

**The Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (No. 3) (Amendment) (No. 2)
Regulations, 2021**

<i>Made</i>	18 th March, 2021
<i>Coming into operation</i>	22 nd March, 2021
<i>Laid before the States</i>	, 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 been detected in the United Kingdom and has been recently detected in 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 and by the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing

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

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 (No. 3) Regulations, 2021.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 3) Regulations, 2021^c are further amended as follows.

(2) For regulation 4 (Prohibition of non-essential travel), substitute –

"Critical Workers.

4. Schedule 2 (concerning Critical Workers) has effect."

(3) In regulation 6(1), for subparagraph (c) substitute –

^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. 21 of 2021; amended by G.S.I. No. 22 of 2021.

"(c) provide his or her Critical Worker Exemption (if any) for inspection, and".

- (4) The following are revoked –
- (a) regulation 6(9),
 - (b) in regulation 12 –
 - (i) the words "1 or" in paragraph (1), and
 - (ii) subparagraph (f) in paragraph (2),
 - (c) in regulation 14 –
 - (i) the words "1 or" in paragraph (2)(b), and
 - (ii) paragraph (10),
 - (d) in regulation 15(2)(c), the words "Schedule 1 or".
 - (e) Parts II to VI inclusive,
 - (f) in regulation 37, paragraph (5),
 - (g) regulations 38 and 39,
 - (h) Schedule 1, and
 - (i) in Schedule 2, paragraph 1(1)(a).

- (5) For regulation 35 (power of MOH to close schools), substitute –

"Power of MOH to close schools.

35. For the avoidance of doubt, the measures that the MOH may require to be taken by a school in order to prevent the spread of infection under Article VIII(8) of the Public Health Ordinance, 1936 include, but are not limited to, the immediate closure, partial closure, or closure subject to conditions, of any school for any period."

- (6) In regulation 43(3), for "Schedules 1 and 2" substitute "Schedule 2".

Savings.

2. (1) For the avoidance of doubt, the revocations and substitutions made by regulation 1 do not affect –

- (a) any liability, penalty, forfeiture, punishment or other sanction incurred, imposed or ordered (in respect of any offence or otherwise) under the revoked or substituted provisions, or
- (b) any investigation or legal proceeding in respect of any such liability, penalty, forfeiture, punishment or sanction,

and any such investigation or legal proceeding may be instituted or continued, and any such liability, penalty, forfeiture, punishment or sanction shall be incurred and may be imposed or enforced, as if these regulations had not been made.

(2) Any person who before the date of the commencement of these regulations is charged with an offence under a provision revoked or substituted by regulation 1 may be proceeded against, tried and punished in respect of that offence as if these regulations had not been made.

Citation.

3. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 3) (Amendment) (No. 2) Regulations, 2021.

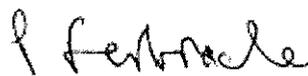
Extent.

4. These Regulations shall have effect throughout the Bailiwick.

Commencement.

5. These Regulations come into force on 22nd March, 2021.

Dated this 18th day of March, 2021



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 come into force on Guernsey entering "Stage 3 of the exit from lockdown", and in large part revoke the prohibition on non-essential travel, and other provisions that are no longer necessary with the lifting of existing internal restrictions within Guernsey (including all of Parts II to VI), and make minor amendments consequential on those revocations. They also revoke a provision in respect of the GFSC on the coming into force of equivalent permanent provision.

These Regulations come into force on the 22nd March, 2021, and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.