

ORDINANCES LAID BEFORE THE STATES

THE INTERNATIONAL TRADE AGREEMENTS (IMPLEMENTATION) (BAILIWICK OF GUERNSEY) LAW, 2018 (COMMENCEMENT) ORDINANCE, 2019

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, “The International Trade Agreements (Implementation) (Bailiwick of Guernsey) Law, 2018 (Commencement) Ordinance, 2019”, made by the Policy & Resources Committee on the 12th March, 2019, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance brings into force the International Trade Agreements (Implementation) (Bailiwick of Guernsey) Law, 2018 on the 13th March, 2019.

The Ordinance was approved by the Legislation Review Panel on the 4th March, 2019 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.

THE EUROPEAN UNION (AMENDMENT OF LEGISLATION) (BAILIWICK OF GUERNSEY) LAW, 2018 (COMMENCEMENT) ORDINANCE, 2019

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, “The European Union (Amendment of Legislation) (Bailiwick of Guernsey) Law, 2018 (Commencement) Ordinance, 2019”, made by the Policy & Resources Committee on the 26th March, 2019, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance brings into force the European Union (Amendment of Legislation) (Bailiwick of Guernsey) Law, 2018 on the 27th March, 2019.

The Ordinance was approved by the Legislation Review Panel on the 4th March, 2019 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.

**THE IMPORT DUTIES (TARIFF AND RELATED PROVISIONS) (BAILIWICK OF GUERNSEY)
ORDINANCE, 2019**

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Import Duties (Tariff and Related Provisions) (Bailiwick of Guernsey) Ordinance, 2019", made by the Policy & Resources Committee on the 2nd April, 2019, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance provides for the imposition of import duty after the United Kingdom leaves the European Union in accordance with the terms of the Customs Arrangement entered into on 26th November 2018, pursuant to which the United Kingdom and the Crown Dependencies will be in a customs union after Brexit.

The Ordinance provides for the imposition of import duty by reference to the relevant UK regulations and other provisions establishing the tariff of customs duties (collectively termed "UK tariff regulations"). It provides that UK tariff regulations shall have automatic effect in the Bailiwick as they have in the United Kingdom, and requires certain details of UK tariff regulations to be published on the States of Guernsey website by the Committee for Home Affairs. It also provides that that Committee may disapply, or specify amendments to, UK tariff regulations as they shall have effect in the Bailiwick. It will be necessary for that power to be exercised in accordance with the terms of the Customs Arrangement, and that is reflected in the provisions of sections 3(4) and (5).

At section 4 the Ordinance also makes clear that no customs duties shall be chargeable in respect of goods imported directly from the United Kingdom or other Crown Dependencies.

The Ordinance was approved by the Legislation Review Panel on the 25th March, 2019 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

No. 18 of 2019

THE COMPANIES (PANEL ON TAKEOVERS AND MERGERS) (BREXIT) (GUERNSEY) REGULATIONS, 2019

In pursuance of section 11(10) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Companies (Panel on Takeovers and Mergers) (Brexit) (Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 5th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the EU and replace, in Part XVIII A of the Companies (Guernsey) Law, 2008, references to the EU Takeovers Directive (Directive 2004/25/EC of the 21st April 2004 on takeover bids (O.J. No. L142 30.04.2004)), with references to the corresponding provisions of the UK Companies Act 2006. They also repeal certain provisions which will no longer be necessary.

These Regulations come into force on exit day, within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 19 of 2019

THE COMPANIES (REGULATION OF AUDITORS) (BREXIT) (GUERNSEY) REGULATIONS, 2019

In pursuance of section 11(10) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Companies (Regulation of Auditors) (Brexit) (Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 5th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the EU. They ensure that the definition of "regulated market" in the Companies (Guernsey) Law, 2008 continues to encompass both EU and UK regulated markets after the UK leaves the EU. They also substitute a new definition of "transferable securities" so that this will remain appropriate for both EU and UK market traded companies after the UK leaves the EU.

These Regulations come into force on exit day, within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 21 of 2019

THE LIGHTING OF VEHICLES AND SKIPS (EXEMPTIONS) ORDER, 2019

In pursuance of Section 26(1) of the Lighting of Vehicles and Skips Ordinance, 1988, Section 11(1) of the Road Traffic (Disabled Persons) Ordinance, 1991 and all other powers enabling them in that behalf, the Lighting of Vehicles and Skips (Exemptions) Order, 2019, made by the Committee *for the* Environment and Infrastructure on 7th March 2019 are laid before the States.

