

DIRECTION NO. 3 OF 2021

Direction of the Civil Contingencies Authority under the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021.

This Direction is issued by the Civil Contingencies Authority in exercise of its powers under regulation 18(1)(a), (b) and (d) and 19(3) of the above regulations and all other powers enabling it and following consultation with the Medical Officer of Health:-

1. Prohibition on entering and remaining on premises.

(1) A person shall not enter or remain on any premises of a type set out in Part 1 of the First Annex.

(2) Paragraph (1) shall not apply to –

(a) an essential worker or lone worker who –

- (i) subject to social distancing, enters or remains on premises for the purpose of discharging his or her work functions, and
- (ii) where undertaking delivery work, observes the requirements set out in the Second Annex ,

(b) (other than in the case of premises referred to in paragraph 10 of Part 1 of the First Annex) –

- (i) the owner or occupier of the premises,
- (ii) any person who usually works at or on the premises or who is responsible for the management of the premises,

and who, subject to social distancing, enters or remains on the premises solely for the purpose of –

- (A) securing them,
- (B) carrying out or having carried out essential maintenance or repair work to the premises, or
- (C) taking measures to ensure that the premises can continue to be used for the purpose for which they were used immediately before 23rd January 2021,

- (c) in the case of premises referred to in paragraph 10 of Part 1 of the First Annex –
 - (i) the owner or occupier of the premises, any person who usually works at or on the premises or who is responsible for the management of the premises, and
 - (ii) any person who is residing lawfully at or on the premises,
- (d) any person authorised by the Authority or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Authority or Medical Officer of Health, as the case may be, shall specify, and
- (e) the persons, in the circumstances and subject to the conditions, described in the Third Annex.

2. Prohibition on events, gatherings and meetings of more than 2 persons.

(1) The owner or occupier of any premises must not allow an event, gathering or meeting consisting of more than 2 persons, to take place at or on the premises.

(2) A person must not organise or hold an event, gathering or meeting consisting of more than 2 persons to take place at or on any premises.

(3) A person must not participate in an event, gathering or meeting of more than 2 persons, which is taking place at or on any premises.

3. Exemption from paragraph 2.

The prohibition under paragraph 2 shall not apply:

- (a) where the event, gathering or meeting involves persons who enter or remain on premises in circumstances where paragraph 1(1) does not apply further only to its disapplication under paragraph 1(2),
- (b) where the event, gathering or meeting consists only of members of the same household and takes place in a dwelling,
- (c) where the event, gathering or meeting –
 - (i) consists only of members of the same household,
 - (ii) takes place outside a dwelling, and

- (iii) is allowed, organised or participated in, for any of the following purposes –
 - (A) shopping for basic necessities, for example food and medicine,
 - (B) walking, cycling, running, sea swimming or taking part in other open sea activities for the purpose of health and welfare for up to 2 hours every day provided that if sea swimming or sea activities are undertaken they may be undertaken with one other person (who is not a member of the same household) present, for safety reasons, provided social distancing is observed and maintained,
 - (C) attending a medical or dental appointment,
 - (D) obtaining any product from a pharmacy, or
 - (E) providing care or to help a vulnerable person,
- (d) where the event, gathering or meeting –
 - (i) is of a type described in the Fourth Annex,
 - (ii) consists of persons –
 - (A) (other than in the cases described in paragraphs 7 and 8 of the Fourth Annex) of a type described in the Fifth Annex,
 - (B) who are attending the event, gathering or meeting for the purpose, and subject to the conditions, set out in the Fourth Annex, and
 - (iii) involves –
 - (A) maintenance of social distancing by, and
 - (B) where reasonably practicable, the provision of adequate handwashing facilities for,

persons attending the event, gathering or meeting,
- (e) where the event, gathering or meeting –
 - (i) consists only of members of –

- (A) 2 households, or
- (B) 2 households plus any child subject to shared caring arrangements involving another household,

one or both of which households satisfy one or more of the criteria set out in Part 1 of the Sixth Annex, and

- (ii) takes place in accordance with –
 - (A) an exclusive support bubble arrangement between the members of the households involved, and
 - (B) such guidance, advice or other measures as the Authority or Medical Officer of Health may, from time to time, publish for the observance by persons attending an event, gathering or meeting further to a support bubble arrangement, or
- (f) where the event, gathering or meeting is authorised by the Authority or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Authority or Medical Officer of Health, as the case may be, shall specify.

