

Public Health (COVID-19 Prevention, Containment and Treatment)
(National Lockdown) (Amendment) Order, 2020 (No. 8)

Preamble: Further Extension of the National Lockdown

WHEREAS a State of Disaster in connection with the COVID-19 formidable epidemic disease was declared in the 23rd March, 2020, by Statutory Instrument 76 of 2020;

AND WHEREAS the Minister of Health has, in terms of section 3 the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 (published in Statutory Instrument 77 of 2020) declared the COVID-19 disease to be a formidable epidemic disease;

AND WHEREAS the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020, was published on the 29th March, 2020 in Statutory Instrument 83 of 2020, declaring a national lockdown to contain the spread of the COVID-19 formidable epidemic disease with effect from the 30th March, 2020, to the 19th April, 2020, which period was extended to the 3rd May, 2020, by Statutory Instrument 93 of 2020 and further extended to the 17th May, 2020 by Statutory Instrument 99 of 2020;

AND WHEREAS it has become necessary to extend the national lockdown for an indefinite period, subject to fortnightly review from the 31st May, 2020, while providing for a limited relaxation of the lockdown further to the one specified in Statutory Instrument 94 of 2020;

NOW THEREFORE IT is hereby notified that the Minister of Health has, in terms of section 8(1) of the Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 (published in Statutory Instrument 77 of 2020) made the following order:—

1. This order may be cited as the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 8).

2. The Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order, 2020, published in Statutory Instrument 83 of 2020 (hereinafter called “the principal order”), is amended in section 2 (“Interpretation”)—

Public Health (COVID-19 Prevention, Containment and Treatment)
(National Lockdown) (Amendment) Order, 2020 (No. 8)

- (a) in the definition of “essential service” by the insertion of the following paragraph after paragraph (u)—
 - “(v) the conducting of public examinations at schools, colleges, universities or other tertiary education institutions in accordance with circulars issued by the Ministries responsible for primary, secondary, tertiary or technical education;”.
- (b) by the insertion of the following definition—
 - ““outdoor exercise” means—
 - (a) walking or jogging along a public thoroughfare, in public parks or other open public spaces where persons may walk or jog for exercise, or at a sporting or recreational establishment (whether restricted to members or open to the public, but not including, subject to section 11G, gymnastic clubs);
 - (b) cycling, or walking or jogging along a public thoroughfare accompanied by one’s dog or dogs, in public parks or other open public spaces where persons may cycle, or walk or jog for exercise accompanied by one’s dog or dogs”.

3. Section 4 (“National lockdown”) of the principal order is amended in subsection (1)—

- (a) by the deletion of “for the period from the 30th March, 2020, to the 17th May, 2020” and the substitution of “for the period from the 30th March, 2020, to an indefinite date subject to fortnightly review from the 31st May, 2020 onwards”;
- (b) in paragraph (a) by the insertion of the following subparagraph after subparagraph (iv)—
 - “(v) for the purpose of outdoor exercise, alone or in pairs or in a group not exceeding fifty persons (who must each observe the social distancing rule and wear a face mask)”.

4. Section 5 (“Prohibition of gatherings”)(1) of the principal order is amended by the deletion of “for the period from the 4th April, 2020, to the 17th May, 2020, no gathering of more than fifty individuals” and the substitution of “for the period from the 18th May, 2020, to an indefinite date subject to fortnightly review from the 31st May, 2020 onwards, no gathering of more than fifty individuals”.

5. The principal order is amended by the repeal of section 11D and the substitution of—

“Application of Part IIIB

11D. This Part applies to businesses in the formal commercial and industrial sector that are not essential services or are not businesses of a type governed by Part IIIA and to the engagement in low-risk sports in any public place or place to which members of the public have access.”.

6. Section 11E (“Interpretation”) of the principal order is amended by the insertion of the following definitions—

““associated sport staff” means any coach, official, or other person required to enable athletes to compete in low-risk risk sports;

“low-risk sport” means archery, swimming, athletics, rowing, cycling, equestrian events, fencing, golf, gymnastics, motor sports/BMX, shooting, tennis, chess, darts, drafts or pool;

“Part IIB exempted athletes and associated sport staff” means athletes and associated sport staff competing or assisting in any low-risk risk sports;

“PPEs” personal protective apparel, materials and equipment as defined in section 3 of the Public Health (Standards for Personal Protective Apparel, Materials and Equipment) Regulations, 2020;

“spectator”, in relation to a venue where any low-risk sports event takes place, includes every person who is not an athlete or member of the associated sport staff;”.

7. Section 11F (“Part IIIB Exempted persons”) of the principal order is amended by the repeal of subsection (3) and the substitution of—

“(3) Except for good cause shown to an enforcement officer a business in the formal commercial and industrial sector must open for business no earlier than 0800 hours and close no later than 1630 hours.”.

8. The principal order is amended in Part IIIB by the insertion of the following section after section 11F—

“Additional Part IIIB Exempted persons: low-risk sportspersons

11G. (1) With effect from the 18th May, 2020, athletes competing in low-risk sports, together with their associated sport staff, shall be regarded as belonging to the class of Part IIIB exempted persons on the same basis (bust subject to this section) as those referred to in section 11F.

(2) Except for good cause shown in advance to an enforcement officer—

- (a) venues at which low-risk sports take place must not be open earlier than 0800 hours or later than 1630 hours;
- (b) no gathering of spectators in excess of fifty persons is permitted at any venues at which low-risk sports events take place.

(3) At any venue where a low-risk sport event takes place—

- (a) every athlete and member of the associated sport staff must, before competing, submit to temperature checks and, before, after and between completions, sanitise their hands;
- (b) every athlete, member of the associated sport staff must, and spectator must observe the social distancing rule and (in the case of spectators) wear face masks;
- (c) the following items must not be shared among or between athletes and members of the associated sport staff—
 - (i) personal and sports equipment and apparel, towels and other laundry;

- (ii) consumables and receptacles thereof, such as water bottles and cups;
- (iii) PPEs in the form of face masks, tissues or wipes;
- (d) PPEs in the form of face masks, tissues, wipes and alcohol-based sanitizer must be available for distribution to athletes and members of the associated sport staff;
- (e) PPEs for distribution to athletes and members of the associated sport staff must be safely stored before use in closed containers and disposed of safely after use;
- (f) gloves must be worn by every member of the associated sport staff handling sports equipment and apparel, towels and other laundry, and by every athlete if there is any risk of physical contact with other athletes or members of the associated sport staff;
- (g) spectators must observe the social distancing rule, wear face masks, submit to temperature checks on entry to the venue and on such entry have their hands sanitised, and must be afforded the facility of sanitising their hands at any location in the venue designated for that purpose;
- (h) no liquor shall be served or offered for sale.

(4) Persons competing in or spectating at a venue where low-risk sports take place, or who are members of the associated sport staff at that venue, shall comply with any direction of an enforcement officer—

- (a) to submit to screening and testing for the COVID-19 disease;
- (b) at all times to observe the applicable provisions of this section;
- (c) to disperse and return home where the applicable provisions of this section are not being observed.

(5) Any enforcement officer shall in the course of any low-risk sports event have free and unhindered access to the venue

where it is taking place to ensure that the appropriate provisions of this order are being complied with.

(6) Any person who fails to comply with an order of an enforcement officer given under this section, or who hinders or obstructs an enforcement officer from having the access referred to in subsection (5), shall be guilty of an offence and liable to fine not exceeding level twelve or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.”.