

GUERNSEY STATUTORY INSTRUMENT

2021 No.

**The Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (Amendment) Regulations, 2021**

Made

23rd 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^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 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 consulted the Medical Officer of Health in respect of the risk to public health created thereby

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

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^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 Regulations.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021^c are amended as follows.

(2) In regulation 14(9), for "this Part" substitute "this Part or Part 1A".

(3) After Part I, insert the Parts IA, IB and IC set out in Schedule 1.

(4) After regulation 21 (Court of Appeal), insert –

^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. 5 of 2021.

"Modification of Sark Reform Law.

21A. (1) The Reform (Sark) Law, 2008 shall apply as if modified as follows.

(2) After section 47 (functions of committees), insert –

"Meetings of Committees.

47A. (1) A member of a Committee of Chief Pleas who is in communication with the other members of the committee by telephone, live television link or any other means of telecommunications or electronic communications, so that each member of the committee can hear or read what is said or communicated by each of the others, is deemed, subject to subsection (2), to be present at a meeting of the committee for all purposes relating to that meeting, including calculating the quorum at the meeting under section 43(5) or 44(5) and under rule 13 of the Constitution and Operation of Chief Pleas Committee Rules, made on 2nd October, 2013.

(2) In the event that a means of communication referred to in subsection (1) fails or is corrupted, or the chairman or other person presiding at the meeting in accordance with section 46(3) ("**person presiding**") considers that confidentiality is compromised, the person presiding shall have discretion at any time during the meeting to determine that a member who is affected by that failure, corruption or compromise of confidentiality is no longer deemed to be present at the meeting.

(3) For the avoidance of doubt, a determination under subsection (2) does not affect the validity of the proceedings of the committee for any purpose prior to the making of that determination."

(5) After Schedule 3, insert the Schedule 3A set out in Schedule 2.

Citation.

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) Regulations, 2021.

Extent.

3. These Regulations shall have effect throughout the Bailiwick.

Commencement.

4. These Regulations come into force on being made.

Dated this 23rd day of January, 2021

A handwritten signature in black ink, appearing to read 'P. T.R. Ferbrache', is centered on the page.

P. T.R. FERBRACHE
Chairman of the Civil Contingencies Authority
For and on behalf of the Authority

SCHEDULE 1

Regulation 1(3)

"PART IA

CONTROL OF PREMISES, GATHERINGS ETC., AND MOVEMENT OF PERSONS

Power to give directions.

17A. (1) The Authority may, for one or more of the purposes set out in section 14(2) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, issue a direction for the purpose of imposing conditions, prohibitions, requirements or restrictions in relation to –

- (a) premises,
- (b) the holding of an event, gathering or meeting (whether planned or unplanned and of whatever duration), and
- (c) the movement of persons outside the place where they are living,

and for the purposes of subparagraph (c), the place where a person is living includes the premises where he or she is living together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(2) The Authority must consult the Medical Officer of Health before issuing a direction; and, in addition, before issuing a direction imposing conditions, prohibitions, requirements or restrictions in relation to the movement of persons outside the place where they are living, the Authority must seek the advice of Her Majesty's Procureur in relation to the appropriateness and proportionality of the proposed direction.

(3) A direction under paragraph (1)(a) may be issued in relation to

specified premises, or premises of a specified description, and may, amongst other things, impose requirements for the purpose of –

- (a) restricting the hours of opening of the premises,
- (b) closing the premises or a part of the premises to entry by members of the public,
- (c) restricting entry into the premises, whether by reference to the number of people in the premises, a period of time, or otherwise, or
- (d) securing restrictions in relation to the location of persons in the premises.

(4) Where a direction under paragraph (1)(a) is issued in respect of licensed premises, the terms of the licence issued in respect of those premises shall be deemed to be modified to reflect the prohibitions, requirements or restrictions imposed by the Schedule as amended by the direction, and shall have effect accordingly.

(5) A direction under paragraph (1)(b) may be issued in relation to a specified event, gathering or meeting, or events, gatherings or meetings of a specified description, or events, gatherings and meetings generally; and events, gatherings and meetings may be described by reference to the number of people attending the event, gathering or meeting, or in any other way.

