



States of Alderney
Office of the President

BILLET D'ÉTAT

WEDNESDAY 20TH OCTOBER 2021

£2.40

Billet d'État

Wednesday 20th October 2021

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 2.30pm on Wednesday 20th October 2021.

This will be preceded by the People's Meeting, which will be held on Wednesday 13th October 2021 at 7.00pm in the Island Hall, convened by Mr Christian Harris.

William Tate
President

Item I Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.8) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 revoke and re-enact (with modifications) regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic.

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

Part I - screening, assessment and powers to detain etc.

This Part places a requirement to self-isolate on persons arriving in the Bailiwick, enables the Medical Officer of Health to place restrictions and requirements on other persons who are or who may be infected with coronavirus, and makes provision in respect of related matters, including powers for the Medical Officer of Health to impose screening requirements, to detain people and to require people to self-isolate. The provisions also create criminal offences and confer powers of enforcement on police officers, and provide for applications to vary or revoke requirements or restrictions imposed under this part to be made to the Royal Court.

Regulation 4 gives effect to Schedule 1, which makes provision in respect of Critical Workers. A person who has been granted a Critical Worker Exemption will have to self-isolate in accordance with, and otherwise comply with, the provisions of Schedule 1.

Schedule 2 to these regulations, which is given effect by regulation 5, provides for shorter periods of self-isolation to be undertaken by persons who arrive from a place specified as a Category 2 country or a Category 3 country on the States of Guernsey website, and who elect to comply with the restrictions and requirements set out therein.

This Part also provides for "Blue Arrivals" – that is, persons arriving in the Bailiwick at least two weeks after having received their second dose of COVID-19 vaccine administered in the Common Travel Area (CTA), and after having spent all of the previous 14 days within the CTA – to be free from self-isolation and other restrictions on arrival, and makes provision in respect of children travelling with Blue Arrivals.

Finally, this Part also provides that a person of 12 years or over who chooses not to take both a day of arrival test for COVID-19 and a test on day 13 after arrival will have to self-isolate for 21 days; otherwise, a person who does undergo those tests is required to self-isolate until receipt of a negative result for the day 13 test. A child under 12 who has not travelled with a Blue Arrival (and who is not a Category 2 or Category 3 arrival under and in accordance with Schedule 2) has to self-isolate for 14 days after arrival.

Part II – miscellaneous and final

Schedule 3 to these Regulations, which is given effect by regulation 21, sets out the modifications to be made to mental health legislation having effect in the Bailiwick. Paragraphs 4 and 5 modify the Mental Health Review Tribunal Procedure Rules, 2012 to provide that the Mental Health Review Tribunal may properly be constituted according to specified criteria.

Regulation 22 provides for the deemed variance of Long Term Employment Permits, Medium Term Employment Permits and Short Term Employment Permits, to allow the holder to be resident without being employed and to be employed by a different employer from that specified in the Permit; and for the modification of the Population Management (Guernsey) Law, 2016 and other legislation to the extent necessary to give effect to this.

I would be grateful if "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.8) Regulations, 2021" are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman"

The States of Alderney is asked not to annul "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.8) Regulations, 2021"

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item II **Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.8) (Bailiwick of Guernsey) Regulations, 2021**

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 apply where a vaccine against the coronavirus has been temporarily authorised under the UK’s Human Medicines Regulations, 2012 and designated under regulations made under the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009, and the vaccine is sold, supplied or administered in accordance with a Patient Group Direction or protocol approved or consented to by the States of Guernsey Committee for Health & Social Care. They only apply to a vaccine administered on or after the 15th December, 2020 (the date on which the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick of Guernsey) Regulations, 2020 came into force) and before the vaccine receives either a UK marketing authorisation or a European Medicines Agency marketing authorisation for administration in the circumstances concerned.

Where these Regulations apply they will limit the aggregate amount of damages and costs that may be awarded by any court in respect of death or personal injury suffered by any one person receiving the vaccine administered in accordance with the Patient Group Direction or protocol.

These Regulations revoke (and replace) the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 7) (Bailiwick of Guernsey) Regulations, 2021.

