

SUMMARY OF LEGISLATION

BAILIWICK OF JERSEY

1 January–30 April 2020

1. LAWS ADOPTED BY THE STATES

- (a) *Covid-19 (Enabling Provisions) (Jersey) Law 202-*
(P.29/2020—adopted in 3rd reading, 27.3.2020)
This Law enables the States to make Regulations containing any provision necessary or expedient as a direct or indirect result of the outbreak of Covid-19 in Jersey or its aftermath.

2. LAWS, ORDERS IN COUNCIL, ETC REGISTERED IN THE ROYAL COURT

- (a) *Police Act 1997 (Criminal Records and Registration) (Jersey) (Amendment No 2) Regulations 2012*
(R&O.1/2020—registered 17.1.2020. In force 18.1.2020)
- (b) *Police Act 1997 (Criminal Records and Registration) (Jersey) (Amendment) Regulations 2019*
(R&O.2/2020—registered 17.1.2020. In force 24.1.2020)
- (c) *Employment (Amendment No 11) (Jersey) Law 2020*
(L.1/2020—registered 21.2.2020. Not in force)
- (d) *Communications (Television Licensing) (Amendment) Regulations 2020*
(R&O.17/2020—registered 28.2.2020. In force 1.4.2020)
- (e) *Covid-19 (Enabling Provisions) (Jersey) Law 2020*
(L.2/2020—registered 7.4.2020. In force 8.4.2020)
- (f) *Children and Education (Amendment) (Jersey) Law 2020*
(L.3/2020—registered 17.4.2020. In force 24.4.2020)

3. LAWS BROUGHT INTO FORCE

- (a) *Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No 3) Act 2020*
(R&O.26/2020—in force 24.3.2020)
Article 17, Arts 19–23, arts 100–102 and art 118 (to the extent that art 14 of the Loi (1864) réglant la Procédure Criminelle and art 7 and Part 3 of the Magistrate's Court (Miscellaneous Provisions) (Jersey) Law 1949 is repealed) of the Criminal Procedure (Jersey) Law 2018 brought into force on 25 March 2020.

4. REGULATIONS MADE BY THE STATES

- (a) *Banking Business (Depositors Compensation) (Amendment No 2) (Jersey) Regulations 2020*
(R&O.4/2020—in force 28.1.2020)
These Regulations amend the Banking Business (Depositors Compensation) (Jersey) Regulations 2009, in order to add criminal offences and provisions about information. The amendments give the Board powers to demand relevant information from various persons, and a new power to demand information from banks, at any time and in a specified format, about their total holdings of eligible deposits (and other information relevant to functions under, or the operation of, the depositors compensation scheme).
- (b) *Rehabilitation of Offenders (Exceptions) (Amendment No 2) (Jersey) Regulations 2020*
(R&O.5/2020—in force 28.1.2020)
These Regulations permit the making of enquiries regarding spent convictions in processing an application for a licence to produce, supply, offer to supply or possess a controlled drug or to cultivate cannabis plants.
- (c) *Employment (Minimum Wage) (Amendment No 16) (Jersey) Regulations 2020*
(R&O.6/2020—in force 1.4.2020)
These Regulations will, from 1 April 2020, increase by 3.81% the limits on the amounts that may be taken into account where an employer provides food or living accommodation to an employee as part of their employment package. The limits were last increased on 1 October 2019.
- (d) *Control of Housing and Work (Residential and Employment Status) (Amendment) (Jersey) Regulations 2020*
(R&O.12/2020—in force 4.3.2020)
These Regulations make provision for the grant of Entitled status on social or economic grounds to require the approval of the Housing and Work Advisory Group established under the Control of Housing and Work (Jersey) Law 2012.
- (e) *Sea Fisheries (Licensing of Fishing Boats) (Amendment No 7) (Jersey) Regulations 2020*
(R&O.19/2020—in force 18.3.2020)
These Regulations amend the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003, the effect of which is to prohibit fishing boats used for the purpose of recreational fishing on a fee paying basis, from operating without a fishing boat licence or an access permit.
- (f) *EU Legislation (Plant Health) (Jersey) Regulations 2020*
(R&O.20/2020—not in force)

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These Regulations give effect in Jersey law to certain EU instruments concerning plant health and official controls in relation to plant health.