EXPLANATORY NOTE

This Order makes provision for exemptions from the requirements of certain provisions of the Lighting of Vehicles and Skips Ordinance, 1988, as amended by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019.

This Order comes into force on the 29th March, 2019.

No. 24 of 2019

THE ROAD TRAFFIC (TRAILER REGISTRATION) REGULATIONS, 2019

In pursuance of Sections 2A, 2B and 4 of the Motor Taxation and Licensing (Guernsey) Law, 1987, Section 1 of the Road Traffic (Trailer Registration) Ordinance, 2019, and all other powers enabling them in that behalf, the Road Traffic (Trailer Registration) Regulations, 2019, made by the Committee *for the* Environment and Infrastructure on 7th March 2019 are laid before the States.

EXPLANATORY NOTE

These Regulations make provision for the registration of trailers which must be registered for the purpose of travelling in a Vienna Convention country. Such registration is mandatory for all trailers over 3,500 kilograms and commercial trailers over 750 kilograms. Provision is also made for non-commercial trailers over 750 kilograms to be registered at the option of their owners.

These Regulations come into force on the 29th March, 2019.

No. 27 of 2019

**THE CUSTOMS AND EXCISE (SAFETY AND SECURITY) (EXPORT)
(BAILIWICK OF GUERNSEY) REGULATIONS, 2019**

In pursuance of sections 14B and 79 of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, The Customs and Excise (Safety and Security) (Export) (Bailiwick of Guernsey) Regulations, 2019, made by the Committee *for* Home Affairs on 18th March 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations impose a requirement to submit safety and security exit summary declarations in respect of goods being exported from the Bailiwick to outside the United Kingdom, the Bailiwick, Jersey and the Isle of Man. They provide for some goods to be exempt from this requirement, and introduce a civil penalty regime for breaches of the regulations.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 28 of 2019

THE LIQUOR LICENSING (FEES) (AMENDMENT) REGULATIONS, 2019

In pursuance of Section 84(4) of the Liquor Licensing Ordinance, 2006, The Liquor Licensing (Fees) (Amendment) Regulations, 2019, made by the Committee *for* Home Affairs on 18th March 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations amend Schedule 4 of the Liquor Licensing Ordinance, 2006 which sets the relevant fees for liquor licences etc. These Regulations come into force on 1st June 2019.

No. 31 of 2019

THE COMPANIES (RECOGNISED STOCK EXCHANGES) REGULATIONS, 2019

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Recognised Stock Exchanges) Regulations, 2019”, made by the Registrar of Companies on 25th March 2019, are laid before the States.

EXPLANATORY NOTE

These Regulations revoke and replace the Companies (Recognised Stock Exchanges) Regulations, 2009 (“the 2009 Regulations”). They update the reference in the 2009 Regulations to the European Directive on Markets in Financial Instruments 2004/39/EU (“MIFID”) as this has now been repealed and replaced by Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EU and Directive 2011/61/EU (“MIFID II”). They also identify by name those regulated markets, within the meaning of MIFID II, for which the UK is the home Member State of the European Union, as those markets may cease to be regulated markets within the meaning of MIFID II upon the exit of the United Kingdom from the European Union. They make minor amendments to the names of some exchanges that were identified in the 2009 Regulations; update and amend the interpretation provisions and consolidate previous amendments to the 2009 Regulations.

A company which is listed on a recognised exchange is exempt from the beneficial ownership regime of Part XXIX of the Companies (Guernsey) Law, 2008.

These Regulations come into force on 29th March, 2019.

No. 32 of 2019

THE EUROPEAN UNION (MODIFICATION AND GENERAL PROVISIONS) (BREXIT) (BAILIWICK OF GUERNSEY) REGULATIONS, 2019

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, “The European Union (Modification and General Provisions) (Brexit) (Bailiwick of Guernsey) Regulations, 2019” made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations complement the provisions of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, and provide for the continued operability of the law in the case of a 'no deal' Brexit.

