

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4685 GIBRALTAR Sunday 22nd March 2020

LEGAL NOTICE NO. 126 OF 2020

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY (CORONAVIRUS) (HEALTH PROTECTION MEASURES) (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) (Health Protection Measures) (Amendment) Regulations 2020.

Commencement and expiry.

2. These Regulations come into operation on 24th March 2020 and cease to have effect on 23rd April 2020 or such earlier date as the Minister deems to be appropriate.

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; at the time of publication of these Regulations there are more than 266,000 confirmed cases globally and more than 11,000 people have died; Coronavirus has, to date, reached 188 countries, areas or territories, and it is therefore necessary to take measures to prevent, mitigate and control the spread of Coronavirus in Gibraltar;
- (b) on 19 March 2020 the UK Government formally introduced a new bill to the UK Parliament which contains measures designed to amend or introduce new statutory powers to respond to and manage the Coronavirus pandemic;
- (c) 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;
- (d) on the advice of the Attorney General the measures contained in these Regulations are proportionate and compatible with the Gibraltar Constitution;

- (e) the measures provided for are directed at the protection of public health in order to protect and prevent persons from contracting or spreading Coronavirus;
- (f) the conditions in section 12 of the Act are met;
- (g) 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
- (h) the effect of these Regulations is in due proportion to that aspect or effect of the said emergency.

Amendment of regulations.

4.(1) The Civil Contingencies Emergency (Coronavirus) (Health Protection Measures) Regulations 2020 are amended in accordance with the provisions of this regulation.

(2) In regulation 4(1)(f) for “pet” substitute “dog”.

(3) After regulation 4 insert-

“Disapplication of exceptions.

4A.(1) The exceptions in paragraphs (a) and (c) to (g) of regulation 4(1) shall not apply to-

- (a) a person (P) who is diagnosed as having the Coronavirus or who has been advised by the GHA or the Director of Public Health to self-isolate; or
- (b) to a member of P’s household to whom these Regulations apply.

(2) For the purposes of these Regulations, “Coronavirus” means SARS-CoV-2.”.

Dated: 22nd March 2020.

S SACRAMENTO,
Minister with responsibility for Civil Contingencies.

EXPLANATORY MEMORANDUM

These Regulations amend the Civil Contingencies Emergency (Coronavirus) (Health Protection Measures) Regulations 2020 to ensure that certain exemptions from the requirement to stay at home are not available where a person is infected or self-isolating or a member of the household who is aged 70 years or over.