

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 25TH DAY OF MAY, 2011**

**The States resolved as follows concerning Billet d'État No VIII  
dated 15th April 2011**

**PROJET DE LOI**

entitled

**THE LA MARE ROAD (CLOSURE) (GUERNSEY) LAW, 2011**

I.- To approve the Projet de Loi entitled "The La Mare Road (Closure) (Guernsey) Law, 2011" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**LADIES' COLLEGE BOARD OF GOVERNORS**

**NEW MEMBERS**

II.-

1. To elect Advocate B P G Morgan to the Ladies' College Board of Governors with effect from 1<sup>st</sup> June, 2011, to replace Advocate P J G Atkinson;
2. To re-elect Mrs K M N Richards as a member of that Board of Governors with effect from 1<sup>st</sup> June, 2011.

**ADMINISTRATIVE DECISIONS (REVIEW) (GUERNSEY) LAW, 1986**

**NEW CHAIRMAN AND DEPUTY CHAIRMAN OF PANEL OF MEMBERS**

III.- To re-elect, in accordance with the provisions of section 4 (2) of the Administrative Decisions (Review) (Guernsey) Law, 1986:-

1. Deputy R R Matthews as Chairman of the Panel of Members with effect from 1st June 2011;
2. Douzenier R A R Evans as Deputy Chairman of that Panel with effect from 1st June 2011.

## **HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **FUTURE 2020 VISION OF THE HEALTH AND SOCIAL SERVICES SYSTEM**

IV. - After consideration of the Report dated 9<sup>th</sup> March 2011, of the Health and Social Services Department:-

1. To direct the Health and Social Services Department to pursue the plans outlined in that Report to ensure the future health and social care needs of the population of Guernsey and Alderney are met with a financially sustainable model.
2. To direct all States Departments to contribute, where relevant, to each area of the plan which makes up this framework and for the Health and Social Services Department to establish a suitable governance framework with which States Departments can engage.
3. To direct the Health and Social Services Department to consult the public, professionals and other interested parties on the main objectives and the key elements of the framework (noting that each element will also have its own engagement and consultation plan, due to the size and complexity of the whole system).

### ***ORDINANCES LAID BEFORE THE STATES***

#### **THE EGYPT (FREEZING OF FUNDS) (GUERNSEY) ORDINANCE, 2011**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Egypt (Freezing Of Funds) (Guernsey) Ordinance, 2011, made by the Legislation Select Committee on the 21<sup>st</sup> March, 2011, was laid before the States.

#### **THE LIBYA (RESTRICTIVE MEASURES) (GUERNSEY) (AMENDMENT) ORDINANCE, 2011**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Libya (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2011, made by the Legislation Select Committee on the 21st March, 2011, was laid before the States.

### ***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

#### **THE COMPANIES (TRANSITIONAL PROVISIONS) (AMENDMENT) REGULATIONS, 2011**

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, the Companies (Transitional Provisions) (Amendment) Regulations, 2011, made by the Commerce and Employment Department on 22<sup>nd</sup> February, 2011, were laid before the States.

## **THE ISLAND CHILD PROTECTION COMMITTEE REGULATIONS, 2010**

In pursuance of Section 120 (3) of the Children (Guernsey and Alderney) Law 2008, the Island Child Protection Committee Regulations, 2010, made by the Health and Social Services Department on 26th January, 2010, were laid before the States.

## **THE CHILDREN (CHILDREN'S CONVENOR) (GUERNSEY AND ALDERNEY) REGULATIONS, 2010**

In pursuance of Section 120 (3) of the Children (Guernsey and Alderney) Law 2008, the Children (Children's Convenor) (Guernsey and Alderney) Regulations, 2010, made by the Health and Social Services Department on 25th May, 2010, were laid before the States.

