

Direction No. 7 of the Committee for Health & Social Care issued under the Emergency Powers (Coronavirus) (General Provision) (No. 2) (Bailiwick of Guernsey) Regulations, 2020

This Direction is issued by the Committee for Health & Social Care, in exercise of its powers under regulation 13(1)(a) and (b) of the above Regulations 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 Schedule.

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

(a) an essential 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 Third Schedule,

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

(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 25th March, 2020,
- (c) in the case of premises referred to in paragraph 10 of Part 1 of the First Schedule –
 - (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 Committee or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Committee 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 Fourth Schedule.

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 4 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 Fifth Schedule,
 - (ii) consists of persons –
 - (A) of a type described in the Fifth Schedule,
 - (B) who are attending the event, gathering or meeting for the purpose, and subject to the conditions, set out in that Schedule, and
 - (iii) involves –

- (A) maintenance of social distancing by, and
 - (B) the provision of adequate handwashing facilities for,
- persons attending the event, gathering or meeting,
- (e) where the event, gathering or meeting –
 - (i) consists only –
 - (A) of members of up to 4 households, or
 - (B) of members of up to 4 households plus any child subject to shared caring arrangements involving another household, and
 - (ii) takes place in accordance with –
 - (A) an exclusive expanded bubble arrangement, and
 - (B) such guidance, advice or other measures as the Committee or Medical Officer of Health may, from time to time, publish for the observance by persons attending an event, gathering or meeting further to an exclusive expanded bubble arrangement, or
 - (f) where the event, gathering or meeting is authorised by the Committee or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Committee or Medical Officer of Health, as the case may be, shall specify.

4. Interpretation

In this Direction –

"**Committee**" means the States of Guernsey Committee for Health & Social Care,

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

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

"**an exclusive expanded bubble arrangement**" has the meaning set out in the Sixth Schedule,

"**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,

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

- (a) that person –
 - (i) normally occupies the dwelling, or
 - (ii) is occupying the dwelling on a temporary basis for reasons associated with the risk to public health caused by the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19, 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,

the "**notification requirement**" means a requirement –

- (a) to notify the Director of Environmental Health and Pollution Regulation and the Medical Officer of Health by completion and electronic submission of the Business Notification Form accessible via the States of Guernsey GOV.GG website, and

- (b) to notify those office holders of any change in the details submitted in the Business Notification Form,

"**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.

5. Application and modifications for Sark.

(1) This Direction applies throughout the Bailiwick.

(2) In its application to Sark, the Direction is modified as set out in the Seventh Schedule.

6. Duration.

This Direction has effect from Saturday 16th May, 2020 until 2359 hours on Friday 29th May, 2020.

FIRST SCHEDULE

Paragraph 1

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.

SECOND SCHEDULE

Paragraph 4

Essential worker

Private sector

- Businesses and workers ESSENTIAL to the functioning of any activity necessary to:

- o 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
- o Ensure the continuing supply and accessibility of veterinary and animal health and husbandry services
- o 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
- o Those essential to law and order
 - ⊗ Advocates and staff
- o Those providing private school services and daytime childcare

- ⊗ Private primary and secondary schools
 - ⊗ Nurseries and day-care services
- o 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
- o Maintain public transport
 - ⊗ Bus operators and school transport providers
- o Public service broadcasters and other mainstream news media
- o 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
- o 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.

THIRD SCHEDULE

Paragraphs 1 and 4

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.

FOURTH SCHEDULE

Paragraph 1(2)(e)

Disapplication of prohibition on entering and remaining on premises

When exercising rights under this Schedule, repair and maintenance personnel, construction workers, outdoor workers, Members of the States, property workers, sports players, non-essential retail premises staff, customers and suppliers, those wishing to pray alone and persons attending a wedding or a funeral 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 Committee 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. Construction and building

(1) Construction workers and/or trades persons ("**construction workers**") and/or regulatory officials, subject to the conditions in subparagraph (2).

