



Jersey

# **COVID-19 (GATHERING CONTROL) (JERSEY) ORDER 2020<sup>1</sup>**

## **Official Consolidated Version**

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Jersey

# COVID-19 (GATHERING CONTROL) (JERSEY) ORDER 2020

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Jersey

## COVID-19 (GATHERING CONTROL) (JERSEY) ORDER 2020

**THE MINISTER FOR HEALTH AND SOCIAL SERVICES**, after consulting the Medical Officer of Health and the Council of Ministers, makes this Order under Regulation 2 of the [Covid-19 \(Gatherings\) \(Jersey\) Regulations 2020](#) –

Commencement [[see endnotes](#)]

### 1 Interpretation<sup>2</sup>

In this Order –

“garden” means any garden, yard or other outdoor space associated with a home and to which the public do not have access without permission;

“home” means a residential unit, within the meaning of the [Residential Tenancy \(Jersey\) Law 2011](#), in which a person resides but does not include a garden;

“open air”, in relation to a gathering, includes any part of a structure, whether or not with a roof, that is closed by no more than half the surface area extending upwards from its perimeter to the height of the roof, or if none, to the highest point of the structure;

### 2 Declaration of start and end of gathering control period<sup>3</sup>

The period during which the gathering control requirements in this Order apply –

- (a) starts on 12th December 2020; and
- (b) ends at the end of 31st August 2021.

### 3 Gatherings in people’s homes

- (1) A person must not take part in a gathering of more than 20 people in a home that is not that person’s home.<sup>4</sup>
- (2) Paragraph (1) does not apply to a gathering if –
  - (a) one or more of the people gathering is a child aged under 5 years of age; and
  - (b) there are no more than 20 people of 5 years of age or older who take part in the gathering.<sup>5</sup>

- (3) Paragraph (1) does not apply to a gathering of any number of people in any part of a home if it is for the ceremony relating to a marriage or civil partnership or for a reception in celebration of that ceremony.<sup>6</sup>

### **3A Gathering in people's gardens<sup>7</sup>**

- (1) A person must not take part in a gathering in a garden that is not a garden associated with that person's home unless one or more of the conditions in paragraphs (2) to (7) are met.
- (2) The first condition is that there are no more than 20 people taking part in the gathering.
- (3) The second condition is that –
- (a) one or more of the people gathering is a child aged under 5 years of age; and
  - (b) there are no more than 20 people of 5 years of age or older who take part in the gathering.
- (4) The third condition is that –
- (a) the gathering is in the open air;
  - (b) the gathering is open only to invited guests of the responsible person rather than to members of the public;
  - (c) no charge is made for attending the gathering; and
  - (d) no food or drink is sold to guests attending the gathering.
- (5) The fourth condition is that –
- (a) the gathering is in the open air;
  - (b) the gathering is a fundraising event for a registered charity, or for another philanthropic enterprise in respect of which a decision to raise funds (whether by means of the gathering or not) was made before 4th August 2021;
  - (c) the responsible person intends that all the proceeds of the gathering be donated to that charity or enterprise;
  - (d) the gathering is a controlled gathering; and
  - (e) no food or drink is consumed other than whilst seated at a table in the garden.
- (6) The fifth condition is that the gathering is for the ceremony relating to a marriage or civil partnership, or for a reception in celebration of that ceremony.
- (7) The sixth condition is that the garden is hired out for a gathering and has previously been so hired out or booked for hire on at least one occasion before 10th May 2021.
- (8) In this Article –
- “controlled gathering” means a gathering at which a responsible person has taken all reasonable steps to assist in controlling the spread of Covid-19;
- “responsible person” means –
- (a) a person responsible for organising the gathering; or
  - (b) an operator or occupier (within the meaning of Regulation 1(1) of the [Covid-19 \(Workplace Restrictions\) \(Jersey\) Regulations 2020](#)) of the location where the gathering takes place.
- (9) In assessing whether a responsible person has taken all reasonable steps, for the purpose of the definition “controlled gathering”, any guidance published by the

Medical Officer of Health as to factors that increase the risk of spread of Covid-19 in gatherings must be taken into account.

