave their place of residence and section 5 (General exceptions to the prohibition on leaving a place of residence) and section 6 (Exceptions to the prohibition on leaving a place of residence between 5am and 9pm) provide exemptions to this prohibition. Section 7 (Requirements when leaving a place of residence) and section 8 (Requirements when leaving a place of residence in a motor vehicle) provide for various requirements for when an individual is leaving their place of residence and travelling somewhere else.

6. Section 9 (Prohibited areas) provides a list of places where people are not permitted to go.

7. Section 10 (Visiting old peoples’ homes etc.) provides for the conditions in which a person may visit an old peoples’ home, a care home for the elderly, a chronic care unit, a vulnerable groups shelter facility, a temporary shelter facility for the homeless, or a day care centre or childcare facility.

8. Section 11 (Places of residence) provides for when a person may enter a place of residence that is not their own place of residence.

9. Section 12 (Provisions on masks) provides for the requirements in which masks must be worn.

10. Section 13 (Prohibited activities) provides a list of activities that no person may operate.

11. Section 14 (Events and gatherings) provides a list of organised events that are not permitted.

12. Section 15 (Religious worship) provides for conditions in which a person may enter a place of religious worship.

13. Section 16 (Weddings, funerals or christenings) provides for the conditions in which a wedding, funeral or christening may take place.

14. Section 17 (Relevant health and safety guidelines for operating a ferry etc.) provides for the conditions under which a ferry, an amateur fishing vessel, or a vessel being used for the purpose of diving or other water sports may be operated.

15. Section 18 (Trade Unions: remote meetings and elections) provides for situations where a trade union may not be able to hold meetings or votes in person.

16. Section 19 (Permitted retail businesses) provides a list of the retail businesses that may operate.

17. Section 20 (Open air markets) provides the conditions under which an open air market may operate.

18. Section 21 (Construction sites) provides the conditions under which a construction site may operate.

19. Section 22 (Catering premises) provides the conditions under which catering premises may operate.

20. Section 23 (Number of persons to be permitted to enter business premises) provides the number of people that are permitted within business premises and section 24 (Number of persons permitted to work at a private business) provides for the number of people that may work at a private business premise.

21. Section 25 (Opening hours of pharmacies and grocery stores) provides for stipulations on when a pharmacy or grocery store must open only for people over 65 years old, or suffering from a disability.

22. Section 26 (Signage) provides for the relevant signs that a retail business must display at their premises.

23. Section 27 (Relevant health and safety guidelines) provides the health and safety requirements under which a business must operate.

24. Section 28 (Immigration centres) provides the basis upon which access may be gained to an immigration centre.

25. Section 29 (Courts) provides how a court must operate.

26. Section 30 (Residential and support facilities) provides for how a residential or support facility for the elderly or vulnerable people must operate.

27. Section 31 (Employees of community councils and municipality councils) provides for what employees of community councils and municipality councils are entitled to and the obligations of employers.

28. Section 32 (Power to give instructions to doctors, surgeons and nurses) provides a power to allow the Chief Officer to instruct doctors, surgeons and nurses to carry out certain actions.

29. Section 33 (Infected premises) provides for requirements of what is to be done if a business or activity of an overlapping community or municipality public authority becomes infected with Covid-19.

30. Section 34 (Price caps) provides provisions for the maximum price to be charged for certain products.

31. Section 35 (Offences and penalties) provides for offences and penalties associated with failure to comply with requirements under the Ordinance.

32. Section 36 (Interim ex parte order) provides for the procedure that an ex parte application can be made against a business that fails to comply with requirements under the Ordinance.

33. Section 37 (Detained persons) provides for requirements of persons who are detained by the police of customs.

34. Section 38 (Amendment of the Fixed Penalty Ordinance 2010) provides for an amendment to the Fixed Penalty Ordinance 2010.

35. Section 39 (Repeals) repeals various other ordinances that dealt with matters similar to the Ordinance.

SBA/AG/2/H180(B)

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