- (2) The conditions are that –
 - (a) the construction workers are all members of the same household or, where the workers are not members of the same household, works are undertaken within specific areas or zones which are intended to maintain and, where possible, maximise social distancing,
 - (b) works do not involve close physical contact with members of the public or the owner or occupier of the premises where the works are undertaken,

- (c) construction workers shall not enter or remain on premises where an occupant of the premises -
 - (i) has Covid-19 symptoms, or has have Covid-19 symptoms within the immediately preceding 48 hour period,
 - (ii) is subject to compulsory isolation under the Emergency Powers (Coronavirus) (General Provisions) (Bailiwick of Guernsey) Regulations, 2020, or
 - (iii) is awaiting the results of testing for infection with Covid-19,
- (d) no more than 2 construction workers shall enter and remain in any dwelling-house, which is being used as a place of residence for any person, for the purpose of undertaking work, except -
 - (i) in special circumstances (for example where more than 2 persons are required for the purpose of lifting any object), or
 - (ii) where no one has at any time, physically occupied the dwelling-house as their residence, during the period of 7 days immediately beforehand.
- (e) the works usually undertaken by the persons attending cannot be carried out satisfactorily without their attendance at the premises, and
- (f) the notification requirement is satisfied.

(3) For the purpose of this paragraph a "**regulatory official**" includes any person who discharges a building control, planning, public health or environmental health function.

3. **Outdoor work**

(1) Workers working outdoors ("**outdoor workers**") providing services such as gardening and window cleaning services, subject to the conditions in subparagraph (2).

(2) The conditions are that –

- (a) the provision of any service does not involve close physical contact with members of the public or the owner or occupier of any premises where the services are provided,
- (b) workers operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing, and
- (c) the notification requirement is satisfied.

4. Attendance by States Members at Sir Charles Frossard House for purposes of remote meetings of the States

Members of the States who enter and remain on the premises known as Sir Charles Frossard House ("SCFH") for the purposes of attending remote meetings of the States of Deliberation.

5. Property transactions

(1) Individual workers ("**property workers**"), who enter and remain on premises, for the purpose of listing, viewing or surveying those premises in connection with the sale or lease of, or any other transaction relating to, the premises, subject to the conditions in subparagraph (2) or (3), as the case may be.

(2) Where the premises have been unoccupied for at least 7 days prior to entry, the conditions are that –

- (a) property workers observe and adopt the practices and measures specified in any code of practice issued by the Committee under this paragraph, and
- (b) the notification requirement is satisfied.

(3) Where the premises do not fall within subparagraph (2), the conditions are that –

- (a) they are not occupied by anyone who is known -
 - (i) to have Covid-19 symptoms, or had have Covid-19 symptoms within the immediately preceding 48 hour period,

- (ii) to be subject to compulsory isolation under the Emergency Powers (Coronavirus) (General Provisions) (Bailiwick of Guernsey) Regulations, 2020, or
 - (iii) to be awaiting the results of testing for infection with Covid-19, and
- (b) entry takes place whilst the usual occupants of those premises are not present,
 - (c) property workers observe and adopt the practices and measures specified in any code of practice issued by the Committee under this paragraph, and
 - (d) the notification requirement is satisfied.

6. Entry and remaining on outdoor leisure facilities

(1) A person who enters and remains, or any 2 persons ("**sports players**") who enter and remain, on any relevant premises for the purpose of playing or engaging alone (in the case of a single person) or playing or engaging together (in the case of 2 persons) in sporting or recreational activities for no longer than 4 hours a day.

(2) For the purpose of paragraph (1), "**relevant premises**" means any outdoor leisure facility, the owner, occupier or operator of which has notified the Director of Environmental Health and Pollution Regulation and the Medical Officer of Health by completion and electronic submission of the Outdoor Leisure Facility Notification Form accessible via the States of Guernsey GOV.GG website and notified those office holders of any change in the details submitted in the Notification Form.

7. Entry and remaining on non-essential retail outlets

(1) Staff, customers and suppliers ("**non-essential retail premises staff, customers and suppliers**") who enter and remain on non-essential retail premises for the sole purposes of conducting the following businesses –

- (a) the sale and supply of seeds, plants, shrubs and other garden stock, gardening tools and equipment and garden sheds and furniture,
- (b) the sale and supply of bicycles and bicycle spares and equipment,

- (c) the sale and supply of sports clothing, shoes and equipment,
- (d) the sale and supply of clothes and shoes for children.

(2) For the purposes of paragraph (1), a "**non-essential retail outlet**" means a retail outlet which is not an essential retail outlet.

8. Entry and remaining on places of worship

A person who enters and remains on a place of worship for the sole purpose of lone prayer or contemplation.