(6) A direction under paragraph 1(b) may impose conditions, prohibitions, requirements or restrictions on –

- (a) the owner or occupier of premises at which an event, gathering or meeting to which the direction relates is to take place,

- (b) the organiser of such an event, gathering or meeting, and
- (c) any other person involved in holding or participating in such an event, gathering or meeting.

(7) A direction under paragraph 1(b) may, amongst other things, impose requirements about informing persons who may be planning to attend an event, gathering or meeting of its prohibition or any requirements or restrictions imposed in relation to the holding of it.

(8) A direction under paragraph (1)(c) may (without limitation) restrict the movement of persons outside the place where they are living by reference to the purpose, or duration, of the movement, and by reference to the age of persons.

(9) A direction may, amongst other things, specify a minimum distance that must be maintained between persons of different households.

(10) A direction may impose requirements on persons in relation to children in their care or under their control.

(11) For the avoidance of doubt, a direction may include provision enabling the Authority, and such other person or office holder (including but not limited to the Medical Officer of Health) as it may specify, to authorise in writing such exemption or disapplication from such provision of the direction and upon such conditions as it, or he or she, may think fit.

Procedure, variation and revocation.

17B. (1) A direction must specify the period during which it has effect, which period must not exceed 14 days.

(2) Where a direction imposes prohibitions, requirements or restrictions on a person specified by name, the direction –

- (a) must be given in writing to that person, and
- (b) may be published in such manner as the Authority considers appropriate to bring it to the attention of other persons who may be affected by it.

(3) The Authority may vary and revoke a direction, and the power to vary or revoke a direction is without prejudice to the power of the Authority to issue a new direction.

(4) Subject to paragraph (2), a direction, and a variation and revocation of a direction, may be given in such form as the Authority thinks fit, including by publication on the States of Guernsey website.

(5) The Authority must revoke a direction when satisfied that it is no longer necessary.

Alderney and Sark.

17C. (1) The Authority must consult the Policy and Finance Committee of the States of Alderney before issuing, varying or revoking a direction having effect in Alderney, and the Policy & Finance Committee of the Chief Pleas before issuing, varying or revoking a direction having effect in Sark.

(2) A failure to consult in accordance with paragraph (1) shall not invalidate any direction.

Enforcement.

17D. (1) A police officer may require any person to whom a direction has been

given, or to whom it otherwise applies, to comply with it.

(2) Subject to paragraph (4), where a police officer has required a person under paragraph (1) to comply with a direction issued under regulation 17A(1)(a), and that person has failed to do so, the police officer may require the premises in question to be closed until such time as the direction is complied with; and the police officer may take such steps, or require the person to take such steps, as are necessary to ensure that the requirement to close the premises is complied with.

(3) Subject to paragraph (4), where a police officer has required a person under paragraph (1) to comply with a direction, and that person has failed to do so, the police officer may take such steps as are necessary to ensure that the direction is complied with.

(4) A police officer must take account of any relevant advice issued by the Medical Officer of Health and the Chief Officer of the Island Police Force before exercising the powers conferred by paragraphs (1) to (3).

(5) In exercising the powers conferred by paragraphs (1) to (3), a police officer may –

- (a) enter any premises to which the direction relates, and
- (b) if necessary, use reasonable force.

Offences.

17E. (1) A person commits an offence if he or she fails, without reasonable excuse, to comply with a direction, or a requirement of a police officer under regulation 17D.

(2) A person commits an offence if he or she obstructs a police officer exercising a power conferred by regulation 17D.

(3) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 5 on the uniform scale.

Schedule 3A.

17F. Schedule 3A (Direction No. 1 of 2021) shall have effect as if it were a direction.

Interpretation of this Part.

17G. (1) In this Part –

"**Authority**": see subparagraph (2),

"**direction**" means a direction issued under regulation 17A,

a "**household**" is comprised of persons living together for the time being in the same premises,

"**licensed premises**" has the meanings given by the Liquor Licensing Ordinance, 2006 in relation to premises in Guernsey, by the Alderney Liquor Licensing Ordinance, 1994 in relation to premises in Alderney, and by the Liquor Licensing (General Provisions) (Sark) Ordinance, 1979 in relation to premises in Sark, and "**licence**" shall be construed accordingly,

"**police officer**" includes a customs officer, and

"**premises**": see subparagraphs (4) and (5).

