

RESOLUTIONS of the EXTRAORDINARY (EMERGENCY) MEETING of CHIEF PLEAS held on 27th December 2020

1. **To CONSIDER a Report with Propositions from the POLICY and FINANCE COMMITTEE entitled “The Bailiwick’s Participation in the UK-EU Trade and Co-operation Agreement” and to APPROVE Propositions 1-7.**

Proposition 1 – **CARRIED.**

To approve the principles (set out in paragraph 1.20 to 1.27 of the Policy Letter) governing the future relationship of the United Kingdom with the European Union consequent on the withdrawal of the United Kingdom from the European Union, insofar as they relate to Sark.

Proposition 2 – **CARRIED.**

To authorise the States of Guernsey Policy & Resources Committee, if it is of the view that they give satisfactory effect to the principles (set out in paragraph 1.7 of the Policy Letter), to agree and to signal its approval of, on behalf of Sark and, subject to the necessary authorisations, on behalf of Guernsey and Alderney, the terms and conditions of any agreement or treaty made between Her Majesty's Government and the European Union governing the future relationship of the United Kingdom with the European Union, consequent on the withdrawal of the United Kingdom from the European Union, insofar as they relate to the Bailiwick.

Proposition 3 – **CARRIED.**

To declare that they agree that the Chief Pleas of Sark will endeavour to establish arrangements to cooperate with the European Union on the recovery of claims related to VAT, customs duties and excise duties within a reasonable time frame and to authorise the States of Guernsey Policy & Resources Committee to negotiate and, if it is of the view that it gives effect satisfactorily to such arrangements, to agree and to enter into, on behalf of Sark and, subject to the necessary authorisations, on behalf of Guernsey and Alderney, any protocol, agreement or any other form of instrument giving effect in the Bailiwick to the arrangements.

Proposition 4 – **CARRIED.**

To note that the extension of the UK’s World Trade Organization (‘WTO’) membership to the Bailiwick will take effect at the end of the Brexit transition period and to agree that there shall be implemented such measures (including legislative measures) as the Policy and Finance Committee, in relation to Sark, the States of Guernsey Policy & Resources Committee, in relation to Guernsey and the Policy and Finance Committee of the States of Alderney, in relation to Alderney think fit for the purpose of ensuring that Sark, Guernsey and Alderney may comply and remain in compliance with obligations that arise from the extension of the UK's WTO membership to the Bailiwick.

Proposition 5 – **CARRIED.**

To note the inclusion of the Bailiwick in various free trade agreements (which have previously had effect in the Bailiwick by virtue of the Bailiwick’s relationship with the EU, and the operation of which has been “rolled over” by the UK) and other agreements which will take effect at the end of the Brexit transition period and to agree that there shall be implemented such measures (including legislative measures) as the Policy and Finance Committee, in relation to Sark, the States of Guernsey Policy & Resources Committee, in relation to Guernsey and the Policy and Finance Committee of the States of Alderney, in relation to Alderney think fit for the purpose of ensuring that Sark, Guernsey and Alderney may comply and remain in compliance with obligations that arise from the inclusion of the Bailiwick in such agreements.

Proposition 6 – **CARRIED.**

To note that the Customs Arrangement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Bailiwick signed on 26th November, 2018 in London, will enter into effect from the end of the Brexit transition period following the exchange of letters between the UK and the Bailiwick.

Proposition 7 – **CARRIED** as amended.

To note the contents of the letter dated 24 December 2020, relating to the Bailiwick's participation in the Agreement between the UK and the EU, sent by the Lord Chancellor & Secretary of States for Justice to the President of the States of Guernsey Policy & Resources Committee.

Proposition 8 – **CARRIED.**

That Chief Pleas directs the Policy & Finance Committee to request the Law Officers of the Crown to draft the necessary legislation to give effect to the above decisions.

2. **To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled “Referral of UK Act of Parliament and Orders in Council to the Royal Court” and to APPROVE the Ordinance entitled “The Reform (Sark) (Amendment) Law, 2020”.**

Proposition – **CARRIED.**

That Chief Pleas approves the Projet de Loi entitled The Reform (Sark) (Amendment) Law 2020 and authorises the Policy & Finance Committee to approve and enact the provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in Sark.

3. **To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled “Coronavirus Vaccine, Immunity from Civil Liability” and to APPROVE the Ordinance entitled “The European Communities (Coronavirus Vaccine) (Immunity from Civil Liability) (Sark) Ordinance, 2020.”**

Proposition – **CARRIED.**

That Chief Pleas approve the Ordinance entitled: The European Communities (Coronavirus Vaccine) (Immunity from Civil Liability) (Sark) Ordinance, 2020.

4. **To CONSIDER an Information Report from the POLICY and FINANCE COMMITTEE entitled “New Arrangements for European Union Nationals from January 2021”.**

The Report was noted.

REGULATIONS LAID BEFORE

The Emergency Regulations (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 9) Regulations,
2020

(Came into operation 27th November 2020)

The Emergency Regulations (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 10)
Regulations, 2020

(Came into operation 15th December 2020)

The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (Bailiwick of Guernsey)
Regulations, 2020

(Came into operation 15th December 2020)

G.J. Hamon
Deputy Greffier

