

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 26th DAY OF SEPTEMBER, 2012**

**The States resolved as follows concerning Billet d'État No XX
dated 17th August 2012**

THE SEWERAGE (GUERNSEY) (AMENDMENT) LAW, 2012

- I.- To approve the draft Projet de Loi entitled “The Sewerage (Guernsey) (Amendment) Law, 2012” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE HEALTH AND SAFETY AT WORK (GENERAL) (GUERNSEY)
(AMENDMENT) ORDINANCE, 2012**

- II.- To approve the draft Ordinance entitled “The Health and Safety at Work (General) (Guernsey) (Amendment) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MERCHANT SHIPPING (BAILIWICK OF GUERNSEY) LAW,
2002 (COMMENCEMENT) ORDINANCE, 2012**

- III.- To approve the draft Ordinance entitled “The Merchant Shipping (Bailiwick of Guernsey) Law, 2002 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MERCHANT SHIPPING (CONVENTION ON LIMITATION OF
LIABILITY FOR MARITIME CLAIMS) (BAILIWICK OF GUERNSEY)
ORDINANCE, 2012**

- IV.- To approve the draft Ordinance entitled “The Merchant Shipping (Convention on Limitation of Liability for Maritime Claims) (Bailiwick of Guernsey) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MONT VAROUF SCHOOL (GUERNSEY) LAW, 2012
(COMMENCEMENT) ORDINANCE, 2012**

- V.- To approve the draft Ordinance entitled “The Mont Varouf School (Guernsey) Law, 2012 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

THE SEA FISH LICENSING (BAILIWICK OF GUERNSEY) LAW, 2012

(COMMENCEMENT) ORDINANCE, 2012

- VI.- To approve the draft Ordinance entitled “The Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012 (Commencement) Ordinance, 2012”, and to direct that the same shall have effect as an Ordinance of the States.

EDUCATION DEPARTMENT

ELECTION OF NON-VOTING MEMBER

- VII.- To elect as a non-voting member of the Education Department, Mr Denis Patrick Mulkerrin, who had been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.

COMMERCE AND EMPLOYMENT DEPARTMENT

ELECTION OF NON-VOTING MEMBER

- VIII.-To elect as a non-voting member of the Commerce and Employment Department, Advocate Thomas Michael Carey, who had been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.

LEGISLATION SELECT COMMITTEE

ELECTION OF NON-VOTING MEMBERS

- IX.- To elect

1. as a non-voting member of the Legislation Select Committee, Advocate Simon Francis William Howitt, who had been nominated in that behalf by that Committee, to serve until May 2016 in accordance with Rule 5 (1) (c) of the Constitution and Operation of States Departments and Committees.
2. as a non-voting member of the Legislation Select Committee, Ms Dawn Angela Tindall, who had been nominated in that behalf by that Committee, to serve until May 2016 in accordance with Rule 5 (1) (c) of the Constitution and Operation of States Departments and Committees.

POLICY COUNCIL

APPOINTMENT OF MEMBER TO PLANNING PANEL

- X.- After consideration of the Report dated 23rd July, 2012, of the Policy Council to elect Mr. David Gwyn Harry as an ordinary member of the Planning Panel, to

hold office for the unexpired portion of Mr. Burnard's term, to take effect from 1st October, 2012 until 5th April, 2017.

TREASURY AND RESOURCES DEPARTMENT

DOUBLE TAXATION ARRANGEMENT WITH THE GOVERNMENT OF JAPAN

XI.- After consideration of the Report dated 19th June, 2012, of the Treasury and Resources Department to ratify the agreement made with Japan, as appended to that Report, as required by section 172(1) of the Income Tax Law.

