

Ordinance 18 of 2021

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**PROTECTION OF PUBLIC HEALTH (COVID-19)
(AMENDMENT NO.11) ORDINANCE 2021**

An Ordinance to amend the Protection of Public Health (Covid-19) Ordinance 2021.

R, Thomson
ADMINISTRATOR

13 May 2021

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) (Amendment No.11) Ordinance 2021.

(2) This Ordinance comes into force at 12:30 on 13 May 2021.

Amendment of the Protection of Public Health (Covid-19) Ordinance 2021

2.—(1) The Protection of Public Health (Covid-19) Ordinance 2021(a) is amended as follows.

(2) In section 2 (interpretation), at the appropriate place, insert the following definitions—

(a) Ordinance 2/2021, amended by Ordinances 5/2021, 7/2021, 8/2021, 9/2021, 10/2021, 11/2021, 14/2021, 15/2021, 16/2021 and 17/2021.

““catering premises” means—

- (a) restaurants,
- (b) tavernas,
- (c) cafeterias,
- (d) bars,
- (e) snack bars,
- (f) coffee shops,
- (g) canteens within sports clubs, cultural clubs, associations and societies,
- (h) dining premises within hotels and other tourist accommodation, and
- (i) military catering facilities.

“Safepass” means evidence that the holder has either—

- (a) received at least one dose of a course of vaccination against COVID-19 (if the holder has only received one dose, that dose must have been administered more than three weeks prior to the date on which the Safepass is shown),
- (b) had COVID-19 within the six months immediately before the date on which the Safepass is shown, or
- (c) tested negative for COVID-19 (by either a PCR or rapid flow test) within the period of 72 hours immediately before the date and time on which the Safepass is shown;”.

(3) Omit section 4 (prohibition on leaving a place of residence) and section 5 (general exceptions to the prohibition on leaving a place of residence).

(4) For section 6 (exceptions to the prohibition on leaving a place of residence between 5am and 9pm), substitute—

“Prohibition on leaving a place of residence between 11pm and 5am

6.—(1) Subject to subsection (2), a person is prohibited from leaving their place of residence between 11pm and 5am.

(2) A person (‘P’) is permitted to leave their place of residence between 11pm and 5am if—

- (a) P is commuting to or from their place of work and is either—
 - (i) in possession of a completed Form A in the form set out in Schedule 1 that relates to that commute, or
 - (ii) in a uniform as part of their duties and the wearing of that uniform is not unlawful under the Unauthorised Use of Uniforms Ordinance^(a),
- (b) P is travelling to or from a medical centre, hospital, pharmacy or dentist for urgent medical attention,
- (c) P is travelling to or from a veterinarian for urgent medical treatment for an animal, or
- (d) P is providing urgent assistance to meet an imperative need of a person who is unable to care for themselves or must protect themselves.

(3) A person leaving their place of residence between 11pm and 5am under subsection (2) must have in their possession a valid identity card or passport.”.

(5) Omit section 7 (requirements when leaving a place of residence).

(6) For section 9 (prohibited areas), substitute—

^(a) Cap. 165, 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 Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

“Prohibited areas

9.—(1) No person shall gather in groups of more than ten people in the following places—

- (a) parks,
- (b) beaches,
- (c) squares,
- (d) dams,
- (e) excursion sites,
- (f) marinas,
- (g) zoological gardens, or
- (h) nature trails.

(2) No person may visit another person in a hospital, clinic or diagnostic centre, except—

- (a) where the person in charge of the hospital, clinic or diagnostic centre has given permission and the visitor has tested negative for COVID-19 within the period of 48 hours immediately before the date and time of the visit, or
- (b) in exceptional or emergency cases, in which case the person in charge of the hospital, clinic or diagnostic centre must have given permission for the visit.”.

(7) In section 10 (visiting old peoples’ homes etc)—

(a) for subsection (2) substitute—

“(2) A person (‘P’) is permitted to visit another person in a place listed in subsection (1) if—

- (a) P holds a Safepass, or
- (b) P is less than 12 years old.”.

(b) omit subsection (3).

(8) For section 11 (places of residence), substitute—

“Places of residence

11. No person may permit more than ten people to be present in their place of residence, including that person and any other permanent residents.”.

(9) For section 13 (prohibited activities) substitute—

“Measures relating to businesses

13.—(1) Subject to subsection (3), no person may enter a relevant premises unless they are—

- (a) in possession of a Safepass, or
- (b) less than 12 years old.