In particular, these Regulations provide that references to the EU or its Members States shall be read as including the UK in order to ensure the continued application to the UK of Preserved EU Law or EU-derived provisions in domestic law. The Regulations also allocate formerly EU functions contained in Preserved EU Law to committees in Guernsey, Alderney and Sark, as appropriate. Any provisions in Preserved EU Law which would place conditions or restrictions on the exercise of functions by the Bailiwick legislatures, or their committees,

are also removed. Similarly, any imposition of duties by Preserved EU law on Bailiwick legislatures, or their committees, is deemed by operation of the regulations to be a conferral of relevant powers.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 33 of 2019

**THE COMMUNICATIONS, BROADCASTING AND WIRELESS TELEGRAPHY (BREXIT)
(BAILIWICK OF GUERNSEY) REGULATIONS, 2019**

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Communications, Broadcasting and Wireless Telegraphy (Brexit) (Bailiwick of Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations make provision in the Bailiwick consistent with that made in the United Kingdom by the Electronic Communications and Wireless Telegraphy (Amendment etc.) (EU Exit) Regulations 2019 and the Broadcasting (Amendment) (EU Exit) Regulations 2019. Made under section 5 of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, they amend Orders in Council extending to the Bailiwick certain provisions of the Broadcasting Acts 1990 and 1996, the Communications Act 2003 and the Wireless Telegraphy Act 2006 to give effect to changes made to those Acts in the United Kingdom in consequence of the United Kingdom's withdrawal from the EU.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 34 of 2019

**THE BEES (IMPORTATION AND PREVENTION OF DISEASE) (BREXIT) (AMENDMENT)
(GUERNSEY) REGULATIONS, 2019**

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Bees (Importation and Prevention of Disease) (Brexit) (Amendment) (Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations amend the Bees (Importation and Prevention of Disease) Ordinance, 1973, to extend the provisions in that Ordinance relating to foul brood disease to other bee diseases and pests. It also confirms that such diseases are notifiable, enables the Committee to designate additional diseases and pests as being subject to the notification requirements, and empowers the Inspector to take action in relation to notifiable bee diseases and pests.

These Regulations come into force on 29th March, 2019.

No. 35 of 2019

THE ANIMAL HEALTH (BREXIT) (AMENDMENT) (GUERNSEY) REGULATIONS, 2019

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations amend the Animal Health Ordinance, 1996, and extend the application of that Ordinance to aquatic animals. Once amended, the Animal Health Ordinance will list various notifiable aquatic animal diseases and provide for the measures and actions to be taken with the aim of preventing and containing such diseases.

These Regulations come into force on 29th March, 2019.

No. 36 of 2019

THE EUROPEAN COMMUNITIES (FOOD AND FEED CONTROLS) (BREXIT) (GUERNSEY) REGULATIONS, 2019

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The European Communities (Food and Feed Controls) (Brexit) (Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the European Union.

These Regulations amend the European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016 to align it more closely with European Union (EU) and United Kingdom food and feed safety legislation, and to apply EU food and feed controls in Guernsey taking into account the United Kingdom's planned departure from the EU (Brexit).

The key amendments are: removal of exemptions from the requirement for certain food or feed business operators to obtain an approval; provision for Sark to be designated as part of "the Islands" for the purposes of exempting local producers who sell or supply only to local consumers; revised enforcement powers and procedures to align more closely with powers and procedures in food safety legislation in force in England; updating of references to EU Regulations; alignment of food temperature controls with the controls in force in England; provision for "approved examiners" and "designated laboratories" to be those examiners and laboratories qualified or appointed under food safety legislation in England; and provision for references in EU food and feed controls applied in Guernsey to have effect as if references to a Member State of the European Union, a competent authority, placing things on the market, or the Community or the European Union include a reference to Guernsey, as well as Alderney, Sark and any other country or territory, if prescribed by regulations made by the Committee for Health & Social Care.

These Regulations come into force on the 29th March, 2019.

