



Jersey

COVID-19 (SCHOOLS AND DAY CARE OF CHILDREN) (JERSEY) REGULATIONS 2020¹

Official Consolidated Version

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Showing the law from 15 October 2021 to 30 April 2022



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COVID-19 (SCHOOLS AND DAY CARE OF CHILDREN) (JERSEY) REGULATIONS 2020

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THE STATES make these Regulations under the [Order in Council dated 28th March 1771](#) –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In these Regulations –
 - “Covid-19” means the notifiable contagious and infectious disease set out in the Schedule to the [Notifiable Diseases \(Jersey\) Order 1988](#);
 - “day care accommodation” includes day carer premises;
 - “Education Law” means the [Education \(Jersey\) Law 1999](#);
 - “published” means published online or in any other manner appearing likely to the Minister to bring the item to the attention of those likely to be affected by it, or of the public generally, and “publish” is construed accordingly.
- (2) Words and phrases used in these Regulations and not otherwise defined, have the same meanings as in the Education Law and the [Day Care of Children \(Jersey\) Law 2002](#) in whichever the word or phrase occurs.

2 Power to require closure of schools and day care accommodation

- (1) The Minister may, by published notice, require the closure of school premises or day care accommodation to prevent the contamination by, and spread of, Covid-19.
- (2) A notice under paragraph (1) may –
 - (a) apply in respect of all schools or day care accommodation;
 - (b) apply in respect of specified schools or day care accommodation;
 - (c) specify the persons in respect of whom the school premises are, or day care accommodation is, closed;
 - (d) specify circumstances and exceptions where the school premises are, or day care accommodation is, not closed in respect of specified persons;
 - (e) specify the period for which the school premises are, or day care accommodation is, closed.
- (3) Before publishing a notice under this Regulation the Minister must –
 - (a) consult the Council of Ministers;

- (b) obtain the consent of the Minister for Health and Social Services; and
- (c) be satisfied that it is necessary and proportionate, having regard to the foreseeable risk of the spread of Covid-19 in Jersey, to publish the notice.²
- (4) Before giving consent under paragraph (3)(b) the Minister for Health and Social Services must consult the Medical Officer of Health.³
- (5) The Minister must keep under review the operation of any notice published under this Regulation.⁴
- (6) Article 11(3) of the [Interpretation \(Jersey\) Law 1954](#) applies to the power to publish a notice under this Regulation as it applies to a power to make an enactment under another enactment.⁵

3 Arrangements for the provision of education otherwise than at a provided school

- (1) This Regulation applies where a child of compulsory school age is not able to receive full-time education by regular attendance at a provided school by reason of those school premises being closed to prevent the contamination by, and spread of, Covid-19.
- (2) Where this Regulation applies, the Minister may, in respect of a provided school, determine the arrangements to be made for the education of a child otherwise than on provided school premises.
- (3) Despite the generality of paragraph (2), the Minister may determine arrangements which include arrangements that may not meet the standard of instruction satisfying the Minister under Article 13(2) of the Education Law, but which will nevertheless enable a child to continue to receive instruction of the Jersey Curriculum as if that child were receiving full-time education by regular attendance at school.
- (4) Where the Minister determines arrangements under this Regulation, the Minister may direct a provided school to implement such arrangements and those arrangements are to be taken as arrangements approved under Article 13 of the Education Law.
- (5) Where a provided school implements arrangements under this Regulation, a parent of a child of compulsory school age is taken as having discharged his or her duty under Article 12(1) of the Education Law by ensuring his or her child receives instruction in accordance with those arrangements.
- (6) The Minister may publish guidance as to the arrangements determined under paragraph (3), and as to their implementation.
- (7) A determination made, or direction given under this Regulation must be published by the Minister.
- (8) Nothing in this Regulation is to be taken as derogating from the provisions of Article 13 of the Education Law.

4 Citation, duration and suspension

- (1) These Regulations may be cited as the Covid-19 (Schools and Day Care of Children) (Jersey) Regulations 2020.
- (2) These Regulations come into force on the day after they are made.
- (3) These Regulations expire at the end of 30th April 2022.⁶

- (4) Any notice published under Regulation 2, that has effect immediately before the commencement of the Covid-19 (Amendments – Extension, Suspension and Repeal) (Jersey) Regulations 2020, ceases to have effect on that commencement.⁷

- (5) ⁸

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Covid-19 (Schools and Day Care of Children) (Jersey) Regulations 2020	R&O.32/2020	28 March 2020	P.30/2020
Covid-19 (Amendments – Extension, Suspension and Repeal) (Jersey) Regulations 2020	R&O.115/2020	30 September 2020	P.103/2020
Covid-19 (Amendments – Extension and Suspension) (Jersey) Regulations 2021	R&O.52/2021	29 April 2021	P.25/2021
Covid-19 (Amendments – Further Extensions) (Jersey) Regulations 2021	R&O.127/2021	15 October 2021	P.84/2021

°Projects available at statesassembly.gov.je

Table of Endnote References

¹	<i>These Regulations were expired by Regulation 4(3) on 30 April 2022</i>
² Regulation 2(3)	<i>inserted by R&O.115/2020</i>
³ Regulation 2(4)	<i>inserted by R&O.115/2020</i>
⁴ Regulation 2(5)	<i>inserted by R&O.115/2020</i>
⁵ Regulation 2(6)	<i>inserted by R&O.115/2020</i>
⁶ Regulation 4(3)	<i>amended by R&O.115/2020, R&O.52/2021, R&O.127/2021</i>
⁷ Regulation 4(4)	<i>substituted by R&O.115/2020</i>
⁸ Regulation 4(5)	<i>deleted by R&O.115/2020</i>