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No. S 309

COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) (CONTROL ORDER) (AMENDMENT NO. 7) REGULATIONS 2021

In exercise of the powers conferred by section 34(1) of the COVID-19 (Temporary Measures) Act 2020, the Minister for Health makes the following Regulations:

Citation and commencement

1. These Regulations are the COVID-19 (Temporary Measures) (Control Order) (Amendment No. 7) Regulations 2021 and come into operation on 8 May 2021.

Amendment of regulation 2

2. Regulation 2(1) of the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020) (called in these Regulations the principal Regulations) is amended —

- (a) by deleting “8” in paragraphs (aa)(i)(A) and (f) of the definition of “maximum permissible group size” and substituting in each case “5”; and
- (b) by deleting “50” in paragraph (b)(i) of the definition of “maximum permissible group size” and substituting “30”.

Miscellaneous amendment on cohort size

3. The principal Regulations are amended by deleting “8” wherever it appears in the following provisions and substituting in each case “5”:

Regulation 4(4)(a)

Regulation 6(1)(c)(ii)

Regulation 10AA(1)(f)(ii) and (iii)

Regulation 10B(1)(k)(i)

Regulation 12(1)(a)(ii)

Regulation 13E(1)(da)(i)

Amendment of regulation 7A

4. Regulation 7A(2A) of the principal Regulations is amended —
- (a) by deleting “8” in sub-paragraphs (b)(ii) and (f)(ii) and (iii) and substituting in each case “5”; and
 - (b) by deleting “98” in sub-paragraph (ca) and substituting “48”.

Amendment of regulation 8

5. Regulation 8(1) of the principal Regulations is amended —
- (a) by deleting “8” in sub-paragraphs (c)(ii) and (g)(ii) and (iii) and substituting in each case “5”; and
 - (b) by deleting “98” in sub-paragraph (cc) and substituting “48”.

Amendment of regulation 13

6. Regulation 13 of the principal Regulations is amended —
- (a) by deleting the word “retail” wherever it appears in paragraph (1)(d); and
 - (b) by inserting, immediately after the definition of “function centre” in paragraph (3), the following definitions:
 - ““high-intensity physical exercise” means engaging in or playing a game involving —
 - (a) any weights or strength or resistance training; or

(b) any exercise, fitness activity or fitness-related activity —

(i) that involves primarily the exercise of physical prowess or dexterity, physical strength or physical stamina; and

(ii) that the wearing of a mask when undertaking that activity is unsafe, or is not reasonably practicable, for an ordinarily fit individual;

“high-risk recreational facility” means any premises that is or may be made available in the course of any business for use, or is otherwise operated, predominantly as —

(a) an indoor gymnasium;

(b) an indoor fitness training facility;

(c) a yoga studio or pilates studio; or

(d) a dance studio or barre or spin facility;”.

Amendment of regulation 13D

7. Regulation 13D(2) of the principal Regulations is amended by deleting “75%” and substituting “50%”.

Amendment of regulation 13F

8. Regulation 13F of the principal Regulations is amended —

(a) by deleting “8” wherever it appears in the “*Examples of impermissible gatherings*” in paragraph (1) and substituting in each case “5”; and

(b) by deleting “8” in paragraphs (3)(e)(ii)(A) and (3A)(c) and substituting in each case “5”.

Amendment of First Schedule

9.—(1) Part 4 of the First Schedule to the principal Regulations is amended —

- (a) by deleting the words “, health studio” in paragraph 1(b)(i) and substituting the words “or other high-risk recreational facility, martial art or combat sport training space”;
- (b) by inserting, immediately after paragraph 1, the following paragraph:

“1A.—(1) A permitted enterprise that provides an authorised service described in paragraph 1(a) and (b) or otherwise, and which owns, or has charge, management or control of, a high-risk recreational facility, must —

- (a) ensure that any customer, visitor or permitted enterprise worker present within the high-risk recreational facility —
 - (i) does not carry on any high-intensity physical exercise; and
 - (ii) carries on any other exercise, fitness activity or fitness-related activity only when wearing a mask, regardless of regulations 3A and 13E(1)(ab);
- (b) take (or cause to be taken) all reasonably practicable steps to ensure that —
 - (i) every cohort of customers, visitors or permitted enterprise workers allowed to enter or remain in the high-risk recreational facility consists of not more than 5 individuals at any time, despite regulation 10B(1)(n); and
 - (ii) every customer, visitor or permitted enterprise worker who enters the high-risk recreational facility to carry on any exercise, fitness activity or any fitness-related activity within that facility, does not remain within the high-risk recreational facility for more than 120 minutes after first entering;
- (c) take (or cause to be taken) all reasonably practicable steps to ensure that, when any exercise, fitness activity or fitness-related activity allowed under

sub-paragraph (a) is carried on by any customer, visitor or permitted enterprise worker within the high-risk recreational facility, there is maintained a distance of —