No. 37 of 2019

THE CASH CONTROLS (SPECIFIED AMOUNT) (BREXIT) (BAILIWICK OF GUERNSEY) REGULATIONS, 2019

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Cash Controls (Specified Amount) (Brexit) (Bailiwick of Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the EU. They amend the definition of "specified amount" at section 1(3) of the Cash Controls (Bailiwick of Guernsey) Law, 2007 to ensure that legislative provision in the Bailiwick and the United Kingdom governing the control of movements of cash between the two remains consistent.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 38 of 2019

THE EXPORT CONTROL (BREXIT) (BAILIWICK OF GUERNSEY) REGULATIONS, 2019

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Export Control (Brexit) (Bailiwick of Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the European Union. These Regulations are designed to continue the free flow of trade between the Bailiwick and the UK, the rest of the British Islands and the European Union, while effectively continuing the existing export, transfer, technical assistance and trade controls in relation to dual-use and torture goods after this withdrawal.

Regulations 1 to 10 amend the Export Control (Bailiwick of Guernsey) Law, 2006 ("the principal Law").

Regulation 2 amends section 1 of the principal Law to clearly authorise the Committee for Home Affairs ("the Committee") to make orders to implement provisions of Community directives or regulations or UK enactments, as well as international obligation (including customary international law).

Regulation 3 omits section 2(8) of the principal Law as that subsection could otherwise imply a constraint on the Committee's power to make orders under section 2 of the principal Law (that power should only be constrained by section 5(2) of the principal Law, as amended by regulation 6 (see below)).

Regulation 4 amends section 3 of the principal Law. It substitutes section 3(4)(a)(ii) of the

principal Law to clearly authorise orders to be made under this section for the purposes of controls corresponding or connected to the purpose specified in section 5(2) of the principal Law. Regulation 4 also omits section 3(6) of the principal Law, which could otherwise imply a constraint on the Committee's power to make orders under section 3 of the principal Law.

Regulation 5 amends section 4 of the principal Law. It substitutes section 4(4)(a)(ii) of the principal Law to clearly authorise orders to be made under this section for the purposes of controls corresponding or connected to the purpose specified in section 5(2) of the principal Law. Regulation 5 also omits section 4(5) of the principal Law, which could otherwise imply a constraint on the Committee's power to make orders under section 4 of the principal Law.

Regulation 6 amends section 5(2) of the principal Law to extend the Committee's powers to make orders under sections 2 (transfer controls), 3 (technical assistance controls) and 4 (trade controls) of the principal Law to include the implementation of UK enactments and international obligations generally, and not just Community directives and regulations or international agreements. This amendment is intended to give the Committee more flexibility to make export control orders that are considered to be necessary or appropriate to maintain trade with the UK (as the UK's export controls might diverge significantly from EU export controls in the future) or to maintain the international reputation and standing of the Bailiwick of Guernsey (by implementing international obligations).

Regulation 7 amends section 7(2)(b) of the principal Law as a consequence of the amendments made by regulation 6 to section 5(2) of the principal Law.

Regulation 8 substitutes the definition of "implementation" and inserts a definition of "UK enactment" in section 13(1) of the principal Law as a consequence of the amendments made by regulation 6 to section 5(2) of the principal Law.

Regulation 9 inserts a new subsection (1A) in section 13 of the principal Law to clarify that references to Community directives or regulations, UK enactments or international obligations, include such directives, regulations, enactments or obligations whether or not they apply to or are binding upon the Bailiwick of Guernsey.

Regulation 10 amends Schedule 1 to the principal Law to delete item A(b)(ii), which refers to (adverse effects on) member states of the European Community.

Regulations 11 to 19 amend the Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) Order, 2010 ("the principal Order"). These amendments are necessary to update the relevant provisions of the principal Order so that they remain clear, relevant, enforceable and aligned to recent changes in EU and (where necessary) UK legislation, following the withdrawal of the UK from the EU.

For example, Council Regulation (EC) No 1236/2005 ("the former torture Regulation"), has been repealed and replaced with a new, codified Regulation, Regulation (EU) 2019/125 ("the new torture Regulation") and this requires provisions in the principal Order to be updated accordingly.

Regulation 12 amends article 6 of the principal Order to update references to provisions of the former torture Regulation, to references to corresponding provisions of the new torture

Regulation.

Regulation 13 revokes article 27 of the principal Order as UK legislation (the Export Control Order 2008) no longer requires registration and record-keeping for information security items.

Regulations 14 and 15 amend articles 29(2) and 33(7) of the principal Order respectively to update references to provisions of the former torture Regulation, to references to corresponding provisions of the new torture Regulation.

