



Jersey

COVID-19 (GATHERINGS) (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 (GATHERINGS) (JERSEY) REGULATIONS 2020

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THE STATES make these Regulations under Article 2 of the [Covid-19 \(Enabling Provisions\) \(Jersey\) Law 2020](#) –

Commencement [[see endnotes](#)]

1 Interpretation

In these Regulations –

“gathering control Order” means an Order under Regulation 2(1);

“gathering control requirement” has the meaning given by Regulation 2(4);

“Medical Officer of Health” means a person appointed as such under Article 10 of the [Loi \(1934\) sur la Santé Publique](#);

“Minister” means the Minister for Health and Social Services.

2 Gathering control Orders

- (1) The Minister may by Order declare a period during which a gathering control requirement applies, by specifying the requirement and declaring that the period –
 - (a) starts on a specified date, being no sooner than the coming into force of the Order; and
 - (b) ends at the end of a specified day, being no later than 31 days after the start of the period.
- (2) Despite Article 11(3) of the [Interpretation \(Jersey\) Law 1954](#), a provision specifying the end of a period under paragraph (1)(b) may not be amended other than –
 - (a) to declare an earlier end; or
 - (b) to declare a later end, being no later than 31 days after the commencement of each Order making such an amendment.
- (3) Before making a gathering control Order the Minister must –
 - (a) consult the Medical Officer of Health and the Council of Ministers; and
 - (b) be satisfied that it is necessary and proportionate, having regard to the foreseeable risk of the spread of Covid-19 in Jersey, to make the Order.
- (4) A gathering control requirement is one of the following –

- (a) a full prohibition, being a provision that prohibits a person from taking part in a gathering of more than a specified number of people, no fewer than 10;
 - (b) a conditional prohibition, being a provision that prohibits a person from taking part in a gathering of more than a specified number of people, no fewer than 10, if the gathering involves any one or more of –
 - (i) being inside a building,
 - (ii) consuming alcohol,
 - (iii) singing or shouting,
 - (iv) engaging in physical exertion that requires heavy breathing,
 - (v) any other specified activity or circumstance, appearing to the Minister, and to the Medical Officer of Health, to raise the risk of spread of Covid-19 to a dangerous degree; or
 - (c) a combined prohibition, being a provision that applies a conditional prohibition, but also applies a full prohibition in relation to another specified number of people that is higher than the number specified for the conditional prohibition.
- (5) A child under the age of 12 –
- (a) does not contravene a gathering control requirement by taking part in a gathering; but
 - (b) is to be counted towards the specified number of people when assessing whether another person, aged 12 or over, contravenes a gathering control requirement by taking part in that gathering.
- (6) A gathering control Order –
- (a) may specify the locations, or descriptions of locations, to which a gathering control requirement applies, or apply that requirement without limitation as to location; and
 - (b) may do so in a manner that includes a person’s home, but not so as to prohibit a group of people who have the same home from taking part in a gathering in that home without other people.
- (7) A gathering control Order may impose a requirement –
- (a) in general or in particular circumstances (including by type of gathering), or as different requirements for different circumstances;
 - (b) on people generally or on a particular description of people, or as different requirements for different descriptions of people;
 - (c) subject to exceptions, whether in the form of exemptions or otherwise.
- (8) A gathering control Order that imposes a conditional or combined prohibition on a particular type of gathering –
- (a) may disapply any one or more, but not all, of clauses (i) to (iv) of paragraph (4)(b) in relation to that type of gathering; and
 - (b) may include, in relation to that type of gathering, provision made under paragraph (4)(b)(v) that is different from provision so made in relation to any other type of gathering.
- (9) Paragraphs (6)(a), (7) and (8)(b) do not limit Article 11(4) of the [Interpretation \(Jersey\) Law 1954](#) in its application to the power to make a gathering control Order.

3 Power to direct person to take steps or to leave an area

- (1) Paragraph (2) applies if a police officer, or an enforcement officer of a description specified by Order under paragraph (6), has reasonable grounds to suspect that a person is contravening a gathering control requirement imposed on that person by a gathering control Order.
- (2) The officer may direct the person to do either or both of the following –
 - (a) to take reasonable steps specified by that officer to cease, within a time specified by that officer, to contravene that requirement;
 - (b) to leave an area, specified by that officer, within a time specified by that officer, and not to return to that area within a further time specified by that officer.
- (3) A person commits an offence, and is liable to a fine of level 2 on the standard scale, if the person –
 - (a) has contravened a gathering control requirement imposed on that person by a gathering control Order; and
 - (b) wilfully fails to comply with a direction given to the person under this Regulation in relation to that contravention.
- (4) The whole or part of a direction is to be disregarded for the purpose of paragraph (3)(b) to the extent that –
 - (a) the time specified in it, to cease contravention of a gathering control requirement or to leave an area, is shorter than is reasonable in the circumstances;
 - (b) the further time specified in it, in relation to return to the area, is longer than whichever is the shorter of –
 - (i) 3 hours, or
 - (ii) a shorter period that is reasonable with a view to preventing a resumption of the contravention;
 - (c) it specifies an area that is broader than reasonably appears to the officer to be necessary for the purpose of preventing a resumption of the contravention;
 - (d) it includes the person's home in the specified area, or includes leaving the person's home in the specified steps;
 - (e) it prevents the person attending, at a time when the person is required or expected to attend there, at a place that the person is –
 - (i) required to attend for the purpose of the person's employment or work,
 - (ii) required to attend by an obligation imposed by or under an enactment or by an order of a court or tribunal, or
 - (iii) expected to attend for the purpose of education or training or receiving medical treatment;
 - (f) it does not comply with any other restriction on directions that is specified by the Minister in the gathering control Order.
- (5) If paragraph (2) applies the officer must have regard, when considering whether to give a direction or what direction to give, to any guidance published for that purpose by the Medical Officer of Health as to factors that increase the risk of spread of Covid-19 in gatherings.
- (6) A gathering control Order may specify any of the following descriptions of person as enforcement officers –

- (a) an enforcement officer within the meaning of the [Covid-19 \(Screening, Assessment and Isolation\) \(Jersey\) Regulations 2020](#), other than a police officer;
- (b) a health officer within the meaning of those Regulations.

4 Citation, commencement and expiry

- (1) These Regulations may be cited as the Covid-19 (Gatherings) (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 2022.²

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Covid-19 (Gatherings) (Jersey) Regulations 2020	R&O.148/2020	25 November 2020	P.157/2020
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

Project available at statesassembly.gov.je

Table of Endnote References

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- ¹ *These Regulations expired under Regulation 4(3) at the end of 30 April 2022*
- ² *Regulation 4(3) amended by R&O.52/2021, R&O.127/2021*