(2) For the purposes of this section—

- (a) “relevant premises” are
 - (i) large shops,
 - (ii) shopping centres,
 - (iii) the indoor areas of archaeological sites, museums, historical places or art galleries,
 - (iv) catering premises other than a military catering facility situated on land occupied by the Crown in right of its Government of the United Kingdom,
 - (v) casinos,

- (vi) outdoor and indoor playgrounds,
 - (vii) outdoor and indoor theatres (including amphitheatres),
 - (viii) cinemas,
 - (ix) performing arts and events halls,
 - (x) fun fairs, and
 - (xi) theme parks, and
 - (xii) hotels and other tourist accommodation;
- (b) “large shops” are retail businesses with a surface area over 500 square metres, primarily trading in goods other than foodstuffs or pharmaceutical products.
- (3) Subsection (1) does not apply where the relevant premises are—
- (a) on land occupied by the Crown in right of its Government of the United Kingdom, and
 - (b) in an area to which the general public does not have access.
- (4) Until and including 16 May 2021, no person may operate the following businesses—
- (a) casinos,
 - (b) indoor and outdoor playgrounds,
 - (c) fun fairs, and
 - (d) theme parks.
- (5) The person in charge of a betting shop must ensure that tables and chairs indoors are not used by customers.
- (6) A person in charge of a casino must ensure that number of people simultaneously present at that casino does not exceed 30% of the capacity of the casino.
- (7) A person in charge of a playground, fun fair or theme park must ensure that no social events are held.
- (8) A person in charge of an indoor or outdoor theatre (including amphitheatres), cinemas or performing and events venues must ensure that—
- (a) until 16 May 2021, no more than 50 people are simultaneously present at the venue at any given time.
 - (b) from 17 May 2021—
 - (i) in an indoor space, no more than 50 people or 30% of the capacity of the venue (whichever is fewer) are simultaneously present at any given time, or
 - (ii) in an outdoor space, no more than 50 people or 50% of the capacity of the venue (whichever is fewer) are simultaneously present at any given time.
- (9) No person may operate the following businesses or activities—
- (a) camping sites,
 - (b) night clubs,
 - (c) reception halls,
 - (d) discos, or
 - (e) music and dance venues.
- (10) A person in charge of a private institute or private education centre must ensure that no more than seven people, including the tutor, are present in any class.
- (11) No person may attend an indoor lesson at a private institute or private education centre unless that person is —
- (a) in possession of a Safepass, or
 - (b) less than 12 years old.”.
- (10) For section 13A (recreational activities), substitute—

“Recreational activities

13A.—(1) A person in charge of an indoor or outdoor sports facility must ensure that—

- (a) when hosting training or matches in the First, Second or Third Division of sports organisation of the Republic—
 - (i) changing rooms may be used only on the day a game is held, and
 - (ii) no spectators are permitted to attend;
- (b) the changing rooms are not used by those using the facilities for personal training and individual sports games.
- (c) no spectators are permitted to attend horse races.

(2) No person aged 18 years or above may enter an indoor or outdoor sports facility unless they are in possession of a Safepass.

(3) No person aged between 12 and 17 years old inclusive may enter an indoor or outdoor sports facility unless they are in possession of—

- (a) evidence that they have tested negative for COVID-19 within the preceding seven days, or
- (b) evidence that they had COVID-19 within the previous six months.

(4) No person irrespective of age may take part in a competitive sports match unless they are in possession of a Safepass.

(5) This section does not apply to sports facilities situated on land occupied by the Crown in rights of its Government of the United Kingdom.”.

(11) For section 14 (events and gatherings), substitute—

“Events and gatherings

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

- (a) a parade,
- (b) a fair,
- (c) a concert,
- (d) an assembly or procession within the meaning of the Assemblies and Processions Ordinance^(a), or
- (e) until and including 16 May 2021—
 - (i) a conference, or
 - (ii) a trade fair.

(2) From 17 May 2021 a person organising a conference or a trade fair must ensure that the number of people simultaneously present at that conference or trade fair does not exceed 30% of the capacity of venue.

(3) No person may attend a conference or trade fair unless that person either—

- (a) holds a Safepass, or
- (b) is less than 12 years old.

(4) A person organising a private meal must ensure that—

- (a) until and including 16 May 2021 no more than 10 persons are simultaneously present at the meal,
- (b) from 17 May 2021—

(a) Cap. 32, 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 Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

- (i) the meal is held in the outdoor areas of dining premises or the outdoor areas of an event venue or hotel,
- (ii) no more than 200 persons are simultaneously present at the meal, and
- (iii) the guests remain seated throughout the meal.”.

(12) For section 15 (religious worship), substitute—

“Religious worship

15.—(1) A person in charge of a place of religious worship must ensure that the number of people in the congregation during a religious service does not exceed—

- (a) until 16 May 2021, 50 persons or one person per 3 square metres, whichever is fewer,
- (b) from 17 May 2021, 30% of the maximum capacity of that place of religious worship.

(2) No person may attend a religious service in a place of worship unless that person either—

- (a) holds a Safepass, or
- (b) is less than 12 years old.

(3) A person in charge of a place of religious worship must ensure that, outside of the times of religious services, no more than 10 are simultaneously present on the premises of the place of religious worship.”.