These Regulations came into force on the 16th July 2021 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

I would be grateful if “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.8) (Bailiwick of Guernsey) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.8) (Bailiwick of Guernsey) (Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item III Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 revoke and re-enact (with modifications) regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic.

These Regulations came into force on the 13th 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.

Part 1- screening, assessment and powers to detain etc.

This Part places a requirement to self-isolate on persons arriving in the Bailiwick, enables the Medical Officer of Health to place restrictions and requirements on other persons who are or who may be infected with coronavirus, and makes provision in respect of related matters, including powers for the Medical Officer of Health to impose screening requirements, to detain people and to require people to self-isolate. The provisions also create criminal offences and confer powers of enforcement on police officers, and provide for applications to vary or revoke requirements or restrictions imposed under this part to be made to the Royal Court.

Regulation 4 gives effect to Schedule 1, which makes provision in respect of Critical Workers. A person who has been granted a Critical Worker Exemption will have to self-isolate in accordance with, and otherwise comply with, the provisions of Schedule 1.

Schedule 2 to these regulations, which is given effect by regulation 5, provides for shorter periods of self-isolation to be undertaken by persons who arrive from a place specified as a Category 2 country or a Category 3 country on the States of Guernsey website, and who elect to comply with the restrictions and requirements set out therein.

This Part also provides for ‘Blue Arrivals’ — that is, persons arriving in the Bailiwick at least two weeks after having received their second dose of COVID-19 vaccine administered in the Common Travel Area (CTA), and after having spent all of the previous 14 days within the CTA — to be free from self-isolation and other restrictions on arrival, and makes provision in respect of children travelling with Blue Arrivals. It imposes a requirement for Blue Arrivals 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. The Regulations also impose a requirement to pay a fee for the provided tests before travel.

This Part also requires “Jersey Blue Arrivals”- ie Blue Arrivals arriving from Jersey or who have otherwise spent part of the previous 14 days in Jersey - to possess a qualifying negative pre-arrival test result on arrival (either PCR or lateral flow) to qualify for Blue Arrival status, and makes provision in respect of children accompanying such persons. It also provides 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.

Finally, this Part also provides that a person of 12 years or over who chooses not to take both a day of arrival test for COVID-19 and a test on day 13 after arrival will have to self-isolate for 21 days; otherwise, a person who does undergo those tests is required to self-isolate until receipt of a negative result for the day 13 test. A child under

12 who has not travelled with a Blue Arrival (and who is not a Category 2 or Category 3 arrival under and in accordance with Schedule 2) has to self-isolate for 14 days after arrival.

Part II— miscellaneous and final

Schedule 3 to these Regulations, which is given effect by regulation 23, sets out the modifications to be made to mental health legislation having effect in the Bailiwick. Paragraphs 4 and 5 modify the Mental Health Review Tribunal Procedure Rules, 2012 to provide that the Mental Health Review Tribunal may properly be constituted according to specified criteria.

Regulation 24 provides for the deemed variance of Long Term Employment Permits, Medium Term Employment Permits and Short Term Employment Permits, to allow the holder to be resident without being employed and to be employed by a different employer from that specified in the Permit; and for the modification of the Population Management (Guernsey) Law, 2016 and other legislation to the extent necessary to give effect to this.

I would be grateful if “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item IV Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) Regulations, 2021 (“the (No.9) Regulations”). The amendments make changes to the definition of “Blue Arrival” in respect of the place of administration, and permitted authorising regulatory bodies, of the vaccine against COVID-19 received by such persons, and provide for the Category 2 country reduced self-isolation option to be available to persons with a full vaccination history within the meaning of the regulations who have not spent time in specified high-risk countries

and regions during the 14 day period preceding their arrival in the Bailiwick. They also provide a mechanism for decisions in respect of whether a person has a full vaccination history within the meaning of the regulations to be challenged in the Royal Court.

These Regulations came into force on 16th 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.

I would be grateful if “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item V

Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) (No. 2) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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. 9) Regulations, 2021. The amendments standardise the entry requirements for all Blue Arrivals (defined as, persons (other than children) who have arrived in the Bailiwick after spending all of the period of 14 days immediately before arrival in a Blue List Country and who have a full vaccination history), regardless of whether they have spent time in Jersey in the 14 day period before their arrival in the Bailiwick and make relevant consequential amendments.

