

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 2nd DAY OF MARCH, 2016**

**The States resolved as follows concerning Billet d'État No VI
dated 22nd January 2016**

THE POPULATION MANAGEMENT (GUERNSEY) LAW, 2016

I.- To approve the draft Projet de Loi entitled “The Population Management (Guernsey) 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 OPEN MARKET HOUSING REGISTER (GUERNSEY) LAW, 2016

II.- To approve the draft Projet de Loi entitled “The Open Market Housing Register (Guernsey) 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 SUCCESSION TO THE CROWN (BAILIWICK OF GUERNSEY) LAW,
2015**

III.- To approve the draft Projet de Loi entitled “The Succession to the Crown (Bailiwick of Guernsey) 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 INHERITANCE (AMENDMENT) (GUERNSEY) LAW, 2016

IV.- To approve the draft Projet de Loi entitled “The Inheritance (Amendment) (Guernsey) 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 ARBITRATION (GUERNSEY) LAW, 2016

V.- To approve the draft Projet de Loi entitled “The Arbitration (Guernsey) 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 DESIGNATION OF OFFICERS (BAILIWICK OF GUERNSEY) LAW,
2016**

VI.- To approve the draft Projet de Loi entitled “The Designation of Officers (Bailiwick of Guernsey) 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 AIR NAVIGATION (BAILIWICK OF GUERNSEY) (AMENDMENT)
ORDINANCE, 2016**

VII.- To approve the draft Ordinance entitled “The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE AVIATION REGISTRY (GUERNSEY) (AMENDMENT)
ORDINANCE, 2016**

VIII.- To approve the draft Ordinance entitled “The Aviation Registry (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) (NO. 2) ORDINANCE, 2016**

IX.- To approve the draft Ordinance entitled “The Housing (Control of Occupation) (Amendment of Housing Register) (No. 2) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

ORDINANCE LAID BEFORE THE STATES

**THE CHILDREN (GUERNSEY AND ALDERNEY) (AMENDMENT)
ORDINANCE, 2015**

In pursuance of the provisions of the proviso to Article 66 (3) of The Reform (Guernsey) Law, 1948, as amended, “The Children (Guernsey and Alderney) (Amendment) Ordinance, 2015”, made by the Legislation Select Committee on the 27th July, 2015, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (LEGAL PROFESSIONALS, ACCOUNTANTS AND ESTATE AGENTS) (BAILIWICK OF GUERNSEY) (AMENDMENT) REGULATIONS, 2015

In pursuance of Section 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, “The Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) Regulations, 2015”, made by the Policy Council on 14th December 2015, were laid before the States.

THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEE FOR INSURERS) REGULATIONS, 2015

In pursuance of Section 25 of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987; Section 86 of the Insurance Business (Bailiwick of Guernsey) Law, 2002; and Section 537 of the Companies (Guernsey) Law, 2008, “The Protected Cell Companies and Incorporated Cell Companies (Fee for Insurers) Regulations, 2015”, made by the Commerce and Employment Department and Policy Council on 21st December 2015, were laid before the States.

THE FINANCIAL SERVICES COMMISSION (FEES) REGULATIONS, 2015

In pursuance of Section 25 of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987; Section 21 of the Protection of Investors (Bailiwick of Guernsey) Law, 1987; Section 60 of the Banking Supervision (Bailiwick of Guernsey) Law, 1994; Section 86 of the Insurance Business (Bailiwick of Guernsey) Law, 2002; and Section 63 of the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, “The Financial Services Commission (Fees) Regulations, 2015”, made by the Policy Council on 21st December, 2015, were laid before the States.

THE REGISTRATION OF NON-REGULATED FINANCIAL SERVICES BUSINESSES (BAILIWICK OF GUERNSEY) (FEES) REGULATIONS, 2015

In pursuance of Section 31 of the Registration of Non-Regulated Financial Services Business (Bailiwick of Guernsey) Law, 2008, “The Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) (Fees) Regulations, 2015”, made by the Policy Council on 21st December, 2015, were laid before the States.

THE AMALGAMATION AND MIGRATION OF COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION)(AMENDMENT) REGULATIONS, 2015

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2015”, made by the Commerce and Employment Department on 17th December 2015, were laid before the States.

THE FINANCIAL SERVICES COMMISSION (LIMITED LIABILITY PARTNERSHIPS) (FEES) REGULATIONS, 2015

In pursuance of section 113(4) of the Limited Liability Partnerships (Guernsey) Law, 2013, “The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2015”, made by the Commerce and Employment Department on 17th December 2015, were laid before the States.

THE LIMITED PARTNERSHIPS (CREDIT ARRANGEMENTS) REGULATIONS, 2015

In pursuance of section 44 (3) of the Limited Partnerships (Guernsey) Law, 1995, “The Limited Partnerships (Credit Arrangements) Regulations, 2015”, made by the Commerce and Employment Department on 17th December 2015, were laid before the States.

THE COMPANIES (REGISTRAR) (CREDIT ARRANGEMENTS) REGULATIONS, 2015

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Registrar) (Credit Arrangements) Regulations, 2015”, made by the Deputy Registrar of Companies on 17th December, 2015, were laid before the States.

