

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 26th DAY OF JANUARY, 2016**

**The States resolved as follows concerning Billet d'État No I
dated 18th December 2015**

THE FIREARMS (GUERNSEY) (AMENDMENT) LAW, 2016

I.- To approve the draft Projet de Loi entitled “The Firearms (Guernsey) (Amendment) Law, 2016”, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE SOCIAL INSURANCE (GUERNSEY) (AMENDMENT) LAW, 2016

II.- To approve the draft Projet de Loi entitled “The Social Insurance (Guernsey) (Amendment) Law, 2016”, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CONTROL OF TRADE IN ENDANGERED SPECIES ETC. (BAILIWICK
OF GUERNSEY) ORDINANCE, 2016**

III.- To approve the draft Ordinance entitled “The Control of Trade in Endangered Species etc. (Bailiwick of Guernsey) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

THE SINGLE EURO PAYMENTS AREA (GUERNSEY) ORDINANCE, 2016

IV.- To approve the draft Ordinance entitled “The Single Euro Payments Area (Guernsey) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MATERNITY LEAVE AND ADOPTION LEAVE (GUERNSEY)
ORDINANCE, 2016**

V.- To approve the draft Ordinance entitled “The Maternity Leave and Adoption Leave (Guernsey) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

THE REGISTERED PLANT BREEDERS' RIGHTS (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2016

VI.- To approve the draft Ordinance entitled “The Registered Plant Breeders’ Rights (Bailiwick of Guernsey) (Amendment) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

THE HOUSING (CONTROL OF OCCUPATION) (AMENDMENT OF HOUSING REGISTER) ORDINANCE, 2016

VII.- To approve the draft Ordinance entitled “The Housing (Control of Occupation) (Amendment of Housing Register) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT WITH BULGARIA) ORDINANCE, 2016

VIII.- To approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreement with Bulgaria) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE COMPANIES (STANDARD ARTICLES OF INCORPORATION) (AMENDMENT) REGULATIONS, 2015

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Standard Articles of Incorporation) (Amendment) Regulations, 2015”, made by the Commerce and Employment Department on 24th September 2015, were laid before the States.

THE INCOME TAX (STANDARD CHARGE) (AMENDMENT) REGULATIONS, 2015

In pursuance of Section 203 of the Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Standard Charge) (Amendment) Regulations, 2015”, made by the Treasury and Resources Department on 9th October 2015, were laid before the States.

**THE DRIVING LICENCES (GUERNSEY) THEORY TEST (AMENDMENT)
REGULATIONS, 2015**

In pursuance of section 4A of the Driving Licences (Guernsey) Ordinance, 1995, as amended, “The Driving Licences (Guernsey) Theory Test (Amendment) Regulations, 2015”, made by the Environment Department on 27th October 2015, were laid before the States.

THE TRADE MARKS (BAILIWICK OF GUERNSEY) REGULATIONS, 2015

In pursuance of section 101 (3) of The Trade Marks (Bailiwick of Guernsey) Ordinance, 2006, “The Trade Marks (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PATENT ATTORNEYS (MIXED PARTNERSHIPS AND
BODIES CORPORATE) REGULATIONS, 2015**

In pursuance of section 64 (3) of the Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009, “The Registered Patent Attorneys (Mixed Partnerships and Bodies Corporate) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PATENTS AND BIOTECHNOLOGICAL INVENTIONS
(DEROGATION FROM PATENT PROTECTION IN RESPECT OF
BIOTECHNOLOGICAL INVENTIONS) (BAILIWICK OF GUERNSEY)
REGULATIONS, 2015**

In pursuance of section 64 (3) of the Registered Patents and Biotechnological Inventions (Bailiwick of Guernsey) Ordinance, 2009, “The Registered Patents and Biotechnological Inventions (Derogation from Patent Protection in Respect of Biotechnological Inventions) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PLANT BREEDERS' RIGHTS (DESIGNATED
COUNTRIES AND OFFICES) (BAILIWICK OF GUERNSEY)
REGULATIONS, 2015**

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders' Rights (Designated Countries and Offices) (Bailiwick of Guernsey) Regulations, 2015”, made by the

Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PLANT BREEDERS' RIGHTS (FARM SAVED SEED)
(PRESCRIBED SPECIES AND GROUPS) (BAILIWICK OF GUERNSEY)
REGULATIONS, 2015**

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders' Rights (Farm Saved Seed) (Prescribed Species and Groups) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PLANT BREEDERS' RIGHTS (FARM SAVED SEED)
(PRESCRIBED INFORMATION) (BAILIWICK OF GUERNSEY)
REGULATIONS, 2015**

