

**The Emergency Powers (Coronavirus)
(General Provision) (Bailiwick of Guernsey) (No. 10)**

**(Amendment) Regulations, 2020
No. 152**

Made 22nd December, 2020

Coming into operation 1p.m. on 22nd December, 2020

Laid before the States , 202

WHEREAS there are one or more persons within the Bailiwick, or who may enter 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 a new and fast-spreading strain of Severe Acute Respiratory Syndrome Coronavirus 2 has recently been detected in the United Kingdom;

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 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

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

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 (No.10) Regulations.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) Regulations, 2020^c are amended as follows.

(2) In regulation 3 (imposition of restrictions and requirements: general), immediately after paragraph (2) insert –

"(2A) For the avoidance of doubt, a requirement to self-isolate imposed under paragraph (1) may be for such period as the MOH thinks necessary in all the circumstances, and may include provision for that period to be shortened in circumstances where P undergoes a test for COVID-19 and the result of that test is negative."

(3) In regulation 4 (requirement to self-isolate on arrival in the Bailiwick),

^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. 128 of 2020.

for paragraph (1) substitute –

"(1) Subject to provision made in or under the Schedules given effect by regulation 5(1) and to paragraphs (1A) to (1E), a person who has arrived in the Bailiwick by air or sea and who has left, within the 14 day period immediately preceding the date of his or her arrival in the Bailiwick –

(a) a Category 2 or 3 country, must self-isolate for 14 days,

(b) a Category 4 country, must self-isolate for 21 days.

(1A) If a person falling within paragraph (1) undergoes a test for COVID-19 13 days after his or her date of arrival (or at such other time as the MOH may direct under this paragraph) (in this regulation, a "Day 13 test"), and the result of that Day 13 test is negative, that person will not be required to self-isolate for the remainder of the 14 day or 21 day period (as the case may be).

(1B) If a person falling within paragraph (1) undergoes a Day 13 test, and the result of that Day 13 test is positive, he or she will be required to self-isolate in accordance with instructions from the MOH and to comply with all other restrictions and requirements imposed on him or her by the MOH.

(1C) Subject to paragraph (1D), a child under the age of 12 who has arrived in the Bailiwick by air or sea and who has left a Category 4 country within the 14 day period immediately preceding the date of his or her arrival in the Bailiwick will be treated as having arrived from a Category 2 or 3 country for the purposes of paragraph (1).

(1D) A child who is released from self-isolation after having undergone a Day 13 test and receiving a negative result, or after 14 days (as the case may be), in reliance on paragraph (1C), may not attend school, nursery school, or

childcare until the end of the period of 21 days following the child's arrival in the Bailiwick.

(1E) In this regulation, "**childcare**" means such types of arrangement for the care of children under school age as the Medical Officer of Health may specify by direction from time to time."

(4) In regulation 13(2) (which is concerned with offences and enforcement)-

(a) for "or a requirement imposed under regulation 4(3), substitute "or a restriction or requirement imposed under regulation 4(1B) or regulation 4(3)", and

(b) immediately after "less than 14 days" insert "or 21 days (as the case may be)".

(5) In regulation 23 (interpretation: general), immediately after paragraph (1) insert –

"(1A) In these Regulations, references to a Category 2, 3 or 4 country are references to a Category 2, 3 or 4 country as specified on the relevant States of Guernsey website for the purposes of these Regulations."

(6) In Schedule 1 –

(a) delete paragraph 1(1)(a)(ii),

(b) in paragraph 1(6), delete from the semi-colon to the end,

- (c) in paragraph 2(3)(a), immediately after "for 14 days" insert "or 21 days (as the case may be)",
- (d) delete paragraph 6 (day 13 test), and
- (e) in paragraph 7(1), delete ", and may undergo a Day 13 test for the purposes of paragraph 6".

Citation.

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) (Amendment) Regulations, 2020.

Extent.

3. These Regulations shall have effect throughout the Bailiwick.

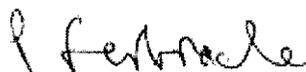
Application to persons currently self-isolating.

4. The amendments to the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) Regulations, 2020 ("**the (No. 10) Regulations**") made by these Regulations have effect in respect of persons who are subject to a requirement to self-isolate under the (No. 10) Regulations when these Regulations come into force.

Commencement.

5. These Regulations shall come into force at 1p.m. on 22nd December, 2020.

Dated this 22nd day of December, 2020



P. T.R. FERBRACHE
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, control or mitigate the spread of the virus Severe Acute Respiratory Syndrome Coronavirus 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. COVID-19 was made a notifiable disease for the purposes of the Public Health Ordinance, 1936 on 10th February 2020.

These Regulations amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) Regulations, 2020, which came into force on 15th December, 2020. They do so in response to the emergence of a new, fast-spreading strain of Severe Acute Respiratory Syndrome Coronavirus 2 in the United Kingdom. The primary effect of the amendments made by these Regulations is to provide that a person arriving in the Bailiwick who has left a Category 4 country within the 14 day period immediately preceding the date of his or her arrival in the Bailiwick must self-isolate for 21 days (rather than the 14 day period which is applicable in respect of persons arriving from a Category 1 – 3 country); but if he or she chooses to take a test on or around day 13 after arrival and that test is negative, he or she is released from self-isolation. There is special provision for children. A Category 1, 2, 3 or 4 country means a country or region specified as such on the States of Guernsey website, and at the time these Regulations were made, the United Kingdom was a Category 4 country for these purposes. The Regulations also make minor amendments to make clear that screening requirements that may be imposed by the Medical Officer of Health under the regulations include a power to impose self-isolation on the basis that the period may be shortened on receipt of a negative test result for COVID-19. The changes made by the Regulations apply in respect of persons currently self-isolating in the Bailiwick.

These Regulations will come into force at 1pm on the day they were made, 22nd December, 2020 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.