- (g) *Cremation (Suspension and Modification of Regulations—Covid-19) (Jersey) Regulations 2020*
(R&O.23/2020—in force 24.3.2020)
These Regulations suspend the requirement, in the Cremation (Jersey) Regulations 1961, for a second registered medical practitioner to certify death for the purposes of an application for cremation. Those 1961 Regulations are also modified to confer a discretion on the Medical Referee to permit cremation without a certificate of death. These modifications would have effect only for the purposes of dealing with the current coronavirus epidemic.
- (h) *Unlawful Public Entertainments (Amendment) (Jersey) Regulations 2020*
(R&O.24/2020—in force 25.3.2020)
These Regulations amend the Unlawful Public Entertainments (Jersey) Regulations 2019, which expire in 2022 (unless renewed), to require organisers of public entertainments to obtain the permission of the Bailiff, and to comply with any conditions attached when the permission is granted. The effect of the amendment is that, when it appears to the Bailiff to be in the public interest, conditions can be added or varied after the permission was granted, or the permission can be revoked.
- (i) *Marriage and Civil Status (Amendment of Law) (Covid-19—Temporary Amendment) (Jersey) Regulations 2020*
(R&O.25/2020—in force 25.3.2020)
These Regulations modify the operation of Part 5 (Registration of Births, Deaths and Marriages) of the Marriage and Civil Status (Jersey) Law 2001 as a consequence of the outbreak of Covid-19 in Jersey.
- (j) *Statutory Nuisances (Amendment) (Jersey) Regulations 2020*
(R&O.27/2020—in force 25.3.2020)
These Regulations amend the Statutory Nuisances (Jersey) Regulations 2017, to add a matter that constitutes a statutory nuisance to the list in the Statutory Nuisances (Jersey) Law 1999. The new statutory nuisance is any event at which persons gather, if the event is of such size or duration, and is held in such circumstances in relation to potential contamination or infection with Covid-19, as to be prejudicial to health or a nuisance.
- (k) *Regulation of Care (Standards and Requirements) (Covid-19—Temporary Amendments) (Jersey) Regulations 2020*
(R&O.28/2020—in force 25.3.2020)
These Regulations make temporary changes to certain requirements in respect of the registration of registered providers, the employment

of workers and inspections by the Jersey Health and Social Care Commission in relation to activities regulated under the Regulation of Care regime as a consequence of the outbreak of Covid-19 in Jersey.

- (l) *Regulation of Care (Amendment of Law) (Covid-19—Temporary Amendment) (Jersey) Regulations 2020*
(R&O.29/2020—in force 25.3.2020)
These Regulations make temporary changes to the Regulation of Care (Jersey) Law 2014, which describes what are “regulated activities” to be regulated under the Law. The changes are as a consequence of the outbreak of Covid-19 in Jersey.
- (m) *Public Finances (Amendment of Law) (Jersey) Regulations 2020*
(R&O.30/2020—in force 25.3.2020)
These Regulations amend the Public Finances (Jersey) Law 2019, which modifies the way the Law operates when a state of emergency has been declared or the Minister is satisfied that there exists an immediate threat to the health or safety of the inhabitants of Jersey, to the stability of Jersey’s economy or to the environment. The amendments add further modifications for the duration of the period when the Minister is satisfied that those circumstances apply.
- (n) *Covid-19 (Schools and Day Care of Children) (Jersey) Regulations 2020*
(R&O.32/2020—in force 28.3.2020)
These Regulations make provision for the Minister for Education to require the closure of school premises or day care accommodation including day carer premises, to prevent the infection by, and spread of, Covid-19 (coronavirus). These Regulations also allow the Minister to implement arrangements for the education of compulsory school age children whilst those children are unable to attend school by reason of the closure of school premises.
- (o) *Social Security (Amendment of Law No 12) (Jersey) Regulations 2020*
(R&O.35/2020—in force 3.4.2020)
These Regulations remove the obligation on the States to pay into the Social Security Fund for the year 2020.
- (p) *Marriage and Civil Status (Amendment of Law No 2) (Covid-19—Temporary Amendment) (Jersey) Regulations 2020*
(R&O.36/2020—in force 3.4.2020)
These Regulations temporarily modify the operation of art 64 (Certificate of fact and cause of death) of the Marriage and Civil Status (Jersey) Law 2001 as a consequence of the outbreak of Covid-19 in Jersey.
- (q) *Covid-19 (Screening, Assessment and Isolation) (Amendment) (Jersey) Regulations 2020*

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(R&O.37/2020—in force 3.4.2020)

These Regulations make a minor amendment to the Covid-19 (Screening, Assessment and Isolation) (Jersey) Regulations 2020. The amendments allow an Order to include a non-exhaustive list of reasonable excuses. They also make the absence of a reasonable excuse part of the main prohibition rather than the offence, to ensure that it is something that the prosecution must prove (along with the other elements of the offence).

- (r) *Regulation of Care (Amendment of Law) (Covid-19—Temporary Amendment No 2) (Jersey) Regulations 2020*

(R&O.40/2020—in force 10.4.2020)

These Regulations make further temporary changes to the Regulation of Care (Jersey) Law 2014, which describes what are “regulated activities” to be regulated under the Law. The changes are as a consequence of the outbreak of Covid-19 in Jersey.

- (s) *Covid-19 (Residential Tenancy) (Temporary Amendment of Law) (Jersey) Regulations 2020*

(R&O.42/2020—in force 10.4.2020)

These Regulations make temporary amendments to the Residential Tenancy (Jersey) Law 2011 to insert a new Part 3A which has temporary provisions relating to the Covid-19 outbreak. The amendments will expire on 30 September 2020.