COMMERCE AND EMPLOYMENT DEPARTMENT

AMENDMENTS TO STATUTORY MINIMUM WAGE ARRANGEMENTS TO COME INTO FORCE ON 1 OCTOBER 2012

XII.- After consideration of the Report dated 19th June, 2012, of the Commerce and Employment Department:-

1. To approve the appended “The Minimum Wage (Prescribed Rates and Qualifications) (Guernsey) Regulations, 2012” which increases the Minimum Wages Rates, as set out below, alters the age of qualification for the Adult Minimum Wage Rate from 19 years of age to 18 years of age and removes the 12 month qualification rule for apprentices:
 - Adult Minimum Wage Rate to be set at £6.30 per hour (For workers aged 18 and over).
 - Young Persons’ Minimum Wage Rate to be set at £4.50 per hour (For workers aged 16 and 17).
2. To approve that 1st October 2012 shall be the date for implementation of the Commencement Order and the Regulations to give effect to the Law.

HEALTH AND SOCIAL SERVICES DEPARTMENT

THE MEDICINES (HUMAN AND VETERINARY) (BAILIWICK OF GUERNSEY) LAW, 2008 – REGISTRATION OF PHARMACIES

XIII.-After consideration of the Report dated 10th July, 2012, of the Health and Social Services Department:-

1. To agree that Part IV of the Law should come into force on 1st June 2013.
2. To agree that only a pharmacist who has been qualified to practise as a pharmacist in the UK for at least three years, and is not prohibited from practising under the Law, shall be permitted:

- i) to carry on a retail pharmacy business, or
 - ii) to be a superintendent pharmacist for a body corporate carrying on a pharmacy business, or
 - iii) to have personal supervision of a retail pharmacy carried on by a body corporate.
- 2A. To agree that in relation to propositions 2(i) and 2(iii) a newly qualified pharmacist who has been qualified to practise as a pharmacist or, in certain circumstances to provide temporary locum cover for a principal pharmacist, such circumstances to include, for example the illness, or temporary absence of the principal pharmacist, where that principal pharmacist has been qualified to practise as a pharmacist in the UK for at least three years.
3. To agree that in the case of UK-registered pharmacists, the Health and Social Services Department shall have the power to take regulatory action (to disqualify a body corporate or a representative of a pharmacist) which is consistent with any decision of the relevant disciplinary committee.
 4. To agree to specify the grounds for appeal and the procedures applying in the case of an appeal against regulatory action taken by the Department.
 5. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

SOCIAL SECURITY DEPARTMENT

CONTRIBUTION RATES FOR 2013

XIV.-After consideration of the Report dated 10th July, 2012, of the Social Security Department:-

1. That, for employed persons, the upper weekly earnings limit, the upper monthly earnings limit and the annual upper earnings limit, from 1 January 2013, shall be £2,295, £9,945 and £119,340 respectively.
2. That, for employers, the upper weekly earnings limit, the upper monthly earnings limit and the annual upper earnings limit, from 1 January 2013, shall be £2,496, £10,816 and £129,792 respectively.
3. That, for employed persons and employers, the lower weekly earnings limit and the lower monthly earnings limit, from 1 January 2013, shall be £125 and £541.67 respectively.
4. That, for self-employed persons, the upper earnings limit and lower earnings limit, from 1 January 2013, shall be £119,340 per year and £6,500 per year, respectively.

5. That, for non-employed persons, the upper and lower annual income limits, from 1 January 2013, shall be £119,340 per year and £16,250 per year respectively.
6. That the allowance on income for non-employed people from 1 January 2013, shall be £6,895 per year.
7. That the voluntary contribution from 1 January 2013, shall be £17.81 per week for non-employed people.
8. That the overseas voluntary contribution from 1 January 2013, shall be £85.32 per week for non-employed people and £94.32 for self-employed people.
9. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.
10. To direct the Social Security Department to report to the States of Deliberation by no later than October, 2013 with proposals setting out any structural reforms and changes to contribution and/or benefit rates which it considers necessary in order to ensure the long-term sustainability of the Guernsey Insurance Fund.
11. To direct the Social Security Department to report to the States of Deliberation by no later than October, 2014 with proposals setting out any structural reforms and changes to contribution and/or benefit rates which it considers necessary in order to ensure the long-term sustainability of the Long-Term Care Insurance Fund.