- (i) at least 2 metres between any 2 individuals (whether customers, visitors or permitted enterprise workers) engaging in any such exercise, fitness activity or fitness-related activity; and
- (ii) at least 3 metres between every member of a cohort of customers or visitors or permitted enterprise workers (or combination thereof) engaging in any such exercise, fitness activity or fitness-related activity from any other individual who is alone, or any other individual who is a member of another cohort, and engaging in such exercise, fitness activity or fitness-related activity,

regardless of regulations 10B(1)(k) and 13E(1)(da);

- (d) ensure that a reasonable period of time elapses (being at least 15 minutes) since the end of an earlier class or session of its customers, visitors or permitted enterprise workers (as the case may be) to allow for cleaning as described in regulation 10B(1)(i) or (ia) or 13E(1)(h) or (i) (or all) in between the earlier class or session and the start of the next class or session; and
 - (e) not provide for use within the high-risk recreational facility any exercise machines, bars, free weights, stationary bikes, treadmills and exercise mats.
- (2) To avoid doubt, this paragraph does not apply to prevent the use of the whole or any part of a high-risk recreational facility —
- (a) by dancers and choreographers for the purpose of rehearsals for a live performance in accordance with law;
 - (b) by actors using exercise equipment or engaging in high-intensity physical exercise without wearing a mask, for the sole purpose of —
 - (i) recording a film of that use or exercise for subsequent broadcast; or

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- (ii) demonstrating muscle movements for an educational purpose;
 - (c) by individuals who have a disability or require therapy, undergoing physical therapy or physical rehabilitation without wearing a mask; or
 - (d) by individuals for any purpose that involves being in a substantially seated or stationary position and that is not exercise, fitness activity or fitness-related activity.”; and

(c) by deleting “8” in paragraph 2(2)(b) and substituting “10”.

(2) Part 5 of the First Schedule to the principal Regulations is amended by inserting, immediately after paragraph 3, the following paragraph:

“4. Despite paragraph 1, a permitted enterprise that carries on an education business providing, in the course of any business, in a room or place at its permitted premises any lessons, coaching or instruction in any sporting activity or physical recreational activity (like dance or yoga), whether alone or in combination with any other activities —

- (a) must take (or cause to be taken) all reasonably practicable steps to ensure that, in respect of every class of its customers taking lessons, coaching or instruction in that sporting activity or physical recreational activity, there are present (whether or not as a student, teacher, supervisor or an instructor of the class) in the room or place not more than the lower of the following number of individuals:
 - (i) 30 individuals;
 - (ii) the maximum number of individuals which the room or place may accommodate if regulations 10B(1)(k) and 12, and paragraph 1A(1)(c) of Part 4 (if applicable) are complied with; and
- (b) if the permitted premises are a high-risk recreational facility, must comply with paragraph 1A of Part 4.”.

(3) Part 6 of the First Schedule to the principal Regulations is amended by inserting, immediately after paragraph 2, the following paragraph:

“3. A permitted enterprise carrying on, in the course of business, an activity mentioned in regulation 13(1)(f) which hires out a room or space in any part of a function centre that is otherwise not a high-risk recreational facility for

use by the hirer, in the course of the hirer's business, as an indoor gymnasium, an indoor fitness training facility, a yoga studio, pilates studio, dance studio or barre or spin facility must take (or cause to be taken) all reasonably practicable steps to ensure that the hirer agrees under the hiring agreement with the permitted enterprise to comply with the requirements of paragraph 1A of Part 4 and paragraph 4 of Part 5 as if the hirer were the permitted enterprise mentioned in paragraph 1A of Part 4 and paragraph 4 of Part 5.”.

(4) The First Schedule to the principal Regulations is amended by deleting “8” wherever it appears in paragraph 2(1) and (2)(a) of Part 2 and in paragraph 3(b) of Part 7 and substituting in each case “5”.

*[G.N. Nos. S 261/2020; S 262/2020; S 273/2020;
S 274/2020; S 319/2020; S 357/2020; S 359/2020;
S 428/2020; S 473/2020; S 542/2020; S 669/2020;
S 698/2020; S 721/2020; S 782/2020; S 816/2020;
S 868/2020; S 900/2020; S 928/2020; S 983/2020;
S 1070/2020; S 16/2021; S 40/2021; S 88/2021;
S 238/2021; S 275/2021; S 299/2021]*

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(To be presented to Parliament under section 34(4) of the COVID-19 (Temporary Measures) Act 2020).