An Ordinance to amend the Protection of Public Health (Covid-19) (No.2) Ordinance 2021.

R. Thomson
03 December 2021
ADMINISTRATOR

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) (No.2) (Amendment) Ordinance 2021.

(2) Subject to subsection (3) this Ordinance comes into force on 4th December 2021.

(3) Section 2(19) comes into force on 6th December 2021.

Amendment of the Protection of Public Health (Covid-19) (No.2) Ordinance 2021

2.—(1) The Protection of Public Health (Covid-19) (No.2) Ordinance 2021(a) is amended as follows.

(2) In section 2 (interpretation)—

(a) Ordinance 32/2021.
(a) for the definition of “Safepass” substitute—

“Safepass” means—

(a) where the person is aged between 6 and 11 evidence that the holder has either—

(i) tested negative for COVID-19 (by either a PCR or rapid flow test) within the period of seven days immediately before the date and time on which the Safepass is shown, or

(ii) had COVID-19 within the six months immediately before the date on which the Safepass is shown,

(b) where the person is aged between 12 and 17 evidence that the holder has either—

(i) completed a full course of vaccination against COVID-19,

(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 is shown, or

(iii) had COVID-19 within the six months immediately before the date on which the Safepass is shown,

(c) where the person is aged 18 and over evidence that the holder has either—

(i) completed a full course of vaccination against COVID-19,

(ii) tested negative for COVID-19 by either—

(aa) a PCR within the period of 72 hours immediately before the date and time on which the Safepass is shown, or

(bb) a rapid flow test within the period of 48 hours immediately before the date and time on which the Safepass is shown,

(iii) had COVID-19 within the six months immediately before the date on which the Safepass is shown;

(b) for the definition of “Safepass Plus” substitute—

“Safepass Plus” means—

(a) where the person is aged between 6 and 11 evidence that the holder has either—

(i) tested negative for COVID-19 (by either a PCR or rapid flow test) within the period of seven days immediately before the date and time on which the Safepass Plus is shown, or

(ii) had COVID-19 within the six months immediately before the date on which the Safepass Plus is shown,

(b) where the person is aged between 12 and 17 evidence that the holder has either—

(i) completed a full course of vaccination against COVID-19,

(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, or

(iii) had COVID-19 within the six months immediately before the date on which the Safepass Plus is shown,

(c) where the person is aged 18 and over evidence that the holder—

(i) has completed a full course of vaccination against COVID-19, or

(ii) has—

(aa) a medical condition that means that they cannot receive a course of vaccination against COVID-19, and

(bb) tested negative for COVID-19 either by—

a. a PCR test within the period of 72 hours immediately before the date and time on which the Safepass Plus is shown, or

b. by rapid flow test within the period of 48 hours immediately before the date and time on which the Safepass Plus is shown;”

(3) In section 5 (masks) for “12” substitute “6”.

(4) In section 6 (safepasses)—
   (a) In subsection (1) for “subsection (4)” substitute “subsection (3)”,
   (b) in subsection (1)(b)(ii) for “12” substitute “6”,
   (c) omit subsection (3) and (4),
   (d) after subsection (2) insert—
       “(3) Subject to subsection (4) where the relevant premises is a school on land occupied by
       the Crown in right of its Government of the United Kingdom it is the responsibility of
       the parent or guardian of a child to ensure that when attending school that child is in
       possession of a Safepass.

(4) Where a child has a medical condition that means that they cannot obtain a Safepass
the Chief Officer may grant permission for the child to attend school on land occupied by
the Crown in right of its Government of the United Kingdom.

(5) The permission referred to in subsection (4) may be delegated by the Chief Officer.

(6) In this section “child”, “guardian” and “parent” have the same meaning as in the
Children Ordinance(a).”

(5) In section 10 (mass events and gatherings)—
   (a) after subsection (1)(d) insert—
       “(e) a Christmas event where there are planned to be more than 200 people
present.”

   (b) after subsection (3) insert—
       “(4) The function of the Chief Officer under subsection (2)(c) and (3) when relating to an
event under subsection (1)(e) is a delegated function under the Delegation of Functions
Ordinance 2007(b).”

(6) In section 12 (religious worship) for every reference to “12 years old” substitute “6 years
old”.

(7) In section 13 (weddings, funerals and christenings) where there is reference to “12 years old”
substitute “6 years old”.

(8) In section 14 (conferences and trade fairs) at paragraph (c)(ii) for “12” substitute “6”.

(9) In section 15 (folk festivals) at subsection (3)(b)(ii) for “12” substitute “6”.

(10) After section 15 (folk festivals) insert—

       “School Festive Events

       15A.—(1) Subject to subsection (2) no person may organise a school festive event.

       (2) Subsection (1) does not apply where the event is in a school on land occupied by
the Crown in right of its Government of the United Kingdom.”