- (t) *Covid-19 (Emergency Provisions—Courts) (Jersey) Regulations 2020*

(R&O.45/2020—in force 23.4.2020)

These Regulations make temporary changes to the hearing of certain court and tribunal proceedings as a result of the Covid-19 outbreak in Jersey

- (u) *Covid-19 (Health Insurance Fund) (Jersey) Regulations 2020*

(R&O.46/2020—in force 23.4.2020)

These Regulations amend the Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 2011 to allow £5,322,000 to be transferred from the Health Insurance Fund to the Consolidated Fund.

- (v) *Covid-19 (Mental Health) (Jersey) Regulations 2020*

(R&O.47/2020—in force 23.4.2020)

These Regulations allow for temporary modifications to be made to the Mental Health (Jersey) Law 2016. They also provide for the Minister for Health and Social Services to declare an extraordinary period if the Covid-19 outbreak in Jersey has disrupted the provision of care and treatment of persons suffering mental disorder.

- (w) *Covid-19 (Restricted Trading) (Jersey) Regulations 2020*

(R&O.48/2020—in force 23.4.2020)

These Regulations enable the Minister for Health and Social Services to declare a period of restricted trading in certain

circumstances, enabling the Minister to direct certain business premises to close or to open only for certain purposes and to direct the occupier or operator of certain business premises not to carry out certain work or to only carry out certain work for a specified purpose.

- (x) *Covid-19 (Construction Work) (Jersey) Regulations 2020* (R&O.49/2020—in force 23.4.2020)
These Regulations enable the Minister for Health and Social Services, in certain circumstances, to impose temporary prohibitions or restrictions on construction work.
- (y) *Covid-19 (Signing of Instruments) (Jersey) Regulations 2020* (R&O.50/2020—in force 23.4.2020)
These Regulations introduce time-limited amendments to permit wills to be witnessed over an audio-visual link. The Regulations would also allow probate applications and the attestation of probate-related documents to be executed remotely.

5. OTHER SUBORDINATE LEGISLATION OF NOTE

- (a) *European Union (Regulations Related to United Kingdom Exit—Commencement) (Jersey) Order 2020* (R&O.3/2020—in force 20.1.2020)
This Order brings into force the whole of the European Union (United Kingdom Exit—Miscellaneous Amendments) (Jersey) Regulations 2019, Regs 1 and 4 of the European Union (Financial Services—Miscellaneous Amendments) (Jersey) Regulations 2019 and Regs 1 and 6–8 of the Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Amendment) (Jersey) Regulations 2019, at 11 p.m. on 31 January 2020.
- (b) *Medical Practitioners (Registration) (General Provisions) (Covid-19—Temporary Amendments) (Jersey) Order 2020* (R&O.31/2020—in force 26.3.2020)
This Order temporarily amends the Medical Practitioners (Registration) (General Provisions) (Jersey) Order 2014 during an emergency relating to the Covid-19 outbreak in Jersey.
- (c) *Covid-19 (Restricted Movement) (Jersey) Order 2020* (R&O.34/2020—in force 30.3.2020 at 8 a.m.)
This Order declares a period of restricted movement under the Covid-19 (Screening, Assessment and Isolation) (Jersey) Regulations 2020. It also declares 8 a.m. on 13 April 2020 as the end of that period.
The Order makes exceptions from the requirement not to go to (or remain in) a public place. The exceptions cover police officers, when acting as such, and authorised officers (defined in the Regulations to include health officers, as well as police officers), when acting as

such. They also cover other persons when they are in a public place for the purpose of their work, if it is not reasonably possible for them to work from their home. Work includes charitable and voluntary work, and travel from home to work and back is treated as being for the purpose of work. There is also an exception for other persons who are required to go to (or remain in) a public place to fulfil a legal obligation.

The requirement under the Regulations applies to any public place. The Order adds that a private road or way is also to be treated as a public place if the public has access to it, whether for payment or otherwise.

- (d) *Social Security (Contributions) (Covid-19) (Jersey) Order 2020*
(R&O.38/2020—in force 4.4.2020)
This Order extends the time limits for making Class 1 and Class 2 social security contributions to mitigate the impact of the Covid-19 outbreak.
- (e) *Covid-19 (Restricted Movement) (Amendment—Extension) (Jersey) Order 2020*
(R&O.39/2020—in force 13.4.2020)
This Order amends the Covid-19 (Restricted Movement) (Jersey) Order 2020 to extend the period of restricted movement under that Order, which was due to end at 8 a.m. on 13 April 2020, it ends instead at 8 a.m. on 27 April 2020.
- (f) *Planning and Building (General Development) (Amendment No 5—Covid-19) (Jersey) Order 2020*
(R&O.41/2020—in force 10.4.2020)
This Order amends the Planning and Building (General Development) (Jersey) Order 2011, to give general permission to the Government of Jersey for temporary work of a kind otherwise permitted by that Order, and for a temporary change of use of any land, to enable the creation of emergency medical and related facilities to deal with the Covid-19 epidemic. Such use is limited to 12 months beginning with the date of the change, and after that period the building or land in question must be restored to its previous use and (so far as practicable) its previous condition.
- (g) *Control of Housing and Work (Exemptions) (Covid-19—Temporary Amendment) (Jersey) Order 2020*
(R&O.43/2020—in force 18.4.2020)
This Order amends the Control of Housing and Work (Exemptions) (Jersey) Order 2013. The Order contains a list of people who do not count towards the maximum number of people with Licensed or Registered status who are permitted to work in or for an undertaking. This Order inserts a temporary addition to that list. Until 30 September 2020, a person will not count towards the maximum number if the person is providing cover for up to 3 months for a worker who has left Jersey due to the outbreak of Covid-19.

