



## **FAQ's COVID 19- Government Measures**

### **1. Which businesses have to close?**

The Civil Contingencies Emergency (Coronavirus)(Catering and Other Establishments) Regulations 2020 were amended on the 22 March. Regulation 4 of these Regulations provides that the following establishments must at all times remain closed to any member of the public as of the 24th March 2020 (0000 hours 24 March):

- restaurants;
- bars;
- cafeterias;
- nightclubs;
- gymnasiums;
- retail shops;
- other establishments that may be designated by Gazette.

If a business is found to be operating contrary to these regulations, not only is it a risk and prejudicial to public health but offenders may be liable to a fine of up to £10,000.

However, it is not prevented that any establishment operates a kitchen for the sale or supply of food and beverages to consumers for consumption off the premises (takeaway meal or home delivery service provider) ("the Takeaway Rule").

As a result, it would appear that businesses that do not involve a retail element, subject to the Takeaway Rule, such as remote services would not infringe upon these regulations.

Separate to this Regulation 5A provides that all construction sites and sites used for shipbuilding and repair must at all times remain closed as of 24th March 0000 hours unless the Chief Technical Officer authorises them to operate otherwise.

### **2. Which businesses are considered to be essential and can remain open?**

For example, what about cleaning companies?

It appears at present cleaning companies are not included in the list of companies asked to close. Social distancing and common sense rules must be applied and communicated to all staff.

For example, what about office supply distributors?

Retail outlets must close. However, as offices are allowed to remain open and operational it is assumed these offices will require supplies. Unless notified otherwise we suggest that if possible you provide an online or phone line service with delivery while still taking into account the request to adhere to common sense and social distancing.

### **3. Which businesses can remain open?**



As of 00:00 on Tuesday 23rd March, until further notice, you can go to work as long as you are not in the retail trade.

- Supermarkets,
- Grocery stores,
- Pharmacies and
- Chemists will remain open.

The Hon Minister Gilbert Licudi QC during the 23 March 4pm Press Conference mentioned that maintenance services such as repairing boilers or leaks can continue. Products can also continue to be sold online or on the phone.

You can go to work in your office - but please, please observe social distancing rules.

#### **4. What measures has the Chief Minister announced? - Who do these measures apply too, business sector-wise?**

For businesses in the hospitality, leisure, distributive & catering sector:

##### **Landlords**

- > Where GoG is a landlord they will waive all commercial rents for Q2 of 2020;
- > GoG will encourage private landlords to do the same (if landlords don't waive at least 50% of the rent in the same period, the private landlord will be taxed at on the gross rent due without deductions at 50%, for this quarter);
- > Tenants that don't get rent reduction will be allowed a deduction against their tax liability of three times the amount of rent paid.
- > These measures will not apply where the landlord agrees to waive rent for this quarter and extends the lease for three months

##### **Business Rates**

- > GoG will waive all business rates for Q2 2020;

##### **Water & Electricity**

- > GoG will defer water and electricity for the month of April and be allowed to pay evenly over following 12 month period without penalty;

##### **Telecomms Providers**

- > Telecomms providers are being asked to consider similar measures for such businesses;

##### **PAYE**

- > Payment of salaries will not attract any PAYE, or employer or employee PAYE or social insurance contributions for the month of April.



> A stock purchase scheme will be introduced whereby catering establishments can sell to the Government perishable stock that the Government can use in its own catering facilities.

**All other sectors:**

**PAYE & SI**

> Employers of all other sectors will be allowed to defer payments of PAYE and SI for Q2 2020 by 8 weeks from due date – this effectively means that businesses can avail themselves of a deferral of ten weeks after the month end during this second quarter of 2020;

The purpose of the deferral is to allow employers to continue paying salaries for as long as possible;

**Import Duty**

> Import duties are currently waived on all goods except for tobacco, fuel and alcohol until further notice;

**Employment Services**

- > There will be a streamlined online work permit & Employment Service process.
- > There will be no Employment Service fees to register employees in all sectors during Q2.
- > Financial Services businesses annual fees (due 1 April) not payable in advance but can be paid quarterly in advance.

**5. Border restrictions. What do my employees need to cross the border?**

EU nationals wanting to cross the Gibraltar / Spanish border under the COVID-19 Spanish measures are required by the Spanish Authorities to present the following documents at the border check:

- Contract of employment
- ID or passport
- Certificado de Registro de Ciudadanos de la Union

For those not in possession of the Certificado de Registro de Ciudadanos you will require the following documents:

- Passport and a photocopy of the Passport
- 'S1' Certificate. The 'S1' certificate can be obtained from the Income Tax Office - [sicontributions@gibraltar.gov.gi](mailto:sicontributions@gibraltar.gov.gi)
- Work contract (the contract has to be translated into the Spanish language by your employer. It has to be certified by your employer as a true document)



The documents under (paragraph 2) have to be presented to the designated Policia Nacional Station. Please contact the Policia Nacional for further guidance.

For further information go to

<http://extranjeros.mitramiss.gob.es/es/InformacionInteres/InformacionProcedimientos/CiudadanosComunitarios/hoja102/index.html#documentacion>

#### **6. Are the Self-employed and sole traders entitled to any assistance?**

In his press conference on Sunday 22nd March 2020 the Chief Minister stated as follows:

- GOG is designing economic packages to help.
- The Chief Minister has discussed this with the Spanish Minister of the Interior, Sr. Fernandez Grande-Marlaska.
- The Covid Emergency Liaison and Advisory Committee will design a package to provide a shield for businesses and for workers.
- Aim to include all sectors and businesses

#### **7. Will business and/or residential service charges be waived?**

We do not have confirmation of this at the moment.

#### **8. Who is entitled to Unemployment benefit Locally and in Spanish?**

Where a worker is entitled to claim benefits will be dependent on where they registered as a resident. The entitlement to benefits will depend on the measures the government put in place in this situation. We will notify our members as soon as we are aware of the new measures allowing for benefits to be claimed.

#### **9. How do they claim unemployment benefits if they do not have a termination of contract?**

There is not currently a system for this in place but The Chief Minister has confirmed that the most important help the GOG will deploy as soon as possible will be a measure to pause employment and allow individuals to claim unemployment benefit as a result. We will notify members as soon as we know more.