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders' Rights (Farm Saved Seed) (Prescribed Information) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PLANT BREEDERS' RIGHTS (FARM SAVED SEED)
(SMALL FARMERS) (BAILIWICK OF GUERNSEY) REGULATIONS, 2015**

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, The Registered Plant Breeders' Rights (Farm Saved Seed) (Small Farmers) (Bailiwick of Guernsey) Regulations, 2015 made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

**THE REGISTERED PLANT BREEDERS' RIGHTS (PRESCRIBED CLASSES
OF VARIETIES) (BAILIWICK OF GUERNSEY) REGULATIONS, 2015**

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders' Rights (Prescribed Classes of Varieties) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

THE REGISTERED PLANT BREEDERS' RIGHTS (INFORMATION NOTICES) (BAILIWICK OF GUERNSEY) REGULATIONS, 2015

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders’ Rights (Information Notices) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

THE AVIATION REGISTRY (INTERESTS IN AIRCRAFT) (COMMENCEMENT) REGULATIONS, 2015

In pursuance of section 52 (4) of the Aviation Registry (Guernsey) Law, 2013, “The Aviation Registry (Interests in Aircraft) (Commencement) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

THE AVIATION REGISTRY (ELIGIBILITY) REGULATIONS, 2015

In pursuance of section 52 (4) of the Aviation Registry (Guernsey) Law, 2013, “The Aviation Registry (Eligibility) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

THE AIR NAVIGATION (FEES) REGULATIONS, 2015

In pursuance of section 151 (4) of the Air Navigation (Bailiwick of Guernsey) Law, 2012, “The Air Navigation (Fees) Regulations, 2015”, made by the Commerce and Employment Department on 22nd October 2015, were laid before the States.

THE COMPANIES (REGISTRAR) (FEES) REGULATIONS, 2015

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Registrar) (Fees) Regulations, 2015”, made by the Commerce and Employment Department on 5th November 2015, were laid before the States.

THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS) (IMPLEMENTATION) (COMMON REPORTING STANDARD) REGULATIONS, 2015

In pursuance of Section 203 of the Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Approved International Agreements) (Implementation) (Common Reporting Standard) Regulations, 2015”, made by the Treasury and Resources Department on 23rd November 2015, were laid before the States.

THE REGISTERED HEALTH PROFESSIONALS REGULATIONS, 2015

In pursuance of Section 9(3) of The Registered Health Professionals Ordinance, 2006, as amended, “The Registered Health Professionals Regulations, 2015”, made by the Health and Social Services Department on 4th November 2015, were laid before the States.

THE MISUSE OF DRUGS (MODIFICATION) ORDER, 2015

In pursuance of Section 30(3) of the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974, as amended, “The Misuse of Drugs (Modification) Order, 2015”, made by the Health and Social Services Department on 2nd September 2015, was laid before the States.

THE REGISTERED HEALTH PROFESSIONALS (AMENDMENT AND COMMENCEMENT) ORDER, 2015

In pursuance of Section 9(3) of The Registered Health Professionals Ordinance, 2006, as amended, “The Registered Health Professionals (Amendment and Commencement) Order, 2015”, made by the Health and Social Services Department on 4th November 2015, was laid before the States.

THE REGISTERED PLANT BREEDERS' RIGHTS (FARM SAVED SEED) (DISCONTINUATION OF PRIOR USE EXEMPTION) (BAILIWICK OF GUERNSEY) ORDER, 2015

In pursuance of section 43 (3) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007, “The Registered Plant Breeders' Rights (Farm Saved Seed) (Discontinuation of Prior Use Exemption) (Bailiwick of Guernsey) Order, 2015”, made by the Commerce and Employment Department on 22nd October 2015, was laid before the States.

THE FINANCIAL SERVICES OMBUDSMAN (ELIGIBLE COMPLAINANTS) (BAILIWICK OF GUERNSEY) ORDER, 2015

In pursuance of section 27(3) of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, “The Financial Services Ombudsman (Eligible Complainants) (Bailiwick of Guernsey) Order, 2015”, made by the Commerce and Employment Department on 8th October 2015, was laid before the States.

**THE AVIATION SECURITY (BAILIWICK OF GUERNSEY) (AMENDMENT)
DIRECTION, 2015**

In pursuance of section 178(4) of the Aviation (Bailiwick of Guernsey) Law, 2008, “The Aviation Security (Bailiwick of Guernsey) (Amendment) Direction, 2015”, made by the Commerce and Employment Department on 24th September 2015, was laid before the States.