- (h) *Prison (Temporary Amendment—Covid-19) (Jersey) Rules 2020*
(R&O.44/2020—in force 22.4.2020)
These Rules amend the Prison (Jersey) Rules 2007 to create a specific procedure relating to recall of prisoners who have been released temporarily by the Minister, for reasons of safety to deal with the Covid-19 epidemic. Under the new r 64A, the Minister may order the return of such prisoners into custody. A right to request a review of the Minister's order is also conferred and such a request must be considered initially by a panel of the Independent Prison Monitoring Board.
- (i) *Covid-19 (Construction Work) (Jersey) Order 2020*
(R&O.51/2020—in force 23.4.2020)
This Order prohibits construction work for a specified period, provides for exemptions, and enables the Minister for Health and Social Services to grant (and vary or cancel) permits.
- (j) *Covid-19 (Restricted Movement) (Amendment—Second Extension) (Jersey) Order 2020*
(R&O.52/2020—in force 27.4.2020)
This Order amends the Covid-19 (Restricted Movement) (Jersey) Order 2020. The amendment extends, for the second time, the period of restricted movement under that Order. That period, as first extended, was due to end at 8 a.m. on 27 April 2020. This amendment means that it ends instead at 8 a.m. on 11 May 2020.

6. RULES OF COURT

None.

BAILIWICK OF GUERNSEY

1 January–30 April 2020

A. GUERNSEY

1. LAWS APPROVED BY THE STATES OF DELIBERATION

- (a) *Capacity (Bailiwick of Guernsey) Law 2020*
(*Billet d'État* No X of 2020. Approved 22.04.20)
This Law is largely based on the provisions of the Mental Capacity Act 2005 (as subsequently amended), but is intended to take into account the current processes and requirements of the Bailiwick.
- Part 1 (Preliminary) sets out the key interpretative provisions, defining terms which are used throughout the Law, and lists the decisions which may not be made on behalf of a person who lacks capacity under the Law.
- Part 2 (Persons who lack capacity) states the principles of the Law (*e.g.* a person is assumed to have capacity unless it is established that they lack capacity), lists what must be proved before a person lacks capacity and enshrines the key principle that any decisions taken on behalf of a person who lacks capacity must be made in the best interests of that person.
- Part 3 (Powers of and applications to court and tribunal) sets out the general powers of the court and the Mental Health and Capacity Review Tribunal.
- Part 4 (Lasting powers of attorney) introduces lasting powers of attorney which allow a grantor (a person with capacity) to appoint an attorney who may deal with their health and welfare, or property and financial affairs, or both, when the grantor no longer has capacity.
- Part 5 (Advance decisions to refuse treatment) establishes ADRTs (also known as living wills) which allow a person with capacity to make a decision to refuse specified treatment when they no longer have capacity.
- Part 6 (Advanced care plans) allows a person to make an advanced care plan setting out their wishes in relation to the care and treatment that they would wish to receive when they lack capacity (including interests, food and even funeral arrangements).
- Part 7 (Independent capacity representatives) establishes the role of ICRs who have the function of assisting persons who lack capacity and may challenge decisions taken on their behalf.
- Part 8 (Protective authorisation scheme) introduces the concept of a “significant restriction of a person’s personal rights” (which is defined as a deprivation of liberty in accordance with ECHR case law). This scheme will give clear legal power for *e.g.* care placements and hospitals to ensure that people who lack capacity remain in safe environments for the purposes of their treatment and

care, and is the equivalent of the Deprivation of Liberty Safeguards and Liberty Protection Safeguards schemes in England and Wales. Protective authorisations may be issued or reviewed by capacity professionals (who are independent decision-makers in the same vein as approved social workers under the Mental Health (Bailiwick of Guernsey) Law 2003).

Part 9 (Safeguarding) provides the States with an Ordinance-making power to make provision for safeguarding measures in relation to vulnerable persons aged 18 or over.

- (b) *Marriage (Bailiwick of Guernsey) Law 2020*
(*Billet d'État* No X of 2020. Approved 24.04.20)
This Law will repeal and replace the current Bailiwick legislation setting out the formalities and procedures necessary for the formation of marriages in the Bailiwick. It re-enacts with modifications the provisions relating to prohibited degrees and other legal restrictions on marriage. It empowers the Registrar-General to authorise a new category of persons who may solemnise marriage (civil celebrants, which include non-religious belief celebrants such as Humanists); and it removes certain procedural restrictions such as the location and times of marriage whilst including updated provision intended to safeguard against illegal, sham and forced marriage.