These Regulations came into force on 23rd 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.

I would be grateful if “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) (No.2) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.9) (Amendment) (No.2) Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item VI Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.9) (Bailiwick of Guernsey) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 apply where a vaccine against the coronavirus has been temporarily authorised under the UK’s Human Medicines Regulations, 2012 and designated under regulations made under the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009, and the vaccine is sold, supplied or administered in accordance with a Patient Group Direction or protocol approved or consented to by the States of Guernsey Committee for Health & Social Care. They only apply to a vaccine administered on or after the 15th December, 2020 (the date on which the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick of Guernsey) Regulations, 2020 came into force) and before the vaccine receives either a UK marketing authorisation or a European Medicines Agency marketing authorisation for administration in the circumstances concerned.

Where these Regulations apply they will limit the aggregate amount of damages and costs that may be awarded by any court in respect of death or personal injury suffered by any one person receiving the vaccine administered in accordance with the Patient Group Direction or protocol.

These Regulations revoke (and replace) the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 8) (Bailiwick of Guernsey) Regulations, 2021.

These Regulations came into force on the 13th 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.

I would be grateful if “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.9) (Bailiwick of Guernsey) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.9) (Bailiwick of Guernsey) (Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item VII Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2021

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 revoke and re-enact (with modifications) regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic.

These Regulations came into force on the 8th September,2021 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law,

Part I - screening, assessment and powers to detain etc.

This Part places a requirement to self-isolate on persons arriving in the Bailiwick, enables the Medical Officer of Health to place restrictions and requirements on other persons who are or who may be infected with coronavirus, and makes provision in respect of related matters, including powers for the Medical Officer of Health to impose screening requirements, to detain people and to require people to self-isolate. The provisions also create criminal offences and confer powers of enforcement on police officers, and provide for appeals against requirements or restrictions imposed under this Part by the Medical Officer of Health (as well as in respect of determinations concerning vaccination status and decisions in respect of specific conditions imposed on Critical Workers) to be made to the Royal Court.

Regulation 4 gives effect to Schedule 1, which makes provision in respect of Critical Workers. A person who has been granted a Critical Worker Exemption will have to self-isolate in accordance with, and otherwise comply with, the provisions of Schedule 1.

Schedule 2 to these regulations, which is given effect by regulation 5, provides for shorter periods of self-isolation to be undertaken by persons who arrive from a place specified as a Category 2 country or a Category 3 country on the States of Guernsey website, and who elect to comply with the restrictions and requirements set out therein.

This Part also provides for Blue Arrivals — that is, persons arriving in the Bailiwick at least two weeks after having received their second dose of COVID-19 vaccine administered in the Bailiwick or elsewhere in the Common Travel Area (CTA), the EU, a European Free Trade Association member state, certain European micro-states or a British overseas territory, and after having spent all of the previous 14 days within the

CTA — to be free from self-isolation on arrival, and makes provision in respect of children travelling with Blue Arrivals. It also provides for the Authority to provide (by direction published on the States of Guernsey website) for specified categories of person who have had the a vaccine administered other than as set out above, to have a full vaccination history for the purposes of Blue Arrival status under the regulations, and for the Category 2 country reduced self-isolation option to be available to persons with a full vaccination history within the meaning of the regulations who have not spent time in specified high-risk countries and regions during the 14 days preceding their arrival in the Bailiwick.

This Part also imposes a requirement for Blue Arrivals 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. The Regulations also impose a requirement to pay a fee for the provided tests before travel.

Finally, this Part also provides that a person of 12 years or over who chooses not to take both a day of arrival test for COVID-19 and a test on day 13 after arrival will have to self-isolate for 14 days; otherwise, a person who does undergo those tests is required to self-isolate until receipt of a negative result for the day 13 test. Under this Part, a child of between 5 and 11 years who has not travelled with a Blue Arrival (and who is not a Category 2 or Category 3 arrival under and in accordance with Schedule 2) has to self-isolate for 14 days after arrival. There is no requirement for a child under the age of 5 arriving in the Bailiwick to self-isolate.