POLICY COUNCIL

**MEASURING RELATIVE POVERTY AND INCOME INEQUALITY IN
GUERNSEY AND ALDERNEY**

IX.- After consideration of the Policy Letter dated 9th November, 2015, of the Policy Council:-

1. To note that, to improve the measurement of relative poverty, the method of calculating the Relative Low Income Threshold will be updated and improved as set out in Section 7 of that report.
2. To agree that, to improve and broaden the measurement of relative poverty, a Multidimensional Poverty Indicator, as described in Section 9 and Appendix 2 of that report, be published annually.
3. To note that, subject to the necessary resources and funding being available, the Policy and Resources Committee will consider undertaking a Minimum Income Standard Study, as described in paragraph 5.3, Section 10 and Appendix 2 of that report, on a five yearly basis.
4. To agree that the measures of income inequality described in Section 11 and Appendix 3 of that report be published annually.

POLICY COUNCIL

REVIEW OF STATES MEMBERS AND NON-STATES MEMBERS PAY

X.- After consideration of the Policy Letter dated 9th November, 2015, of the Policy Council:-

1. That the remuneration allowance paid to Deputies with effect from 1st May 2016 shall be as follows:

President of the Policy and Resources Committee	£65,315*
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Presidents of the Principal Committees, President of the Scrutiny Management Committee, President of the States' Assembly and Constitution Committee and Members of the Policy and Resources Committee £50,185*

All other Deputies £37,147*

* Social Security uplift to be deducted for those aged 65 and over

with an adjustment in accordance with changes in Guernsey median earnings as published in March 2016 provided that, in the event of a negative change, no adjustment should be made.

2. That the remuneration allowance paid to Alderney Representatives from 1st May 2016 shall be:

President of the Policy and Resources Committee £42,835*

President of a Principal Committee, President of the Scrutiny Management Committee, President of the States' Assembly and Constitution Committee or Member of the Policy and Resources Committee £27,705*

With a seat on a Committee, the Transport Licensing Authority, the Development and Planning Authority or the States Trading Supervisory Board £20,503*

All other Alderney Representatives £12,130*

* Social Security uplift to be deducted for those aged 65 and over

with an adjustment in accordance with changes in Guernsey median earnings as published in March 2016, provided that, in the event of a negative change, no adjustment should be made.

3. That in the event that a President of a Principal Committee, the Scrutiny Management Committee or the States' Assembly and Constitution Committee is unable to fulfil his or her duties for a period in excess of four weeks and the Vice-President takes on the full responsibilities of that post, his or her remuneration will temporarily increase to the level of a President.

4. That the remuneration allowance paid to Non-States Members from 1st May 2016 should only be paid to the relevant members of the six Principal Committees, the Scrutiny Management Committee, the Transport Licensing Authority, the Development and Planning Authority and the States Trading Supervisory Board, and should be:

a) In the case of the States Trading Supervisory Board, £8,000 per annum;

- b) In the cases of those other Committees, £2,000 per annum.
5. That any Alternative Alderney Representative shall be entitled to be awarded in respect of his attendance at a properly convened meeting of the States of Deliberation which he has been appointed to attend, pursuant to section 4 of the States of Guernsey (Representation of Alderney) Law, 1978 an attendance allowance of £69 per half-day or part thereof (with an adjustment in accordance with changes in Guernsey median earnings as published in March 2016 provided that, in the event of a negative change, no adjustment should be made), which sum shall be subject to tax.
 6. That the remuneration of States Members, Non-States Members and attendance allowance for Alternative Alderney Representatives should be automatically adjusted annually on 1st May, based on any percentage change in median earnings, as published in March each year. In the event of a negative change, no adjustment should be made. Should a percentage increase occur in the year following a negative change, the award shall reflect the percentage change from the year preceding the negative change.
 7. To direct the Treasury and Resources Department (and its successor Committee) to continue to provide States Members with standard information technology equipment and software.
 - 7A. To direct the Treasury and Resources Department (and its successor committee) to make a reasonable adjustment provision, in line with the policy of the Civil Service, available to any Deputy from the 1st May 2016.
 8. That at the beginning of a political term, any States Member or Non-States Member who chose to accept remuneration would be required to decide either to accept or reject any changes in such remuneration that might result from any changes in median earnings during the relevant political term.
 9. To direct the Policy and Resources Committee to present to the States of Deliberation for approval the necessary amendments to the Rules for Payments to States Members, Former States Members and Non-States Members of States Departments and Committees to give effect to their above decisions.
 10. To direct the Policy and Resources Committee to set up an independent review of the remuneration to be paid to States Members and Non-States Members not later than 1st May 2018; or at any other time in the event of a change in circumstances that has a significant effect on the roles and responsibilities of those Members.