2. ORDINANCES APPROVED BY THE STATES OF DELIBERATION

- (a) *Companies (Guernsey) Law 2008 (Insolvency) (Amendment) Ordinance 2020*
(*Billet d'État* No I of 2020. Approved 15.01.20—in force on a date to be appointed by Regulations)
This Ordinance amends the Companies (Guernsey) Law 2018 to make further provision relating to the insolvency of companies.
- (b) *Income Tax (Guernsey) (Approval of Agreement with Isle of Man) Ordinance 2020*
(*Billet d'État* No V of 2020. Approved 26.02.20—in force 01.03.20)
This Ordinance specifies, as an approved international agreement, an agreement providing for the obtaining, delivery, making available, furnishing and/or exchanging of documents and information in relation to tax, made for the purposes of the Income Tax (Guernsey) Law 1975.
The agreement specified is the Protocol amending the Agreement between the States of Guernsey and the Government of the Isle of Man for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income signed on 24 January 2013, the Protocol having been signed at Douglas on 18 October 2019 and Saint Peter Port on 12 November 2019.

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- (c) *Income Tax (Guernsey) (Approval of Agreement with New Zealand) Ordinance 2020*
(*Billet d'État* No V of 2020. Approved 26.02.20—in force 01.03.20)
This Ordinance specifies, as an approved international agreement, an agreement providing for the obtaining, delivery, making available, furnishing and/or exchanging of documents and information in relation to tax, made for the purposes of the Income Tax (Guernsey) Law 1975.
The agreement specified is the Protocol amending the Agreement between the States of Guernsey and the Government of New Zealand for the Exchange of Information with Respect to Taxes and the Allocation of Taxing Rights with respect to Certain Income of Individuals signed on 21 July 2009, the Protocol having been signed at London on 16 September 2019.
- (d) *Income Tax (Guernsey) (Approval of Agreement with Estonia) Ordinance 2020*
(*Billet d'État* No V of 2020. Approved 26.02.20—in force 01.03.20)
This Ordinance specifies, as an approved international agreement, an agreement providing for the obtaining, delivery, making available, furnishing and/or exchanging of documents and information in relation to tax, made for the purposes of the Income Tax (Guernsey) Law 1975.
The agreement specified is the Agreement between the States of Guernsey and the Republic of Estonia for the Elimination of Double Taxation with respect to Taxes on Income and the Prevention of Tax Evasion and Avoidance signed on 18 November 2019, on behalf of the States of Guernsey and the Republic of Estonia.
- (e) *Reform (Guernsey) (Amendment) (No 2) Law 2019 (Commencement) Ordinance 2020*
(*Billet d'État* No X of 2020. Approved 22.04.20—in force 22.04.20)
This Ordinance brings the Reform (Guernsey) (Amendment) (No 2) Law 2019 into force on 22 April 2020.
- (f) *Scrutiny of States and Public Bodies (Guernsey) Ordinance 2020*
(*Billet d'État* No X of 2020. Approved 22.04.20—in force on a day to be appointed by Regulations)
This Ordinance empowers the States Scrutiny Management Committee (“the SMC”) to apply to the Royal Court for an order requiring a person to appear before and produce documents to that committee or a scrutiny panel appointed by it, and provides for privilege, confidentiality and immunity in respect of evidence given to the SMC or a scrutiny panel.
Section 1 requires the SMC to ask a person to produce documents or appear before it to give evidence before applying to the court for an order requiring that person to do so, and to accommodate certain requests if made by that person in response to such a request. It goes on to provide the grounds for an application to the court by the SMC

if a person refuses to comply with a request made by it, and to make further provision in respect of such applications. Section 2 makes provision in relation to orders made pursuant to an application under s 1, including provision as to the service of such orders.

Section 3 amends art 20E of the Reform (Guernsey) Law 1948, and provides that a person appearing before the SMC or a scrutiny panel (“a witness”) may refuse to answer a question on the grounds of a privilege conferred by that art. Section 4 provides grounds on which a witness may challenge a question put to him or her by the SMC or a scrutiny panel, and for such a challenge to be considered in closed session. Section 5 confers a right on a witness to request the SMC or scrutiny panel to go into closed session for part of his or her evidence on specified grounds. Section 6 confers immunity from proceedings on witnesses and excludes answers given by witnesses from use in other proceedings, but allows the person chairing the meeting to withdraw that immunity and/or exclusion from further questions, having given a warning to that effect, if the chairperson is of opinion that the witness may be abusing such protection. The section does not preclude the institution of criminal proceedings under s 8.

Sections 7 to 9 create criminal offences. Section 7 makes it an offence without reasonable excuse to disobey a court order requiring a person to produce documents to the SMC, or to appear before the SMC or a scrutiny panel, or to refuse to comply with a requirement to be examined before or answer any lawful and relevant question put by the SMC or scrutiny panel. It makes clear that exercising a right conferred under ss 3–5—for example, to challenge a question under s 4—is a reasonable excuse for these purposes. Section 8 creates an offence of making false statements and producing false or misleading information and documents, and s 9 makes it an offence to interfere with witnesses appearing before or producing documents to the SMC or a scrutiny panel.

