

## ADDENDUM

### **Late Items for the Michaelmas Meeting of Chief Pleas – 6 October 2021**

Under the Provisions of Rule 12(11) of the Rules of Procedure of the Chief Pleas of Sark the Speaker of Chief Pleas has waived the notice required under Rule 1(4) and allowed, by request of the Policy & Finance Committee and the Land Reform (Special) Committee the following Items to be added to the Agenda:

- Item 7A. To Consider an Information Report from the LAND REFORM (Special) COMMITTEE entitled “**Land Reform Regulations Update**” (copy enclosed).
- Item 20. To CONSIDER a Report with Propositions from the POLICY & FINANCE COMMITTEE entitled “**Education Committee Structure**” (copy enclosed).
- Item 21. To CONSIDER an Information Report from the POLICY & FINANCE COMMITTEE entitled “**Electricity Grid Survey and Sark Electricity Limited Update**” (copy enclosed).

### **REGULATION LAID BEFORE**

**The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) (Amendment) Regulations, 2021**  
(Came into Operation on 23rd September 2021)

24 September 2021

Lt. Col. RJ Guille MBE  
Speaker of Chief Pleas

## **ITEM 7A**

### **LAND REFORM (SPECIAL) COMMITTEE**

Information Report to Michaelmas Chief Pleas, 6<sup>th</sup> October, 2021

### **LAND REFORM DRAFT REGULATIONS UPDATE**

The draft regulations entitled 'Saisie (Fees) (Sark) Regulations 2021', which were appended to the report, 'Land Reform, Saisie' have been updated since that report was issued. In the updated draft regulations appended to this report, none of the fees have changed; there is just a small alteration in the wording.

**Conseiller William Raymond**  
**Chairman, Land Reform (Special) Committee**

SARK STATUTORY INSTRUMENT

2021 No.

**The Saisie (Fees) (Sark) Regulations, 2021**

*Made*

*\* October, 2021*

*Coming into operation*

*1<sup>st</sup> November, 2021*

*Laid before the Chief Pleas*

*, 2021*

THE POLICY & FINANCE COMMITTEE, in exercise of the powers conferred on it by section 18(2) of the Saisie (Sark) Ordinance, 2021<sup>a</sup>, and all other powers enabling it in that behalf, hereby makes the following regulations:-

**Fees.**

1. (1) Subject to paragraph (2), the fees payable to the Prévôt pursuant to section 18(2) of the Saisie (Sark) Ordinance, 2021 ("**the Ordinance**") in connection with the exercise of the Prévôt's functions under the Ordinance shall be those set out in the Schedule.

(2) In any particular case, the Court may permit an increase in the fees prescribed by these Regulations if the Court is satisfied that a proceeding or matter involved the Prévôt in work which was particularly onerous or complex, provided that such increased fee shall not in any case exceed twice the rate so prescribed; but nothing in this paragraph shall prejudice the powers of the Court in respect of fees, expenses or liabilities claimed by the Prévôt in the due performance of the Prévôt's functions under the Ordinance.

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<sup>a</sup> Sark Ordinance No. \* of 2021.

(3) For the avoidance of doubt, the fees set out in the Schedule do not include the expenses and liabilities incurred by the Prévôt in relation to the exercise of such functions.

**Interpretation.**

2. (1) In these Regulations, unless the context requires otherwise -

**"the Ordinance"** means the Saisie (Sark) Ordinance, 2021,

and other expressions have the same meaning as in the Ordinance.

(2) References in the Schedule to legislative provisions are references to provisions of the Ordinance.

**Citation and commencement.**

3. These Regulations may be cited as the Saisie (Fees) (Sark) Regulations, 2021 and shall come into force on the 1<sup>st</sup> November, 2021.

Dated this \* day of October, 2021

JOHN GUILLE

Chairman of the Policy & Finance Committee

For and on behalf of the Committee

## SCHEDULE

Regulation 1

## FEES

Description of proceeding or matter	Fee payable
Delivery of notifications (per notification)	£25
Functions in relation to administered property under section 6 (excluding Court applications) per hour or part thereof (maximum)	£30
Opening of claims register	£25
Publications per publication (fee to cover publication in notice boxes, Sark Gazette and La Gazette Officielle)	£30
Entry of claim on register	£25
Noting of appeal under section 8(4)	£25
Marshalling of claims and preparation of Report under section 10 per hour or part thereof (maximum)	£30
Applications to Court Initial fee <i>plus</i>	£100

per hour or part thereof	£30
Functions in relation to trust property under Part III (excluding Court applications) per hour or part thereof (maximum)	£30
Appointment of Prévôt Délégué	£50
Preparation of information and accounts pursuant to section 18(1)(e) per hour or part thereof	£30

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe the fees payable to the Prévôt in connection with the Prévôt's functions under the Saisie (Sark) Ordinance, 2021. These fees are payable to the Prévôt in respect of the Prévôt's administrative work; other costs and expenses properly and reasonably incurred by the Prévôt will be charged separately.

These Regulations come into force on the 1<sup>st</sup> day of November, 2021.

**POLICY & FINANCE COMMITTEE**

**Report with Propositions to Michaelmas Chief Pleas, 6<sup>th</sup> October, 2021**

**EDUCATION COMMITTEE STRUCTURE**

Following the Education Review in 2017, the Sark Education model has continued to evolve and develop, with positive changes which benefit pupils, teachers, and parents. Recent changes within the Education Committee, including the recent resignation of Conseiller Sandra Williams, has highlighted the need for a review of the Committee Mandate and composition of the Committee. The current Committee has a Conseiller serving on it who is also a parent of school age children, this has raised concerns from the Director of Education and Teachers that there may be the possibility of a conflict of interests, particularly in the matter of teachers' employment. Currently the Education Committee is the employers of the teaching staff and are responsible for pay and conditions.