ORDINANCES LAID BEFORE THE STATES

THE REPUBLIC OF GUINEA-BISSAU (RESTRICTIVE MEASURES) (GUERNSEY) ORDINANCE, 2012

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Republic of Guinea-Bissau (Restrictive Measures) (Guernsey) Ordinance, 2012, made by the Legislation Select Committee on the 31st May, 2012, was laid before the States.

THE BELARUS (FREEZING OF FUNDS) (GUERNSEY) (AMENDMENT) ORDINANCE, 2012

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Belarus (Freezing of Funds) (Guernsey) (Amendment) Ordinance, 2012, made by the Legislation Select Committee on the 31st May, 2012, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE COMPULSORY ACQUISITION OF LAND (GUERNSEY) (PRESCRIBED FORMS) REGULATIONS, 2012

In pursuance of Section 12A (4) of The Compulsory Acquisition of Land (Guernsey) (Amendment) Law, 2010, The Compulsory Acquisition of Land (Guernsey) (Prescribed Forms) Regulations, 2012, made by the Treasury and Resources Department on 3rd July 2012, were laid before the States.

THE COMPETITION (CALCULATION OF TURNOVER) (GUERNSEY) REGULATIONS, 2012

In pursuance of Section 63 (3) of The Competition (Guernsey) Ordinance, 2012, The Competition (Calculation of Turnover) (Guernsey) Regulations, 2012 made by the Commerce and Employment Department on 31 July 2012 were laid before the States.

THE COMPETITION (MERCER AND OPINION APPLICATION FEES) (GUERNSEY) REGULATIONS, 2012

In pursuance of Section 63 (3) of The Competition (Guernsey) Ordinance, 2012, The Competition (Merger and Opinion Application Fees) (Guernsey) Regulations, 2012 made by the Commerce and Employment Department on 31st July 2012 were laid before the States.

THE COMPETITION (PRESCRIBED MERGERS AND ACQUISITIONS) (GUERNSEY) REGULATIONS 2012

In pursuance of Section 63 (3) of The Competition (Guernsey) Ordinance, 2012, The Competition (Prescribed Mergers and Acquisitions) (Guernsey) Regulations, 2012 made by the Commerce and Employment Department on 31st July 2012 were laid before the States.

THE OFFENCES (FIXED PENALTIES) (GUERNSEY) ORDER, 2012

In pursuance of Section 7 of The Offences (Fixed Penalties) (Guernsey) Law, 2009, The Offences (Fixed Penalties) (Guernsey) Order, 2012, made by the Home Department on 31st May 2012, was laid before the States.

THE DATA PROTECTION (PROCESSING OF PERSONAL DATA) (STSC) ORDER, 2012

In pursuance of Section 66(4) of The Data Protection (Bailiwick of Guernsey) Law, 2001, the Data Protection (Processing of Personal Data) (STSC) Order, 2012, made by the Home Department on 23rd July 2012, was laid before the States.

S M D ROSS
HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 27th DAY OF SEPTEMBER, 2012**

(Meeting adjourned from 26th September, 2012)

**The States resolved as follows concerning Billet d'État No XX
dated 17th August 2012**

STATES REVIEW COMMITTEE

**REVIEW OF THE STRUCTURE AND FUNCTIONS OF A LEGISLATURE AND
GOVERNMENT IN GUERNSEY**

XV.- After consideration of the Report dated 12th July, 2012, of the States Review Committee:-

1. To approve a transfer from the Budget Reserve of £25,000 to establish a budget for the States Review Committee for 2012.
2. To direct the Treasury and Resources Department to take account of the costs detailed in this States Report when recommending Cash Limits for the States Review Committee for 2013 and subsequent years.

REQUÊTE

FREEZING OF STATES MEMBERS' PAY

XVI.-After consideration of the Requête dated 30th May, 2012, signed by Deputy J Kuttelwascher and seven other Members of the States:

TO NEGATIVE THE PROPOSITION to amend their Resolution of 27th January 2012 on the Proposition designated (1) at Article 8 of Billet d'État III of 2012 by deleting “, subject to annual review and adjustment in accordance with changes in Guernsey median earnings”.

**J TORODE
HER MAJESTY'S GREFFIER**