## **THE CHILD PROTECTION (REGISTRATION FEES) (GUERNSEY AND ALDERNEY) REGULATIONS 2011**

In pursuance of Section 16B (1) (c) of the Child Protection (Guernsey) Law 1972, the Child Protection (Registration Fees) (Guernsey and Alderney) Regulations 2011, made by the Health and Social Services Department on 8<sup>th</sup> March, 2011, were laid before the States.

## **THE LIQUOR LICENSING (FEES) REGULATIONS 2011**

In pursuance of section 99 (3) of the Liquor Licensing Ordinance, 2006, the Liquor Licensing (Fees) Regulations, 2011, made by the Home Department on 21<sup>st</sup> March, 2011, were laid before the States.

# IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 26TH DAY OF MAY, 2011

(Meeting adjourned from 25th May, 2011)

**The States resolved as follows concerning Billet d'État No VIII  
dated 15th April 2011**

## **HOUSING DEPARTMENT HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **PROVISION OF 'EXTRA CARE' HOUSING AT MAISON MARITAINE AND LONGUE RUE**

V.- After consideration of the Report dated 15<sup>th</sup> March, 2011 of the Housing Department and the Health and Social Services Department:-

1. To approve the use of the Longue Rue House and Maison Maritaine sites, as delineated in Appendices 6 and 7, to provide 'extra care' housing to be developed and managed by the Guernsey Housing Association.
2. That the Corporate Housing Programme Fund be used to provide capital grant funding associated with the first phase of the redevelopment of the sites of Longue Rue House and Maison Maritaine (including the costs of demolishing both residential homes), such capital grant funding not to exceed £22 million for both schemes combined.
3. In accordance with the existing procedures for general needs social housing, that the actual grant sum required for these 'extra care' schemes be approved, on behalf of the States, by the Treasury and Resources Department, upon production of a robust business case outlining the building costs of the two schemes plus modelling of the revenue consequences.
4. To approve the use of the Corporate Housing Programme Fund to provide "one-off" expenditure not exceeding £900,000 for furniture and fittings for those persons transferring into the new 'extra care' housing from Longue Rue House and Maison Maritaine, and any residential home managed by the Health and Social Services Department, the actual sum to be approved, on behalf of the States, by the Treasury and Resources Department.
5. That, for the reasons set out in paragraphs 361-365 of that Report, for so long as they occupy it, any resident of Longue Rue House or Maison Maritaine who moves into a two-bed 'extra care' flat will be charged the rent for a one-bed 'extra care' flat, the difference between the rental for a one- and two-bed flat in each case being annually reimbursed to the Guernsey Housing Association from the Corporate Housing Programme Fund.
6. To direct that the revenue funding issues, identified in Section 10 of that Report, be addressed inter-departmentally between the Housing, Health and Social Services,

Social Security and Treasury and Resources Departments as part of the preparation of the robust business case to be presented to the latter department.

7. To note that, as identified in paragraphs 328-372 of that Report, in resolving these revenue funding issues there is likely to be a need for a redistribution of monies in revenue budgets from one department to another.
8. To note the likely proposals for the Phase 2 development of the Longue Rue House and Maison Maritaine sites and the associated funding consequences, as set out in paragraphs 260-274 of that Report.

## **HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **FOOD HYGIENE, FOOD SAFETY AND OFFICIAL CONTROLS**

VI.- Whether, after consideration of the Report dated 28<sup>th</sup> February, 2011, of the Health and Social Services Department:-

1. Within the terms of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994, to consolidate existing food legislation and to implement the food safety and food hygiene provisions set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

# **IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 27TH DAY OF MAY, 2011**

(Meeting adjourned from 26th May, 2011)

**The States resolved as follows concerning Billet d'État No VIII  
dated 15th April 2011**

## **HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **FOOD SUPPLEMENTS, NUTRITIONAL INFORMATION AND HEALTH CLAIMS**

VII.- After consideration of the Report dated 28<sup>th</sup> February, 2011, of the Health and Social Services Department:-