(2) In this Part, subject to subparagraph (3), the "**Authority**" means the Chairman of the Authority.

(3) Whenever reasonably practicable, before issuing, varying or revoking a direction the Chairman of the Authority must consult each other member of the Authority

(including, for the avoidance of doubt, any temporary members of the Authority); but a failure to consult one or more members of the Authority shall not invalidate any direction.

(4) In relation to a direction issued under regulation 17A(1)(a), "**premises**" includes, but is not limited to, retail premises and other business premises (excluding grocery stores and such other categories of business premises as the Authority may specify, whether in a direction or otherwise), places of worship, and parks, public gardens and other places of recreation, sport, leisure and entertainment, but does not include premises used solely as residential premises.

(5) In relation to a direction issued under regulation 17A(1)(b), "**premises**" includes land (including, for the avoidance of doubt, the foreshore), and pleasure vessels within the meaning of the Merchant Shipping (Registration of Ships) (Bailiwick of Guernsey) Regulations, 2009.

PART IB

REGISTRATION OF DEATHS AND STILL-BIRTHS

Legislation extending to the Bailiwick except for registration of deaths and still-births in Alderney

Modification of the Loi relative à l'Enregistrement des Naissances et Décès dans le Bailliage de l'Île de Guernesey.

17H. (1) The Loi relative à l'Enregistrement des Naissances et Décès dans le Bailliage de l'Île de Guernesey of 1935 ("**the 1935 Law**") is modified as follows for all purposes of or under the 1935 Law or any other enactment.

(2) The French text of the 1935 Law is modified in the same way as is set out in the following modifications to the official English translation of that Law.

(3) Articles 9 (declaration of death) and 17 (still-born children) have effect as if the requirement to make a declaration in person or to send it by a person of at least sixteen years of age were substituted by a requirement to send the declaration by post, electronic

means (including email message) or such other means as is specified by the Registrar-General in guidance.

(4) Article 11 (doctor's certificate) has effect as if the words "that he has seen the body of the deceased and stating" were omitted.

(5) Article 15 (limit of time for keeping body) is disapplied provided that the body is in the custody of the States of Guernsey or a funeral director.

(6) Form C (medical certificate of cause of death) and the notes to Form C in the Schedule have effect as if the following were omitted –

(a) on the second page –

(i) the words "that I was in medical attendance during the above-named deceased's last illness, and",

(ii) in Note 1, the second sentence, and

(b) the certification section at the end of the Form headed "CERTIFICATE (See Note 1 above)".

Legislation extending to Alderney

Modification of the Loi relative aux certificats de Décès et aux Enterrements.

17I. (1) The Loi relative aux certificats de Décès et aux Enterrements of 1910 ("the 1910 Law") is modified as follows for all purposes of or under that Law or any other enactment.

(7) The French text of the 1910 Law is modified in the same way as is set out in the following modifications in English.

(8) Articles 1 (déclaration par écrit etc.) and 8 (enfant mort-né) have effect as if the requirement to make a declaration in person or to send it by a person who has reached the age of majority were substituted by a requirement to send the declaration by post,

electronic means (including email message) or such other means as is specified by the Registrar-General in guidance.

(9) Article 6 (défense de garder sans permission un corps au-delà de six jours) is disapplied provided that the body is in the custody of the States of Alderney or a funeral director.

(10) Form A (medical certificate of cause of death) and the notes to Form A in the Schedule have effect as if the following were omitted –

(a) in the certification following the table relating to cause of death–

(i) the words "that I was in medical attendance during the above-named deceased's last illness, and", and

(ii) in Note 1, the second sentence, and

(b) the certification section at the end of the Form headed

"CERTIFICATE (See Note 1 above)".

PART IC

MODIFICATIONS TO LEGISLATION RELATING TO CREMATIONS IN GUERNSEY

Modification of legislation relating to cremation.

17J. (1) The Cremation Ordinance, 1972 is modified as follows for all purposes of or under the Loi relative à la Crémation or any other enactment.

(2) Section 6 (applications for cremation) has effect as if subsections (3) and (5) requiring the application to be verified by being countersigned or accompanied by a declaration of truth made on oath were omitted.