Part II — miscellaneous and final

Schedule 3 to these Regulations, which is given effect by regulation 22, sets out the modifications to be made to mental health legislation having effect in the Bailiwick. Paragraphs 4 and 5 modify the Mental Health Review Tribunal Procedure Rules, 2012 to provide that the Mental Health Review Tribunal may properly be constituted according to specified criteria.

I would be grateful if “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2021” are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item VIII **Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) (Amendment) Regulations, 2021**

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“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 amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) Regulations, 2021. The amendments remove the requirement that a person's vaccine against coronavirus be administered in a specified jurisdiction for him or her to benefit by having a "full vaccination history" under and for the purposes of the regulations, and provide for a list of vaccines approved for the purposes of the Regulations to be published on the States of Guernsey website.

These Regulations came into force on 23rd September 2021 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

I would be grateful if "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) (Amendment) Regulations, 2021" are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman"

The States of Alderney is asked not to annul "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.10) (Amendment) Regulations, 2021"

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item IX **Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.10) (Bailiwick of Guernsey) Regulations, 2021**

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

"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 apply where a vaccine against the coronavirus has been temporarily authorised under the UK's Human Medicines Regulations, 2012 and designated under regulations made under the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009, and the vaccine is sold, supplied or administered in accordance with a Patient Group Direction or protocol approved or consented to by the States of Guernsey Committee for Health & Social Care. They only apply to a vaccine administered on or after the 15th December, 2020 (the date on which the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick

of Guernsey) Regulations, 2020 came into force) and before the vaccine receives either a UK marketing authorisation or a European Medicines Agency marketing authorisation for administration in the circumstances concerned.

Where these Regulations apply they will limit the aggregate amount of damages and costs that may be awarded by any court in respect of death or personal injury suffered by any one person receiving the vaccine administered in accordance with the Patient Group Direction or protocol.

These Regulations revoke (and replace) the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 9) (Bailiwick of Guernsey) Regulations, 2021.

These Regulations came into force on the 8th September 2021 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

I would be grateful if "The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.10) (Bailiwick of Guernsey) Regulations, 2021" are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman"

The States of Alderney is asked not to annul "The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No.10) (Bailiwick of Guernsey) (Regulations, 2021"

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item X **Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.11) Regulations, 2021**

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

"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 revoke and re-enact (with modifications) regulations previously made by the Civil Contingencies Authority in respect of the coronavirus pandemic.

These Regulations will come into force on the 4th October 2021 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

Part I - screening, assessment and powers to detain etc.

This Part places a requirement to self-isolate on persons arriving in the Bailiwick, enables the Medical Officer of Health to place restrictions and requirements on other persons who are or who may be infected with coronavirus, and makes provision in respect of related matters, including powers for the Medical Officer of Health to impose screening requirements, to detain people and to require people to self-isolate. The provisions also create criminal offences and confer powers of enforcement on police officers, and provide for appeals against requirements or restrictions imposed under this Part by the Medical Officer of Health (as well as in respect of determinations concerning vaccination status and decisions in respect of specific conditions imposed on Critical Workers) to be made to the Royal Court.

Regulation 4 gives effect to Schedule 1, which makes provision in respect of Critical Workers. A person who has been granted a Critical Worker Exemption will have to self-isolate in accordance with, and otherwise comply with, the provisions of Schedule 1.

Schedule 2 to these regulations, which is given effect by regulation 5, provides for reduced, or no, self-isolation to be undertaken by persons who arrive from a place specified as a Green List Country or a Red List Country on the States of Guernsey website, and who elect to comply with the testing requirements set out therein.

Green List Countries and Red List Countries replace the numbered Country Categories in previous iterations of these Regulations, and arrivals from Green List Countries are treated differently depending on whether they have a full vaccination history within the meaning of the Regulations.

This Part also provides for "Blue Arrivals" – that is, persons (including children) arriving in the Bailiwick from within the Common Travel Area - to be free from self-isolation on arrival, and imposes a requirement on Blue Arrivals 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. The Regulations also impose a requirement to pay a fee for the provided tests before travel.

Finally, this Part provides that a person (other than a child under 5) who does not wish to undergo any testing on arrival has to self-isolate for 10 days on arrival.

