



Jersey

COVID-19 (WORKPLACE RESTRICTIONS AND GATHERING CONTROL) (AMENDMENT No. 2) (JERSEY) ORDER 2021

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Jersey

COVID-19 (WORKPLACE RESTRICTIONS AND GATHERING CONTROL) (AMENDMENT No. 2) (JERSEY) ORDER 2021

Made

19th February 2021

Coming into force

22nd February 2021

THE MINISTER FOR HEALTH AND SOCIAL SERVICES makes this Order under Regulations 2 and 3 of the Covid-19 (Workplace Restrictions) (Jersey) Regulations 2020¹ and after complying with the consultation requirements set out in Regulation 2(1) and (2) of those Regulations and under Regulation 2 of the Covid-19 (Gatherings) (Jersey) Regulations 2020², after complying with the consultation requirements in Regulation 2(3) of those Regulations –

1 Covid-19 (Workplace Restrictions) (Jersey) Order 2020 amended

Articles 2 to 8 amend the Covid-19 (Workplace Restrictions) (Jersey) Order 2020³.

2 Article A1 (interpretation) amended

In Article A1(1), before the definition “food and drink premises” there is inserted –

“ “accommodation premises” means premises registered under Article 2 of the Tourism (General Provisions) (Jersey) Order 1990⁴ and any club that provides accommodation for its members, whether or not including their guests;”.

3 Article 2 (closure of certain workplaces) amended

Article 2(1)(i) is deleted.

4 Article 3 (specified workplaces open to the public for certain purposes) amended

(1) In Article 3(1), for sub-paragraphs (a) and (b) there is substituted –

- “(a) food and drink premises, for the purpose of selling food or drink for customers to consume off the premises or for them to consume on the premises, subject to the restrictions set out in paragraph (1A) and the exceptions to those restrictions set out in paragraph (2);
 - (b) designated nightclubs (whether or not part of accommodation premises), for the purpose of operating as food and drink premises;”.
- (2) For Article 3(2) there is substituted –
- “(1A) Food and drink may be consumed on the premises only if –
 - (a) it is ordered before 10 p.m. and consumed by 10.30 p.m., when the premises must close;
 - (b) customers are seated at a table whilst ordering, consuming or paying for food and drink;
 - (c) no more than 10 customers are seated at any one table; and
 - (d) in the case of consumption of intoxicating liquor, it is ordered by customers at the time of ordering a meal or during the consumption of a meal.
- (2) In the case of food and drink premises that are also accommodation premises the restrictions in paragraph (1A)(a) do not apply in respect of customers accommodated for reward on the premises and their guests.”.
- (3) In Article 3(3) for “paragraph (2)” there is substituted “this Article”.

5 Article 5 (visitors required to wear masks) amended

In Article 5(3) –

- (a) for sub-paragraph (f) there is substituted –
 - “(f) food and drink premises where the visitor is –
 - (i) purchasing food or drink to be consumed off the premises or waiting to do so, and
 - (ii) at the premises for the purposes of consuming food or drink, except while actually consuming the food or drink;
 - (fa) accommodation premises, in addition to the extent that masks are required by sub-paragraph (f), except while the visitor is in the private quarters in which the visitor intends to stay overnight;”;
- (b) after sub-paragraph (l) there is inserted –
- “(m) workplaces used by driving instructors registered under Article 6 of the Road Traffic (Jersey) Law 1956⁵ to give instruction as described in Article 5(1) of that Law except where doing so would make driving unsafe.”.

6 Article 5A (condition of opening: workers wearing masks or visors) amended

In Article 5A –

- (a) after paragraph (2)(b) there is inserted –

- “(ba) accommodation premises;”;
- (b) after paragraph (2)(h) there is inserted –
 - “(i) workplaces used by driving instructors registered under Article 6 of the Road Traffic (Jersey) Law 1956⁶ to give instruction as described in Article 5(1) of that Law.”;
- (c) in paragraph (2A) after “retail premises” there is inserted “food and drink premises or accommodation premises,”;
- (d) in paragraph (3) after “public service vehicle” there is inserted “or a driving instructor”.

7 Article 5B (conditions of opening: visitors giving contact tracing data) amended

In Article 5B(2) –

- (a) after sub-paragraph (a) there is inserted –
 - “(aa) accommodation premises;”
- (b) after sub-paragraph (b) there is inserted –
 - “(c) workplaces used by driving instructors registered under Article 6 of the Road Traffic (Jersey) Law 1956⁷ to give instruction as described in Article 5(1) of that Law.”.

8 Article 5C (condition of opening: distancing in workplaces) amended

In Article 5C –

- (a) for paragraph (2)(c) there is substituted –
 - “(c) subject to paragraph (4), food and drink premises where customers are –
 - (i) purchasing food or drink to be consumed off the premises or waiting to do so, or
 - (ii) consuming food or drink on the premises;
 - (ca) accommodation premises, in addition to the extent required by sub-paragraph (c), except while the customer is in the private quarters in which the customer intends to stay overnight;”;
- (b) after paragraph (3) there is inserted –
 - “(4) The requirement in paragraph (1) does not apply in the case of paragraph (2)(c) –
 - (a) in respect of people who expected to sit at the same table in the food and drink premises; or
 - (b) where the occupier or operator of those premises has taken alternative steps to assist in controlling the spread of Covid-19 through the deployment of screens that shield people from each other.
- (5) In assessing whether any screens deployed by the occupier or operator are sufficient to shield people from each other, the occupier or operator must take into account any guidance published by the Medical Officer of Health.”.

9 Covid-19 (Gathering Control) (Jersey) Order 2020 amended

In the Covid-19 (Gathering Control) (Jersey) Order 2020⁸ –

- (a) in Article 5 (gatherings in certain workplaces), in paragraph (2)(f) “Article 3(3)(a) of” is deleted;
- (b) in Article 7 (exception: gatherings of 40 allowed for certain purposes), after paragraph (1) there is inserted –
 - “(2) For clarity, paragraph (1) applies only to a ceremony of the type mentioned in that paragraph and not to any gathering before or after the ceremony, including any reception, wake or other event commonly associated with that ceremony.”.

10 Citation and commencement

This Order may be cited as the Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 2) (Jersey) Order 2021 and comes into force on 22nd February 2021.

DEPUTY R.J. RENOUF OF ST. OUEN

Minister for Health and Social Services

ENDNOTES

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<i>1</i>	<i>R&O.65/2020</i>
<i>2</i>	<i>R&O.148/2020</i>
<i>3</i>	<i>R&O.67/2020</i>
<i>4</i>	<i>chapter 05.850.50</i>
<i>5</i>	<i>chapter 25.550</i>
<i>6</i>	<i>chapter 25.550</i>
<i>7</i>	<i>chapter 25.550</i>
<i>8</i>	<i>R&O.166/2020</i>