

Ordinance 25 of 2021

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**PROTECTION OF PUBLIC HEALTH (COVID - 19)
(AMENDMENT NO . 18) ORDINANCE 2021**

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

R. Thomson
ADMINISTRATOR

15 July 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.18) Ordinance 2021.

(2) This Ordinance comes into force on 16 July 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) after “Safepass” insert—

““Safepass Plus” means either—

(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, 17/2021, 18/2021, 19/2021, 20/2021, 21/2021, 22/2021, 23/2021 and 24/2021.

- (a) evidence that the holder has either—
 - (i) 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 Plus is being used), or
 - (ii) had COVID-19 within six months immediately before the date on which the Safepass Plus is being used,
- (b) evidence that the holder is aged between 12 and 15 years and 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 Plus is shown, or
- (c) evidence that the holder has—
 - (i) a medical condition that means that they cannot receive a course of vaccination against COVID-19, and
 - (ii) 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 Plus is shown,”

(3) In section 9 (prohibited areas) at subsection (2)(a) after “Safepass” substitute “or is less than 12 years old”.

(4) In section 13 (measures relating to businesses)—

(a) for subsection (1) substitute—

“(1) Subject to subsection (3) a person in charge of a relevant premises must ensure they comply with relevant health and safety guidelines and that all people permitted into those premises are either—

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

(b) in subsection (2)(a)—

- (i) omit subparagraphs (iv), (vi), (vii), (viii), (ix), (x), (xi), (xiii), (xiv), (xv) and (xvi), and
- (ii) in subparagraph (iii) omit the words “the indoor areas of”,

(c) for subsection (8) substitute—

“(8) Subject to subsection (8A) a person in charge of a theatre (including amphitheatres), cinemas or performing and event venues must ensure compliance with relevant health and safety guidelines and that—

- (a) until 20 July 2021, that—
 - (i) the number of people simultaneously present at the venue does not exceed 50% of the capacity of the venue, and
 - (ii) all those people have a Safepass Plus or are less than 12 years old.
- (b) from 21 July 2021, that—
 - (i) the number of people simultaneously present at the venue does not exceed 75% of the capacity of the venue provided that all those people have a Safepass Plus or are less than 12 years old, or
 - (ii) where all those people in attendance hold a Safepass or are less than 12 years old—
 - (aa) the number of people in an indoor venue does not exceed 250, or
 - (bb) the number of people in an outdoor venue does not exceed 350.

(8A) The requirement for the person in charge to ensure those people present have a Safepass or Safepass Plus does not apply to premises on—

- (a) 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.”
- (d) omit subsection (9).
- (e) for subsection (12) substitute—
 - “(12) A person in charge of a playground, funfair and theme park must ensure compliance with the relevant health and safety guidelines and that all people present are either—
 - (a) holders of a Safepass, or
 - (b) less than 12 years old.”
- (f) for subsection (14) substitute—
 - “(14) A person operating a nightclub, reception hall, disco, music venue or dance venue must ensure compliance to the relevant health and safety guidelines and that —
 - (a) in any indoor areas the number of people does not exceed—
 - (i) 250 people, where those people either—
 - (aa) present a Safepass, or
 - (bb) are less than 12 years old,
 - (ii) 350 people, where those people either—
 - (aa) present a Safepass Plus, or
 - (bb) are less than 12 years old, or
 - (b) in any outdoor areas the number of people does not exceed—
 - (i) 350 people, where those people either—
 - (aa) present a Safepass, or
 - (bb) are less than 12 years old, or
 - (ii) 500 people, where those people either—
 - (aa) present a Safepass Plus, or
 - (bb) are less than 12 years old.
 - (c) except as provided by the relevant health and safety guidelines, customers remain seated at tables,
 - (d) except as provided by the relevant health and safety guidelines, no more than 10 people are seated at any table,
 - (e) no bar service is provided to customers and that bar areas are only used by staff for preparation of food and drink.
 - (15) Any business or premise owner that decides to allow access to their business or premises only to those holding a Safepass Plus must ensure that this requirement is displayed in a prominent place at the premises.”
- (5) In section 13A (recreational activities) for subsection (9) substitute—
 - “(9) A person in charge of a public swimming pool must ensure compliance with relevant health and safety guidelines and that no person may enter that swimming pool unless they—
 - (a) hold a Safepass, or
 - (b) are less than 12 years old.”
- (6) In section 14 (events and gatherings)
 - (a) in paragraph (b) of subsection (1) after “fair” insert “, other than a folk festival carried out in accordance with the relevant health and safety guidelines that takes place adjacent to a place of religious worship”,
 - (b) in subsection (2) omit the word ‘indoor’,

(c) after subsection (5) insert—

“(6) A person in charge of a stadium or sports installation, other than a football ground must ensure compliance with the relevant health and safety guidelines and that—

(a) in any indoor areas the number of people does not exceed—

(i) 250 people, where those people either—

(aa) present a Safepass, or

(bb) are less than 12 years old,

(ii) 350 people, where those people either—

(aa) present a Safepass Plus, or

(bb) are less than 12 years old, or

(b) in any outdoor areas the number of people does not exceed—

(i) 350 people, where those people either—

(aa) present a Safepass, or

(bb) are less than 12 years old, or

(ii) 500 people, where those people either—

(aa) present a Safepass Plus, or

(bb) are less than 12 years old.

(7) A person in charge of a football ground must ensure compliance with the relevant health and safety guidelines and—

(a) until 20 July 2021, that—

(i) the number of people simultaneously present at the football ground does not exceed 50% of the capacity of the football ground, and

(ii) all spectators have a Safepass Plus or are less than 12 years old.

