



Jersey

COVID-19 (SAFE DISTANCING) (JERSEY) REGULATIONS 2020¹

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 15 October 2021 to 30 April 2022



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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

- (1) In these Regulations –
- “home” means a residential unit, within the meaning of the [Residential Tenancy \(Jersey\) Law 2011](#), in which a person resides, and includes any associated garden, yard or other outdoor space to which the public do not have access without permission;
 - “household” means one or more persons who reside in the same home, and a person is from another household in relation to another person if they do not both reside in the same home;
 - “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) Nothing in these Regulations is to be read as limiting the power to make an Order under Regulation 5 of the [Covid-19 \(Screening, Assessment and Isolation\) \(Jersey\) Regulations 2020](#).

2 Safe distancing

- (1) For the purpose of this Regulation a person breaches safe distancing if the person gathers at less than 2 metres with one or more other persons who are from one or more other households, when no exception in or under paragraph (3) applies.
- (2) ²
- (3) The exceptions are –
- (a) if the person is in –
 - (i) that person’s home or another person’s home,
 - (ii) a workplace, within meaning of the [Covid-19 \(Workplace Restrictions\) \(Jersey\) Regulations 2020](#), or

- (iii) a construction site, within the meaning of the [Covid-19 \(Construction Work\) \(Jersey\) Regulations 2020](#);
 - (b) if the person is required to breach safe distancing to fulfil a legal obligation;
 - (c) if the persons who gather do so –
 - (i) to enable the provision of medical attention, or
 - (ii) in an emergency, to avoid a risk of harm to any person or of substantial damage to any property, when that emergency requires those persons to breach safe distancing;
 - (d) any other exception provided for by Order by the Minister after consulting the Medical Officer of Health.
- (4) An Order under paragraph (3)(d) may include consequential amendments to Regulation 1(1).
- (5) This Regulation is subject to any Order made under Regulation 6(4).

3 Responsibility for children

- (1) ³
- (2) For the purpose of paragraph (1) –
- (a) “child” means a person under the age of 18;
 - (b) an individual has responsibility for a child if –
 - (i) the individual has custody or charge of the child for the time being, or
 - (ii) the individual has parental responsibility, within the meaning of the [Children \(Jersey\) Law 2002](#), for the child; and
 - (c) safe distancing has the meaning given by Regulation 2(1).
- (3) This Regulation is subject to any Order made under Regulation 6(4).

4 Summary fine

- (1) A Centenier may summarily inflict and levy a fine of level 1 on the standard scale on a person if –
- (a) the person is charged with an offence under these Regulations;
 - (b) the Centenier has jurisdiction in relation to that offence; and
 - (c) the person accepts the decision of the Centenier.
- (2) If a Centenier levies a fine under this Regulation –
- (a) the Centenier must give a receipt for it;
 - (b) the Centenier must as soon as reasonably practicable inform the Chief Officer of the States Police Force of the details of the fine; and
 - (c) one half of the fine is to be retained by the parish in which the offence was committed and the other half is to be paid into the consolidated fund.

5 Review, reporting, amendment and repeal

- (1) The Minister must keep the operation of these Regulations under review.

- (2) The Medical Officer of Health must report to the Minister, at intervals of no more than 14 days, on –
 - (a) whether, since the last report, there is any change (by way of decrease, increase or otherwise) in the risk of the spread of Covid-19 in Jersey;
 - (b) whether there is a foreseeable likelihood of any such change to that risk in the next 14 days; and
 - (c) whether any such change or likelihood leads the Medical Officer of Health to recommend that the Minister should consider taking any action under paragraph (5).
- (3) The Minister must, within a reasonable period after receiving a report under paragraph (2) –
 - (a) if the report contains a recommendation to consider action under paragraph (5), prepare a statement of the Minister's response to that recommendation; and
 - (b) lay the report, and the statement (if any), before the Assembly.
- (4) The condition for the purpose of paragraph (5) is that the Minister is satisfied, after consulting the Council of Ministers, and after considering a report under paragraph (2) or otherwise after consulting the Medical Officer of Health, that it is no longer necessary and proportionate for the purpose of reducing the foreseeable risk of the spread of Covid-19 in Jersey for persons to be subject to criminal sanction for failure to comply with the requirements of Regulation 2 or 3.⁴
- (5) If the condition in paragraph (4) is met, the Minister must –
 - (a) make an Order under Regulation 6(4) in relation to Regulations 2(2) and 3(1); or
 - (b) bring a proposition to the Assembly to amend either or both of Regulations 2 and 3, or to repeal these Regulations in their entirety.

6 Citation, duration and suspension

- (1) These Regulations may be cited as the Covid-19 (Safe Distancing) (Jersey) Regulations 2020.
- (2) These Regulations come into force immediately after the end of the period of restricted movement under the Covid-19 (Restricted Movement) (Jersey) Order 2020.
- (3) These Regulations expire at the end of 30th April 2022.⁵
- (4) The Minister may, by Order, suspend the effect of Regulations 2(2) and 3(1) –
 - (a) permanently, until these Regulations expire;
 - (b) indefinitely, until the Order is revoked;
 - (c) for a period specified in the Order; or
 - (d) for a period to be determined in any manner specified in the Order.
- (4A) The effect of Regulation 5 is suspended whenever the effect of Regulations 2(2) and 3(1) is suspended under paragraph (4).⁶
- (4B) Before making an Order to revoke an Order made under paragraph (4), 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 revoke the Order.⁷
- (5) Nothing in an Order under paragraph (4) is to be treated as derogating from paragraph (3).

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Project No (where applicable)
Covid-19 (Safe Distancing) (Jersey) Regulations 2020	R&O.76/2020	29 May 2020	P.66/2020
Covid-19 (Safe Distancing – Suspension) (Jersey) Order 2020	R&O.88/2020	26 June 2020	
Covid-19 (Amendments – Extension, Suspension and Repeal) (Jersey) Regulations 2020	R&O.115/2020	30 September 2020	P.103/2020
Covid-19 (Safe Distancing – Exception and Revocation of Suspension) (Jersey) Order 2020	R&O.158/2020	4 December 2020	
Covid-19 (Safe Distancing – Suspension No. 2) (Jersey) Order 2021	R&O.47/2021	12 April 2021	
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 Reference

¹	<i>These Regulations were expired by Regulation 6(3) on 30 April 2022</i>
² Regulation 2(2)	<i>suspended by R&O.88/2020, suspension revoked by R&O.158/2020, suspended by R&O.47/2021</i>
³ Regulation 3(1)	<i>suspended by R&O.88/2020, suspension revoked by R&O.158/2020, suspended by R&O.47/2021</i>
⁴ Regulation 5(4)	<i>amended by R&O.115/2020</i>
⁵ Regulation 6(3)	<i>amended by R&O.115/2020, R&O.52/2021, R&O.127/2021</i>
⁶ Regulation 6(4A)	<i>inserted by R&O.115/2020</i>
⁷ Regulation 6(4B)	<i>inserted by R&O.115/2020</i>