



HM Government
of Gibraltar

COVID-19 MEASURES

21st August 2020

GUIDANCE NOTE

CIVIL CONTINGENCIES ACT 2007

CORONAVIRUS (BUSINESSES AND RESTRICTIONS) (NO.3) REGULATIONS 2020

Introduction.

In Gibraltar, we all need to do what we can to reduce the spread of the COVID-19 virus. This is why laws have recently been made which are intended to promote the use of masks so as to lower the risk that the virus can spread and infect vulnerable individuals in Gibraltar.

What are the changes for retail shops?

There will be an obligation on the public to wear a mask when they are on the premises of a retail shop unless they have a reasonable excuse to not do so or one of the exceptions apply.

There will also be a requirement on the person responsible for carrying on a business as a retail shop to ensure that no person will be allowed to enter or remain on their premises unless they are wearing a mask or they have a reasonable excuse for not doing so or one of the exceptions apply.

What does a retail shop include?

For the purposes of the Regulations, the following are a non-exhaustive list of examples of what would be a retail shop. These include but are not limited to a supermarket, grocery store, confectionery, butcher, fishmonger, health shop, perfume shop, electronics shop, clothes shops and shoe shops.

What are the changes for medical and health services?

There will also be an obligation on the public to wear a mask when they are on the premises of a business that provides dental services, opticians, chiropractors, osteopaths or other medical or health services unless they have a reasonable excuse for not doing so or one of the exceptions apply.

Takeaways.

The Regulations already deal with restaurants, cafeterias and bars and there is no change with regard to these if you are going to any of these places to consume food or drink on their premises.

In addition to the changes mentioned above, the Regulations introduce new requirements with regard to establishments that sell food or drink for consumption off their premises. This applies to takeaways as well as restaurants, cafeterias and bars that offer a takeaway service.

There will be a requirement for anyone who and is going to the premises to order, pay or collect any food or drink which is to be consumed off the premises to wear a mask whilst they are there. This requirement will only apply to internal areas of the premises and not to any outdoor area or terrace.

Exceptions and reasonable excuses.

The standard exceptions and reasonable excuses that apply throughout the Regulations will apply to the businesses mentioned above. They are as follows–

- (a) Exceptions are–
 - (i) a child who is under the age of 11;
 - (ii) a police officer acting in the course of his duty; and
 - (iii) an emergency responder acting in their capacity as an emergency responder.
- (b) A reasonable excuse includes when a person–
 - (i) cannot put on, wear or remove a mask because of any physical or mental illness or impairment or disability;
 - (ii) is travelling with or providing assistance to another person and they rely on lip reading to communicate with that person; or
 - (iii) is travelling to avoid injury, or to escape a risk of harm and does not have a mask with them.

What happens if you break the rules?

In addition to placing yourself and others at greater risk of catching the virus, failing to comply with the Regulations could lead to receiving a fixed penalty notice of £100 or a fine of up to £10,000 being imposed if proven in court.

What about businesses that are not mentioned in the Regulations?

Any business that does not fall within the scope of these Regulations but wishes to apply the restrictions may do so through their own internal procedures, however please be advised that those procedures will not be enforceable by these Regulations.