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**9 Citation and commencement**

This Order may be cited as the Covid-19 (Gathering Control) (Jersey) Order 2020 and comes into force on the day after it is made.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Covid-19 (Gathering Control) (Jersey) Order 2020	<a href="#">R&amp;O.166/2020</a>	12 December 2020	
Covid-19 (Gathering Control) (Amendment) (Jersey) Order 2020	<a href="#">R&amp;O.181/2020</a>	23 December 2020	
Covid-19 (Gathering Control – Extension) (Jersey) Order 2021	<a href="#">R&amp;O.1/2021</a>	7 January 2021	
Covid-19 (Gatherings and Workplace Restrictions – Miscellaneous Amendments) (Jersey) Order 2021	<a href="#">R&amp;O.3/2021</a>	16 January 2021	
Covid-19 (Gathering Control – Second Extension) (Jersey) Order 2021	<a href="#">R&amp;O.6/2021</a>	21 January 2021	
Covid-19 (Gathering Control – Third Extension) (Jersey) Order 2021	<a href="#">R&amp;O.10/2021</a>	1 February 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment) (Jersey) Order 2021	<a href="#">R&amp;O.14/2021</a>	3 February 2020	
Covid-19 (Gathering Control) (Amendment No. 2) (Jersey) Order 2021	<a href="#">R&amp;O.20/2021</a>	17 February 2021	
Covid-19 (Gathering Control) (Amendment No. 3) (Jersey) Order 2021	<a href="#">R&amp;O.21/2021</a>	17 February 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 2) (Jersey) Order 2021	<a href="#">R&amp;O.24/2021</a>	22 February 2021	
Covid-19 (Gathering Control – Fourth Extension) (Jersey) Order 2021	<a href="#">R&amp;O.27/2021</a>	1 March 2021	
Covid-19 (Gathering Control) (Amendment No. 4) (Jersey) Order 2021	<a href="#">R&amp;O.31/2021</a>	8 March 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 3) (Jersey) Order 2021	<a href="#">R&amp;O.33/2021</a>	15 March 2021	

Legislation	Year and No	Commencement	Projet No (where applicable)
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 4) (Jersey) Order 2021	<a href="#">R&amp;O.39/2021</a>	26 March 2021	
Covid-19 (Gathering Control – Fifth Extension) (Jersey) Order 2021	<a href="#">R&amp;O.42/2021</a>	1 April 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 5) (Jersey) Order 2021	<a href="#">R&amp;O.46/2021</a>	12 April 2021	
Covid-19 (Gathering Control – Sixth Extension) (Jersey) Order 2021	<a href="#">R&amp;O.57/2021</a>	1 May 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 6) (Jersey) Order 2021	<a href="#">R&amp;O.65/2021</a>	10 May 2021	
Covid-19 (Gathering Control – Seventh Extension) (Jersey) Order 2021	<a href="#">R&amp;O.72/2021</a>	1 June 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 7) (Jersey) Order 2021	<a href="#">R&amp;O.77/2021</a>	14 June 2021	
Covid-19 (Gathering Control – Eighth Extension) (Jersey) Order 2021	<a href="#">R&amp;O.81/2021</a>	1 July 2021	
Covid-19 (Gathering Control – Ninth Extension) (Jersey) Order 2021	<a href="#">R&amp;O.98/2021</a>	1 August 2021	
Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 8) (Jersey) Order 2021	<a href="#">R&amp;O.101/2021</a>	5 August 2021	

Projets available at [statesassembly.gov.je](https://statesassembly.gov.je)

## Table of Endnote References

<sup>1</sup> This Order was repealed by the Covid-19 (Gathering Control Repeal and Workplace Restrictions Amendment) (Jersey) Order 2021 on 26 August 2021.

<sup>2</sup> Article 1 amended by R&O.65/2021, R&O.101/2021

<sup>3</sup> Article 2 amended by R&O.181/2020, R&O.1/2021, R&O.6/2021, R&O.10/2021, R&O.27/2021, R&O.42/2021, R&O.57/2021, R&O.72/2021, R&O.81/2021, R&O.98/2021

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- <sup>4</sup> Article 3(1) *amended by R&O.46/2021*
- <sup>5</sup> Article 3(2) *amended by R&O.31/2021, R&O.46/2021*
- <sup>6</sup> Article 3(3) *inserted by R&O.46/2021, substituted by R&O.65/2021, R&O.77/2021, R&O.101/2021*
- <sup>7</sup> Article 3A *inserted by R&O.101/2021*
- <sup>8</sup> Article 4 *deleted by R&O.101/2021*
- <sup>9</sup> Article 5 *deleted by R&O.46/2021*
- <sup>10</sup> Article 6 *deleted by R&O.46/2021*
- <sup>11</sup> Article 7 *substituted by R&O.181/2020, heading amended by R&O.20/2021, deleted by R&O.39/2021*
- <sup>12</sup> Article 8 *substituted by R&O.181/2020, R&O.3/2021, deleted by R&O.46/2021*
- <sup>13</sup> Article 8A *inserted by R&O.31/2021, amended by R&O.33/2021, deleted by R&O.39/2021*