Part II – miscellaneous and final

Schedule 3 to these Regulations, which is given effect by regulation 22, sets out the modifications to be made to mental health legislation having effect in the Bailiwick. Paragraphs 4 and 5 modify the Mental Health Review Tribunal Procedure Rules, 2012 to provide that the Mental Health Review Tribunal may properly be constituted according to specified criteria.

Regulation 23 provides for the deemed variance of Long Term Employment Permits, Medium Term Employment Permits and Short Term Employment Permits, to allow the holder to be resident without being employed and to be employed by a different employer from that specified in the Permit; and for the modification of the Population Management (Guernsey) Law, 2016 and other legislation to the extent necessary to give effect to this.

I would be grateful if "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.11) Regulations, 2021" are placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman"

The States of Alderney is asked not to annul “The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.11) Regulations, 2021”

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item XI The Human Rights (Bailiwick of Guernsey) Law, 2000 – Amendment of Legislation

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“At the Policy and Finance Committee meeting of 20th May 2021, the Committee resolved to agree to the proposed amendment to Section 9(2) of the Human Rights (Bailiwick of Guernsey) Law, 2000 (the Law); and agreed for the same Policy Letter, once finalised by the Policy and Resources Committee to be considered by the States of Alderney.

The attached Policy Letter has been received from the States of Guernsey Policy and Resources Committee, which sets out the background as to why the amendment to the Law is being proposed, for consideration by the States of Alderney.

I would be grateful if the Policy Letter is placed before the next meeting of the States of Alderney with an appropriate proposition.

Bill Abel, Chairman”

The States of Alderney is asked to decide:-

Whether after consideration of the Policy Letter entitled “The Human Rights (Bailiwick of Guernsey) Law, 2000 – amendment of legislation” dated 4th August, 2021 from the States of Guernsey Policy and Resources Committee, they are of the opinion:-

1. To agree to amend section 9(2) of the Human Rights (Bailiwick of Guernsey) Law, 2000, to enable a court to award compensation to a person in respect of a judicial act done in good faith, in the circumstances set out in paragraph 2.5 of that Policy Letter;

and

2. To agree the preparation of such legislation as may be necessary to give effect to the above decision.

Proposed by Mr Bill Abel
Seconded by Mr Alex Snowdon

Item XII **Budgets for 2022 and Revised Budget 2021**

The following letter was received from Mr Bill Abel, Chairman of the Policy and Finance Committee:-

“Under Section 58 of the Government of Alderney Law, 2004, the Policy & Finance Committee is required to publish the proposed budgets for 2022 and report on the budgets for 2021.

The attached Budget Report provides a full explanation relating to the States of Alderney and the States of Alderney Water Board budgets.

I would be grateful if you would place this matter before the States of Alderney with the following propositions.

Bill Abel, Chairman”

After consideration of the Budget Report, the States of Alderney is asked to:-

- a) **Note the States of Alderney Revenue and Capital Budgets and Revised Budgets for 2021**
- b) **As per the Budget Strategy note that Fuel Duty will be kept consistent with the States of Guernsey for 2022**
- c) **Note that Document Duty will be maintained at existing levels for 2022**
- d) **Note the Reserve Strategy as detailed on page 5 of the Budget Report**
- e) **Approve an increase of June 2021 RPIX (2.3%) on all Alderney Property Tax tariffs for the year of charge 2022**
- f) **Approve the States of Alderney Revenue and Capital Budgets for 2022.**
- g) **Note the States of Alderney Water Board Revenue and Capital Revised Budgets for 2021**
- h) **Note that the Water Rates for 2022 will be maintained at 2021 rates of charge**
- i) **Approve the States of Alderney Water Board Revenue and Capital Budgets for 2022**

Proposed by Mr Bill Abel

Seconded by Mr Christian Harris

Item XIII **Questions and Reports**

The following Report was received from Mr Ian Carter:-

“Island Planning Group Report

This report summarises the work (four meetings) undertaken by the SoA member working group of Kevin Gentle, Annie Burgess, Boyd Kelly and Ian Carter and a workshop held for all SoA members and SoA Civil Servants. Through these activities the following have been established:-

- **A vision statement**

Vision Statement ‘To maximise Alderney’s prosperity and resilience.’