(3) In section 7 (certificates of medical attendance or post-mortem examination), paragraph (a) has effect as if –

- (c) the words "who has attended the deceased during his last illness and" were omitted, and
- (d) it did not require a confirmatory medical certificate in Form C in the First Schedule to have been given before a cremation is allowed to take place.

(4) Section 9 (applications for cremation of remains of a person who died outside this Island) has effect as if –

- (a) it did not require the application to be verified by being countersigned or by a declaration by the applicant, and
- (b) the wording following paragraph (c) referred to "Forms B and D in the First Schedule".

SCHEDULE 2

Regulation 1(5)

"SCHEDULE 3A

Regulation 17F

DIRECTION NO. 1 OF 2021

1. Prohibition on entering and remaining on premises.

(1) A person shall not enter or remain on any premises of a type set out in Part 1 of the First Annex.

(2) Paragraph (1) shall not apply to –

(a) an essential worker who –

(i) subject to social distancing, enters or remains on premises for the purpose of discharging his or her work functions, and

(ii) where undertaking delivery work, observes the requirements set out in the Second Annex ,

(b) (other than in the case of premises referred to in paragraph 10 of Part 1 of the First Annex) –

(i) the owner or occupier of the premises,

(ii) any person who usually works at or on the premises or who is responsible for the management of the premises,

and who, subject to social distancing, enters or remains on the premises solely for the purpose of –

(A) securing them,

(B) carrying out or having carried out essential maintenance or repair work to the premises, or

- (C) taking measures to ensure that the premises can continue to be used for the purpose for which they were used immediately before 23rd January 2021,
- (c) in the case of premises referred to in paragraph 10 of Part 1 of the First Annex –
 - (i) the owner or occupier of the premises, any person who usually works at or on the premises or who is responsible for the management of the premises, and
 - (ii) any person who is residing lawfully at or on the premises,
- (d) any person authorised by the Authority or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Authority or Medical Officer of Health, as the case may be, shall specify, and
- (e) the persons, in the circumstances and subject to the conditions, described in the Third Annex.

2. Prohibition on events, gatherings and meetings of more than 2 persons

(1) The owner or occupier of any premises must not allow an event, gathering or meeting consisting of more than 2 persons, to take place at or on the premises.

(2) A person must not organise or hold an event, gathering or meeting consisting of more than 2 persons to take place at or on any premises.

(3) A person must not participate in an event, gathering or meeting of more than 2 persons, which is taking place at or on any premises.

3. Exemption from paragraph 2.

The prohibition under paragraph 2 shall not apply:

- (a) where the event, gathering or meeting involves persons who enter or remain on premises in circumstances where paragraph 1(1) does not apply further only to its disapplication under paragraph 1(2),
- (b) where the event, gathering or meeting consists only of members of the same household and takes place in a dwelling,
- (c) where the event, gathering or meeting –
 - (i) consists only of members of the same household,

- (ii) takes place outside a dwelling, and
- (iii) is allowed, organised or participated in, for any of the following purposes –
 - (A) shopping for basic necessities, for example food and medicine,
 - (B) walking, cycling, running, sea swimming or taking part in other open sea activities for the purpose of health and welfare for up to 2 hours every day provided that if sea swimming or sea activities are undertaken they may be undertaken with one other person (who is not a member of the same household) present, for safety reasons, provided social distancing is observed and maintained,
 - (C) attending a medical or dental appointment,
 - (D) obtaining any product from a pharmacy, or
 - (E) providing care or to help a vulnerable person,
- (d) where the event, gathering or meeting –
 - (i) is of a type described in the Fourth Annex,
 - (ii) consists of persons –
 - (A) of a type described in the Fifth Annex,
 - (B) who are attending the event, gathering or meeting for the purpose, and subject to the conditions, set out in that Annex, and
 - (iii) involves –
 - (A) maintenance of social distancing by, and
 - (B) the provision of adequate handwashing facilities for, persons attending the event, gathering or meeting,
- (e) where the event, gathering or meeting is authorised by the Authority or the Medical Officer of Health for such purpose, subject to such conditions and for such duration as the Authority or Medical Officer of Health, as the case may be, shall specify.

