

***ORDINANCE LAID BEFORE THE STATES***

**THE DRIVING LICENCES (GUERNSEY) (AMENDMENT) ORDINANCE, 2020**

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Driving Licences (Guernsey) (Amendment) Ordinance, 2020", made by the Policy & Resources Committee on the 21<sup>st</sup> July, 2020, is laid before the States.

**EXPLANATORY MEMORANDUM**

This Ordinance permits moped riders and motorcyclists whose provisional licences expired during the recent lockdown caused by the Covid-19 pandemic to renew those licences after their expiry and, after renewal, to drive on the public highway until they have passed a Compulsory Basic Training ("CBT") test, provided that they pass that test by a specified date. The dates are not set out on the face of the Ordinance, but will instead be set by resolution of the Committee for the Environment & Infrastructure ("the Committee"). This will allow the Committee to make similar provision in future should there be another lockdown or other similar event, but without the need to enact further amendments. Secondly, this Ordinance permits the Committee to extend, in exceptional circumstances, the period to successfully undertake a CBT test for moped riders and motorcyclists whose provisional licences had not expired during the specified date, but who could not undertake that test due to the lockdown. Finally, this Ordinance permits the Committee in its discretion to grant or renew licences for short periods (to a maximum period of 12 months) where payment has not been made for example, due to the closure of the Driving and Vehicle Licensing office, as a result of another lockdown or other similar event.

The Ordinance was approved by the Legislation Review Panel on the 20<sup>th</sup> July, 2020 and made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948. Under the proviso to the said Article 66A(1), the States of Deliberation have the power to annul the Ordinance.

## **STATUTORY INSTRUMENTS LAID BEFORE THE STATES**

The States of Deliberation have the power to annul the Statutory Instruments detailed below.

No. 66 of 2020

### **THE EMERGENCY POWERS (CORONAVIRUS) (GENERAL PROVISION) (BAILIWICK OF GUERNSEY) (NO. 4) (AMENDMENT) REGULATIONS, 2020**

In pursuance to Sections 12(1), 14 and 19 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No 4) (Amendment) Regulations, 2020" made by the Civil Contingencies Authority on 23<sup>rd</sup> July 2020, is laid before the States:-

#### 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 amend the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 4) Regulations, 2020. They provide for offences under the Regulations to be assigned matters (within the meaning of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972), including for the purposes of Schedule 5 to the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003. This means that the provisions of that latter Law relating to the investigation of offences conducted by police officers shall apply to investigations of those offences conducted by customs officers.

These Regulations also revoke provisions relating to schools and the cutting of seaweed, the effect of which has expired.

These Regulations will come into force on the 23rd July, 2020 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.

No. 58 of 2020

**THE POLLING STATIONS (HOURS OF OPENING) (REVOCATION) REGULATIONS, 2020**

In pursuance of Article 77C of the Reform Law (Guernsey) Law, 1948, and all other powers enabling it in that behalf, “The Polling Stations (Hours of Opening) (Revocation) Regulations, 2020” made by the States’ Assembly & Constitution Committee on 2<sup>nd</sup> June 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations revoke the Polling Station (Hours of Opening) Regulations, 2020, following the decision to delay the holding of the 2020 General Election. They came into force on being made.

No. 67 of 2020

**THE POLLING STATIONS (HOURS OF OPENING) (NO. 2) REGULATIONS, 2020**

In pursuance of Article 77C of the Reform Law (Guernsey) Law, 1948, and all other powers enabling it in that behalf, “The Polling Stations (Hours of Opening) (No. 2) Regulations, 2020” made by the States’ Assembly & Constitution Committee on 21<sup>st</sup> July 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations replace the Polling Stations (Hours of Opening) Regulations, 2020, which were revoked by the Polling Stations (Hours of Opening) (Revocation) Regulations, 2020 following the change of date of the general election. They provide for polling stations in the 2020 General Election to be open between 8am and 8pm. The polling stations are set out in the Schedule to the Advance Polling and Super Polling Stations Ordinance, 2020. These Regulations were made on 21<sup>st</sup> July 2020 and came into force on the day they were made.

No. 68 of 2020

**THE LIMITED PARTNERSHIPS (FEES) REGULATIONS, 2020**

In pursuance of sections 36(1)(C), 43 and 44 of the Limited Partnerships (Guernsey) Law, 1995, “The Limited Partnerships (Fees) Regulations, 2020”, made by the Committee for Economic Development 30<sup>th</sup> July 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations, made under the Limited Partnerships (Guernsey) Law, 1995, amend the Limited Partnerships (Fees, Annual Validations and Miscellaneous Provisions)

Regulations, 2016, by substituting the Schedule to introduce fees payable to the Greffier in respect of the inward and outward migration of limited partnerships. They also prescribe a fee payable to the Guernsey Financial Services Commission for the consent of the commission for the removal of a supervised limited partnership from the Register of Limited Partnerships; and Fees payable to HM Procureur and the Director of the Revenue Service in respect of their consent for the removal of limited partnerships from the Register of Limited Partnerships.