9. Weddings and funerals

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

FIFTH SCHEDULE

Paragraph 3(d)

Disapplication of prohibition on events, gatherings and meetings

The following provisions of this Schedule apply subject to such other measures as the Committee 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 Schedule, 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, 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, or
 - (iii) are customers or clients of, or suppliers to, the business operated from the premises, who are attending further to prior agreement,
- (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,
- (d) all persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing, and
- (e) the notification requirement is satisfied.

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) the notification requirement is satisfied.

6. Building wholesale and supply, manufacturing and warehouses

(1) An event, gathering or meeting, 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,
- (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, and
- (f) the notification requirement is satisfied.

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

7. **Hotels, restaurants, cafes and takeaways**

(1) An event, gathering or meeting at a hotel, restaurant, cafe or takeaway, between the hours of 0900 and 2200 on any day for the purposes of –

- (a) the preparation of food for consumption off the premises, and
- (b) its collection or delivery,

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, or
 - (iii) are customers or clients of, or suppliers to, the business operated from the premises who attend further to prior agreement,
- (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,
 - (d) all persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing, and
 - (e) the notification requirement is satisfied.

8. Childminding and nannies

(1) An event, gathering or meeting at relevant premises for the purpose of the provision of childminding services or nanny services, subject to the conditions in subparagraphs (2) and (3).

(2) The first condition is that the childminding services are provided by a registered childminder or an authorised nanny.

(3) The second condition is that -

- (a) where the childminder or nanny is also providing services for a child or children of his or her own, the childminding services are provided only in respect of a child or children who are members of one other household, or
- (b) where the childminder or nanny is not providing services for a child or children of his or her own, the childminding services are provided only in respect of a child or children who are members of one other household or an exclusive expanded bubble arrangement.

(4) For the purpose of this paragraph –

"**authorised nanny**" means a person who –

- (a) satisfies the notification requirement, and
- (b) immediately before 25th March, 2020 was a provider of nanny services,

"**childminding services**" means services, supplied at the home of the provider, for the supervision and care of children,

"**nanny services**" means services, supplied at the home of someone other than the provider, for the supervision and care of children, and

"**registered childminder**" means a person –

- (a) registered under section 15(1)(b) of the Child Protection (Guernsey) Law, 1972, and
- (b) who satisfies the notification requirement,

"**registered premises**" means premises registered under section 15(1)(a) of the Child Protection (Guernsey) Law, 1972, and

"**relevant premises**" means –

- (a) a dwelling, or
- (b) in the case of a registered childminder, registered premises.

SIXTH SCHEDULE

Paragraph 4

Exclusive expanded bubble arrangement

1. Subject to the following paragraphs of this Schedule, an exclusive expanded bubble arrangement is an exclusive arrangement agreed by all the members (other than persons under the age of 18 years) of up to 4 households 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, for the purpose of maintaining familial or friendship connections, enabling the provision of care or supporting persons living alone or otherwise isolated.

2. An exclusive expanded 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 the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2020 ("the Emergency Powers Regulations") or is exhibiting symptoms of Covid-19, or
- (b) has been subject to such a restriction or requirement or has exhibited such symptoms within the last 14 days.

3. An exclusive expanded 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 the Emergency Powers Regulations, or exhibits symptoms of Covid-19.

SEVENTH SCHEDULE

Paragraph 5(2)

Modifications in relation to Sark

1. In paragraph 3(c)(iii)(B) of the Direction and paragraph 6 of the Fourth Schedule for "4 hours" substitute "6 hours".
2. The prohibition under paragraph 2 shall not apply where the event, gathering or meeting involves no more than 6 persons –
 - (a) who, within the hours of daylight, enter or remain on the gardens of any dwelling, and
 - (b) who observe social distancing.



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Deputy Heidi J R Soulsby
President of the Committee for Health & Social Care
15th May 2020

Explanatory Note

Direction No. 7 is made by the Committee *for* Health & Social Care on 15th May, 2020 further to powers conferred on it by the Emergency Powers (Coronavirus) (General Provision) (No. 2) (Bailiwick of Guernsey) Regulations, 2020 as made by the Civil Contingencies Authority under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012.