4. Interpretation

In this Schedule –

an "**essential worker**" means a worker –

- (a) of a type, or who works in a business of a type, described in the Fifth Annex, and
- (b) who, if undertaking deliveries, observes the requirements set out in the Second Annex,

"**hand washing facilities**" includes facilities that enable the use of hand sanitising products,

"**intoxicating liquor**" has the same meaning as it does for the purposes of the Liquor Licensing Ordinance, 2006,

"**licensed premises**" has the same meaning as it does for the purposes of the Liquor Licensing Ordinance, 2006,

a person occupies a dwelling as a "**member of the same household**" as another person if -

- (a) that person –
 - (i) normally occupies the dwelling,
 - (ii) is occupying the dwelling on a temporary basis (with the intention of remaining in occupation for the duration of any emergency measures relating to the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19) for reasons associated with –
 - (A) the risk to public health caused by the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19, or
 - (B) some other risk to human welfare associated with those measures, or
 - (iii) is a child in respect of whom shared parenting arrangements are in place, the child occupies the dwelling, and the dwelling is owned or occupied by a person with parental responsibility for that child, and

- (b) that person is related to the other members of the household (by blood, marriage or adoption) or is treated by members of that household as a member of the household,

"**social distancing**" in relation to a person ("P") means, wherever reasonably practicable, the observance and maintenance by P of a distance of at least 2 metres from another person, other than a person who is a member of P's household, and

"**vulnerable person**" includes -

- (a) a person under the age of 18 years, and
- (b) a person above the age of 18 years who, by reason of mental or other disability, age, illness, or other situation is permanently or for the time being unable to take care of him or herself, or to protect him or herself against significant harm or exploitation.

5. Application.

This Direction applies throughout the Bailiwick.

6. Duration.

This Schedule shall cease to have effect at 23.59 hours on Friday 5th February 2021.

FIRST ANNEX

Paragraph 1

PART 1

Premises

1. Licensed premises.
2. Cinemas and theatres.
3. Restaurants, cafes, takeaways and kiosks.
4. Retail outlets, other than those essential retail outlets set out in Part 2.
5. Libraries.
6. Community and youth centres.

7. Indoor and outdoor leisure facilities.
8. Community places within parks.
9. Places of worship.
10. Hotels, guest houses, any other premises used for the purpose of the provision of sleeping accommodation, board, lodging or board and lodging for reward and campsites.

PART 2

Paragraph 3

Essential retail outlets

Retail and wholesale premises of the following types, or from which the following types of business are conducted -

1. Retail and wholesale sale of food, beverages (including intoxicating liquor) and newspapers.
2. Retail sale of household consumer products necessary to maintain the safety and sanitation of residences and businesses.
3. Pharmacies/chemists and retailers providing pharmaceuticals, pharmaceutical or dispensing services.
4. Fuel stations and heating fuel providers.
5. Retail sale of essential items for the health and welfare of animals, including animal feed and medicines, animal food, pet food and animal supplies including bedding.
6. Laundries
7. Banks, loan agencies, insurance brokers and post offices.

SECOND ANNEX

Paragraphs 1 and 4

Requirements for deliveries

1. Goods must be packed for delivery in line with social distancing and hygiene guidelines, including the wearing of gloves.

2. Deliveries must take place as part of a planned itinerary, and goods must not be sold by delivery drivers to other parties.
3. Deliveries must be undertaken by no more than one person wearing gloves.
4. A 70% alcohol hand gel should be rubbed on the gloves between deliveries.
5. Delivered goods must be left on the doorsteps of premises or in an agreed outside place – there must be no direct customer interaction.

THIRD ANNEX

Paragraph 1(2)(e)

Disapplication of prohibition on entering and remaining on premises

When exercising rights under this Annex, repair and maintenance personnel, Members of the States, persons attending a wedding or a funeral and individual and workers working in pairs in Sark must adopt practices designed to minimise, wherever possible and practical, risks to health, including –

- (a) maintenance of social distancing,
- (b) regular washing of hands, and
- (c) such other measures as –
 - (i) may be indicated in the following paragraphs, and
 - (ii) the Authority or Medical Officer of Health may from time to time specify in guidance.

