



Jersey

## **COVID-19 (CONSTRUCTION AND WORKPLACE – AMENDMENTS AND FURTHER EXTENSIONS) (JERSEY) ORDER 2020**

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## **COVID-19 (CONSTRUCTION AND WORKPLACE – AMENDMENTS AND FURTHER EXTENSIONS) (JERSEY) ORDER 2020**

*Made*

*11th June 2020*

*Coming into force*

*12th June 2020*

**THE MINISTER FOR HEALTH AND SOCIAL SERVICES** makes this Order under Regulation 3 of the Covid-19 (Construction Work) (Jersey) Regulations 2020<sup>1</sup> and Regulations 2 and 3 of the Covid-19 (Workplace Restrictions) (Jersey) Regulations 2020<sup>2</sup> and after having complied with the consultation requirements set out in each of those Regulations –

### **1 Interpretation**

In this Order –

“Construction Order” means the Covid-19 (Construction Work) (Jersey) Order 2020<sup>3</sup>;

“Workplace Order” means the Covid-19 (Workplace Restrictions) (Jersey) Order 2020<sup>4</sup>.

### **2 Extension of restriction periods**

- (1) In Article 2(b) of the Construction Order for “Friday 12th June” there is substituted “Thursday 25th June”.
- (2) In Article 1(b) of the Workplace Order for “Friday 12th June” there is substituted “Thursday 25th June”.

### **3 Construction Order amended**

For Article 4 of the Construction Order there is substituted –

#### **“4 Exemptions**

- (1) Relevant construction work is exempt from the prohibition in Article 3 if –
  - (a) the work –
    - (i) is undertaken by no more than 2 individuals, or

- (ii) constitutes necessary emergency repair or maintenance and is undertaken by any number of individuals, being the number essential for the undertaking of the work; and
  - (b) each individual who undertakes the work complies with any relevant guidance issued by the Medical Officer of Health.
- (2) Relevant construction work is also exempt from the prohibition in Article 3 if it is undertaken by the holder, or by an employee of the holder, of a licence granted in relation to that work under the Health and Safety at Work (Asbestos – Licensing) (Jersey) Regulations 2008<sup>5</sup>.

#### **4 Workplace Order amended**

- (1) For Articles 2 and 3 of the Workplace Order there is substituted –

##### **“2 Closure of certain workplaces**

- (1) The following workplaces are prohibited from being open –
- (a) nightclubs;
  - (b) jacuzzis, plunge pools, steam rooms, saunas, Turkish baths, and any workplace similar to any of those facilities;
  - (c) soft play centres;
  - (d) indoor trampolines; and
  - (e) squash courts.
- (2) In this Article “nightclub” means premises, in respect of which a licence of the seventh category (referred to as an “Entertainment Licence”) is held under the Licensing (Jersey) Law 1974<sup>6</sup>, that are used for the purpose of providing music and dancing for members of the public (regardless of whether they are also used for the purpose of providing food).

##### **3 Specified workplaces open only for certain purposes**

- (1) The following workplaces are prohibited from being open except for the following purposes –
- (a) boarding houses, caravan parks, camping grounds and hostels, except for the purpose of accommodating –
    - (i) permanent residents of the boarding house, caravan park, camping ground or hostel, or
    - (ii) other persons whose usual place of residence is Jersey;
  - (b) commercial accommodation, except for the purpose of accommodating –
    - (i) persons whose usual place of residence is Jersey, or
    - (ii) other persons to whom Regulation 4(1) of the Covid-19 (Screening, Assessment and Isolation) (Jersey)

Regulations 2020<sup>7</sup> would apply but for Regulation 4(8)(b) or (c) of those Regulations; and

- (c) food and drink premises (whether or not part of any other workplace that may be open), except for the purpose of –
  - (i) selling food or drink for persons to consume off the premises,
  - (ii) selling food or drink, other than intoxicating liquor, for persons to consume in an area (whether indoors or outdoors) where they are required to be seated, or
  - (iii) selling intoxicating liquor to persons taking a meal (as defined in the Licensing (Jersey) Law 1974<sup>8</sup>) in an area (whether indoors or outdoors) where they are required to be seated.

(2) In this Article –

“commercial accommodation” means a building or place (whether or not licensed premises under the Licensing (Jersey) Law 1974) that provides temporary or short-term accommodation on a commercial basis and that –

- (a) comprises rooms or self-contained accommodation; and
- (b) provides meals to guests or the general public,

but does not include boarding houses, caravan parks, camping grounds or premises used for the purpose of a care home service regulated under the Regulation of Care (Jersey) Law 2014<sup>9</sup>;

“food and drink premises” means premises (whether or not licensed premises under the Licensing (Jersey) Law 1974) that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes the following –

- (a) a restaurant, café or public bar (whether or not the premises form part of commercial accommodation);
- (b) takeaway premises (for food or drink, or both);
- (c) premises operating with the permission of the Minister for Economic Development, Tourism, Sport and Culture under the Policing of Beaches (Jersey) Regulations 1959<sup>10</sup>;
- (d) registered premises operating under a valid registration certificate issued under the Places of Refreshment (Jersey) Law 1967<sup>11</sup>;

“intoxicating liquor” has the same meaning as in the Licensing (Jersey) Law 1974.

(3) This Article does not apply to a workplace to the extent that it is prohibited by Article 2 from being open.

(4) Nothing in this Article prevents the occupier or operator of a workplace providing –

- (a) reasonable access to toilet facilities or facilities to administer appropriate first aid;

- (b) a service, free of charge, to assist vulnerable members of the public, such as a food bank, a blood donation service or a service providing for the needs of homeless people; or
  - (c) accommodation (including providing food and drink to persons using the accommodation to consume in their room) to a person accessing a public service (including emergency accommodation) whether provided by the Government of Jersey, a private provider or a non-profit organisation.”.
- (2) For Article 5 of the Workplace Order there is substituted –

**“5 General exceptions to restriction on workplaces being open**

- (1) Nothing in this Order prevents the use of a workplace for the purpose of providing a service to deliver to a person, or to arrange the collection by a person, of goods, merchandise and materials purchased by a person off the premises.
- (2) Nothing in this Order prohibits or limits a person from working (whether alone or otherwise, and regardless of physical contact with any other person) in a private dwelling, vehicle or vessel belonging to another person.”.

**5 Citation and commencement**

This Order may be cited as the Covid-19 (Construction and Workplace – Amendments and Further Extensions) (Jersey) Order 2020 and comes into force on the day after it is made.

**DEPUTY R.J. RENOUF OF ST. OUEN**

*Minister for Health and Social Services*

## ENDNOTES

### Table of Endnote References

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<i>1</i>	<i>R&amp;O.49/2020</i>
<i>2</i>	<i>R&amp;O.65/2020</i>
<i>3</i>	<i>R&amp;O.51/2020</i>
<i>4</i>	<i>R&amp;O.67/2020</i>
<i>5</i>	<i>chapter 05.300.05</i>
<i>6</i>	<i>chapter 11.450</i>
<i>7</i>	<i>R&amp;O.37/2020</i>
<i>8</i>	<i>chapter 11.450</i>
<i>9</i>	<i>chapter 20.820</i>
<i>10</i>	<i>chapter 22.600.25</i>
<i>11</i>	<i>chapter 11.600</i>