

DIRECTION NO. 5 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 or expanded bubble arrangement,
 - (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 or expanded bubble arrangement) 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 of up to 5 persons,

- (ii) takes place outdoors and not within the confines of a dwelling or any other premises, and
 - (iii) involves the maintenance of social distancing by persons attending the event, gathering or meeting,
- (f) where the event, gathering or meeting –
- (i) consists only –
 - (A) of members of 2 households, or
 - (B) of members of 2 households plus any child subject to shared caring arrangements involving another household, and
 - (ii) takes place in a dwelling, occupied by one or other of the households concerned, in accordance with –
 - (A) an exclusive expanded bubble arrangement, 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 an exclusive expanded bubble arrangement, or
- (g) 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 and its Annexes –

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 expanded bubble arrangement**" has the meaning set out in 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,

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,

"**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 person**" means –

- (a) a police officer, and
- (b) in relation to a public transport service, includes –
 - (i) the operator of the service, or
 - (ii) any employee or agent of the operator who is authorised by the operator for the purpose of this Direction,

"**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 Directions No. 3 and No. 4 of 2021.

(1) Direction No. 3 of 2021 made by the Authority on Thursday 11th February, 2021 and Direction No. 4 of 2021 made by the Authority on 16th February 2021 are revoked.

(2) Anything done under or for the purposes of Direction No. 3 as varied by Direction No. 4 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. 3 as varied by Direction No. 4 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.

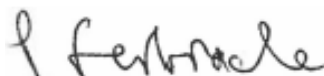
7. Application.

This Direction applies throughout the Bailiwick.

8. Commencement and duration.

- (1) This Direction commences –
 - (a) in relation to Alderney and Sark, as from Thursday 18th February, 2021, and
 - (b) in relation to Guernsey as from Monday 22nd February, 2021.
- (2) This Direction ceases to have effect at 2359 hours on Friday 26th February, 2021.

Dated this 18th day of February, 2021



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, States Members on States premises for the purpose of attending remote meetings of the States of Deliberation and those involved in low risk activities 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 and/or conditions 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.

4. Low risk activities (10 outdoor/5 indoor workers) involving no public contact

- (1) Workers –
 - (a) working on or in any building or work sites or premises, in circumstances where they have no direct or close physical contact with members of the public, and
 - (b) subject to the measures and conditions set out in subparagraph (2).

- (2) The measures and conditions are –
- (a) the works usually undertaken by the persons attending cannot be carried out satisfactorily without their attendance at the building, work site or premises (i.e. cannot be carried out satisfactorily by remote means),
 - (b) the number of workers in or on any building, work site or premises (not including any regulatory official) does not exceed –
 - (i) 10, where the building, site or premises are an outdoor location, and
 - (ii) 5, where the building, site or premises are an indoor location,
 - (c) adequate and a sufficient number of handwashing facilities and/or hand sanitisers are available for use by workers on or in any building, site or premises,
 - (d) deliveries to or from the building, site or premises concerned are undertaken in accordance with the requirements set out in the Second Annex, and
 - (e) 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, environmental health or similar function.

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. Essential emergency home and building repair and maintenance

An event, gathering or meeting on any premises attended by plumbers, electricians, roofers, scaffolders and all others ("**repair and maintenance personnel**") for the purpose of providing reasonably and necessarily required essential emergency home and building repair

and maintenance services.

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

An event, gathering or meeting attended by Members of the States on premises owned or occupied by the States of Guernsey for the purpose of attending remote meetings of the States of Deliberation.

6. Low risk activities (10 outdoor/5 indoor workers) involving no public contact

(1) An event, gathering or meeting in or on any building or work site or premises attended by workers –

- (a) in circumstances where they have no direct or close physical contact with members of the public, and
- (b) subject to the measures and conditions set out in subparagraph (2).

(2) The measures and conditions are –

- (a) the works usually undertaken by the persons attending cannot be carried out satisfactorily without their attendance at the building, work site or premises (i.e. cannot be carried out satisfactorily by remote means),
- (b) the number of workers on or in any building, work site or premises (not including any regulatory official) does not exceed –
 - (i) 10, where the building, site or premises are an outdoor location, and
 - (ii) 5, where the building, site or premises are an indoor location,
- (c) adequate and a sufficient number of handwashing facilities and/or hand sanitisers are available for use by workers on or in any building, site or premises,
- (d) deliveries to and/or from the building, site or premises concerned are undertaken in accordance with the requirements set out in the Second Annex, and
- (e) 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, environmental health or similar function.