1. Essential emergency home and building repair and maintenance

Plumbers, electricians, roofers, scaffolders and all others ("**repair and maintenance personnel**") who reasonably and necessarily provide essential emergency home and building repair and maintenance services.

2. Funerals

Up to 10 persons (excluding, essential workers and any person or official responsible for conducting any ceremony) who enter and remain on any premises for the purpose of a funeral ceremony.

FOURTH ANNEX

Paragraph 3(d)

Disapplication of prohibition on events, gatherings and meetings

The following provisions of this Annex apply subject to such other measures as the Authority or Medical Officer of Health may from time to time specify in guidance.

1. Essential workers and customers etc.

An event, gathering or meeting of essential workers who are attending the event, gathering or meeting solely for the purpose of discharging their work functions, together with –

- (a) customers, patients and other persons in receipt of goods or services from the workers in question, and
- (b) suppliers to the premises from which the functions are carried out.

2. Essential retail outlets

An event, gathering or meeting, at or on a retail outlet of a type set out in Part 2 of the First Annex, attended by persons who –

- (a) usually work at or on the premises, or
- (b) are customers or suppliers of the outlets, and

are present solely for the purpose of selling, purchasing and providing goods and services of a type usually sold, purchased or provided in the course of a business operated from the outlet in question.

3. Opticians, optometrists and audiologists

An event, gathering or meeting, at or on premises used for the business of optician, optometrist or audiologist, attended by persons who –

- (a) usually work at the premises, or
- (b) are customers, clients or patients of the business, and

are present for the purpose of the provision or receipt of essential emergency treatment.

4. Office premises

(1) An event, gathering or meeting of no more than 2 persons, at or on office premises, subject to the conditions in subparagraph (2).

(2) The conditions are that –

- (a) the persons attending –
 - (i) usually work at the premises,
 - (ii) are members of the same household,
- (b) the attendance of the persons referred to in items (a) (i) and (ii) is necessary for the functioning of the business carried out from the premises in question,
- (c) the work usually undertaken by those persons cannot be carried out satisfactorily without their attendance at the premises, and
- (d) all persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing.

5. Maintenance, repairs etc. of cars, motorcycles, bicycles and boats

(1) An event, gathering or meeting at premises used for the purpose of car, motorcycle, bicycle and/or boat maintenance, repair or building, subject to the conditions in subparagraph (2).

(2) The conditions are that –

- (a) wherever possible, maintenance and other services are provided by one person per vehicle or boat,
- (b) no more than 2 vehicle and boat maintenance or repair personnel are present on any premises from which maintenance and other services are provided, except where–
 - (i) the personnel are all members of the same household, or
 - (ii) the services are provided within specific areas or zones which are intended to maintain and, where possible, maximise social distancing,
- (c) vehicles and boats are suitably cleaned before and after completion of work, and
- (d) any work undertaken is, in the opinion of the person undertaking the work, essential.

6. Building wholesale and supply, manufacturing and warehouses

(1) An event, gathering or meeting, of no more than 5 persons (excluding customers present in accordance with subparagraph (2)(e)), at or on relevant premises, subject to the conditions in subparagraph (2).

(2) The conditions are that –

- (a) the persons attending –
 - (i) usually work at the premises, or
 - (ii) are members of the same household,
- (b) the attendance of those persons is necessary for the functioning of the business operated from the premises in question,
- (c) the work usually undertaken by those persons cannot be carried out satisfactorily without their attendance at the premises,
- (d) the persons attending operate within specific areas or zones which are intended to maintain and, where possible, maximise social distancing, and
- (e) the number of customers who are present on the premises at any one time is limited and controlled in order to maintain social distancing.

(3) For the purpose of this paragraph, "**relevant premises**" means premises used for the businesses of building wholesale and supply, manufacturing or warehousing.