(13) For section 16 (weddings, funerals and christenings), substitute—

“Weddings, funerals and christenings

16.—(1) A person organising a wedding, funeral or christening must ensure that the number of people simultaneously present at the wedding, funeral or christening does not exceed—

- (a) until 16 May 2021, 10 persons,
- (b) from 17 May 2021, 200 people or 30% of the capacity of the venue, whichever is fewer.

(2) No person may attend a wedding, funeral or christening or any meal to celebrate such an event unless that person either—

- (a) holds a Safepass, or
- (b) is less than 12 years old.”.

(14) Omit section 18 (trade unions: remote meetings and elections).

(15) Omit section 19 (permitted retail businesses).

(16) Omit section 20 (open air markets).

(17) Omit section 21A (hotels and tourist accommodation).

(18) For section 22 (catering premises), substitute—

“Catering premises

22.—(1) A person operating a catering premises must comply with the following conditions—

- (a) no catering premises may operate after 10.45pm
- (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 outdoors,
- (c) except as provided by the relevant health and safety guidelines, no more than 8 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.”

(19) In section 23 (number of persons to be permitted to enter business premises)—

(a) in subsection (1), for “Subject to subsection (4)”, substitute “Subject to subsections (4) and (4A)”,

(b) after subsection (4), insert—

“(4A) A person in charge of a shopping centre must ensure that the ratio in subsection (2) does not exceed 1 person per 15 square metres.”,

(c) in paragraph (a) of subsection (6), for “1,000” substitute “500”.

(20) In section 24 (number of persons permitted to work at a private business)—

(a) for subsection (1), substitute—

“(1) Subject to subsection (2), a person operating a private business must ensure that—

(a) until and including 16 May 2021 no more than 50 persons, or 30% of the total number of employees of the business (whichever is fewer) are physically present at any individual site of the business at any one time, and

(b) from 17 May 2021, no more than 50% of the total number of employees of the business are physically present at any individual site of the business at any one time.”.

(21) Omit section 25 (opening hours of pharmacies and grocery stores).

(22) For section 26 (signage), substitute—

“Signage

26.—(1) A person operating a retail business, including a shopping centre, must—

(a) put in place signage within the premises to ensure that a distance of two metres is maintained between customers at shop counters and in queues outside shops.

(b) display at the entrance to the premises the maximum number of people permitted to be within the premises in accordance with the relevant health and safety guidelines and this Ordinance.”

(23) In section 27A (covid-19 testing on return to workplace), for subsection (9), substitute—

“(9) The requirement for an employee to undergo a rapid antigen test for COVID-19 in accordance with either subsection (1), (3) or (6) does not apply where—

(a) that employee has evidence of having received at least one dose of a course of vaccination against COVID-19 (if the holder has only received one dose, more than three weeks must have elapsed since that dose was administered), or

(b) that employee has evidence of having had COVID-19 within the previous six months.”.

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.11) 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. The amendments are intended to mirror certain provisions of the Quarantine (Determination of Measures for the Prevention of the Spread of Corona Virus Covid-19) Order (No.16) of 2021 (P.I. 194/2021).

3. Section 2 amends the Protection of Public Health (Covid-19) Ordinance 2021 ("the principal Ordinance").

4. Subsection (2) introduces the concept of a "Safepass", which is a term used to denote various types of evidence that individuals will require in order to be able to visit certain retail premises and other venues.

5. Subsections (3) to (5) remove the prohibition on leaving one's place of residence without a lawful reason, and replace it with a curfew that will apply between 11pm and 5am daily, and sets out the instances in which a person will be permitted to leave their place of residence under curfew.

6. Subsections (6) and (7) replace section 9 of the principal Ordinance on restricted areas and sets out requirements for making visits to hospital, old people's homes and other related facilities.

7. Subsection (8) replaces section 11 of the principal Ordinance with a new provision setting out the amended rules on the number of people allowed in a private place of residence.

8. Subsection (9) replaces section 13 of the principal Ordinance with a new provision setting out provisions applicable to businesses, and to individuals in respect of those businesses (listing those places an individual may not visit without a Safepass).

9. Subsections (10) to (13) replace the sections of the principal Ordinance dealing with, respectively, recreational activities, events and gathering, religious worship and weddings, funerals and christenings to reflect the rules set out in the latest Ordinance.

10. Subsections (14) to (17) remove provisions from the principal Ordinance restricting activities in certain areas which no longer apply under the current rules.

11. Subsections (18) and (19) makes changes to the principal Ordinance to reflect the new rules on the number people to be admitted to business premises, and laying out the new rules relating to restaurants.

12. Subsection (20) amends section 24 of the principal Ordinance to set out the number of people permitted to physically be present at work at a private business.

13. Subsection (21) removes restrictions on the opening hours of pharmacies and grocery stores.

14. Subsection (22) inserts a new section 26 into the principal Ordinance dealing with signage required at retail businesses.

SBA/AG/2/H180(B)