THE IMAGE RIGHTS (REGISTRATION) (BAILIWICK OF GUERNSEY) REGULATIONS, 2015

In pursuance of section 111 (3) of the Image Rights (Bailiwick of Guernsey) Ordinance, 2012, “The Image Rights (Registration) (Bailiwick of Guernsey) Regulations, 2015”, made by the Commerce and Employment Department on 17th December 2015, were laid before the States.

**THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS)
(AMENDMENT) REGULATIONS, 2015**

In pursuance of sections 14 and 35 of The Health Service (Benefit) (Guernsey) Law, 1990, “The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2015”, made on 23rd December 2015 by the Social Security Department, were laid before the States.

**THE HEALTH SERVICE (PAYMENT OF AUTHORISED APPLIANCE
SUPPLIERS) (AMENDMENT) REGULATIONS, 2015**

In pursuance of Sections 19 and 35 of The Health Service (Benefit) (Guernsey) Law, 1990, “The Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2015”, made by the Social Security Department on 23rd December, 2015, were laid before the States.

LADIES’ COLLEGE BOARD OF GOVERNORS

NEW CHAIRMAN

X.- To elect as Chairman of the Board of Governors with effect from 1st May, 2016, for a three-year term, Mrs. Kathryn Mary Neal Richards who was nominated in that behalf by the Governors for election by the States.

ELIZABETH COLLEGE BOARD OF DIRECTORS

NEW MEMBER

XI.- To elect Mr. Stephen John Falla as a member of the Elizabeth College Board of Directors to complete the unexpired term of office Mr. David Sussman who has resigned from that office, that is to January 2021.

POLICY COUNCIL

IMPROVING ENERGY EFFICIENCY – AN IN PRINCIPLE PROPOSAL

XII.- After consideration of the Policy Letter dated 4th January, 2016, of the Policy Council, to approve that the principle of creating an energy efficiency service should be considered as part of the policy and resource prioritisation process in May 2016

POLICY COUNCIL

REFORM OF THE ADMINISTRATIVE DECISIONS (REVIEW) (GUERNSEY) LAW, 1986 (AS AMENDED)

XIII.- After consideration of the Policy Letter dated 11th January, 2016, of the Policy Council:

- (a) To amend sections 1, 2, 3 and 6 of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) to enable the roles of the Chief Executive and H.M. Greffier to be given to a new independent body to be known as “the Complaints Panel”, led by a Chair to be appointed by the States, as detailed in paragraphs 4.4 and 4.5 of that Policy Letter;
- (b) To amend sections 4 and 5 of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) to enable a fourth person who is not a States Member or a Dean of the Douzaine to be appointed to sit on each Review Board by the Chairman and Deputy Chairman of Panel of Members, as detailed in paragraphs 4.6 and 4.7 of that Policy Letter;
- (c) To amend Section 3(b) of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) to give discretion to the proposed Complaints Panel to accept requests for an administrative review made more than 12 months after the date on which the complainant had knowledge of the issue, where either exceptional circumstances exist and/or it would be in the interest of justice to do so, as detailed in paragraphs 4.9 to 4.10 of that Policy Letter.
- (d) To amend the Reform (Guernsey) Law, 1948 and the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) as appropriate to provide all members of a Review Board the necessary protection from legal proceedings in the course of their duties, as detailed in paragraphs 4.11 and 4.12 of that Policy Letter;
- (e) To amend section 4 of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) and any other relevant parts of the Law in order that the term of office of the Chairman and Deputy Chairman of the Panel of Members be co-terminous with the current States’ term, i.e. for a 4 year period, as detailed in paragraphs 4.13 to 4.15 of that Policy Letter;
- (f) To amend section 3 of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended), in line with paragraphs 4.16 to 4.18 of that Policy Letter, to enable the exclusion of the progression of a complaint in which a complainant first has to establish medical negligence or malpractice, in order to establish that an act of maladministration has taken place; and

- (g) To amend section 3 of the Administrative Decisions (Review) (Guernsey) Law, 1986 (as amended) to allow the rejection of applications which are made prior to the complainant exhausting all departmental complaints procedures, in line with paragraph 4.19 of that Policy Letter; and
- (h) To direct the preparation of legislation to give effect to the above recommendations.

POLICY COUNCIL

GUERNSEY OVERSEAS AID COMMISSION – UPDATE REPORT

XIV.- After consideration of the Policy Letter dated 14th December, 2015, of the Policy Council:-

1. To agree to amend the terms of office for the Guernsey Overseas Aid Commissioners so that Commissioners are appointed mid-term rather than immediately following a General Election of People's Deputies.
2. To approve the re-appointment of Mr. Timothy Nigel Dexter Peet, MBE, to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
3. To approve the re-appointment of Mr. Stephen Herbert Mauger to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
4. To approve the re-appointment of Mr. Philip Mudie Bodman to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
5. To approve the re-appointment of Miss Judith Elise Moore to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
6. To approve the re-appointment of Dr. Nicholas Anthony Forrester Paluch to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
7. To approve the re-appointment of Ms. Teresa Marie de Nobrega to serve for a further two-year period as an ordinary member of the Guernsey Overseas Aid Commission from 31st July 2016 to 31st July 2018.
8. To note the work undertaken by the Guernsey Overseas Aid Commission since May 2012 in developing the policies and procedures for the distribution of grant aid and disaster and emergency relief.