(11) In section 18 (catering establishments)—
   (a) for every reference to “12 years old” substitute “6 years old”.
   (b) omit subsection (3).

(12) In section 19 (nightclubs, reception halls, discos, music and dance venues etc) for every
reference to “12 years old” substitute “6 years old”.

(13) In section 20 (cinemas, theatres etc) for every reference to “12 years old” substitute “6
years old”.

(a) Cap 352
(b) Ordinance 17/2007
(14) In section 21 (sports facilities) for every reference to “12 years old” substitute “6 years old”.

(15) In section 22 (open air markets) at paragraph (d)(ii) for “12” substitute “6”.

(16) In section 23 (residential and support facilities) at subsection (2)(b) for “12” substitute “6”.

(17) In section 27 (visiting hospitals etc) at paragraph (a) for “12” substitute “6”.

(18) In section 28 (relevant undertakings) at subsection (1)(b)(ii) for “12” substitute “6”.

(19) After section 28 (relevant undertakings) insert—

“Number of persons permitted to work at a private business

28A.—(1) Subject to subsection (2) a person operating a private business must ensure no more than 80% of the total number of employees are physically present at an individual site of the business at any one time.

(2) A person may operate a private business without a limit on the total number of employees on the premises at any one time if the business relates to—

(a) bank services,
(b) services providing public safety and order,
(c) services required to monitor and manage the Coronavirus pandemic,
(d) providing social services and pay allowances and other benefits to citizens,
(e) ensuring continuous electricity and water supply,
(f) providing irrigation,
(g) operating electronic communications systems, telecommunications and post offices,
(h) operating air transports and air traffic control,
(i) operating sea traffic management and monitoring systems,
(j) operating civil defence,
(k) hospitals and related services of the health sector,
(l) repairing or maintaining equipment and electrical and mechanical installations of national infrastructure,
(m) managing waste,
(n) operating ports,
(o) veterinary services,
(p) prisons,
(q) asylum and immigration services,
(r) insurance services, and
(s) services to provide maintenance and cleaning to buildings and outdoor areas.”

(20) In section 29 (immigration centres) at paragraph (b) for “12” substitute “6”.

(21) In section 31 (prisons) at paragraph (b) for “12” substitute “6”.
EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Protection of Public Health (Covid-19) (No.2) (Amendment) 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.


3. Section 2 amends the Protection of Public Health (Covid-19) (No.2) Ordinance 2021 ("the principal Ordinance").

4. Subsection (2) replaces the definitions of Safepass and Safepass Plus in the principal Ordinance.

5. Subsection (3) amends section 5 (masks) of the principal Ordinance and changes the minimum age from which a person has to wear a facemask to 6.

6. Subsection (4) amends section 6 (safepasses) of the principal Ordinance and changes the age from which a person is required to have a Safepass at a relevant premises from 12 to 6. It also removes the exemption from the requirement to have a Safepass in an area to which the general public does not have access to on land occupied by the Crown in right of its Government of the United Kingdom.

7. Subsection (5) amends section 10 (mass events and gatherings) of the principal Ordinance and prohibits the organisation or Christmas events with over 200 people unless the permission of the Chief Officer is provided.

8. Subsection (6) amends section 12 (religious worship) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6.

9. Subsection (7) amends section 13 (weddings, funerals and christenings) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6.

10. Subsection (8) amends section 14 (conferences and trade fairs) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

11. Subsection (9) amends section 15 (folk festivals) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

12. Subsection (10) inserts a new section into the principal Ordinance that prohibits festive events in schools unless that school is on land occupied by the Crown in right of its Government of the United Kingdom.

13. Subsection (11) amends section 18 (catering establishments) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6 and removes the exemption from the requirement to have a Safepass or Safepass Plus in an area to which the general public does not have access to on land occupied by the Crown in right of its Government of the United Kingdom.

14. Subsection (12) amends section 19 (nightclubs, reception halls, discos, music and dance venues etc) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6.

15. Subsection (13) amends section 20 (cinemas, theatres etc) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6.
16. Subsection (14) amends section 21 (sports facilities) of the principal Ordinance changing the age from which a Safepass or Safepass Plus is required from 12 to 6.

17. Subsection (15) amends section 22 (open air markets) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

18. Subsection (16) amends section 23 (residential and support facilities) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

19. Subsection (17) amends section 27 (visiting hospitals etc) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

20. Subsection (18) amends section 28 (relevant undertakings) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

21. Subsection (19) inserts a new section into the principal Ordinance preventing an employer from allowing any more than 80% of their workforce to be physically present in the place of work.

22. Subsection (20) amends section 29 (immigration centres) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.

23. Subsection (21) amends section 31 (prisons) of the principal Ordinance changing the age from which a Safepass is required from 12 to 6.