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

Exclusive expanded bubble arrangement

Paragraph 5

1. Subject to the following paragraphs of this Annex, an exclusive expanded 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, for the purpose of maintaining familial or friendship connections and/or enabling the provision of care or support for 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 Part I of the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021, or any regulations amending or replacing those Regulations ("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 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 Part I of the Emergency Powers Regulations, or exhibits symptoms of COVID-19.

4. If an exclusive expanded 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.

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.

(3) The exceptions from the requirement to wear a face covering provided in paragraph 1(2)(b) or (c) do not apply to any person who, when acting in the course of their employment or providing services under arrangements made with the person responsible for any relevant premises, is in any part of the relevant premises which are open to the public, and comes or is likely to come within close contact of any member of the public.

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, and
- (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

Explanatory Note

Direction No. 5 is made by the Civil Contingencies Authority ("the Authority") on 18th February, 2021 further to powers conferred on it by the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021 as made by the 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. Its intent is to give effect to Stage 1 of the exit from the "lockdown" which was put in place on 23rd January, 2021 following detection of new cases of infection with the Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19. The principal purpose of the Direction however remains prevention of the further introduction and spread within the Bailiwick of the virus.

In brief summary, the Direction prohibits persons from entering and remaining on certain premises as set out in Part 1 of the First Annex to the Direction (see numbered section 1 below), prohibits persons from attending events, gatherings and meetings of more than 2 persons (see numbered section 2 below) and provides for the compulsory wearing of face coverings (see numbered section 9 below).

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 and 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 Annex, 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 or lone workers are present for the purposes of their work and subject to the requirements set out in the Second Annex 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 23rd January, 2021,

- (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 Authority or the Medical Officer of Health for such purpose and for such duration as the Authority 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 Third Annex.

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 of the Direction.

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 or expanded bubble arrangement, 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 Fourth Annex to the Direction and consists of the persons described in the Fifth Annex and which involves the maintenance of social distancing and the provision of adequate handwashing facilities,
- (e) where the event, gathering or meeting consists of up to 5 persons, takes place outdoors and not within the confines of a dwelling or any other premises and involves the maintenance of social distancing by persons attending the event, gathering or meeting,
- (f) where the event, gathering or meeting consists only of members of up to 2 households, or of up to 2 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 Annex) and any relevant guidance, advice or other measures as published by the Authority or Medical Officer of Health, or
- (g) 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. The Second Annex sets out a list of measures that must be observed by individuals whilst undertaking delivery work.

5. The Third Annex incorporates into the Direction, four 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) people attending funerals (subject to a limit of 10 individuals plus essential workers and officials), (3) Members of the States who enter and remain on States' premises for the purposes of attending remote meetings of the States of Deliberation and (4) workers working on or in sites or premises, in circumstances where they have no direct or close physical contact with members of the public, and subject to additional conditions, which include a limit on the numbers of workers involved of up to 10, where the site or premises are an outdoor location, and 5, where the site or premises are an indoor location.

6. The Fourth Annex 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 events, 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 Annex, 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,
- plumbers, electricians, roofers, scaffolders and others workers on premises for the purpose of providing reasonably and necessarily required essential emergency home and building repair and maintenance services,
- Members of the States on premises owned or occupied by the States of Guernsey for the purpose of attending remote meetings of the States of Deliberation,
- workers working on or in sites or premises, in circumstances where they have no direct or close physical contact with members of the public, and subject to additional conditions, which include a limit on the numbers of workers involved of up to 10, where the site or premises are an outdoor location, and 5, where the site or premises are an indoor location.

In each case the disapplication under the Fourth Annex applies in conjunction with and subject to guidance issued by the Authority or Medical Officer of Health.

7. The Fifth Annex to the Direction contains the list of "essential workers".

8. The Sixth Annex sets out the definition of "an exclusive expanded bubble arrangement" which, in broad and simple terms, is an arrangement made between up to 2 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 Seventh Annex deals with the compulsory wearing of face coverings. Subject to the exceptions set out in the Annex no person may, without reasonable excuse enter or remain within relevant premises or use a public transport service without wearing a face covering.

The Annex also lists circumstances that constitute a reasonable excuse. Relevant premises where wearing is compulsory are listed in Part 2 of the Annex.

10. The Direction revokes Direction No. 3 of 2021 made by the Authority on Thursday 11th February, 2021 and Direction No. 4 of 2021 made by the Authority on 16th February 2021

11. The Direction applies throughout the Bailiwick. However its provisions take effect at different times in relation to Alderney and Sark (where it commences on Thursday 18th February, 2021), and in relation to Guernsey (where it commences on Monday 22nd February, 2021). It ceases to have effect at 2359 hours on Friday 26th February, 2021.