These Regulations come into force on the 30<sup>th</sup> July, 2020.

No. 69 of 2020

**THE LIMITED PARTNERSHIPS (GUERNSEY) (MIGRATION) REGULATIONS, 2020**

In pursuance of sections 43 and 44 of the Limited Partnerships (Guernsey) Law, 1995, "The Limited Partnerships (Guernsey) (Migration) Regulations, 2020", made by the Committee *for* Economic Development 30<sup>th</sup> July 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations, made under the Limited Partnerships (Guernsey) Law, 1995, provide for the inward migration, and registration in Guernsey, of overseas limited partnerships registered or incorporated in another jurisdiction; and for the outward migration, and registration in another jurisdiction, of limited partnerships registered in Guernsey

These Regulations come into force on the 30<sup>th</sup> July, 2020.

No. 49 of 2020

**THE PRISON (GUERNSEY) (AMENDMENT) (NO 2) REGULATIONS, 2020**

In pursuance of sections 13, 15, 49 and 51 of the Prison (Guernsey) Ordinance, 2013, The Prison (Guernsey) (Amendment) (No 2) Regulations, 2020, made by the Committee *for* Home Affairs on 14th April 2020, is laid before the States.

EXPLANATORY NOTE

These Regulations amend the Prison (Guernsey) Regulations, 2013 ("**the principal Regulations**") to deal with the threat of serious infectious or contagious diseases.

The new regulation 140A inserted into the principal Regulations authorises the Governor to direct a prisoner to be quarantined within the prison either by removal from association, or where strictly necessary, by cellular confinement, upon a certificate issued by a member of the healthcare team. This is in order to prevent,

control or mitigate the spread of a serious infectious or contagious disease within the prison or the wider community outside the prison. The Independent Monitoring Panel as well as a member of the healthcare team must be notified of any direction issued under the new regulation 140A. If a direction for cellular confinement is issued, the Committee for Home Affairs must also be notified.

The new regulation 140B inserted into the principal Regulations authorises the Governor to direct the suspension of prisoner entitlements or activities in the prison, upon a certificate issued by a member of the healthcare team. This is in order to prevent, control or mitigate the spread of a serious infectious or contagious disease within the prison. The Independent Monitoring Panel, a member of the healthcare team and the chief officer of the Committee for Home Affairs must be notified of any direction issued under the new regulation 140B.

The need for these powers became apparent in the current Covid-19 emergency, although the new regulations 140A and 140B could be used for any similarly serious threat to health in the prison posed by any serious infectious or contagious disease.

These Regulations come into force on the 14<sup>th</sup> April, 2020.

No. 50 of 2020

**THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE (GUERNSEY)  
(AMENDMENT) LAW, 2019 (COMMENCEMENT) REGULATIONS, 2020**

In pursuance of section 3 of the Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2019, the Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2019 (Commencement) Regulations, 2020, made by the Committee *for* Employment & Social Security on 15<sup>th</sup> April, 2020 are laid before the States.

EXPLANATORY NOTE

These Regulations bring into force the Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2019, on 20<sup>th</sup> April, 2020.

No. 70 of 2020

**THE ELECTORAL ROLL (AVAILABILITY) RULES, 2020**

In pursuance of sections 35(2) 30, 45, 49 and 51 of the Reform (Guernsey) Law, 1948, as amended, The Electoral Roll (Availability) Rules 2020, made by the Committee *for* Home Affairs on 6th August 2020, is laid before the States.

EXPLANATORY NOTE

These rules specify the conditions on which the Registrar-General of Electors may supply copies of the Electoral Roll to election candidates and certain office holders.

These Rules came into force on the day they were made, 6<sup>th</sup> August 2020.

No. 73 of 2020

### **THE POSTAL VOTING REGULATIONS, 2020**

In pursuance of the powers conferred on it by section 15B of the Reform (Amendment) (Guernsey) Law, 1972 and all other powers enabling it in that behalf, and having consulted the Registrar-General of Electors, "The Postal Voting Regulations, 2020" made by the States' Assembly & Constitution Committee on 10<sup>th</sup> August, 2020, are laid before the States.

#### **EXPLANATORY NOTE**

These Regulations modify sections 9 and 10 of the Reform (Amendment) (Guernsey) Law, 1972 ("the 1972 Law") as they shall apply in respect of the 2020 General Election, to facilitate the introduction of a partially automated system for preparing, collating and sending documents to absent voters. As required by section 15B(2) and (3) of the 1972 Law, the States' Assembly & Constitution Committee consulted the Registrar-General of Electors before making these Regulations, and is satisfied that they shall not threaten the integrity of the 2020 General Election.

These Regulations were made on 10th August, 2020 and came into force on being made.

The full text of the legislation can be found at:

<http://www.guernseylegalresources.gg/>