

Subsidiary Legislation made under s.11.

**CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS)
(CATERING AND OTHER ESTABLISHMENTS) REGULATIONS 2020**

LN.2020/113

Commencement **16.3.2020**

ARRANGEMENT OF REGULATIONS.

Regulation

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2. Commencement and expiry.
3. Statement in accordance with section 11(2) of the Act.
4. Closure of certain establishments.
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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) Regulations 2020.

Commencement and expiry.

2. These Regulations come into operation on 16 March 2020 and will cease to have effect on Monday 6 April 2020.

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 11 March 2020 the World Health Organisation (WHO) declared to be a pandemic; there are more than 152,000 confirmed cases globally and more than 5700 people have died so far; the virus has so far reached 141 countries, areas or territories, and it is therefore necessary to take measures to prevent, mitigate and control the spread of the virus in Gibraltar;
- (b) on 12 March the UK Government announced new measures to delay or prevent further transmission of the virus;
- (c) conditions in section 12 of the Act are met;
- (d) 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
- (e) the effect of these regulations is in due proportion to that aspect or effect of the said emergency.

Closure of certain establishments.

4.(1) The following establishments must at all times remain closed to any member of the public-

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- (a) restaurants;
- (b) bars;
- (c) cafeterias;
- (d) discotheques/nightclubs.

(2) Subregulation (1) does not prevent any establishment from operating a kitchen for the purposes of the sale or supply of food and beverages to consumers for consumption off the premises (that is as a takeaway meal) or through a home delivery service provider.

(3) A person who contravenes the provisions of this regulation commits an offence and is liable on summary conviction to a fine up to level 5 on the standard scale.

(4) If an offence under this regulation committed by a corporate body is proved—

- (a) to have been committed with the consent or connivance of; or
- (b) to be attributable to any neglect on the part of,

an officer, the officer as well as the corporate body commits the offence and is liable to be proceeded against and punished accordingly.

(5) In subregulation (4), “officer” means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity and if the affairs of a corporate body are managed by its members, “director” means a member of that body.

Exceptions to regulation 4.

5. Regulation 5 does not apply to-

- (a) a restaurant in a hotel which only serves food and beverages to the guests of that hotel;
- (b) the restaurant in the Gibraltar International Airport that is located airside, after passport and security controls; and
- (c) messing facilities within the Ministry of Defence estate which serve food and beverages to persons entitled to use such facilities (but this does not exempt a bar within that estate).

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Amendment of the Civil Contingencies Emergency (Coronavirus No.2) Regulations 2020.

6.(1) Regulations 19A and 19B of the Civil Contingencies Emergency (Coronavirus No.2) Regulations 2020 are revoked.

(2) A person who contravened regulation 19A prior to the revocation by this regulation may be proceeded against as though that regulation had not been revoked.