9. To note the recent work undertaken by the United Nations, through the adoption of the Sustainable Development Goals, for the delivery of humanitarian aid.

TREASURY & RESOURCES DEPARTMENT

INCOME TAX: INVESTIGATION OF TAX RELIEF FOR INTEREST PAID

XV.- After consideration of the Policy Letter dated 5th January, 2016, of the Treasury and Resources Department, to note the report and also to note the uncertainty such repeated investigations into interest relief for let property cause to the property market and the negative signals it sends out to businesses/individuals looking to invest in and/or locate to Guernsey.

HEALTH AND SOCIAL SERVICES DEPARTMENT

THE CHILDREN (GUERNSEY AND ALDERNEY) (AMENDMENT) ORDINANCE, 2015

XVI.- After consideration of the Policy Letter dated 21st December, 2015, of the Health and Social Services Department, to approve the necessary amendments to the Children (Guernsey and Alderney) Law, 2008 as set out in the Children (Guernsey and Alderney) (Amendment) Ordinance, 2015:

- (a) to enable the courts to make recovery orders under section 92 of The Children (Guernsey and Alderney) Law, 2008 for such period as thought fit, provided that the period shall not exceed the period during which the child is subject to the requirement of any of the orders set out in that section; and
- (b) to enable a Police Officer to take appropriate steps to recover a child who is subject to the requirement of any of the orders set out in section 92 of The Children (Guernsey and Alderney) Law, 2008 without any court order, including the exercise of powers to require anyone with information as to the whereabouts of a child, to disclose that information; direct any person to produce the child; enter without warrant any premises upon which the officer reasonably suspects the child to be; remove the child to such place as the Department may request and require any person to deliver the child to the Department.

HEALTH AND SOCIAL SERVICES DEPARTMENT

GUERNSEY AND ALDERNEY HEALTHY WEIGHT STRATEGY 2016-2023

XVII.- After consideration of the Policy Letter dated 6th January, 2016, of the Health and Social Services Department:

1. To agree to work towards the vision of Guernsey and Alderney becoming an environment where healthy eating and regular physical activity are accessible, affordable and normal, for all in the community.
2. To direct the Health and Social Services Department (and its successor Committee) to continue and strengthen evidence-based joint working across States Departments (and their successor Committees) and food providers to enable access to appropriate food choices for adults and children in all settings.
3. To direct the Health and Social Services Department (and its successor Committee) to continue and strengthen evidence-based joint working across States Departments (and their successor Committees), the Guernsey Sports Commission and community providers to enable increased opportunities for physical activity and active travel for adults and children in all settings.
4. To direct the Health and Social Services Department (and its successor Committee) to work with the Home Department (the Guernsey Border Agency) and Treasury and Resources Department (and their successor Committees), to investigate the potential for implementation and administration of a tax on sugar sweetened beverages.
5. To direct the Health and Social Services Department (and its successor Committee) to set up a clinical working group to review adult, child and maternity weight management service provision, supported by a business case should increased funding be required.
6. To direct the Health and Social Services Department (and its successor Committee) to investigate the creation of an independent body to bring together partners in the voluntary, commercial and public sectors to oversee the delivery of the New Healthy Weight Strategy.
7. To approve the Guernsey and Alderney Healthy Weight Strategy 2016-23 and Action Plan and affirm the States' commitment to minimising the harm caused by overweight and obesity to Guernsey and Alderney residents of all ages.

HEALTH AND SOCIAL SERVICES DEPARTMENT

GUERNSEY AND ALDERNEY BREASTFEEDING STRATEGY 2016-2020

XVIII.- After consideration of the Policy Letter dated 6th January, 2016, of the Health and Social Services Department, to approve the first Guernsey and Alderney Breastfeeding Strategy as set out in Appendices 1 and 2 of that Policy Letter.

COMMERCE AND EMPLOYMENT DEPARTMENT

SEA FISHERIES PATROL VESSEL – REPORT ON ACTIONS FOLLOWING SURSIS

XIX.- After consideration of the Policy Letter dated 17th December, 2015, of the Commerce and Employment Department, to note the contents of this Policy Letter, the agreed plan to progress this work and the steps taken to date.

TREASURY & RESOURCES DEPARTMENT

REVISION OF THE DOUBLE TAXATION ARRANGEMENT WITH THE UNITED KINGDOM

XX.- After consideration of the Policy Letter dated 1st December, 2015, of the Treasury and Resources Department, to declare that the Double Taxation Arrangement, entered into with the United Kingdom, by Exchange of Letters as now amended, should have effect in relation to income tax in accordance with section 172(1) of the Income Tax Law.

A. J. NICOLLE

HER MAJESTY'S DEPUTY GREFFIER