

GUERNSEY STATUTORY INSTRUMENT

2020 No.

**The Emergency Powers (Coronavirus) (Population Management and Miscellaneous Provision) (Bailiwick of Guernsey) Regulations, 2020**

<i>Made</i>	<i>25<sup>th</sup> March, 2020</i>
<i>Coming into operation</i>	<i>25<sup>th</sup> March, 2020</i>
<i>Laid before the States</i>	<i>, 2020</i>

**WHEREAS** there are one or more persons within the Bailiwick who are or may be infected with Severe Acute Respiratory Syndrome Coronavirus 2, resulting in the occurrence of an emergency within the meaning of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012<sup>a</sup> ("**the Law**");

**AND WHEREAS** the Civil Contingencies Authority ("**the Authority**") (having consulted the Medical Officer of Health in respect of the risk to public health created thereby and by the spread of COVID-19, and the measures necessary to prevent or slow the spread of infection) is satisfied that the conditions set out in section 13 of the Law are satisfied, and that the following regulations contain only provisions which are appropriate for and proportionate to the purpose of preventing, controlling or mitigating the emergency referred to above;

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<sup>a</sup> Order in Council No. XIV of 2012; amended by Ordinance No. IX of 2016; No. II of 2017.

**AND WHEREAS** the Authority is satisfied that the effect of the following regulations is in due proportion to that emergency, and that they are compatible with the Convention rights within the meaning of section 1 of the Human Rights (Bailiwick of Guernsey) Law, 2000<sup>b</sup>;

**NOW THEREFORE THE AUTHORITY**, in exercise of the powers conferred upon it by sections 12(1), 14 and 19 of the Law, and of all other powers enabling it in that behalf, hereby makes the following regulations: -

*Population Management*

**Population Management Law: Employment Permits.**

1. (1) The holder of a -
  - (a) Long Term Employment Permit,
  - (b) Medium Term Employment Permit, or
  - (c) Short Term Employment Permit

granted by the Administrator under the Population Management Law and in force at the time these Regulations are made, may, during the period of validity of that Permit-

- (i) be resident without being employed, and
- (ii) be employed by an employer other than the employer or category of employer specified for that purpose in the Permit;

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<sup>b</sup> Order in Council No. XIV of 2000; amended by No. I of 2005; Ordinance No. XXXVII of 2001; No. XXXIII of 2003; No. XX of 2015; No. IX of 2016; No. XXVI of 2018; G.S.I. No. 27 of 2006.

and the Permit (including the conditions set out therein) shall be deemed to be varied to the extent necessary to give effect to the foregoing.

(2) The provisions of the Population Management Law, any Ordinance and subordinate legislation made under that Law, and any other enactment, shall be deemed to be modified to the extent necessary to give effect to paragraph (1) and shall have effect accordingly.

(3) For the avoidance of doubt, this regulation shall not affect the period of validity of any Certificate or Permit issued or granted under the Population Management Law, nor the calculation of time for any purpose under that Law.

(4) The Administrator may issue guidance in respect of this regulation.

(5) In this regulation –

**"the Administrator"** means the Administrator of Population Management under the Population Management Law, and

**"the Population Management Law"** means the Population Management (Guernsey) Law, 2016.

*Other*

**Entry of Orders in Council etc. on the Register of the Island.**

2. For the avoidance of doubt, the Bailiff sitting alone may enter Orders of Her Majesty in Council and other instruments on the Register of the Island.

**Citation and extent.**

3. (1) These Regulations may be cited as the Emergency Powers (Coronavirus) (Population Management and Miscellaneous Provision) (Bailiwick of

Guernsey) Regulations, 2020.

(2) These Regulations shall have force in the Bailiwick of Guernsey.

**Commencement**

4. These Regulations shall come into force on being made.

Dated this 25<sup>th</sup> day of March, 2020



G.A. ST PIER

Chairman of the Civil Contingencies Authority

For and on behalf of the Authority

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are emergency regulations made by the Civil Contingencies Authority under Part 3 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 ("**the Law**"). They are made on the occurrence of an emergency, within the meaning of the Law, in the Bailiwick, arising from the urgent need to prevent the spread of the virus Severe Acute Respiratory Syndrome Coronavirus (SARS-CoV-2) and the disease caused thereby, COVID-19 (referred to together in these regulations as coronavirus). They are prefaced with a statement by the Civil Contingencies Authority, as required by section 12(2) of the Law. They provide for the deemed variance of Long Term Employment Permits, Medium Term Employment Permits and Short Term

Employment Permits, to allow the holder to be resident without being employed and to be employed by a different employer from that specified in the Permit; and for the modification of the Population Management (Guernsey) Law, 2016 and other legislation to the extent necessary to give effect to this. They also make clear, for the avoidance of doubt, that to avoid the need for the Jurats to gather together, the Bailiff sitting alone may register Orders in Council and other instruments on the Register of the Island.

These Regulations will come into force on the day they are made, 25<sup>th</sup> March.