



The Emergency Powers (Coronavirus)

(General Provision) (Bailiwick of Guernsey) (No. 5)

(Amendment) (No. 2) Regulations, 2020 No. 77

Made

27th August, 2020

Coming into operation

On being made

Laid before the States

, 2020

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 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 proportionate to

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

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.5) Regulations.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 5) Regulations, 2020^c are further amended as follows.

(2) In Part I, after regulation 3(8) insert –

"(8ZA) For the avoidance of doubt, and without prejudice to the generality of paragraphs (6) and (8), in any case where the MOH or the Authority varies a requirement to self-isolate under paragraph (3) or imposed under paragraph (4), that variation may be amended in accordance with paragraph (8ZB) or (8ZC) (as the case may be), and if so amended shall be treated for all purposes as continuing to have effect in accordance with its

^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. 72 of 2020; as amended by G.S.I. No. 74 of 2020.

terms.

(8ZB) In any case where the MOH has varied such a requirement to self-isolate, the MOH may amend that variation orally or in writing (in a case where the requirement was varied orally), and in writing (in a case where the requirement was varied in writing); and the amendment shall have effect from such time as the MOH may specify.

(8ZC) In any case where the Authority has varied such a requirement to self-isolate, the Authority may amend the variation by publication of the variation in amended form on the relevant States of Guernsey website; and the amendment shall have effect from such time as the Authority may specify on the face of the variation as so amended and published."

Citation.

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 5) (Amendment) (No. 2) Regulations, 2020.

Commencement.

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

Dated this 27th day of August, 2020

A handwritten signature in black ink, appearing to be 'A. J. B.', is written over the signature line.

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, 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 further amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 5) Regulations, 2020. They make express provision for a variation by the MOH (in respect of particular cases), or the Civil Contingencies Authority (in relation to all cases or categories of case), of the requirement to self-isolate on arrival in the Bailiwick to be subject to amendment.

These Regulations were made on the 27th August, 2020 and came into force on being made. They shall have temporary effect only, in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.