

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4712 GIBRALTAR Thursday 14th May 2020

LEGAL NOTICE NO. 182 OF 2020

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS) (CATERING AND OTHER ESTABLISHMENTS) (CONSTRUCTION AND SHIPBUILDING AND REPAIR) (No.3) (AMENDMENT) REGULATIONS 2020

In exercise of the powers conferred on her by section 11 of the Civil Contingencies Act 2007, and all other enabling powers, the Minister with responsibility for Civil Contingencies, acting with the consent of the Chief Minister, has made these Regulations-

Title.

1. These Regulations may be cited as the Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) (Amendment) Regulations 2020.

Commencement.

2. These Regulations come into operation on the day of publication.

Statement in accordance with section 11(2) of the Act.

3. The Minister declares that –

- (a) there is an outbreak of Coronavirus which on the 11th March 2020 the World Health Organisation (WHO) declared to be a pandemic; at the time of publication of these Regulations there are more than 4,179,479 confirmed cases globally and more than 287,525 people have died; Coronavirus has, to date, reached 215 countries, areas or territories, and it is therefore necessary to take measures to prevent, mitigate and control the spread of Coronavirus in Gibraltar;
- (b) she is satisfied, in accordance with section 11 of the Act, that there exists a situation which threatens serious damage to human welfare in Gibraltar and which involves, causes or may cause loss of human life and human illness or injury;
- (c) on the advice of the Attorney General the measures contained in these Regulations are proportionate and compatible with the Gibraltar Constitution;
- (d) the conditions in section 12 of the Act are met;

- (e) these Regulations contain only provisions which are appropriate for the purpose of preventing, controlling or mitigating an aspect or effect of the emergency in respect of which the Regulations are made; and
- (f) the effect of these Regulations is in due proportion to that aspect or effect of the said emergency.

Amendment of the Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations 2020.

4. The Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations 2020 are amended by inserting the following regulation after regulation 6-

“Temperature screening.

6A.(1) Where the Director of Public Health issues a recommendation or instruction regarding the taking of the temperature of any person for the purposes of protecting public health from the effects of the Coronavirus, any data shall be deemed to have been processed under their legitimate interest to protect their employees and anyone attending their premises-

- (a) if a notice is placed at the entrance to the premises informing persons that their temperature is to be taken; and
- (b) no record is kept of the person’s temperature.

(2) In this regulation, “Coronavirus” means SARS-CoV-2 or Covid-19.”.

Dated: 14th May 2020.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Coronavirus) (Catering and Other Establishments) (Construction and Shipbuilding and Repair) (No.3) Regulations 2020.