

31 DEC 2020

GUERNSEY

**The International Trade Agreements
(General Implementation) (Bailiwick of Guernsey)
(Amendment) Regulations, 2020 No.157**

Made

31st December, 2020

Coming into operation

See regulation 4.

Laid before the States

, 2021

THE POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on it by sections 5(1) and 11 of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018^a, and upon receipt of the certificate required under section 5(3) of that Law, hereby makes the following Regulations:-

Amendment of the General Implementation Ordinance.

1. (1) The International Trade Agreements (General Implementation) (Bailiwick of Guernsey) Ordinance, 2020 is amended as follows.

(2) In section 1(2), for "add new international trade agreements to" substitute "amend".

(3) In the heading of section 2 after "Status" insert "and interpretation", and after subsection (2) insert –

"(3) A court or tribunal must have regard to Article COMPROV.13 (public international law) of the EU Trade and Cooperation Agreement when interpreting that agreement or any supplementing agreement."

^a Order in Council No. I of 2019; as amended by G.S.I. No. 6 of 2020.

(4) In section 5(2), at the end of paragraph (c) delete "or", at the end of paragraph (d) for "." substitute ",", and after paragraph (d) insert –

- "(e) facilitating the protection of health and safety,
- (f) facilitating the protection of consumers, or
- (g) facilitating the protection of the environment."

(5) After section 5(4) insert –

"(4A) For the purposes of this section, "**relevant information**" also includes information relating to the safety of non-food products for the purposes of the EU Trade and Cooperation Agreement, including information supplied for the purpose of giving effect to a provision of the EU Trade and Cooperation Agreement as it has effect in the Bailiwick or any part thereof; and for those purposes, "**information relating to the safety of non-food products**" includes–

- (a) information about whether, and the extent to which, a non-food product complies, or may comply, with any –
 - (i) relevant legal requirement, or
 - (ii) other assessment that relates to product safety, and
- (b) information about developments, or potential developments, in the field of safety of non-food products."

(6) In section 7, after the definitions of "the Alderney Committee", "the Policy & Resources Committee" and "the Sark Committee" omit "and", at the end of the definition of "committee" for "." substitute ", and", and after that definition insert –

""the EU Trade and Cooperation Agreement" means the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part."

Citation.

2. These Regulations may be cited as the International Trade Agreements (General Implementation) (Bailiwick of Guernsey) (Amendment Regulations, 2020).

Extent.

3.. These Regulations shall have effect throughout the Bailiwick.

Commencement.

4. These Regulations shall come into force on exit day.

Dated this 31st day of December, 2020



P. T.R. FERBRACHE

President of the Policy & Resources Committee

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018 and make provision which is necessary or expedient as a result of the withdrawal of the United Kingdom from the EU.

These Regulations make minor amendments to the International Trade Agreements (General Implementation) (Bailiwick of Guernsey) Ordinance, 2020, principally to bring information relating to the safety of non-food products (for the purposes of the Trade and Cooperation Agreement between the United Kingdom and the EU) within scope of the information sharing provisions in the Ordinance.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.