Regulation 16 amends article 40 of the principal Order to modify the dual-use Regulation (as given effect in the Bailiwick) in order to treat the territory collectively comprising the British Islands and the customs territory of the European Union as the customs territory (or the Community, etc.) referred to in the dual-use Regulation. "Export" under the dual-use Regulation would also be regarded as removal from the Bailiwick to a destination outside the Community (in this enlarged sense).

Regulation 17 amends article 41 of the principal Order to modify the new torture Regulation (as given effect in the Bailiwick) in order to treat the territory collectively comprising the British Islands and the customs territory of the European Union as the customs territory (or the Community, etc.) referred to in the torture Regulation.

Regulation 18 amends article 42(2)(b) of the principal Order to refer to international obligation, instead of international agreement, as a consequence of amendments made to the principal Law by regulations 2 to 10 of these Regulations.

Regulation 19 amends article 44 of the principal Order to repeal the (now redundant) definition of "information security items", as well as substitute the definitions of "competent authority", "customs territory", "dual-use Regulation", "Member State", "non-community goods" and "torture Regulation". These amendments give effect to the intention of treating the British Islands and the EU customs territory as a single customs territory for the purposes of continuing to give effect to the prohibitions and restrictions in the dual-use Regulation and the new torture Regulation.

Regulation 20 saves extant export control orders made under the principal Law as if these orders were duly made under the principal Law, as amended by these Regulations.

Regulations 21, 22 and 23 are the extent, citation and commencement provisions.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 39 of 2019

**THE MEDICINES (HUMAN AND VETERINARY) (BREXIT) (BAILIWICK OF GUERNSEY)
REGULATIONS, 2019**

In pursuance of section 5(1) of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, "The Medicines (Human and Veterinary) (Brexit) (Bailiwick of Guernsey) Regulations, 2019" made by the Policy & Resources Committee on 26th March, 2019 are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations are made in consequence of the withdrawal of the United Kingdom from the European Union.

Regulations 2 to 6 amend the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008 ("the principal Law").

Regulations 2 and 3 amend sections 7(6) and 8(2) and (7) of the principal Law to refer to the United Kingdom alongside references to Member States of the European Union.

Regulations 4 and 5 amend the principal Law in order to provide for the sale or supply of prescription only medicines by retail pharmacy businesses under a serious shortage protocol issued and published by one of three office-holders (the Chief Pharmacist, Director of Public Health, or Medical Director). An office-holder will be authorised to issue such a protocol where, in his or her opinion, the United Kingdom, the Bailiwick of Guernsey or any part of the United Kingdom or Bailiwick of Guernsey is experiencing or may experience a serious shortage of particular prescription only medicines.

A serious shortage protocol, if issued, will allow for substitution, in restricted circumstances, of a different quantity of a prescription only medicine, or a different prescription only medicine, to that ordered by the prescriber. A protocol would expire unless endorsed by the Committee for Health and Social Care within 28 days of being issued.

Regulation 6 inserts a new subsection (1A) in section 136 of the principal Law. This new subsection provides that references in Community provisions (or documents made or issued under these) to the European Community, the European Union or Member States include a reference to the United Kingdom and the Bailiwick of Guernsey; references to placing things on the market are to be regarded to include a reference to placing things on the market in the United Kingdom or the Bailiwick of Guernsey; and references to competent authorities or regulatory authorities are to be regarded to include a reference to the MHRA or the Committee for Health & Social Care.

Regulation 7 and the Schedule to these Regulations amend various provisions in the Medicines (Human) (Exemptions and Recognition of Marketing Authorisations) (Bailiwick of Guernsey) Regulations, 2009 ("the 2009 Regulations"). These amendments provide for automatic recognition, under the principal Law, of marketing authorisations issued by the competent authority of any Member State of the European Union, and for consequential amendments in the 2009 Regulations.

Regulations 8, 9 and 10 are the extent, citation and commencement provisions respectively.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 40 of 2019

**THE CUSTOMS AND EXCISE (APPROVED PORTS AND CUSTOMS DECLARATIONS)
(BAILIWICK OF GUERNSEY) REGULATIONS, 2019**

In pursuance of sections 7, 15 and 79 of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, The Customs and Excise (Approved Ports and Customs Declarations) (Bailiwick of Guernsey) Regulations, 2019, made by the Committee *for* Home Affairs on 26th March 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations specify ports and airports for the purposes of customs and excise, and specify classes of good exempt from the requirement at section 15 of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 to make a customs declaration.