(g) *Guernsey Competition and Regulatory Authority (Amendment) Ordinance 2020*

(*Billet d’État* No X of 2020. Approved 22.04.20—in force 01.05.20)

This Ordinance amends the Guernsey Competition and Regulatory Authority Ordinance 2012 (“the Ordinance”) to extend the power of the Guernsey Competition and Regulatory Authority (“the Authority”) to arrange for any of its functions under the Ordinance, any relevant Ordinance, or any other enactment to be exercised in its name by any of its members, officers or employees (“the power of delegation”), so that the power of delegation extends to certain functions which would otherwise be excluded. It also clarifies, for the avoidance of doubt, that the Chief Executive of the Authority may further delegate functions that have been delegated to him by the Authority under para 13(1) of Schedule 1 to the Ordinance.

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- (h) *Guernsey Competition and Regulatory Authority (Amendment) (No 2) Ordinance 2020*
(*Billet d'État* No X of 2020. Approved 22.04.20—in force 23.04.20)
This Ordinance amends Schedule 1 to the Guernsey Competition and Regulatory Authority Ordinance 2012 to permit the Committee for Economic Development (rather than the States of Deliberation) to appoint, or revoke the appointment of, the Chairman of the Guernsey Competition and Regulatory Authority.

3. ORDINANCES, SUBORDINATE LEGISLATION ETC LAID BEFORE THE STATES OF DELIBERATION

- (a) *Land Planning and Development (Fees) (Amendment) Regulations 2019*
(*Billet d'État* No I of 2020. Made by the Development & Planning Authority—in force 01.01.20 and laid on 15.01.20)
- (b) *Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No 7) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Committee for Employment & Social Security—in force 27.11.19 and laid on 05.02.20)
- (c) *Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment No 2) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Committee for Home Affairs—in force 01.01.20 and laid on 05.02.20)
- (d) *Boarding Permit Fees (2) Order 2019*
(*Billet d'État* No IV of 2020. Made by the Committee for Economic Development—in force 01.04.20 and laid on 05.02.20)
- (e) *Income Tax (Guernsey) (Valuation of Benefits in Kind) (Amendment) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Policy & Resources Committee—in force 01.01.20 and laid on 05.02.20)
- (f) *Income Tax (Pension Amendments) (Guernsey) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Policy & Resources Committee—in force 01.01.20 and laid on 05.02.20)
- (g) *Health Service (Medical Appliances) (Amendment) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Committee for Employment & Social Security—in force 01.01.20 and laid on 05.02.20)
- (h) *Social Insurance (Benefits) (Amendment) Regulations 2019*
(*Billet d'État* No IV of 2020. Made by the Committee for Employment & Social Security—in force 01.01.20, with the

exception of Regulation 2 which came into force on 06.01.20, and laid on 05.02.20)

- (i) *Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations 2019*
(Billet d'État No IV of 2020. Made by the Committee for Employment & Social Security—in force 01.01.20 and laid on 05.02.20)
- (j) *Health Service (Payment of Authorised Suppliers) (Amendment) Regulations 2019*
(Billet d'État No IV of 2020. Made by the Committee for Employment & Social Security—in force 01.01.20 and laid on 05.02.20)
- (k) *Document Duty (Amendment) Ordinance 2019*
(Billet d'État No IV of 2020. Made by the Policy & Resources Committee—in force 11.12.19 and laid on 05.02.20)
- (l) *European Communities (Official Controls) (Implementation and General Provisions) (Guernsey) Ordinance 2019*
(Billet d'État No IV of 2020. Made by the Policy & Resources Committee—in force 14.12.19 and laid on 05.02.20)
- (m) *Reform (Guernsey) Law 1948 (Amendment) (No 2) Ordinance 2019*
(Billet d'État No IV of 2020. Made by the Policy & Resources Committee—in force 10.12.19 and laid on 05.02.20)
- (n) *Republic of Maldives (Repeal of Restrictive Measures) (Guernsey and Sark) Regulations 2019*
(Billet d'État No V of 2020. Made by the Policy & Resources Committee—in force 08.11.19 and laid on 26.02.20)
- (o) *Nicaragua (Restrictive Measures) (Bailiwick of Guernsey) Regulations 2019*
(Billet d'État No V of 2020. Made by the Policy & Resources Committee—in force 08.11.19 and laid on 26.02.20)
- (p) *Cyber-Crime (Restrictive Measures) (Bailiwick of Guernsey) Regulations 2019*
(Billet d'État No V of 2020. Made by the Policy & Resources Committee—in force 08.11.19 and laid on 26.02.20)
- (q) *Health Service (Benefit) (General) (Amendment) Regulations 2019*
(Billet d'État No V of 2020. Made by the Committee for Employment & Social Security—in force 01.01.20 and laid on 26.02.20)
- (r) *Income Support (Guernsey) (Amendment) Regulations 2020*
(Billet d'État No V of 2020. Made by the Committee for Employment & Social Security—in force 10.01.20 and laid on 26.02.20)