4. **Compulsory wearing of face coverings.**

The provisions relating to the compulsory wearing of face coverings set out in Part 1 of the Seventh Annex shall have effect.

5. **Interpretation.**

In this Direction –

an "**essential worker**" means a worker –

- (a) of a type, or who works in a business of a type, described in the Fifth Annex, and
- (b) who, if undertaking deliveries, observes the requirements set out in the Second Annex,

an "**exclusive support bubble arrangement**" means an arrangement of a type described in Part 2 of the Sixth Annex,

"**hand washing facilities**" includes facilities that enable the use of hand sanitising products,

"intoxicating liquor" has the same meaning as it does for the purposes of the Liquor Licensing Ordinance, 2006,

"licensed premises" has the same meaning as it does for the purposes of the Liquor Licensing Ordinance, 2006,

"lone worker" means an individual who discharges his or her work functions in their place of work unaccompanied,

a person occupies a dwelling as a **"member of the same household"** as another person if –

- (a) that person –
 - (i) normally occupies the dwelling,
 - (ii) is occupying the dwelling on a temporary basis (with the intention of remaining in occupation for the duration of any emergency measures relating to the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19) for reasons associated with –
 - (A) the risk to public health caused by the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19, or
 - (B) some other risk to human welfare associated with those measures, or
 - (iii) is a child in respect of whom shared parenting arrangements are in place, the child occupies the dwelling, and the dwelling is owned or occupied by a person with parental responsibility for that child, and
- (b) that person is related to the other members of the household (by blood, marriage or adoption) or is treated by members of that household as a member of the household,

"public transport service" means -

- (a) in relation to Guernsey a public transport service consisting of motor vehicles which are licenced under the Public Transport Ordinance, 1986,
- (b) in relation to Alderney, a public transport service consisting of public vehicles which are licensed under the Alderney Road Traffic and Public

Highways Ordinance, 1966, and

- (c) in relation to Sark, horse or vehicle drawn carriages which members of the public are carried on for reward,

"**relevant child**" means a child who is aged 12 or over,

"**relevant premises**" means any premises of a type set out in Part 2 of the Seventh Annex,

"**social distancing**" in relation to a person ("**P**") means, wherever reasonably practicable, the observance and maintenance by P of a distance of at least 2 metres from another person, other than a person who is a member of P's household, and

"**vulnerable person**" includes –

- (a) a person under the age of 18 years, and
- (b) a person above the age of 18 years who, by reason of mental or other disability, age, illness, or other situation is permanently or for the time being unable to take care of him or herself, or to protect him or herself against significant harm or exploitation.

6. Revocation of Direction No. 2 of 2021.

(1) Direction No. 2 of 2021 made by the Authority on Friday 4th February, 2021 is revoked.

(2) Anything done under or for the purposes of Direction No. 2 before the commencement of this Direction shall, to the extent that the same is required or authorised to be done under or for the purposes of this Direction, have effect as if done under or for the purposes of the equivalent provision of this Direction.

(3) Anything in the process of being done under or for the purposes of Direction No. 2 before the commencement of this Direction may, to the extent that the same is required or authorised to be done under or for the purposes of this Direction, be continued to be done under or for the purposes of the equivalent provision of this Direction.

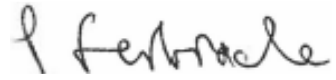
7. Application.

This Direction applies throughout the Bailiwick.