(b) from 21 July 2021, that—

(i) the number of people simultaneously present at the football ground does not exceed 75% of the capacity of the football ground, and

(ii) all spectators have a Safepass Plus or are less than 12 years old.

(8) A person may not operate an open air market unless they ensure that the number of persons simultaneously present does not exceed 50% of the capacity of the open air market.”

(7) For section 15 (religious worship) substitute—

“**15.**—(1) A person in charge of a place of religious worship must ensure that—

(a) during a religious service, in indoor areas the congregation does not exceed—

(i) 250 people, where those people either—

(aa) present a Safepass, or

(bb) are less than 12 years old, or

(ii) 350 people, where those people either—

(aa) Safepass Plus, or

(bb) re less than 12 years old,

(b) during a religious service of more than 20 people, in an outdoor area—

(i) 350 people where those people either—

(aa) present a Safepass, or

(bb) are less than 12 years old, or

(ii) 500 people where those people either—

- (aa) present a Safepass Plus, or
- (bb) are less than 12 years old.

(2) A person in charge of a place of religious worship must ensure that, outside of the times of religious service, no more than 20 people are simultaneously present on the premises of the place of religious worship.”

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

“**16.**—(1) A person organising a wedding, funeral or christening must ensure that—

(a) in any indoor areas the number of people does not exceed—

(i) 250 people, where those people either—

- (aa) present a Safepass, or
- (bb) are less than 12 years old,

(ii) 350 people, where those people either—

- (aa) present a Safepass Plus, or
- (bb) are less than 12 years old, or

(b) in any outdoor areas the number of people does not exceed—

(i) 350 people, where those people either—

- (aa) present a Safepass, or
- (bb) are less than 12 years old, or

(ii) 500 people, where those people either—

- (aa) present a Safepass Plus, or
- (bb) are less than 12 years old.”

(9) Before section 21 (construction sites) insert—

“Open air markets

20. A person may not operate an open air market unless they comply with relevant health and safety guidelines and ensure that the number of persons attending the premises does not exceed 50% of the capacity of that open air market.”

(10) In section 22 (catering premises), after subsection (1) insert—

“(2) Subject to subsection (3) a person operating a catering premises, other than a military catering facility situated on land occupied by the Crown in right of its Government of the United Kingdom, must ensure compliance with the relevant health and safety guidelines and that—

(a) in any indoor areas the number of people does not exceed—

(i) 250 people, where those people either—

- (aa) present a Safepass, or
- (bb) are less than 12 years old,

(ii) 350 people, where those people either—

- (aa) present a Safepass Plus, or
- (bb) are less than 12 years old, or

(b) in any outdoor areas the number of people does not exceed—

(i) 350 people, where those people either—

- (aa) present a Safepass, or
- (bb) are less than 12 years old, or

(ii) 500 people, where those people either—

- (aa) present a Safepass Plus, or

(bb) are less than 12 years old.

(3) The requirement for the person operating a catering premises to ensure those people present have a Safepass or Safepass Plus does not apply to premises on —

(a) 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.”

(11) For section 27A (covid-19 testing on return to workplace) substitute—

“Safepass in the workplace

27A.—(1) Subject to subsection (2), a person in charge of a workplace must ensure that all persons working in that workplace hold a Safepass.

(2) United Kingdom personnel or a dependent who are employed by the Crown are not required to provide a Safepass in the workplace.”

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.18) 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) Orders (No.28 and No.29) of 2021 (P.I. 286/2021 and P.I. 296/2021 respectively).

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

4. Section 2(2) defines the "Safepass Plus" as evidence that a holder has had one dose of a Covid-19 vaccine more than three weeks prior to the date on which the Safepass Plus is being used, has had Covid-19 within the last six months or if the holder has a medical condition that prevents them from having a Covid-19 vaccine a negative test result for Covid-19 within the previous 72 hours.

5. Section 2(3) amends section 9 of the principal Ordinance to permit people less than 12 years old to visit another person in a hospital, clinic or diagnostic centre without holding a Safepass.

6. Section 2(4) amends section 13 of the principal Ordinance to obligate those in charge of relevant premises to ensure that people on those premises either have a Safepass or less than 12 years old. It also introduces capacity limits for theatres (including amphitheatres), cinemas or performing and event venues, nightclubs, reception halls, discos, music venues or dance venues depending on whether those people hold Safepass or Safepass Plus.

7. Section 2(5) amends section 13A of the principal Ordinance to obligate those in charge of a public swimming pool to ensure that those entering the swimming pool hold a Safepass or are less than 12 years old.

8. Section 2(6) amends section 14 of the principal Ordinance to set capacity limits for those holding events in sports stadia and football grounds determined by whether those people in attendance hold Safepass or Safepass Plus.

9. Section 2(7) amends section 15 of the principal Ordinance to set capacity limits for those in charge of places of religious worship determined by whether those people in attendance hold Safepass or Safepass Plus.

10. Section 2(8) amends section 16 of the principal Ordinance to set capacity limits for those in charge of arranging a wedding, funeral or christening determined by whether those people in attendance hold Safepass or Safepass Plus.

11. Section 2(9) inserts a provision into the principal Ordinance regarding the maximum capacity of open air markets being 50% of the overall capacity.

12. Section 2(10) amends section 22 of the principal Ordinance to set capacity limits for those in charge of catering establishments determined by whether those people in attendance hold Safepass or Safepass Plus.

13. Section 2(10) amends section 27A of the principal Ordinance to obligate those in charge of a workplace to ensure that all people at the workplace hold a Safepass. This obligation does not extend to ensuring that UK personnel or dependents hold a Safepass.

SBA/AG/2/H180(B)