FIFTH ANNEX

Paragraph 4

Essential worker

Private sector

- Businesses and workers ESSENTIAL to the functioning of any activity necessary to:

o Ensure the continuing supply and accessibility of food and other essential goods including

- ⊗ Supermarkets and grocery stores
- ⊗ Air and sea freight transport
- ⊗ Stevedores and other necessary port management activities

- ⊙ Freight operators
- o Ensure the continuing supply and accessibility of veterinary and animal health and husbandry services
- o Ensuring continuing health and community care services including
 - ⊙ GP surgeries/medical practices
 - ⊙ Pharmacies
 - ⊙ Residential and nursing homes
 - ⊙ Private and third sector agencies providing care services in a home or other setting (including the care of animals)
 - ⊙ Volunteers that provide services to those in need (Meals on Wheels, Samaritans, etc)
 - ⊙ Those responsible for management of the deceased or services celebrating, commemorating or otherwise recognising the life and/or death of a person
- o Those essential to the administration of justice
 - ⊙ Advocates and staff
- o Those providing private school services and daytime childcare
 - ⊙ Private primary and secondary schools
 - ⊙ Nurseries and day-care services
- o Maintain critical national infrastructure (essential staff)
 - ⊙ Utilities (water, electricity, gas, oil, post)
 - ⊙ Telecoms providers (essential staff required to deliver mobile and fixed line telecommunication services)
 - ⊙ Coastal defences
- o Maintain public transport
 - ⊙ Bus operators and school transport providers
- o Public service broadcasters and other mainstream news media
- o Banking services
 - ⊙ Staff that are critical to providing branch-based services to enable cash and other financial transactions
 - ⊙ Staff involved in maintaining critical economic infrastructure that requires on-site systems access
- o Services that ensure the cleanliness and hygiene of working environments

that can be undertaken while adhering to social distancing guidelines

Private sector employers falling within the above categories should determine which roles are essential to the ability to maintain critical services.

Public service

- Workers ESSENTIAL to the DELIVERY OF CRITICAL SERVICES by:

- ⊗ Courts and Judicial Services
- ⊗ Health and Social Care
- ⊗ Education
- ⊗ Emergency Services (Law Enforcement, Ambulance, Fire and Coastguard)
- ⊗ Prison
- ⊗ Law Officers
- ⊗ States Works
- ⊗ Guernsey Waste
- ⊗ Ports
- ⊗ Regulatory roles directly related to financial stability and banking supervision
- ⊗ Treasury
- ⊗ Social Security

Additionally –

- (a) any ancillary staff from the private or public sectors who are essential to supporting the States of Guernsey's response to COVID-19,
- (b) in the case of Alderney, civil servants or office holders specified by the Policy and Finance Committee of the States of Alderney, and
- (c) in the case of Sark, civil servants or office holders specified by the Policy and Finance Committee of the Chief Pleas of Sark.

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. They amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021 ("the 2021 Regulations"). The primary purpose of the amendments made is to insert a new Part 1A and a new Schedule 3A into the 2021 Regulations. Inserted Schedule 3A effectively imposes a "lockdown" through the imposition of conditions, prohibitions, requirements or restrictions in relation to premises, the holding of events, gatherings and meetings (whether planned or unplanned and of whatever duration), and the movement of persons outside the place where they are living. Schedule 3A has effect for 14 days. Inserted Part 1A enables directions to be made making further related provision, including provision amending or revoking Schedule 3A (which has effect as if it were a direction issued under Part 1A).

The Regulations also insert Parts IB and IC into the Regulations. These Parts temporarily modify procedures in relation to registration of deaths and still births in Guernsey and Sark and in Alderney (Part IB) and in relation to cremations in Guernsey (Part IC). These amendments are to remove requirements for things to be done in person and to simplify procedures relating to registration of deaths and still-births and cremations during the current emergency situation.

The modifications in relation to registration of deaths and still-births are to remove requirements to make declarations of death in person, for a doctor signing a medical certificate of death to certify that he or she had attended the deceased during his or her last illness and to disapply requirements limiting the time a body is kept provided it is in the custody of the States of Guernsey (where the body is in Guernsey), the States of Alderney (where the body is in Alderney) or the relevant funeral director.

The modifications in relation to cremations are to remove the requirements for an application for cremation to be verified by being countersigned or by the applicant giving a declaration made on oath and for a confirmatory medical certificate to be given (Form C in the Cremation Ordinance, 1972).

The Regulations also temporarily modify the application of the Sark (Reform) Law, 2008, to allow Committees of the Chief Pleas to meet remotely.

These Regulations came into force on being made on the 23rd 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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