SUMMARY OF LEGISLATION: GUERNSEY

- (s) *Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment) Regulations 2020*
(*Billet d'État* No No V of 2020. Made by the Committee for Home Affairs—in force 07.01.20 and laid on 26.02.20)
- (t) *Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations 2020*
(*Billet d'État* No VII of 2020. Made by the Committee for Employment & Social Security—in force 22.01.20 and laid on 18.03.20)
- (u) *Registration of Political Parties (Fees) Regulations 2020*
(*Billet d'État* No VII of 2020. Made by the States' Assembly & Constitution Committee—in force 30.01.20 and laid on 18.03.20)
- (v) *Polling Stations (Hours of Opening) Regulations 2020*
(*Billet d'État* No VII of 2020. Made by the States' Assembly & Constitution Committee—in force 30.01.20 and laid on 18.03.20)
- (w) *Elections (Presence of Candidates at Count) Rules 2020*
(*Billet d'État* No VII of 2020. Made by the States' Assembly & Constitution Committee—in force 30.01.20 and laid on 18.03.20)
- (x) *Electoral Roll (Public Inspection) Rules 2020*
(*Billet d'État* No VII of 2020. Made by the Committee for Home Affairs—in force 03.02.20 and laid on 18.03.20)
- (y) *Plant Health (Enabling Provisions) (Guernsey) Law 2014 (Commencement) (Amendment) Ordinance 2020*
(*Billet d'État* No VII of 2020. Made by the Policy & Resources Committee—in force 04.02.20 and laid on 18.03.20)
- (z) *Plant Health (Implementation) (Guernsey) Ordinance 2020*
(*Billet d'État* No VII of 2020. Made by the Policy & Resources Committee—in force 04.02.20 and laid on 18.03.20)
- (aa) *Emergency Powers (Coronavirus) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 18.03.20 and laid and approved on 14.04.20)
- (bb) *Emergency Powers (Coronavirus) (Schools) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 20.03.20 and laid and approved on 14.04.20)
- (cc) *Emergency Powers (Coronavirus) (Control of Premises) (Bailiwick of Guernsey) Regulations 2020*

- (Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 20.03.20 and laid and approved on 14.04.20)
- (dd) *Emergency Powers (Coronavirus) (Control of Events, Gatherings and Meetings) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 24.03.20 and laid and approved on 14.04.20)
- (ee) *Emergency Powers (Coronavirus) (States Procedures) (Alderney) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 25.03.20 and laid and approved on 14.04.20)
- (ff) *Emergency Powers (Coronavirus) (Chief Pleas Procedures) (Sark) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 25.03.20 and laid and approved on 14.04.20)
- (gg) *Emergency Powers (Coronavirus) (Population Management and Miscellaneous Provisions) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 25.03.20 and laid and approved on 14.04.20)
- (hh) *Emergency Powers (Coronavirus) (Mental Health) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 02.04.20 and laid and approved on 14.04.20)
- (ii) *Emergency Powers (Coronavirus) (Parochial Matters and Miscellaneous Provisions) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 02.04.20 and laid and approved on 14.04.20)
- (jj) *Emergency Powers (Coronavirus) (Registration of Deaths, etc. and Cremation Procedures) (Bailiwick of Guernsey) Regulations 2020*
(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 02.04.20 and laid and approved on 14.04.20)
- (kk) *Emergency Powers (Coronavirus) (Temporary Registration of Health Professionals) (Bailiwick of Guernsey) Regulations 2020*

SUMMARY OF LEGISLATION: GUERNSEY

(Urgent Proposition to the States of Deliberation, 14.04.2020. Made by the Civil Contingencies Authority—in force 02.04.20 and laid and approved on 14.04.20)

- (ll) *Emergency Powers (Coronavirus) (States Procedures) (Bailiwick of Guernsey) Regulations 2020*

(Urgent Proposition to the States of Deliberation, 22.04.2020. Made by the Civil Contingencies Authority—in force 09.04.20 and laid and approved on 22.04.20)

- (mm) *Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations 2020*

(Urgent Proposition to the States of Deliberation, 22.04.2020. Made by the Civil Contingencies Authority—in force 16.04.20 and laid and approved on 22.04.20)

- (nn) *Air Navigation (Fees) (Amendment) Regulations 2019*

(*Billet d'État* No X of 2020. Made by the Director of Civil Aviation—in force 01.01.20 and laid on 22.04.20)

- (oo) *Air Navigation (Bailiwick of Guernsey) (Foreign Aircraft Operations) (Amendment) Regulations 2019*

(*Billet d'État* No X of 2020. Made by the Committee for Economic Development—in force 01.01.20 and laid on 22.04.20)

- (pp) *Companies (Recognition of Auditors) (Amendment) Regulations 2020*

(*Billet d'État* No X of 2020. Made by the Committee for Economic Development—in force 15.03.20 and laid on 22.04.20)

- (qq) *Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) Regulations 2020*

(Urgent Proposition to the States of Deliberation, 29.04.2020. Made by the Civil Contingencies Authority—in force 24.04.20 and laid and approved on 29.04.20)