It has been made following consultation with the Medical Officer of Health. It replaces and largely repeats, but with amendment, provisions included in previous Directions made by the Committee. Key changes include incorporation into the Direction of disapplications of the prohibitions on gatherings in order to enable up to 4 households to enter into an exclusive expanded bubble arrangement (see paragraph 3(e) of the Direction and the Sixth Schedule); to remove the restriction on the maximum numbers of people permitted to be on office and certain business premises; to enable workers to work in manufacturing and warehouse premises; to enable staff to work in hotels, restaurants, cafes and takeaways for the purpose of the preparation of food for consumption off those premises and to ensure that certain childminding services may be provided. The disapplications are in some cases subject to conditions including, for example (other than in respect of exclusive expanded bubble arrangements), social distancing of at least 2 metres.

There are further disapplications of the prohibitions on entering and remaining on certain non-essential retail premises (i.e. garden centres, bicycle shops, sports shops and shops where clothing and shoes for children are sold or supplied); places of worship for the purpose of lone prayer and premises where marriage or funeral services are held, subject to a limit of 10 persons plus celebrants and officials. There are restrictions on the types of goods that may be sold or supplied from those non-essential retail premises referred to above.

The purpose of the Direction remains prevention of the further introduction and spread within the Bailiwick of the Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19.

In brief summary, the Direction (see numbered section 1 below) prohibits persons from entering and remaining on certain premises (as set out in Part 1 of the First Schedule to the Direction) and (number 2 below) attending events, gatherings and meetings of more than 2 persons.

1. The prohibition on entering and remaining on premises relates to premises of the types set out in Part 1 of the First Schedule (e.g. licensed premises, cinemas

theatres, restaurants, cafes, takeaways and kiosks non-essential retail outlets, libraries, community and youth centres, indoor and outdoor leisure facilities, community places within parks, places of worship and hotels, guest houses and any other premises used for the purpose of the provision of sleeping accommodation, board, lodging or board and lodging for reward and campsites). The prohibition however has several exceptions. The key exceptions are as follows:-

- (a) essential retail outlets of the types set out in Part 2 of the First Schedule, such as premises from which the business of the retail and/or wholesale sale of food, beverages and newspapers is conducted,
- (b) premises whilst essential workers are present for the purposes of their work and subject to the requirements set out in the Third Schedule relating to delivery work,
- (c) other than in the cases of hotels and guest houses, owners or occupiers of premises and any person who usually works at or on the premises or who is responsible for the management of the premises and who enters or remains on the premises solely for the purpose of securing them, carrying out or having carried out essential maintenance or repair work to the premises, or taking measures to ensure that the premises can continue to be used for the purpose for which they were used immediately before 25th March, 2020,
- (d) in the cases of hotels and guest houses, owners or occupiers, any person who usually works at or on the premises or who is responsible for the management of the premises and any person who is residing lawfully at or on the premises,
- (e) any person authorised by the Committee or the Medical Officer of Health for such purpose and for such duration as the Committee or Medical Officer of Health, as the case may be, shall specify, and
- (f) persons referred to in the circumstances and subject to the conditions described in the Fourth Schedule.

However, in each case, the Direction is intended to ensure that any individual who does enter and remain on premises observes "social distancing". That is defined as maintaining a distance of at least 2 metres from another person. In addition the prohibition on events, gatherings and meetings of more than 2 persons (see paragraph 2 of the Direction) applies to individuals who usually work at or on the premises or who are responsible for the management of the premises, unless further exemption applies under paragraph 3.

2. The prohibition on attending events, gatherings and meetings of more than 2 persons, places obligations on certain persons who might be in a position to organise or attend events etc. In particular:-

- (a) owners and/ or occupiers of any premises must not allow an event, gathering or meeting consisting of more than 2 persons, to take place at or on their premises,
- (b) 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, and
- (c) 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. There are several exemptions from the prohibition described above. They are set out in paragraph 3 of the Direction. In very general terms, they are as follows:-

- (a) where the event, gathering or meeting involves people who enter or remain on premises in circumstances where paragraph 1(1) (prohibition on entering and remaining on premises) further to its disapplication under paragraph 1(2) does not apply,
- (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 consists only of members of the same household, takes place outside a dwelling and is allowed, organised or participated in, for a number of specific purposes (e.g. to go shopping, walking, cycling, running, sea swimming or taking part in other open sea activities for up to 4 hours every day, attending a medical or dental appointment, obtaining any product from a pharmacy, or providing care or to help a vulnerable person),
- (d) where the event, gathering or meeting is of a type described in the Fifth Schedule to the Direction, consists of the persons described in that Schedule and which involves the maintenance of social distancing and the provision of adequate handwashing facilities,
- (e) where the event, gathering or meeting consists only of members of up to 4 households, or of up to 4 households plus any child subject to shared caring arrangements involving another household, and takes place in

accordance with an exclusive expanded bubble arrangement (as defined in the Sixth Schedule) and any relevant guidance, advice or other measures as published by the Committee *for* Health & Social Care or Medical Officer of Health, or

- (f) where the event, gathering or meeting is authorised by the Committee or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Committee or Medical Officer of Health, as the case may be, shall specify.