8. Duration.

This Direction has effect from Saturday 13th February, 2021 until 23.59 hours on Friday 26th February 2021.

Dated this 11th day of February, 2021

A handwritten signature in black ink, appearing to read 'P. T. R. Ferbrache'. The signature is written in a cursive style with a large initial 'P'.

P. T. R. FERBRACHE
Chairman of the Civil Contingencies Authority
For and on behalf of the Authority

PART 1

Premises

1. Licensed premises.
2. Cinemas and theatres.
3. Restaurants, cafes, takeaways and kiosks.
4. Retail outlets, other than those essential retail outlets set out in Part 2.
5. Libraries.
6. Community and youth centres.
7. Indoor and outdoor leisure facilities.
8. Community places within parks.
9. Places of worship.
10. Hotels, guest houses, any other premises used for the purpose of the provision of sleeping accommodation, board, lodging or board and lodging for reward and campsites.

PART 2

Paragraph 3

Essential retail outlets

Retail and wholesale premises of the following types, or from which the following types of business are conducted –

1. Retail and wholesale sale of food, beverages (including intoxicating liquor) and newspapers.
2. Retail sale of household consumer products necessary to maintain the safety and sanitation of residences and businesses.
3. Pharmacies/chemists and retailers providing pharmaceuticals, pharmaceutical or dispensing services.
4. Fuel stations and heating fuel providers.
5. Retail sale of essential items for the health and welfare of animals, including animal

feed and medicines, animal food, pet food and animal supplies including bedding.

6. Laundries

7. Banks, loan agencies, insurance brokers and post offices.

Requirements for deliveries

1. Goods must be packed for delivery in line with social distancing and hygiene guidelines, including the wearing of gloves.
2. Deliveries must take place as part of a planned itinerary, and goods must not be sold by delivery drivers to other parties.
3. Deliveries must be undertaken by no more than one person wearing gloves.
4. A 70% alcohol hand gel should be rubbed on the gloves between deliveries.
5. Delivered goods must be left on the doorsteps of premises or in an agreed outside place – there must be no direct customer interaction.

Disapplication of prohibition on entering and remaining on premises

When exercising rights under this Annex, repair and maintenance personnel, persons attending a funeral and States Members on States premises for the purpose of attending remote meetings of the States of Deliberation must adopt practices designed to minimise, wherever possible and practical, risks to health, including –

- (a) maintenance of social distancing,
- (b) regular washing of hands, and
- (c) such other measures as –
 - (i) may be indicated in the following paragraphs, and
 - (ii) the Authority or Medical Officer of Health may from time to time specify in guidance.

1. Essential emergency home and building repair and maintenance

Plumbers, electricians, roofers, scaffolders and all others ("**repair and maintenance personnel**") who reasonably and necessarily provide essential emergency home and building repair and maintenance services.

2. Funerals

Up to 10 persons (excluding, essential workers and any person or official responsible for conducting any ceremony) who enter and remain on any premises for the purpose of a funeral ceremony.

3. Attendance by States Members at States premises for purposes of remote meetings of the States

Members of the States who enter and remain on premises owned or occupied by the States of Guernsey for the purpose of attending remote meetings of the States of Deliberation.

Disapplication of prohibition on events, gatherings and meetings

The following provisions of this Annex apply subject to such other measures as the Authority or Medical Officer of Health may from time to time specify in guidance.

1. Essential workers and customers etc.

An event, gathering or meeting of essential workers who are attending the event, gathering or meeting solely for the purpose of discharging their work functions, together with –

- (a) customers, patients and other persons in receipt of goods or services from the workers in question, and
- (b) suppliers to the premises from which the functions are carried out.

2. Essential retail outlets

An event, gathering or meeting, at or on a retail outlet of a type set out in Part 2 of the First Annex, attended by persons who –

- (a) usually work at or on the premises, or
- (b) are customers or suppliers of the outlets, and

are present solely for the purpose of selling, purchasing and providing goods and services of a type usually sold, purchased or provided in the course of a business operated from the outlet in question.

