

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF OCTOBER, 2003

(Meeting adjourned from 29th October, 2003)

The States resolved as follows concerning
Billet d'Etat No. XXIV dated 10th October, 2003

PROJET DE LOI

entitled

**THE ROAD TRAFFIC (DRINK DRIVING) (GUERNSEY)
(AMENDMENT) LAW, 2003**

- I. To approve the Projet de Loi entitled “The Road Traffic (Drink Driving) (Guernsey) (Amendment) Law, 2003”, 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 (RATES OF CONTRIBUTIONS AND
BENEFITS, ETC.) ORDINANCE, 2003**

- II. To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT) (AMENDMENT) (NO.2)
ORDINANCE, 2003**

- III. To approve the draft Ordinance entitled “The Health Service (Benefit) (Amendment) (No. 2) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY) (RATES)
ORDINANCE, 2003**

- IV. To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

THE FAMILY ALLOWANCES ORDINANCE, 2003

- V. To approve the draft Ordinance entitled “The Family Allowances Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)
(AMENDMENT) (NO.2) ORDINANCE, 2003**

- VI. To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) (No.2) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE ATTENDANCE AND INVALID CARE ALLOWANCES
ORDINANCE, 2003**

- VII. To approve the draft Ordinance entitled “The Attendance and Invalid Care Allowances Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE CENTRAL OUTDOOR ASSISTANCE BOARD REGULATIONS
(AMENDMENT) ORDINANCE, 2003**

- VIII. To approve the draft Ordinance entitled “The Central Outdoor Assistance Board Regulations (Amendment) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

**RULES OF PROCEDURE OF THE STATES OF DELIBERATION AND
THE CONSTITUTION AND OPERATION OF STATES
DEPARTMENTS AND COMMITTEES**

- IX. After consideration of the Report dated the 25th September, 2003, of the States Procedures and Constitution Committee:-

To approve –

- (a) the Rules of Procedure of the States of Deliberation, subject to the addition of the words “one of the Ministers as” immediately before

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31ST DAY OF OCTOBER, 2003

(Meeting adjourned from 30th October, 2003)

The States resolved as follows concerning
Billet d'Etat No. XXIV dated 10th October, 2003

STATES ADVISORY AND FINANCE COMMITTEE

THE NEW MACHINERY OF GOVERNMENT IN GUERNSEY

XII. After consideration of the Report dated the 25th September, 2003, of the States Advisory and Finance Committee:-

1. To note the progress being made with the detailed planning arrangements as set out in section 2 of that Report.
2. To approve the mandates of the Policy Council and Treasury and Resources Department as set out in Appendix 2 of that Report.
3. To approve the mandates of the nine departments as set out in Appendix 3 of that Report SUBJECT TO:-
 - (i) The deletion, in paragraph (d) of the mandate of the Health and Social Services Department, of the words "Housing Authority".
 - (ii) The inclusion, in paragraph (a) of the mandate of the Social Security Department, of a fourth bullet point stating "The payment of and accountability for social security benefits and grants and the maintenance of records"; and
 - (iii) The modification that the States Housing Authority shall be directed to report back to the States, by January, 2004 at the latest, concerning the feasibility of the management of St. Julian's House being undertaken by the Housing Department.
4. To approve the mandates of the four committees as set out in Appendix 4 of that Report.
5. To approve the establishment of a Public Accounts Committee and its mandate, functions and responsibilities as set out in section 4 and Appendix 5 of that Report, SUBJECT TO the clarification that,

notwithstanding what is envisaged in the final paragraph on page 2203 in that Report, the Public Accounts Committee may in its discretion decide to hold any particular meeting in public.