1. To introduce food safety standards for food supplements, to implement relevant parts of Directive 2002/46/EC and any other necessarily related European Community Directives or Regulations throughout the Bailiwick.
2. To introduce compositional and nutritional labelling and advertising of food, including health claims made about food, to implement EC Regulation 1924/2006 and any other necessarily related European Community Directives or Regulations throughout the Bailiwick.
3. To acknowledge the adverse effect on the reputation of the States of Guernsey, so that high priority is given to the drafting of the legislation.
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **SCRUTINY COMMITTEE**

### **GUERNSEY'S PLANNING SERVICE: POST-SHEPLEY REVIEW**

VIII.- After consideration of the Report dated 23<sup>rd</sup> March, 2011, of the Scrutiny Committee:-

1. To note that Report, and the Committee's Review Report at Appendix 1.
2. To direct the Environment Department to report to the Scrutiny Committee by not later than December 2011, outlining a timetable for the implementation of the recommendations directed to it contained within the Review Report (as at pages 18 - 19 of Appendix 1) and an update on progress.
3. To direct the Policy Council to report to the Scrutiny Committee by not later than December 2011, stating whether they have accepted or rejected the recommendations directed to it contained within the Review Report (as at page 18 of Appendix 1) and where they have accepted the recommendations outlining a timetable for their implementation.

4. To direct the Scrutiny Committee to publish not later than March 2012 an update on actions taken by the Environment Department and the Policy Council.

## **SCRUTINY COMMITTEE**

### **SCRUTINY COMMITTEE PERFORMANCE REPORT**

IX.- After consideration of the Report dated 23<sup>rd</sup> March, 2011, of the Scrutiny Committee:-

To note the Scrutiny Committee's 2009 - 2010 performance report entitled "Guernsey Scrutiny".

## **STATES ASSEMBLY AND CONSTITUTION COMMITTEE**

AMENDMENTS TO THE REFORM (GUERNSEY) LAW, 1948, AS AMENDED  
THE RULES OF PROCEDURE OF THE STATES OF DELIBERATION  
THE RULES RELATING TO THE CONSTITUTION AND OPERATION OF STATES  
DEPARTMENTS AND COMMITTEES  
THE CODE OF CONDUCT FOR MEMBERS OF THE STATES OF DELIBERATION

X.- After consideration of the Report dated 28<sup>th</sup> March, 2011, of the States Assembly and Constitution Committee:-

1. To amend the Rules of Procedure of the States of Deliberation with immediate effect as follows:
  - (a) in Rule 2 after paragraph (2) insert:

“(3) In the Reports referred to in paragraph (1), immediately after the name of the person signing the Report, there shall be added the names of each other member of the Department or Committee submitting the Report whether or not he personally endorses all of its recommendations.”;
  - (b) TO NEGATIVE THIS PROPOSITION;
  - (c) in Rule 5, paragraph (5) delete the words “Before the commencement of the business contained in a Billet d’État,” and substitute therefor “At the time prescribed in Rule 9,”;
  - (d) in Rule 8 delete the existing Rule and substitute therefor:

“(8) Any Member who has obtained permission from the Presiding Officer to make a statement on any matter which, in the opinion of the Presiding Officer, should be made, may make that statement