3. Opticians, optometrists and audiologists

An event, gathering or meeting, at or on premises used for the business of optician, optometrist or audiologist, attended by persons who –

- (a) usually work at the premises, or
- (b) are customers, clients or patients of the business, and

are present for the purpose of the provision or receipt of essential emergency treatment.

4. Office premises

(1) An event, gathering or meeting of no more than 2 persons, at or on office premises, subject to the conditions in subparagraph (2).

- (2) The conditions are that –
- (a) the persons attending –
 - (i) usually work at the premises,
 - (ii) are members of the same household,
 - (b) the attendance of the persons referred to in items (a) (i) and (ii) is necessary for the functioning of the business carried out from the premises in question,
 - (c) the work usually undertaken by those persons cannot be carried out satisfactorily without their attendance at the premises, and
 - (d) all persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing.

5. Maintenance, repairs etc. of cars, motorcycles, bicycles and boats

(1) An event, gathering or meeting at premises used for the purpose of car, motorcycle, bicycle and/or boat maintenance, repair or building, subject to the conditions in subparagraph (2).

- (2) The conditions are that –
- (a) wherever possible, maintenance and other services are provided by one person per vehicle or boat,
 - (b) no more than 2 vehicle and boat maintenance or repair personnel are present on any premises from which maintenance and other services are provided, except where–
 - (i) the personnel are all members of the same household, or
 - (ii) the services are provided within specific areas or zones which are intended to maintain and, where possible, maximise social distancing,
 - (c) vehicles and boats are suitably cleaned before and after completion of work, and
 - (d) any work undertaken is, in the opinion of the person undertaking the work, essential.

6. Building wholesale and supply, manufacturing and warehouses

(1) An event, gathering or meeting, of no more than 5 persons (excluding customers present in accordance with subparagraph (2)(e)), at or on relevant premises, subject to the conditions in subparagraph (2).

(2) The conditions are that –

(a) the persons attending –

(i) usually work at the premises, or

(ii) are members of the same household,

(b) the attendance of those persons is necessary for the functioning of the business operated from the premises in question,

(c) the work usually undertaken by those persons cannot be carried out satisfactorily without their attendance at the premises,

(d) the persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing, and

(e) the number of customers who are present on the premises at any one time is limited and controlled in order to maintain social distancing.

(3) For the purpose of this paragraph, "relevant premises" means premises used for the businesses of building wholesale and supply, manufacturing or warehousing.

7. Essential emergency home and building repair and maintenance

Plumbers, electricians, roofers, scaffolders and all others ("**repair and maintenance personnel**") who reasonably and necessarily provide essential emergency home and building repair and maintenance services.

8. Attendance by States Members at States premises for purposes of remote meetings of the States

Members of the States who enter and remain on premises owned or occupied by the States of Guernsey for the purpose of attending remote meetings of the States of Deliberation.

Essential worker**Private sector**

- - Businesses and workers ESSENTIAL to the functioning of any activity necessary to:
 - Ensure the continuing supply and accessibility of food and other essential goods including
 - ❖ Supermarkets and grocery stores
 - ❖ Air and sea freight transport
 - ❖ Stevedores and other necessary port management activities
 - ❖ Freight operators
 - Ensure the continuing supply and accessibility of veterinary and animal health and husbandry services
 - Ensuring continuing health and community care services including
 - ❖ GP surgeries/medical practices
 - ❖ Pharmacies
 - ❖ Residential and nursing homes
 - ❖ Private and third sector agencies providing care services in a home or other setting (including the care of animals)
 - ❖ Volunteers that provide services to those in need (Meals on Wheels, Samaritans, etc)
 - ❖ Those responsible for management of the deceased or services celebrating, commemorating or otherwise recognising the life and/or death of a person
 - Those essential to the administration of justice
 - ❖ Advocates and staff
 - Those providing private school services and daytime childcare
 - ❖ Private primary and secondary schools
 - ❖ Nurseries and day-care services
 - Maintain critical national infrastructure (essential staff)
 - ❖ Utilities (water, electricity, gas, oil, post)
 - ❖ Telecoms providers (essential staff required to deliver mobile and fixed line telecommunication services)
 - ❖ Coastal defences

