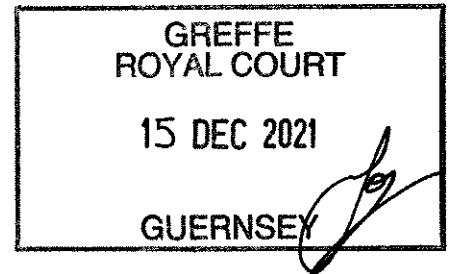


GUERNSEY STATUTORY INSTRUMENT

2021 No. 163



**The Emergency Powers (Coronavirus) (General Provision)
(Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2)
Regulations, 2021**

| | |
|-------------------------------|---------------------------------------|
| <i>Made</i> | <i>14th December, 2021</i> |
| <i>Coming into operation</i> | <i>17th December, 2021</i> |
| <i>Laid before the States</i> | <i>, 2021</i> |

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 there has been a recent surge of infections of several different variants of Severe Acute Respiratory Syndrome Coronavirus 2 in Europe and beyond, including the new Omicron variant;

AND WHEREAS there is evidence of community transmission of Severe Acute

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

Respiratory Syndrome Coronavirus 2 within the Bailiwick;

AND WHEREAS while 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, the effectiveness of that programme and those programmes against the Omicron variant is still being assessed;

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

^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.

Amendment of the General Provision (No. 13) Regulations.

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) Regulations, 2021^c are further amended as follows.

(2) In regulation 15 (offences and enforcement), after paragraph (9) insert–

"(9A) A person guilty of an offence under paragraph 1 or paragraph 3 of Schedule 1A is liable on conviction to a fine not exceeding level 2 on the uniform scale."

(3) In paragraph 1 of Schedule 1A, after subparagraph (2)(b) insert –

"(ba) to a person in a theatre, concert venue or place of worship, only while that person is singing in a choir, playing a musical instrument, giving a reading, preaching or otherwise performing (other than as a member of the audience or congregation),"

and after subparagraph (4)(d) insert –

"(da) cinemas,

(db) theatres,

(dc) concert venues (including, but not limited to, St James concert and assembly hall, St Peter Port),

(dd) places of worship,".

^c G.S.I. No. 150 of 2021; as amended by G. S. I. No. 152 of 2021.

Citation.

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 13) (Amendment) (No. 2) Regulations, 2021.

Extent.

3. These Regulations shall have effect throughout the Bailiwick.

Commencement.

4. These Regulations come into force on 17th December, 2021.

Dated this 15th day of December, 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. 13) Regulations, 2021. They extend the requirement to wear face-coverings to cinemas, theatres, concert venues and places of worship, with exemptions for people in those places while singing, playing musical instruments, giving a reading, preaching or otherwise performing (other than as a member of the audience or congregation). They also make the offence of failing to comply with a requirement to wear a face covering punishable on conviction by a level 2 fine, in addition to being a fixed penalty notice offence.

These Regulations come into force on 17th December, 2021, and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