Conversely it has also been recognised and commented by several parents and members of the public that Conseillers who are parents of school age children may bring a commitment and drive to the education committee that could in itself be valuable for furthering the development of education on and off island.

Investigation into this situation has also revealed that the current mandates for the Board of Education and the Education Committee both cross over in several areas and contain responsibilities that are no longer relevant.

The following propositions bring two options to Chief Pleas. Either;

To exclude Conseillers who are parents of school age children from sitting on the Education Committee.

Or to increase the membership of the Committee to 5 Conseillers and allow a maximum of 2 Conseillers who are parents of school age children to sit on the Committee. Should a situation arise where it is appropriate that the parents recuse themselves from discussions this will still leave the Committee quorate at 3 Conseillers. In conjunction with this, and for a temporary period, it is also proposed that any decisions relating to teachers' contracts, pay and conditions be removed to the Policy and Finance Committee (under advice from the Board of Education).

Whichever method by which Chief Pleas decides it would prefer to populate the Education Committee it will be the new Committee's first task and responsibility to conduct a thorough review of the Committee mandate and also that of the Board of Education. This in itself will greatly assist these bodies to work together and reduce the overlap and confusion that has occurred recently.

It is also intended that with the forthcoming departure of Sark's Director of Education that the Education Committee seek to further strengthen ties with the States of Guernsey. Opportunities for oversight of Sark's education by a larger body of professionals and for easier access to teacher training and support, from Guernsey, or elsewhere are to be

investigated as a priority. Education will always be a complex and extremely important part of Sark life and the opportunity to serve on the Education Committee, especially at present presents an extremely worthwhile challenge and opportunity to strengthen the quality and resilience of our already excellent School.

**Proposition 1** –

**That Chief Pleas agree to exclude all parents of school aged children being educated through the Sark Education Committee from serving on the Education Committee.**

**Proposition 2** –

**That if Chief Pleas reject Proposition 1, that the Education Committee is increased to a total of five members, no more than two who can be parents of school aged children currently being educated through the Sark Education Committee.**

**Proposition 3** –

**That Chief Pleas agrees that, for an initial period of 6 months all decisions relating to the employment, pay and conditions of teachers be temporarily transferred to the Policy and Finance Committee.**

**Conseiller John Guille  
Chairman, Policy & Finance Committee**

**POLICY & FINANCE COMMITTEE**

**Information Report to Michaelmas Chief Pleas, 6<sup>th</sup> October, 2021**

**ELECTRICITY GRID SURVEY AND SARK ELECTRICITY  
LIMITED UPDATE**

Following the resolution at Easter Chief Pleas held on 14<sup>th</sup> April 2021, the Committee have engaged a surveyor to carry out a survey of the current electricity distribution network, including transformers and junction boxes.

Following the public meeting with Mr Witney-Price (formerly Jackson) and landowners, requests to SEL for a detailed plans of the current grid have failed.

In mid-September letters were sent to all landowners requesting that they contact the Committee Office with any queries and concerns regarding equipment currently installed on their land.

The survey is taking place in early October and is not anticipated to involve any excavation of land or an invasion into private property. It does not include the generation equipment, or any equipment situated at the Power Station.

Following the resolution at the extraordinary Chief Pleas meeting to instruct the Law Officers to prepare a draft Projet de Loi to enable compulsory purchase, this legislation is now in the final stages of drafting and will return to the Assembly before the end of this year.

**Conseiller John Guille**  
**Chairman, Policy & Finance Committee**

GUERNSEY STATUTORY INSTRUMENT

2021 No.

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

<i>Made</i>	<i>21<sup>st</sup> September, 2021</i>
<i>Coming into operation</i>	<i>23<sup>rd</sup> September, 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<sup>a</sup>;

**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 WHEREAS** there is evidence of community transmission of Severe Acute Respiratory Syndrome Coronavirus 2 within the Bailiwick;

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<sup>a</sup> Order in Council No. XIV of 2012; amended by Ordinance No. IX of 2016; and No. II of 2017.

**AND WHEREAS** 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;

**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<sup>b</sup>;

**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: –

**Amendment of the General Provision (No. 10) Regulations.**

1. (1) The Emergency Powers (Coronavirus) (General Provision) (Bailiwick

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<sup>b</sup> 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.

of Guernsey) (No. 10) Regulations, 2021<sup>c</sup> are amended as follows.

(2) For regulation 19(4(a)), substitute –

"(a) P has received a full course of an approved vaccine, and".

(3) Paragraphs (5) and (6) of regulation 19 are revoked.

(4) For regulation 19(7) substitute –

"(7) For the purposes of paragraph (4)(a), an "**approved vaccine**" means a vaccine against coronavirus specified by the Authority as an approved vaccine for the purposes of these Regulations and published on the States of Guernsey website."

#### **Citation.**

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10) (Amendment) Regulations, 2021.

#### **Extent.**

3. These Regulations shall have effect throughout the Bailiwick.

#### **Commencement.**

4. These Regulations come into force on 23<sup>rd</sup> September, 2021.

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<sup>c</sup> G.S.I. No. 99 of 2021.

Dated this 21<sup>st</sup> day of September, 2021

P. T. R. FERBRACHE  
Chairman of the Civil Contingencies Authority  
For and on behalf of the Authority

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

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