POLICY COUNCIL

ELECTION OF THE CHAIRMAN OF THE GUERNSEY FINANCIAL SERVICES COMMISSION

XI.- After consideration of the Policy Letter dated 30th November, 2015, of the Policy Council, to elect Drs. Cornelis Antonius Carolus Maria Schrauwers as Chairman of the Guernsey Financial Services Commission for one year with effect from 2nd February 2016.

ENVIRONMENT DEPARTMENT

REVIEW OF THE LAND PLANNING AND DEVELOPMENT (USE CLASSES) ORDINANCE, 2007

XII.- After consideration of the Policy Letter dated 27th October, 2015, of the Environment Department:-

1. To approve the proposed amendments to reduce the number of use classes in the Land Planning and Development (Use Classes) Ordinance, 2007 and to increase the number of change of use exemptions in the Land Planning and Development (Exemptions) Ordinance, 2007 and any necessary consequential amendments to other legislation as set out in that Policy Letter.
2. TO NEGATIVE THE PROPOSITION to direct the Department to rescind their Resolution of the 12th December, 2007 of Billet d'État No. XXV of 2007, Article III, paragraph 1 noting "*the limited circumstances in which planning covenants will be used as set out in that report*".
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

J. TORODE

HER MAJESTY'S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 27th DAY OF JANUARY, 2016**

(adjourned from the 26th January 2016)

**The States resolved as follows concerning Billet d'État No I
dated 18th December 2015**

ENVIRONMENT DEPARTMENT

**EXTENSION OF THE LOCAL PLANNING BRIEFS FOR LE BOUET AND
GLATEGNY ESPLANADE MIXED USE REDEVELOPMENT AREAS**

XIII.- After consideration of the Policy Letter dated 13th October, 2015, of the Environment Department, they are of the opinion to extend the period of validity of Le Bouet and Gategny Esplanade Local Planning Briefs until the 2nd December, 2017, subject to any earlier expiry in accordance with section 2 of the Land Planning and Development (Local Planning Briefs) (Guernsey) Law, 2013.

HOME DEPARTMENT

**AMENDMENTS TO THE OFFENCES (FIXED PENALTIES) LAW, 2009
– PARKING ON HOSPITAL GROUNDS**

XIV.- After consideration of the Policy Letter dated 9th November, 2015, of the Environment Department:-

1. To approve the addition of the offences set out in section 4 of the Vehicular Traffic (Hospitals, etc.) Ordinance, 1985 to the Schedule of the Offences (Fixed Penalties)(Guernsey) Law, 2009.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

CONSTITUTIONAL INVESTIGATION COMMITTEE

**PROPOSAL TO ACHIEVE GREATER AUTONOMY IN THE LEGISLATIVE
PROCESS AND INTERNATIONAL AFFAIRS FOR GUERNSEY**

XV.- After consideration of the Policy Letter dated 4th November, 2015, of the Constitutional Investigation Committee:-

1. To approve the objectives outlined in paragraphs 6 and 7 in that Policy Letter relating to: the granting of Royal sanction; the extension of international agreements; and the entering into agreements under entrustment.
2. To direct the Policy Council, and its successor Committee, to liaise with the States of Alderney, Chief Pleas of Sark and the States of Jersey, and negotiate with the UK authorities proposals to seek to implement these objectives, and to do so before 2020.
3. To direct the States Assembly and Constitution Committee to investigate the possibility of amending the Reform (Guernsey) Law 1948 to require the referral of certain matters to the States of Deliberation relating to UK Acts of Parliament which have direct effect or are to be extended to Guernsey by Order in Council, and bring any proposals before the States thereon.
4. To dissolve the Constitutional Investigation Committee on 30th April 2016.
5. To direct the Policy Council, and its successor Committee, to prepare a business case to establish a treaty management function in the External Relations team at the Policy Council and its successor body.

REQUÊTE

RECIPROCAL HEALTH AGREEMENT WITH THE UNITED KINGDOM AND THE EUROPEAN UNION

XVI.- After consideration of the Requête dated 27th October, 2015, and signed by Deputy J Kuttelwascher and six other Members of the States:-

1. TO NEGATIVE THE PROPOSITION to agree to the introduction, at the earliest opportunity, of a Reciprocal Health Agreement with the United Kingdom to be brokered by the Health and Social Services Department/Policy Council (or their successors).
2. TO NEGATIVE THE PROPOSITION to direct the Policy Council (or its successor) to explore the possibility of joining the European Health Insurance Card (ECIH) scheme or a Reciprocal Health Agreement with the European Union.
3. TO NEGATIVE THE PROPOSITION to direct the Commerce and Employment Department (or its successor) to reprioritise its Marketing and Tourism budget to provide funding for a Reciprocal Health Agreement.

J. TORODE

HER MAJESTY'S GREFFIER