

Proposition in pursuance of Rule 18 submitted by the Chairman of the Civil Contingencies Authority

The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2021.

EMERGENCY POWERS (CORONAVIRUS) (GENERAL PROVISION) (BAILIWICK OF GUERNSEY) (AMENDMENT) (No. 2) REGULATIONS, 2021

In pursuance of section 16 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, the "Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2021", made by the Civil Contingencies Authority on 26th January, 2021 are intended to be laid before the States on 1st February, 2021. Under that section they will lapse at the end of the period of seven days beginning with the date of laying unless, during that period, a proposition is put before the States to approve them which is not carried, in which case the regulations shall lapse, or the States pass a resolution approving them.

EXPLANATORY NOTE

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, and in recognition of the importance of facilitating meetings of the States of Deliberation. They further amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021 ("the 2021 Regulations"). The main amendment provides that the Reform (Guernsey) Law, 1948 shall apply as if modified by the insertion of a new Article enabling the States of Deliberation to meet remotely. The modifications also empower the States' Assembly & Constitution Committee to make Rules of Procedure governing remote meetings of the States held pursuant to the inserted Article. The Regulations also correct a typographical error in a provision inserted by a previous amendment to the 2021 regulations.

These Regulations came into force on being made on the 26th 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.

LAYING OF URGENT PROPOSITIONS UNDER RULES OF PROCEDURES FOR THE STATES OF DELIBERATION AND THEIR COMMITTEES

Further, Rule 18 of the Rules of Procedures for the States of Deliberation and their Committees prescribes as follows:

Urgent propositions

18. A proposition as regards which an immediate decision is necessary or desirable may, with the permission of the Presiding Officer, be submitted to the States on behalf of a Committee or by the Presiding Officer in his or her own right at any Meeting, and may be debated and decided upon, with or without amendment, at that Meeting. Such proposition shall be in writing and shall be headed "Proposition in pursuance of Rule 18 submitted by the [President of the ... Committee / Presiding Officer]", and copies thereof shall be delivered beforehand to the Presiding Officer, Her Majesty's Procureur and the President of the Policy & Resources Committee;

Provided that:

- (a) if the postponement of the debate, or of the taking of a decision, on the proposition be moved and be supported by not less than one third of the Members voting on the motion, the debate, or the taking of a decision, on the proposition, as the case may be, shall be postponed until a date to be fixed by the Presiding Officer; and
- (b) on any such postponement, a motion for the immediate publication or circulation, in such manner as the Presiding Officer shall decide, of all relevant material shall have effect if supported by not less than one third of the Members voting on the motion.