The Island Plan's overall aim is to ensure that we maximise our prosperity and resilience, and in so doing, become a more sustainable Island with excellent accessibility/connectivity, a vibrant economy, a happy, healthy community; and a community which values and protects its unique heritage and natural environment as an autonomous member of the Crown Dependencies.

- **A set of values which underpin our vision and plan and**
 - Value our environment - We strive to help and improve the environment and community where we work and live.
 - Inclusive and Empowering - We treat everyone with mutual respect and sensitivity, recognizing the importance of diversity whilst respecting all individuals and value their contributions.
 - Passion for results - We show pride, enthusiasm and dedication in everything that we do, celebrating success and building on setbacks.
 - Strive for lasting impact – We use resources carefully to maximise their effect and gain best value.
 - Open and Accountable - We accept responsibility for our actions and communications whilst acting with honesty and integrity, not compromising the truth while respecting confidentiality.
 - Work well together – We are supportive of each other's efforts, loyal to one another, and care for each other both personally and professionally.
 - Endeavour for Service Excellence - We are dedicated to satisfying community needs and honouring commitments that we have made.

- **Six key themes for action** *Economy, Energy, Accessibility/Connectivity, Community Development, Natural / Man Made environment and Governance* with associated goals for each theme.
 - *Economy*
 1. Increase the number and diversity of resilient businesses.
 2. Improve the skills base of the working community.
 3. Develop an economic USP that can attract entrepreneurial business investment.
 - *Energy*
 1. Increase the amount of clean energy used (reduce the C footprint).
 2. Reduce energy costs for individuals and organisations.
 - *Accessibility / Connectivity*
 1. Increase the resilience and capacity of air and sea transport.
 2. Create a digital enterprise centre of excellence.
 - *Community Development*
 1. Increase the number of economically active (20-50) year olds and their families and thus reduce the dependency ratio.
 2. Increase the provision of appropriate housing for use by a growing population.
 3. Increase and diversify the provision of family friendly indoor infrastructure amenities.
 4. Development of health and social care policy and practice to support the entire population.
 - *Natural / man made environment*
 1. Use States assets (terrestrial and marine) to their full potential for the public good.
 2. Protect and develop the unique heritage and natural environment for the benefit of the community.
 - *Governance*
 1. Improve the efficiency of government decision making and actions
 2. Put in place appropriate scrutiny of governmental decision making
 3. Increase public confidence in the government and governance of the island

Running through these themes is an awareness of the sustainability agenda, closer working with Guernsey and an appreciation we now have to live with Covid in a post Brexit world. The plan at this stage is a high-level strategic plan, it is not a series of specific detailed action plans with measurable Key Performance Indicators (KPIs) to address each issue identified; that is not for politicians to write, but it is for us to guide and direct as policy makers.

Hence in common parlance this is a road map and it will be for us to now consult effectively with the community and all the other stakeholders in the island to gain their feedback and establish their buy-in before we can move to the next stage which is to address and guide its implementation through appropriate detailed action planning for each goal in a staged manageable way. Action plans for each goal may be focussed on the development of policy or more tangible developments to the Island's infrastructure.

Consultation

The consultation process will present in more detail the themes, goals and areas for action planning. Once the consultation process has been completed, ideally by the end of October, we can then review and redefine areas that have been highlighted to us and the real work of action planning can begin: so, bringing about specific change in those areas that matter most to the community. In making those detailed action plans we must not lose sight that the world is an ever-changing place and that we need to be adaptable and so though we might have to change our plans we won't change our goals.

An island plan is akin to a sales brochure for a range of audiences such as potential investors, immigrants or the myriad of visitors who come to Alderney and who want to know where we are heading as an island. However, above all it is a means by which the government structures of the Island can remain focussed on ensuring that we can develop our community for the benefit of all its members over the coming decade in a planned manageable manner and do not get distracted through the day to day demands place upon all those who are charged with leading the island."

Note:- The legislation referred to in this Billet d'Etat may be viewed online at www.GuernseyLegalResources.gg and www.alderney.gov.gg

Issued: 8 October 2021