

GUERNSEY STATUTORY INSTRUMENT

2021 No.

**The Emergency Powers (Coronavirus) (General Provision)  
(Bailiwick of Guernsey) (Amendment) (No. 2) Regulations,  
2021**

*Made*

*26<sup>th</sup> January, 2021*

*Coming into operation*

*On being made*

*Laid before the States*

*, 2021*

**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<sup>a</sup>;

**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 variant of Severe Acute Respiratory Syndrome Coronavirus 2 has recently been detected in the United Kingdom;

**AND WHEREAS** there is reason to believe there may be community transmission of Severe Acute Respiratory Syndrome Coronavirus 2 within the Bailiwick;

**AND WHEREAS** the Civil Contingencies Authority ("**the Authority**") (having

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

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

**Amendment of the General Provision Regulations.**

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021<sup>c</sup> are further amended as follows.

(2) In regulation 17A(4), for "the Schedule" substitute "Schedule 3A".

(3) In Part II, before regulation 18 insert –

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

<sup>c</sup> G.S.I. No. 5 of 2021; amended by G.S.I. No. 7 of 2021.

**"Modification of the Reform Law.**

17K. (1) The Reform (Guernsey) Law, 1948 shall apply as if modified as follows.

(2) Insert the following Article immediately after Article 3 –

**"Remote meetings of the States of Deliberation.**

3A. (1) The States of Deliberation may meet remotely.

(2) A Member shall be treated for all purposes as present at a remote meeting of the States of Deliberation (including, but not limited to, the purpose of forming a Quorum of the States of Deliberation in accordance with Article 3) if, by means of electronic communications or telecommunications or otherwise –

(a) the Member has declared that he or she is present, and

(b) (in the case of a Member other than the Bailiff) the Presiding Officer has declared that the Member shall be treated as present.

(3) The States' Assembly & Constitution Committee may make Rules of Procedure governing remote meetings of the States of Deliberation, including but not limited to provision supplementing paragraph (2), and provision applying (with or without modification) Rules of Procedure applicable in relation to assemblies of the States of Deliberation under Article 7; and Article 7 shall be construed accordingly.

(4) For the avoidance of doubt, and without prejudice to paragraph (3), the States of Deliberation may –

- (a) prescribe Rules of Procedure governing remote meetings of the States, and
- (b) (whether meeting remotely or otherwise) resolve to amend, or revoke, Rules of Procedure made by the States' Assembly & Constitution Committee under paragraph (3).

(5) For the purpose of this Article, a meeting of the States of Deliberation is a remote meeting if Members communicate and (in the case of voting Members) vote during the meeting solely, or primarily, by means of electronic communications or telecommunications."."

**Citation.**

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2021.

**Extent.**

3. These Regulations shall have effect throughout the Bailiwick.

**Commencement.**

4. These Regulations come into force on being made.

Dated this 26<sup>th</sup> day of January, 2021



P. T.R. FERBRACHE  
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, 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 are made in response to evidence of potential community transmission of Severe Acute Respiratory Syndrome Coronavirus 2 within the Bailiwick, and in recognition of the importance of facilitating meetings of the States of Deliberation. They further amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021 ("the 2021 Regulations"). The main amendment provides that the Reform (Guernsey) Law, 1948 shall apply as if modified by the insertion of a new Article enabling the States of Deliberation to meet remotely. The modifications also empower the States' Assembly & Constitution Committee to make Rules of Procedure governing remote meetings of the States held pursuant to the inserted Article. The Regulations also correct a typographical error in a provision inserted by a previous amendment to the 2021 regulations.

These Regulations came into force on being made on the 26<sup>th</sup> January, 2021, and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

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