

**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) Regulations, 2021.

**EMERGENCY POWERS (CORONAVIRUS) (GENERAL PROVISION) (BAILIWICK OF GUERNSEY) (AMENDMENT) 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) Regulations, 2021", made by the Civil Contingencies Authority on 23rd 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. 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 and the holding of events, gatherings and meetings (whether planned or unplanned and of whatever duration). Schedule 3A has effect until 23:59 hours on Friday 5th February 2021. 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 2021 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 First Schedule to 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 23<sup>rd</sup> 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.