4. LAWS, ORDERS IN COUNCIL, ETC REGISTERED IN THE ROYAL COURT OF GUERNSEY

- (a) *Population Management (Guernsey) (Amendment) Law 2019*

(*Billet d'État* No XX of 2019—registered 09.03.20. In force on a date to be appointed by Ordinance)

- (b) *Reform (Guernsey) (Amendment) (No 2) Law 2019*

(*Billet d'État* No XVIII of 2019—registered 09.03.20. In force on a date to be appointed by Ordinance)

- (c) *Extradition (Bailiwick of Guernsey) Law 2019*

(*Billet d'État* No XVIII of 2019—registered 06.04.20. In force on a date to be appointed by Regulations)

- (d) *States' Register of Contact Details (Guernsey & Alderney) Law 2019*
(*Billet d'État* No XVI of 2019—registered 06.04.20. In force—07.04.20)
- (e) *Economic Statistics (Guernsey & Alderney) Law 2019*
(*Billet d'État* No XVI of 2019—registered 06.04.20. In force on a date to be appointed by Regulations)
- (f) *Real Property (Transfer Tax, Charging and Related Provisions) (Sark) (Amendment) Law 2019*
(*Billet d'État* 01.05.19—registered 06.04.20. In force on a date to be appointed by Ordinance of the Chief Pleas)
- (g) *Land Reform (Sark) Law 2019*
(*Billet d'État* 01.05.19—registered 06.04.20. In force on a date to be appointed by Ordinance of the Chief Pleas)
- (h) *Evictions (Stay of Eviction) (Sark) Law 2019*
(*Billet d'État* 03.07.19—registered 06.04.20. In force on a date to be appointed by Ordinance of the Chief Pleas)
- (i) *Same-Sex Marriage (Sark) Law 2020*
(*Billet d'État* 17.12.19—registered 06.04.20. In force on a date to be appointed by Ordinance of the Chief Pleas)
- (j) *Leasehold Reform (Miscellaneous Provisions) (Sark) Law 2019*
(*Billet d'État* 03.07.19—registered 06.04.20. In force on a date to be appointed by Ordinance of the Chief Pleas)

5. SARK ORDINANCES CONSIDERED BY THE ROYAL COURT UNDER S 39(1) OF THE REFORM (SARK) LAW 2008

- (a) *Reform (Election of Conseillers) (By-Election) (Sark) Ordinance 2020*
(In force 22.01.20—placed before the Private Court on 19.02.20)

6. RULES OF COURT

- (a) *Greffe (Opening Hours) Order 2020*
(Made 27.03.20. In force 27.03.20).
This Order restricts the Greffe's opening hours.

SUMMARY OF LEGISLATION: ALDERNEY

B. ALDERNEY

1. LAWS APPROVED BY THE STATES OF ALDERNEY

None during this period under review.

2. ORDINANCES APPROVED BY THE STATES OF ALDERNEY

None during this period under review.

C. SARK

1. LAWS APPROVED BY THE CHIEF PLEAS OF SARK

- (a) *Child Protection (Sark) Law 2020*
(*Billet d'État* 22.01.20. Approved 22.01.20)
This Law makes appropriate provision for children deemed to be “in need” or “at risk” and children requiring care, protection, guidance or control. It sets out child welfare principles that a public authority must take into account when carrying out any function under the Law in respect of a child, and provides that such an authority must also have regard to the overriding principle that the child’s welfare is the paramount consideration. It also establishes the Sark Multi-Agency Safeguarding Hub (“MASH”).

2. ORDINANCES APPROVED BY THE CHIEF PLEAS OF SARK

- (a) *Reform (Election of Conseillers) (By-Election) (Sark) Ordinance 2020*
(Approved 22.01.20—in force 22.01.20)
- (b) *Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Sark) Ordinance 2020*
(Approved 22.04.20—in force 23.04.20)
- (c) *Same-Sex Marriage (Sark) Law 2019 (Commencement) Ordinance 2020*
(Approved 22.04.20—in force 22.04.20)

3. ORDINANCES LAID BEFORE THE CHIEF PLEAS OF SARK

None during this period under review.

4. REGULATIONS LAID BEFORE THE CHIEF PLEAS OF SARK

- (a) *European Communities (Food and Feed Controls) (Guernsey, Alderney and Sark) Regulations 2019*
(Laid before the Chief Pleas of Sark on 22.01.20)
- (b) *Emergency Powers (Coronavirus) (Bailiwick of Guernsey) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)
- (c) *Emergency Powers (Coronavirus) (Schools) (Bailiwick of Guernsey) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)

SUMMARY OF LEGISLATION: SARK

- (d) *Emergency Powers (Coronavirus) (Control of Premises) (Bailiwick of Guernsey) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)
- (e) *Emergency Powers (Coronavirus) (Control of Events, Gatherings and Meetings) (Bailiwick of Guernsey) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)
- (f) *Emergency Powers (Coronavirus) (Chief Pleas Procedures) (Sark) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)
- (g) *Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations 2020*
(Laid before the Chief Pleas of Sark on 22.04.20)