These Regulations come into force on exit day within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018.

No. 41 of 2019

**THE CUSTOMS AND CROSS-BORDER TRADE (GENERAL AND ENABLING PROVISIONS)
(BAILIWICK OF GUERNSEY) LAW, 2018 (COMMENCEMENT) REGULATIONS, 2019**

In pursuance of sections 9 and 14 of the Customs and Cross-Border Trade (General and Enabling Provisions) (Bailiwick of Guernsey) Law, 2018, The Customs and Cross-Border Trade (General and Enabling Provisions) (Bailiwick of Guernsey) Law, 2018 (Commencement) Regulations, 2019, made by the Committee *for* Home Affairs on 26th March 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations bring into force the Customs and Cross-Border Trade (General and Enabling Provisions) (Bailiwick of Guernsey) Law, 2018 ("the Law") in two stages. Most of the Law is brought into force on "exit day" within the meaning of the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, but certain amendments to the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 in Schedule 1 to the Law are brought into force on 29 March 2019.

No. 42 of 2019

THE CUSTOMS TRANSIT PROCEDURES (BAILIWICK OF GUERNSEY) REGULATIONS, 2019

In pursuance of sections 5(1C), 20(1A)(b), 54D and 79 of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, The Customs Transit Procedures (Bailiwick of Guernsey) Regulations, 2019, made by the Committee *for* Home Affairs on 26th March 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations make provision for the purpose of the Bailiwick giving effect to the 102 Common Transit Convention and the TIR Transit Convention, and for the use of NATO form 302 in the case of movements of goods into, within and out of the Customs Territory (as defined in the Arrangement set out in the Schedule to the Crown Dependencies Customs Union (Guernsey) (EU Exit) Order 2018).

The Common Transit Convention ensures simplified cross-border trade by allowing exported goods to move across participating customs territories without the payment of duties until they have reached the final destination. The TIR Transit Convention permits the movement of goods under transit by road, in secure vehicles and containers, combined with other modes of transport.

These Regulations come into force on exit day, being the 11pm on 29 March 2019, or such other day and time as the Policy & Resources Committee may appoint by regulations.

No. 46 of 2019

THE SEAT BELTS (EXEMPTION) ORDER 2019

In pursuance of sections 9(2) and 13 of the Seat Belts Ordinance, 1988, The Seat Belts (Exemption) Order 2019, made by the Committee *for* Home Affairs on 27th March 2019, is laid before the States.

EXPLANATORY NOTE

This Order makes provision exempting from the prohibition on children under 14 riding in a motor car without a seat belt or child restraint appropriate to their age –

- a) a child riding in the rear of a taxi or private hire vehicle, where an appropriate seat belt or child restraint is not available (children under three must be accompanied by an adult who assumes responsibility for the child) and children aged three or more must wear an adult seat belt),
- b) a child riding in the rear of a vehicle where two child restraints are already in use preventing the use of such a restraint by that child, provided that the child is wearing an adult belt, and
- c) a child aged twelve or more, or who is 135 cm or more in height, riding in the rear of the vehicle, if no seat belt is available.

This Order comes into force on the 29th day of March, 2019.

No. 50 of 2019

THE MERCHANT SHIPPING (COMMERCIAL VESSELS) (SAFETY AND CREWING) (GUERNSEY AND SARK) REGULATIONS, 2019

In pursuance of the powers conferred on it by sections 289, 296(1) and 297(2) of the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 and section 20 of the Hired Boats and Passenger Boats (Guernsey) Law, 1989, “The Merchant Shipping (Commercial Vessels) (Safety and Crewing) (Guernsey and Sark) Regulations, 2019”, made by the States’ Trading Supervisory Board and the Sark Harbours and Shipping Committee on 26th March, 2019, are laid before the States.

EXPLANATORY NOTE

These Regulations amend, repeal or suspend such legislative provisions as is necessary to facilitate the introduction of a Small Commercial Vessels Code governing construction standards, crew licencing, operating limits and other related matters within Guernsey and Sark.

These Regulations came into force on 1st May, 2019.

The full text of the legislation can be found at:

<http://www.guernseylegalresources.gg/article/90617/Ordinances>