- Maintain public transport
 - ❖ Bus operators and school transport providers
- Public service broadcasters and other mainstream news media
- Banking services
 - ❖ Staff that are critical to providing branch-based services to enable cash and other financial transactions
 - ❖ Staff involved in maintaining critical economic infrastructure that requires on-site systems access
- Services that ensure the cleanliness and hygiene of working environments that can be undertaken while adhering to social distancing guidelines

Private sector employers falling within the above categories should determine which roles are essential to the ability to maintain critical services.

Public service

- - Workers ESSENTIAL to the DELIVERY OF CRITICAL SERVICES by:
 - ❖ Courts and Judicial Services
 - ❖ Health and Social Care
 - ❖ Education
 - ❖ Emergency Services (Law Enforcement, Ambulance, Fire and Coastguard)
 - ❖ Prison
 - ❖ Law Officers
 - ❖ States Works
 - ❖ Guernsey Waste
 - ❖ Ports
 - ❖ Regulatory roles directly related to financial stability and banking supervision
 - ❖ Treasury
 - ❖ Social Security

Additionally –

- (a) any ancillary staff from the private or public sectors who are essential to supporting the States of Guernsey's response to COVID-19,
- (b) in the case of Alderney, civil servants or office holders specified by the Policy and Finance Committee of the States of Alderney, and
- (c) in the case of Sark, civil servants or office holders specified by the Policy and Finance Committee of the Chief Pleas of Sark.

SIXTH ANNEX

Part 1

Paragraph 3(e)

Support bubble – household criteria

The criteria for a household for the purposes of paragraph 3(e) are that the household is –

- (a) a household consisting of one adult only;
- (b) a household consisting of one adult only, plus –
 - (i) a child or children who is or are under the age of 18 years, and/or
 - (ii) a vulnerable person aged 18 years or over for whom that adult provides continuous care;
- (c) a household which includes a member who is a child under the age of one;
- (d) a household which includes a member who is a child under 5 years of age with a disability that requires continuous care (regardless of how many other adults are in the household); or
- (e) a household which includes a member who requires to move to another household to support their physical and/or mental wellbeing.

Part 2

Paragraph 5

Exclusive support bubble arrangement

1. Subject to the following paragraphs of this Annex, an exclusive support bubble arrangement is an exclusive arrangement agreed by all the members (other than persons under the age of 18 years) of the households concerned to meet or gather in a dwelling occupied by one or other of the households concerned, as if they (and any child subject to shared caring arrangements involving another household) were all members of the same household.

2. An exclusive support bubble arrangement cannot be agreed in respect of any household where a member of the household –

- (a) is subject to a restriction or requirement imposed by the Medical Officer of Health under Part I of the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021 ("the Emergency Powers Regulations") or is exhibiting symptoms of COVID-19,

- (b) has been subject to such a restriction or requirement or has exhibited such symptoms within the last 14 days, or
- (c) is self-isolating further to a requirement to do so under the Emergency Powers Regulations or is self-isolating for some other reason.

3. An exclusive support bubble arrangement comes to an end if a member of a household becomes subject to a restriction or requirement imposed by the Medical Officer of Health under Part I of the Emergency Powers Regulations, or exhibits symptoms of COVID-19.

4. If an exclusive support bubble arrangement ("the former arrangement") comes to an end, a new arrangement may not be formed until –

- (a) at least 14 days have expired since the former arrangement came to an end, and
- (b) the members of the households subject to the former arrangement have, since the former arrangement came to an end, lived separately as part of their original households.