- (i) at the time prescribed in Rule 9, or
  - (ii) at such other time as the Presiding Officer may direct.”.
- (e) in Rule 9 delete the existing Rule and substitute therefor:
  - “(9) (i) Subject to the provisions of Rule 4 and unless the States resolve otherwise, the business at a meeting convened by one or more Billets d’État shall be taken in the following order: -
    - (a) Communications by the Presiding Officer including *in memoriam* tributes
    - (b) Statements
    - (c) Questions
    - (d) Motions to debate an appendix report (1<sup>st</sup> stage)
    - (e) Motions to approve Projets de Loi
    - (f) Motions to approve draft Ordinances
    - (g) Laying of Ordinances
    - (h) Laying of Statutory Instruments
    - (i) Motions to annul a Statutory Instrument or Ordinance
    - (j) Elections
    - (k) Motions of No Confidence in the Chief Minister or Deputy Chief Minister
    - (l) Motions of No Confidence in a Department or Committee
    - (m) Reports pursuant to paragraphs 33 and 34 of the Code of Conduct for Members of the States of Deliberation
    - (n) Articles adjourned or deferred from previous meetings of the States
    - (o) Reports of the Policy Council
    - (p) Reports of States Departments
    - (q) Reports of Parliamentary Committees
    - (r) Reports of other States Committees
    - (s) Requêtes
    - (t) Motions to debate an appendix report (2<sup>nd</sup> stage).
  - (ii) In the case of a proposition to which Rule 10 applies, the Presiding Officer may, in his discretion, permit such proposition to be submitted to the States at any convenient time.”;
- (f) in Rule 12 –
  - (i) in paragraph (1) delete all the words after “reply on the debate”;
  - (ii) after paragraph (1) insert:
    - “(1A) Immediately before opening or replying on a debate, the representative referred to in paragraph (1) may propose an adjournment of not more than 15 minutes. Such a proposal shall be put to the States by the Presiding Officer without debate.”;

- (g) TO NEGATIVE THIS PROPOSITION;
- (h) in Rule 18 –
  - (i) in paragraph (3) before the words “a statement” insert: “(a)”;
  - (ii) at the end of paragraph (3) replace the full-stop with a semi-colon and insert:
    - “(b) a statement that all the members of the Department or Committee, including the Minister or Chairman thereof, were invited in writing to tender their resignations of such membership and that all or some of them had not done so within five days (excluding Saturdays, Sundays and Public Holidays) of that invitation.”;
- (i) in Rule 19 –
  - (i) in paragraph (3) before the words “a statement” insert: “(a)”;
  - (ii) at the end of paragraph (3) replace the full-stop with a semi-colon and insert:
    - “(b) a statement that the Chief Minister or Deputy Chief Minister, as the case may be, was invited in writing to tender his resignation of that office and that he had not done so within five days (excluding Saturdays, Sundays and Public Holidays) of that invitation.”;
- (j) in Rule 20 –
  - (i) in paragraph (1A) after the words “on the day” insert: “(excluding Saturdays, Sundays and Public Holidays)”;
  - (ii) TO NEGATIVE THIS PROPOSITION;
- (k) in Rule 21 –
  - (i) in paragraph (4) delete the words “immediately before the commencement of the ordinary business listed for debate in the Billet d’État containing the appendix report to which the motion relates” and substitute therefor “at the meeting convened to consider the business listed in the Billet d’État containing the appendix report to which the motion relates and at the time prescribed in Rule 9”;
  - (ii) in paragraph (5) delete the words “the conclusion of the ordinary business for debate in the said Billet d’État” and substitute therefor “the time prescribed in Rule 9”.
- (l) in Rule 22 –

After paragraph (3) insert -

“(3A) Unless the enactment governing the instrument otherwise provides, a motion to annul may be proposed either at the meeting at which the Statutory Instrument or Ordinance is laid before the States or at the next subsequent meeting.”.

2. To amend the Rules relating to the Constitution and Operation of States Departments and Committees with immediate effect as follows:

in Rule 14 –

in paragraph (2) for “notebook” wherever appearing substitute “paper notebook or electronic data file”;

3. To further amend the Reform (Guernsey) Law, 1948, as amended to include former Members of the States of Deliberation within the terms of Article 20F thereof.

4. To amend the Code of Conduct for Members of the States of Deliberation as follows:

(a) with effect from the coming into force of the legislation referred to in 3 above, in paragraph 50 –

(a) in the heading after the words “Applicability to” insert

“Former Members of the States of Deliberation and”;

(b) After the words “apply to” insert

“(i) in relation to paragraphs 18, 18A and 19 (Confidential Information) former Members of the States of Deliberation, and

(ii)”

(b) TO NEGATIVE THIS PROPOSITION;

5. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

S M D ROSS  
HER MAJESTY’S DEPUTY GREFFIER