



Jersey

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

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 16 January 2021 to 20 January 2021



Jersey

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

Contents

Article

| | | |
|---|--|---|
| 1 | Interpretation | 3 |
| 2 | Declaration of start and end of gathering control period | 3 |
| 3 | Gatherings in people's homes | 3 |
| 4 | Gatherings in the open air | 4 |
| 5 | Gatherings in certain workplaces | 4 |
| 6 | Gatherings in other locations | 5 |
| 7 | Exception: gatherings of 20 allowed for certain purposes..... | 5 |
| 8 | Exception: certain gatherings involving young people | 5 |
| 9 | Citation and commencement..... | 6 |

ENDNOTES 7

| | |
|-----------------------------------|---|
| Table of Legislation History..... | 7 |
| Table of Endnote References | 7 |



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

In this Order –

“construction site” has the same meaning as in the [Health and Safety \(Management in Construction\) \(Jersey\) Regulations 2016](#);

“home” means a residential unit, within the meaning of the [Residential Tenancy \(Jersey\) Law 2011](#), in which a person resides, and includes any associated garden, yard or other outdoor space to which the public do not have access without permission;

“open air”, in relation to a gathering, includes any part of a structure, whether or not with a roof, that is closed on no more than one side;

“workplace” has the same meaning as in Regulation 1(1) of the Covid-19 (Workplace Restrictions) Regulations 2020.

2 Declaration of start and end of gathering control period¹

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 20th January 2021.

3 Gatherings in people’s homes

- (1) A person must not take part in a gathering of more than 10 people in a home that is not that person’s home.
- (2) Paragraph (1) does not apply to a gathering if –
 - (a) one or more of the people gathering is a child aged under 3 years of age; and
 - (b) there are no more than 10 people of 3 years of age or older who take part in the gathering.

4 Gatherings in the open air

- (1) A person must not take part in a gathering in the open air of more than 10 people.²
- (2) Paragraph (1) does not apply to a gathering in –
 - (a) a garden, yard or other outdoor space that forms part of a home; or
 - (b) a workplace or a construction site.

5 Gatherings in certain workplaces

- (1) A person to whom paragraph (2) applies must not take part in a gathering in a workplace or construction site of more than 10 people.
- (2) This paragraph applies to a visitor to the workplace or construction site except in the case of –
 - (a) retail premises, being a building in which goods are sold or rented to visitors, or offered for sale or rent to visitors;
 - (b) a bank that is open to the public, and not solely to those who have or intend to open an account with that bank;
 - (c) a workplace that is –
 - (i) a public service vehicle, within the meaning of the [Motor Traffic \(Jersey\) Law 1935](#),
 - (ii) a plane or a ferry,
 - (iii) a bus station, or
 - (iv) a building used for port operations, within the meaning of the [Air and Sea Ports \(Incorporation\) \(Jersey\) Law 2015](#), relating to passengers, other than a building in which the visitor remains inside a vehicle;
 - (d) residential accommodation provided as part of a care home service, within the meaning of paragraph 1 of Schedule 1 to the [Regulation of Care \(Jersey\) Law 2014](#), to adults only;
 - (e) premises provided as part of an adult day care service within the meaning of paragraph 3 of Schedule 1 to the [Regulation of Care \(Jersey\) Law 2014](#);
 - (f) food and drink premises (within the meaning of Article 3(3)(a) of the [Covid-19 \(Workplace Restrictions\) \(Jersey\) Order 2020](#));
 - (g) a court or tribunal;
 - (h) a parish hall, or other building, where the visit is for the purpose of attending a Parish Assembly, or a nomination meeting under Article 19 of the [Public Elections \(Jersey\) Law 2002](#); or
 - (i) a workplace where the visit is for the purpose of giving or receiving medical treatment.
- (3) In this Article “visitor” means a person who –
 - (a) does not live in the workplace or construction site; and
 - (b) does not use the workplace or construction site as the person’s usual place of work (other than the person’s home).

6 Gatherings in other locations

A person must not take part in a gathering of more than 10 people anywhere other than in a home, in the open air or in a workplace or construction site.

7 Exception: gatherings of 20 allowed for certain purposes³

- (1) Despite any other gathering control requirement in this Order, a person may take part in a controlled gathering of no more than 20 people if the gathering –
 - (a) is for the celebration of a marriage or civil partnership;
 - (b) is for a funeral; or
 - (c) is part of a service of religious worship.
- (2) ⁴
- (3) ⁵
- (4) 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.
- (5) In assessing whether a responsible person has taken all reasonable steps, for the purpose of the definition “controlled gathering”, any guidance must be taken into account if it is guidance published by the Medical Officer of Health as to factors that increase the risk of spread of Covid-19 in gatherings.

8 Exception: certain gatherings involving young people⁶

- (1) No gathering control requirement in this Order applies in the case of –
 - (a) a gathering for the purposes of education provided by a school or for the purposes of registered day care of children, including for the purposes of travel in connection with that education or registered day care;
 - (b) a controlled gathering organised by the Jersey Youth Service administered by the Department of Children, Young People, Education and Skills, including for the purposes of travel in connection with that gathering; or
 - (c) a controlled gathering of a children’s activity group if –
 - (i) the group was established before 12th December 2020,
 - (ii) the gathering does not take place at a person’s home,
 - (iii) every person participating in the gathering is a child, a carer of a participating child, or another person who is an activity organiser for the gathering, and
 - (iv) the number of people participating in the gathering, other than the activity organisers, does not exceed 10.
- (2) In this Article –

“activity organiser” means a member of a children’s activity group who is present at a gathering of that group and organises activities for the children at that gathering (whether or not that person is also the responsible person, as defined in Article 7, for the gathering);

“carer” means a parent of a child or another person having custody or charge of a child for the time being;

“children’s activity group” means a group of people who gather 2 or more children to engage those children in activities organised by a member or members of the group present at the gathering, at least one of whom is an adult, other than by way of a gathering described in paragraph (1)(a) or (b);

“controlled gathering” has the meaning given by Article 7;

“registered day care” means looking after children as a day carer registered under the [Day Care of Children \(Jersey\) Law 2002](#) or in day care accommodation registered under that Law, but a gathering is not disqualified from being for the purposes of registered day care of children merely because some (but not all) of those children are aged 12 or older.

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 | R&O.166/2020 | 12 December 2020 | |
| Covid-19 (Gathering Control) (Amendment) (Jersey) Order 2020 | R&O.181/2020 | 23 December 2020 | |
| Covid-19 (Gathering Control – Extension) (Jersey) Order 2021 | R&O.1/2021 | 7 January 2021 | |
| Covid-19 (Gatherings and Workplace Restrictions – Miscellaneous Amendments) (Jersey) Order 2021 | R&O.3/2021 | 16 January 2021 | |

Project No available at statesassembly.gov.je

Table of Endnote References

| | |
|---------------------------|--|
| ¹ Article 2 | <i>amended by R&O.181/2020, R&O.1/2021</i> |
| ² Article 4(1) | <i>amended by R&O.181/2020</i> |
| ³ Article 7 | <i>substituted by R&O.181/2020</i> |
| ⁴ Article 7(2) | <i>deleted by R&O.3/2021</i> |
| ⁵ Article 7(3) | <i>deleted by R&O.3/2021</i> |
| ⁶ Article 8 | <i>substituted by R&O.181/2020, R&O.3/2021</i> |