SEVENTH ANNEX

Paragraph 4

Part 1

Compulsory wearing of face coverings

Whilst entering or remaining on relevant premises

1. Requirement to wear a face covering whilst entering or remaining on relevant premises.

(1) Subject to subparagraph (2), no person may, without reasonable excuse, enter or remain within relevant premises without wearing a face covering.

(2) The requirement in subparagraph (1) does not apply –

- (a) to a child who is under the age of 12,
- (b) to a person responsible for relevant premises or an employee of that person acting in the course of their employment,
- (c) to any other person providing services in the relevant premises under arrangements made with the person responsible for the relevant premises, or

- (d) to an essential worker who has entered or remained in the relevant premises for the purpose of discharging their work functions or whilst acting in the course of their duties.

2. Reasonable excuse for the purposes of paragraph 1.

For the purposes of paragraph 1(1), the circumstances in which a person (“P”) has a reasonable excuse include those where -

- (a) P cannot put on, wear or remove a face covering -
 - (i) because of any physical or mental illness or impairment, or disability, or
 - (ii) without severe distress,
- (b) P is accompanying, or providing assistance to, another person (“B”) and B relies on lip reading to communicate with P,
- (c) P removes their face covering to avoid harm or injury, or the risk of harm or injury, to themselves or others,
- (d) P is entering or within relevant premises to avoid injury, or to escape a risk of harm, and does not have a face covering with them,
- (e) it is reasonably necessary for P to eat or drink and P removes their face covering to eat or drink,
- (f) P has to remove their face covering for the purpose of medical or dental treatment or to take medication,
- (g) a person responsible for relevant premises or an employee of that person acting in the course of his or her employment, requires that P remove their face covering in order to verify P’s identity,
- (h) in a pharmacy, an employee of that pharmacy acting in the course of his or her employment, requires that P remove their face covering in order to assist in the provision of healthcare or healthcare advice to P, and
- (i) a police officer requests that P remove their face covering.

Where using a public transport system

3. Requirement to wear a face covering whilst on public transport.

(1) Subject to subparagraph (2), no person may, without reasonable excuse, use a public transport service without wearing a face covering.

(2) For the purposes of subparagraph (1), a person is using a public transport service at any time when -

- (a) they are boarding any vehicle by means of which a public transport service is provided, or
- (b) they are (whether or not for the purposes of travel) on board any vehicle by means of which a public transport service is provided.

(3) The requirement in subparagraph (1) does not apply -

- (a) to a child who is under the age of 12,
- (b) to an employee of the operator of the relevant public transport service acting in the course of his or her employment,
- (c) to any other person providing services under arrangements made with the operator of the relevant public transport service who is providing those services,
- (d) to an essential worker discharging their work functions or whilst acting in the course of their duties.

4. Reasonable excuse for the purposes of paragraph 4.

For the purposes of paragraph 3(1), the circumstances in which a person (“P”) has a reasonable excuse include those where—

- (a) P cannot put on, wear or remove a face covering—
 - (i) because of any physical or mental illness or impairment, or disability, or
 - (ii) without severe distress,
- (b) P is travelling with, or providing assistance to, another person (“B”) and B relies on lip reading to communicate with P,
- (c) P removes their face covering to avoid harm or injury, or the risk of harm or injury, to themselves or others,
- (d) P is travelling to avoid injury, or to escape a risk of harm, and does not have a face covering with them,
- (e) it is reasonably necessary for P to eat or drink and P removes their face covering to eat or drink,

- (f) P has to remove their face covering to take medication,
- (g) a relevant person requests that P remove their face covering.

Part 2

Relevant Premises

1. Shops
2. Supermarkets
3. Pharmacies
4. Banks
5. Post Offices
6. Petrol Stations
7. Airport Terminals
8. Harbour Terminals
9. GP Surgeries
10. Princess Elizabeth Hospital
11. Dental Surgeries
12. Health Clinics and Allied Health Services
13. Residential and Nursing Homes
14. Crematoriums and Funeral Directors' Premises