

GUERNSEY STATUTORY INSTRUMENT

2020 No. 61

**The Emergency Powers (Coronavirus)
(General Provision) (Bailiwick of Guernsey) (No. 3)
(Amendment) Regulations, 2020**

<i>Made</i>	19 th June, 2020
<i>Coming into operation</i>	20 th June, 2020
<i>Laid before the States</i>	, 2020

WHEREAS there are one or more persons within the Bailiwick who 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^a;

AND WHEREAS one or more persons within the Bailiwick have died after being infected with Severe Acute Respiratory Syndrome Coronavirus 2;

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 Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19, and in respect of the measures necessary to

^a Order in Council No. XIV of 2012; amended by Ordinance No. IX of 2016; and No. II of 2017.

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;

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^b;

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 them in that behalf, hereby makes the following regulations: –

Amendment of the General Provision (No. 3) Regulations.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 3) Regulations, 2020^c are amended as follows.

(2) Part II (Control of Premises, Gatherings etc, and Movement of Persons), Part IV (Registration of Deaths and Still-Births), Part V (Modifications of Legislation Relating to Cremations in Guernsey) and Part VI (Parochial Meetings, Etc.) are revoked.

(3) In regulation 29 (disapplication of requirement to thoroughly

^b 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; and G.S.I. No. 27 of 2006.

^c G.S.I. No. 59 of 2020.

examine etc.) –

- (a) paragraph (3) is revoked,
- (b) in paragraphs (4) and (5), for ", (2) or (3)" substitute "or (2)",
- (c) in –
 - (i) paragraph (5) both times it appears,
 - (ii) paragraph (7), and
 - (iii) paragraph (8),

for "equipment, occupier's installation or gas appliance and flue (as the case may be)", substitute "equipment or occupier's installation (as the case may be)", and

- (d) in paragraphs (7) and (8), for "any of paragraphs (1), (2) or (3)" substitute "paragraph (1) or paragraph (2)".

(4) In regulation 31 (Court of Appeal), paragraph (1) is revoked.

(5) With the exception of regulation 34 (disapplication of section 1 of the States Reform (Guernsey) Law, 2015), Part X (States of Deliberation, States of Alderney and Chief Pleas of Sark) is revoked.

(6) In regulation 34 (disapplication of section 1 of the States Reform

(Guernsey) Law, 2015), number the existing text as paragraph (1), and after paragraph (1) insert –

"(2) This regulation shall cease to have effect upon the registration on the Records of the Island of Guernsey of the Reform (Guernsey) (Amendment) Law, 2020."

(7) In regulation 40 (revocation and savings), in paragraph (2) delete "(including in a direction made thereunder and anything done under a direction)".

(8) In regulation 43 (extent), for paragraph (2) substitute –

"(2) Part VII shall have effect in Guernsey only."

(9) Paragraphs 5 and 6 of Schedule 1 (modification of legislation relating to mental health) are revoked, and in paragraph 8 of Schedule 1, for "paragraph 8" substitute "paragraph 7".

Saving.

2. For the avoidance of doubt, the revocation of the provisions revoked under regulation 1 does not prevent a person who committed an offence under a revoked provision before its revocation being proceeded against and punished accordingly.

Citation.

3. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 3) (Amendment) Regulations, 2020.

Commencement.

4. These Regulations shall come into force on 20th June, 2020.

Dated this 19th day of June, 2020



G.A. ST PIER
Chairman of the Civil Contingencies Authority
For and on behalf of the Authority

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 2 and the disease caused thereby, COVID-19. They are prefaced with a statement by the Civil Contingencies Authority, as required by section 12(2) of the Law. COVID-19 was made a notifiable disease for the purposes of the Public Health Ordinance, 1936 on 10th February 2020.

These Regulations revoke provisions of the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 3) Regulations, 2020, ("the principal Regulations") for the reason that they are no longer needed, and make several minor amendments consequential upon those revocations. Provisions revoked include Part II relating to the control of premises, gatherings etc, and the movement of persons; Parts IV and V relating to the registration of deaths and still-births, and cremations; Part VI relating to parochial meetings and associated matters; and all of Part X (relating to meetings of the Bailiwick's legislatures and their Committees) with the exception of regulation 34.

These Regulations will come into force on the 20th June, 2020 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of

emergency regulations) of the Law. By an amendment made by these Regulations, regulation 34 of the principal Regulations (which disapplies section 1 of the States Reform (Guernsey) Law, 2015) shall cease to have effect on the registration on the Records of the Island of Guernsey of the Reform (Guernsey) (Amendment) Law, 2020 (which Law, in part, repeals that section).