

STATES OF JERSEY



DRAFT COVID-19 (AMENDMENTS – EXTENSION, SUSPENSION AND REPEAL) (JERSEY) REGULATIONS 202- (P.103/2020): AMENDMENT – COMMENTS

**Presented to the States on 8th September 2020
by the Minister for Home Affairs**

STATES GREFFE

COMMENTS

I brought forward the amendment to the [Unlawful Public Entertainments \(Jersey\) Regulations \(P.22/2020\)](#) (Triennial Regulations) on 24th March 2020. This was one of the first items of legislation to address the pandemic and predated the [Covid-19 \(Enabling Provisions\) \(Jersey\) Law 2020](#) (Enabling Law). The amendment serves to allow the Bailiff to withdraw, or add conditions to, permission for events that have already been granted. Prior to the amendment, this was not possible.

Public entertainment in Jersey has been regulated by Triennial Regulations for many years, and while these have been broadly effective, there is scope to make significant improvement in this area, by developing new legislation to underpin a single, centrally-managed register to manage the use of public space.

However, until that work is completed, the Triennial Regulations provide the tools to manage public entertainment and must be made to work as effectively as possible. The lack of any capacity to revisit the approval of events, in light of changed circumstances, is not a problem that arose directly from the pandemic, but a shortcoming of the legislation that was always present, which Covid-19 simply brought to the fore.

The amendment is an improvement to the legislation that does not impinge in any way on the rights and freedoms of Islanders. It is already time-limited, in itself, as it cannot survive the expiry of the Triennials in July 2022.

In my speech bringing the amending Regulations in March, I did indicate that I would bring an amendment to them myself to time-limit the changes in line with the emergency legislation brought under the Enabling Law, but after further discussion with the Children, Education & Home Affairs Scrutiny Panel, I indicated that the Panel could do so if it wished, but that I would not support it on the grounds outlined above.

I encourage members not to support this amendment as it will make no meaningful difference to the rights and freedoms of Islanders while removing an occasionally useful tool from the Bailiff and his consultative panel.