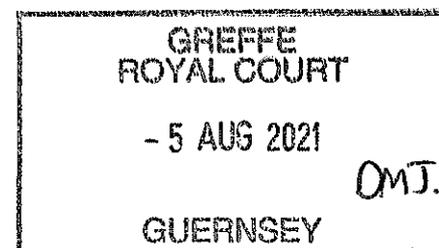


GUERNSEY STATUTORY INSTRUMENT

2021 No. 88



**The Emergency Powers (Coronavirus) (General Provision)  
(Bailiwick of Guernsey) (No. 8) (Amendment) (No. 2)  
Regulations, 2021**

*Made*

*5<sup>th</sup> August, 2021*

*Coming into operation*

*6<sup>th</sup> August, 2021*

*Laid before the States*

**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** there has been a recent surge of infections of several different variants of Severe Acute Respiratory Syndrome Coronavirus 2 in Europe;

**AND WHEREAS** that surge of infections has been particularly acute in the Bailiwick of Jersey, whence many persons travel into the Bailiwick,

---

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

**AND WHEREAS** there is evidence<sup>a</sup> of community transmission of Severe Acute Respiratory Syndrome Coronavirus 2 within the Bailiwick;

**AND WHEREAS** the people of the Bailiwick are increasingly protected against infection with Severe Acute Respiratory Syndrome Coronavirus 2 as a result of the Bailiwick's vaccination programme and vaccination programmes implemented by other countries and territories;

**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 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 it in that behalf, hereby makes the following regulations: –

---

<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.

**Amendment of the General Provision (No. 8) Regulations.**

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) Regulations, 2021<sup>c</sup> ("**the (No. 8) Regulations**") are further amended as follows.

(2) For regulation 19(1)(b), substitute –

"(b) (only in the case of a Jersey Blue Arrival, and subject to any specification made by the Authority under paragraph (1A)) possesses, on arrival, a pre-travel negative test result,".

(3) After regulation 19(1), insert –

"(1A) The Authority may, by publication on the States of Guernsey website, specify categories of Jersey Blue Arrivals in respect of whom the requirement at paragraph (1)(b) (to possess, on arrival, a pre-travel negative test result) does not apply.".

(4) After regulation 19, insert the following regulation -

**"Blue Arrivals: post-arrival testing requirements.**

19A. (1) A Blue Arrival (P) (including, for the avoidance of doubt, a Jersey Blue Arrival) must comply with the post-arrival testing requirements.

(2) Subject to paragraph (3), the post-arrival testing requirements are that –

(a) before P's arrival in the Bailiwick, P has paid such fee not

---

<sup>c</sup> G.S.I. No. 78 of 2021; as amended by G.S.I. No. 81 of 2021.

exceeding £40 as the Authority may specify by publication on the States of Guernsey website in respect of equipment for lateral flow tests for COVID-19 to be provided to Blue Arrivals on arrival in the Bailiwick by a relevant officer under, and for the purposes of, this regulation,

(b) after P's arrival in the Bailiwick, P must take a test for COVID-19 using the equipment provided under subparagraph (a) –

(i) on the day of P's arrival,

(ii) three days after P's date of arrival,

(iii) five days after P's date of arrival,

(iv) seven days after P's date of arrival, and

(v) nine days after P's date of arrival,

(together, the "required post-arrival tests"), and

(c) if the result of any of the required post-arrival tests is positive, P must immediately notify the MOH thereof, and comply with all restrictions and requirements imposed on P by the MOH, including, but not limited to, a requirement to self-isolate.

(3) The requirement at paragraph (2)(a) (in respect of payment of a fee) applies only in respect of persons arriving in the Bailiwick on or after 9<sup>th</sup> August

2021.

(4) A Blue Arrival (including, for the avoidance of doubt, a Jersey Blue Arrival) who fails, without reasonable excuse –

- (a) to take one or more of the required post-arrival tests, in accordance with paragraph (2)(b),
- (b) immediately to notify the MOH of a positive result of one or more of the required post-arrival tests, or
- (c) to comply with all restrictions and requirements imposed on him or her by the MOH under paragraph (2)(c) in the circumstances set out therein,

commits an offence.

(5) A person guilty of an offence under paragraph (4)(a) or (b) is liable on conviction to a fine not exceeding level 5 on the uniform scale, to imprisonment for a term not exceeding 3 months, or both.

(6) A person guilty of an offence under paragraph (4)(c) of failing, without reasonable excuse, to comply with a requirement to self-isolate is liable on conviction to a fine not exceeding level 5 on the uniform scale, to imprisonment for a term not exceeding 3 months, or both.

(7) A person guilty of any other offence under paragraph (4)(c) is liable on conviction to a fine not exceeding level 3 on the uniform scale.

(8) In this regulation, "Jersey Blue Arrival" has the meaning given in regulation 6A."

**Citation.**

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) (Amendment) (No. 2) Regulations, 2021.

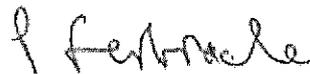
**Extent.**

3. These Regulations shall have effect throughout the Bailiwick.

**Commencement.**

4. These Regulations come into force on 6<sup>th</sup> August, 2021.

Dated this 5<sup>th</sup> day of August, 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 further amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) Regulations, 2021 ("the (No. 8) Regulations"). The amendments provide for a requirement for "Blue Arrivals" arriving in the Bailiwick to take self-administered lateral flow tests for COVID-19 provided to them on arrival, to report any positive test results to Public Health, and to comply with any direction given to them on so

doing. It makes a failure (without reasonable excuse) to comply with these requirements a criminal offence. They also impose a requirement to pay a fee for the provided tests before travel; this requirement has effect only in respect of persons arriving in the Bailiwick on or after 9<sup>th</sup> August. Finally, they provide for the Civil Contingencies Authority to be able to specify on the States of Guernsey website categories of "Jersey Blue Arrivals" in respect of whom the requirement to possess, on arrival, a pre-travel negative test result does not apply.

These Regulations come into force on 6<sup>th</sup> August, 2021, and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

