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

R. Thomson
ADMINISTRATOR

06 January 2022

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 2022.

(2) This Ordinance comes into force on 8 January 2022.

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) before the definition of “catering premises” insert—

(a) Ordinance 32/2021 as amended by Ordinances 34/2021, 35/2021 and 36/2021.
“boostered person” means a person who has evidence that they have received—
(a) a full course of vaccination against COVID-19, and
(b) at least one additional dose of vaccination against COVID-19;”

(b) in the definition of “Safepass Plus”—
(i) in paragraph (b)—
(ii) omit “has either”;
(iii) in paragraph (i), at the start, insert “has”;
(iv) at the end of paragraph (ii), delete “or”
(v) at the end of paragraph (iii), insert—
“or

(iv) has—

(aa) a medical condition that means they cannot receive a course of vaccination against COVID-19, as evidenced by a medical certificate issued by the Ministry of Health of the Republic, or an equivalent authority in any other country; and

(bb) tested negative for COVID-19 (by either a PCR or rapid flow test) within the period of 7 days immediately before the date and time on which the Safepass Plus is shown,

(3) In section 6 (safepasses), at subsection (1) after “a person in charge of a relevant premises” insert “, other than a military catering facility,”.

(4) In section 7 (safepasses in the workplace)—
(a) for subsection (1) substitute—
“(1) Subject to subsection (3) for any employee or self-employed person to be in a workplace they must—

(a) be a boostered person,

(b) have tested negative for COVID-19 (by either a PCR or rapid flow test) within the period of seven days immediately before being in the workplace and either—

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

(ii) have evidence that they have had COVID-19 within the six months immediately before the date on which they attend the workplace, or

(c) have tested negative for COVID-19 by either—

(i) a PCR test within the period of 72 hours immediately before the date that they are in the workplace, or

(ii) a rapid flow test within the period of 48 hours immediately before the date that they are in the workplace.”

(b) for subsection (2) substitute—

“(2) A person in charge of a workplace must ensure that all persons working in that workplace comply with subsection (1).”

(c) for subsection (3), substitute—

“(3) Subsection (1) does not apply to United Kingdom personnel and dependents, in the course of their duties—

(a) as members of the land, sea and air armed services of the United Kingdom, or

(b) on behalf of a United Kingdom authority or authorised service organisation, both phrases having the same meaning as in in Part I of Annex B to the Treaty of Establishment.”,
(d) after subsection (3) insert—

“(4) The Chief Officer may—
(a) order all workers at a workplace to undergo a test for COVID-19,
(b) specify the type of test to be undergone, and
(c) specify the time limit for undergoing the test.”

(5) In section 11 (places of residence), at subsection (2), for “a wedding or a christening to be held at the residence” substitute “for an event to be held at the residence”.

(6) For section 13 (weddings, funerals and christenings) substitute—

“13. A person organising a wedding, funeral or christening must ensure that—

(a) there are no more than 300 people present, and
(b) all people present either—
   (i) are a boosted person,
   (ii) have evidence that they have tested negative for COVID-19 (by either a PCR or rapid flow test) within 24 hours of the wedding, funeral or christening, or
   (iii) are less than six years old.”

(7) In section 18 (catering establishments) for subsection (2) substitute—

“(2) 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 United Kingdom, must ensure—

(a) there are no more than 300 people present at any one time, and
(b) all people present either—
   (i) are a boosted person,
   (ii) have evidence that they have tested negative for COVID-19 (by either a PCR or rapid flow test) within 24 hours of attending the premises, or
   (iii) are less than six years old.”

(8) For section 19 (nightclubs, reception halls, discos, music and dance venues etc) insert—

“19. A person operating a nightclub, reception hall, disco, music venue or dance venue must ensure—

(a) compliance with relevant health and safety guidelines,
(b) there are no more than 300 people present at any one time, and
(c) all people present either—
   (i) are a boosted person,
   (ii) have evidence that they have tested negative for COVID-19 (either a PCR or rapid flow test) within 24 hours of attending the premises, or
   (iii) are less than six years old.”

(9) In section 21 (sports facilities)—

(a) for subsection (6) substitute—

“(6) A person in charge of a stadium or sports installation, other than a football ground, must ensure that—

(i) the number of people simultaneously present at the stadium or sports installation does not exceed 50% of its capacity, and
(ii) all spectators hold a Safepass or are less than 6 years old.

(b) in subsection (8)—
   (i) in paragraph (i) for “85%” substitute “75%”;
   (ii) in paragraph (ii) for “12” substitute “6”.

(10) For section 27 (visiting hospitals) substitute—

   “27. No person may visit another person in a hospital, clinic or diagnostic centre unless—

   (a) they have been given permission for the visit by the person in charge of the hospital clinic or diagnostic centre, and

   (b) they—

       (i) are a boostered person,

       (ii) have tested negative for COVID-19 by PCR test within the 24 hours immediately preceding the visit, or

       (iii) are less than six years old.”

(11) In section 28A (numbers of persons permitted to work at a private business) in subsection (1) for “80%” substitute “60%”.
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) inserts a new definition for someone that has received a booster dose for COVID-19 and amends the definition of Safepass Plus to require that 12-17 year olds have a certificate stating they are exempted from COVID-19 vaccination on medical grounds, and extends the period in which such a person may have had a negative test to 7 days.

5. Subsection (3) exempts military catering facilities from the requirements under section 6 (safepasses) of the principal Ordinance.

6. Subsection (4) amends the requirements for Safepasses in the workplace in section 7 (safepasses in the workplace) of the principal Ordinance.

7. Subsection (5) amends section 11 (places of residence) of the principal Ordinance and widens the types of events by which the Chief Officer can grant a permit to allow more than 20 people to be present in a residence.

8. Subsection (5) amends section 13 (weddings, funerals and christenings) limiting the number of people that can be present to 300 and changing the required public health criteria applying to those people present.

9. Subsection (6) amends section 18 (catering establishments) limiting the number of people that can be present to 300 and changing the required public health criteria applying to those people present.

10. Subsection (7) amends section 18 (catering establishments) limiting the number of people that can be present to 300 and changing the public health criteria applying to those people present.

11. Subsection (8) amends section 19 (nightclubs, reception halls, discos, music and dance venues etc) limiting the number of people that can be present to 300 and changing the public health criteria applying to those people present.

12. Subsection (9) adjusts the number of people that can be present at sports facilities and present at football stadia.

13. Subsection (10) amends section 27 (visiting hospitals) changing the required public health criteria applying to people intending on visiting.

14. Subsection (11) amends section 28A (numbers of persons permitted to work at a private business) changing the percentage of people that certain businesses are required to work from home.

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