4. An "essential worker" means a worker of a type, or who works in a business of a type, described in the Second Schedule to the Direction.

5. The Third Schedule sets out a list of measures that essential workers must observe whilst undertaking delivery work.

6. The Fourth Schedule incorporates into the Direction, nine specific circumstances in which the prohibition on entering and remaining on premises under paragraph 1(1) is disapplied. These relate to (1) essential emergency home and building repair and maintenance workers, (2) construction workers and trades persons, (3) outdoor workers, (4) Members of the States who enter and remain on Sir Charles Frossard House for the purposes of attending remote meetings of the States of Deliberation, (5) workers involved in property transactions (e.g. house sales), (6) a person or any 2 persons playing or engaging in sporting or recreational activities for no longer than 4 hours a day on any relevant premises, (7) staff, customers and suppliers of some non-essential retail outlets, (8) individuals wishing to pray alone in a place of worship and (9) people attending weddings and funerals (subject to a limit of 10 individuals plus celebrants and officials). For the purpose of sporting or recreational activities, "relevant premises" means any outdoor leisure facility, the owner, occupier or operator of which has notified the Director of Environmental Health and Pollution Regulation and the Medical Officer of Health by completion and electronic submission of the Outdoor Leisure Facility Notification Form accessible via the States of Guernsey GOV.GG website.

7. The Fifth Schedule is given effect under paragraph 3(d) of the Direction and disapplies some specific events, gatherings and meetings from the general prohibition on attendance at events, gatherings and meetings. These include gatherings and meetings involving the following individuals: -

- essential workers and persons receiving goods or services from those essential workers,

- in the case of the essential retail outlets of the types set out in Part 2 of the First Schedule, persons who usually work at or on the outlet or are customers or suppliers of the outlet 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,
- persons at or on premises used for the business of optician, optometrist or audiologist and who usually work at the premises, are customers, clients or patients of the business and are present for the purpose of the provision or receipt of essential emergency treatment,
- office staff on office premises who usually work at the premises, whose attendance is necessary for the functioning of the business operated from the premises in question, who cannot otherwise carry out their work and where areas are established intended to maintain and where possible maximise social distancing,
- mechanics, boat repairers and others on premises used for the purpose of car, motorcycle, bicycle and/or boat maintenance, repair or building, subject to conditions which include that wherever possible repair and other services are provided by one person per vehicle or boat,
- workers involved in building wholesale and supply, manufacturing and warehousing on premises used for businesses of those types and who usually work at the premises, plus customers present at any one time by prior arrangement and other conditions similar to those referred to in relation to office staff and office premises above,
- staff and customers involved in the preparation, collection and delivery of food for consumption off the premises, which is prepared at a hotel, restaurant, cafe or takeaway, between the hours of 0900 and 2200 on any day subject to conditions intended to ensure the maintenance of social distancing, and
- registered childminders and authorised nannies who provide childminding services or nanny services subject to conditions including that they satisfy notification requirement and restrictions on the number so children who may be provided with childminding or nanny services.

In each case the disapplication under the Fifth Schedule applies in conjunction with and subject to guidance issued by the Committee or Medical Officer of Health.

8. The Sixth Schedule sets out the definition of "an exclusive expanded bubble arrangement" which, in broad and simple terms, is an arrangement made between up to 4 households to meet together in one dwelling subject to conditions which include, for example, that any such 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 the Emergency Powers Regulations, or exhibits symptoms of Covid-19

9. The Direction will remain in place from Saturday 16th May 2020 until 2359 hours on Friday 29th May, 2020 unless revoked before that time. It has effect throughout the Bailiwick, but includes a modification to its application to Sark in order to enable residents of Sark to exercise for up to 6 hours per day and no more than 6 people to gather in the gardens of any dwelling, during the hours of daylight, provided that they observe social distancing.

10. Guidance has been issued by or on behalf of the Committee *for* Health & Social Care as to the manner in which it is intended that obligations and prohibitions under the Direction will be applied and interpreted.