6. To repeal the States Audit Commission (Guernsey) Law, 1997, as amended, and thereby dissolve the States Audit Commission.
7. To note the arrangements for the relationship between the new departments and their trading 'satellites' as set out in section 5 of that Report.
8. To note the future Policy Letters that will be placed before the States in due course as set out in section 6 of that Report.
9. To agree to defer the preparation of plans and costings to alter the Royal Court Chamber and to require the Policy Council, once established, to bring forward such proposals during 2005.
10. To note the intention of the States Advisory and Finance Committee to work with the States Board of Administration to provide a 'Members Room' for States Members probably in Sir Charles Frossard House.
11. To approve the transitional arrangements as set out in section 7 of that Report.
12. In consequence of Proposition 11:-
 - (a) to amend Resolutions 8 (a), 10, 11 and 12 passed on the 16th May 2003 on Article I of Billet d'Etat VII so that the Committees named in those resolutions shall be dissolved at midnight on the 6th May, 2004 or such other date as the new departments and committees shall be fully constituted and not at midnight on the 30th April, 2004; and
 - (b) to amend Resolution 16 so passed so that the implementation date for the new machinery of government structure will be the 7th May 2004 or such other date as the new departments and committees shall be fully constituted and not the 1st May, 2004.
13. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES BOARD OF ADMINISTRATION

MOORING CHARGES, HARBOUR DUES AND HARBOUR FACILITY CHARGES 2004

- XIII. After consideration of the Report dated the 29th August, 2003, of the States Board of Administration:-

1. To approve the mooring charges, in respect of visiting yacht rates only, as set out in that Report with effect from 1st April, 2004.
2. That the States Board of Administration may alter the charges payable under the Vessels and Speedboats (Compulsory Third Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law 1972 as amended, the Harbours Ordinance 1988 as amended and the Harbours Dues (Saint Peter Port and Saint Sampson) Law 1957 as amended annually without reference to the States of Deliberation providing that:
 - (a) no changes are made:-
 - in the case of mooring fees, to the interpretations as set out in Appendices 1, 2, 3 and 4 of the report of the States Board of Administration dated 15 September 2000, which interpretations were approved by the States of Deliberation on 30 November 2000 (Resolutions XVI (1), (2) and (3) of 2000); and
 - in the case of harbour dues and facility charges, to the interpretations as set out in the Schedule of Charges appended to the report of the States Board of Administration dated 8 September 2000, which interpretations were approved by the States of Deliberation on 25 October 2000 (Resolution IX (2) of 2000); and
 - (b) if charges are raised, then the increase will be permissible without reference to the States of Deliberation provided that either of the following conditions apply:
 - (i). the increase does not exceed the change in the Guernsey Retail Price Index in June of the year preceding that in which the increase will apply; or
 - (ii). the proposed increase does not exceed the change in the Guernsey Retail Prices Index during the period between:
 - June of the year preceding that in which an increase was last applied to the fee or charge in question, and
 - June of the year preceding that in which the increase will apply; and
 - (c) the approval of the States Advisory and Finance Committee has been obtained.

STATES BOARD OF ADMINISTRATION

GUERNSEY AIRPORT – DEVELOPMENT OF CARGO ACCOMMODATION

XIV. After consideration of the Report dated the 10th September, 2003 of the States Board of Administration:-

To authorise the States Board of Administration to lease for a period of 45 years an area of land at the Airport and to permit Huelin Renouf Airfreight Ltd to construct, occupy and sub-let a cargo accommodation block on the terms set out in that Report.

STATES BOARD OF HEALTH

PRINCESS ELIZABETH HOSPITAL – PROVISION OF FOURTH THEATRE AND EXPANSION OF CRITICAL CARE FACILITY

XV. After consideration of the Report dated the 25th September, 2003, of the States Board of Health:-

1. To authorise the States Board of Health to proceed with the provision of a fourth theatre and expanded critical care facility, as set out in that Report, at a total cost not exceeding £3,466,000.
2. To authorise the States Board of Health to accept the tender from RG Falla Ltd in the adjusted sum of £2,568,000 for the construction works, inclusive of mechanical and electrical services.
3. To vote the States Board of Health a credit of £3,466,000 to cover the above costs, which sum shall be taken from that Board's allocation for capital expenditure.
4. To authorise the States Advisory and Finance Committee to transfer a sum of £3,466,000 from the Capital Reserve to the capital allocation of the States Board of Health.
5. To direct the States Advisory and Finance Committee to take due account of the revenue costs to the States Board of Health associated with that project when recommending revenue allocations to the States for 2005 and subsequent years.
6. To direct the States Civil Service Board to have regard to the estimated staffing establishment required by the States Board of Health for the expanded critical care facility.

K. H TOUGH
HER MAJESTY'S GREFFIER