

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

The States of Deliberation have the power to annul the Statutory Instruments detailed below.

THE AIR NAVIGATION (BAILIWICK OF GUERNSEY) (AIR OPERATORS' CERTIFICATES) REGULATIONS, 2016

In pursuance of Section 151 (4) of The Air Navigation (Bailiwick of Guernsey) Law, 2012, "The Air Navigation (Bailiwick of Guernsey) (Air Operators' Certificates) Regulations, 2016", made by the Commerce and Employment Department on 25th February 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations apply to aircraft registered in Guernsey flying for the purpose of commercial air transport and contain requirements for the holders of air operators' certificates. The Regulations also specifically apply various provisions of the Law to aircraft registered in Guernsey flying for the purpose of commercial air transport and exempt such aircraft from other provisions of the Law (in addition to those provisions that apply in any event).

The Regulations came into force on 9th March, 2016.

THE COMPANIES (RECOGNITION OF AUDITORS) (AMENDMENT) REGULATIONS, 2016

In pursuance of section 537 of The Companies (Guernsey) Law, 2008, "The Companies (Recognition of Auditors) (Amendment) Regulations, 2016", made by the Commerce and Employment Department on 7th April 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations amend The Companies (Recognition of Auditors) Regulations, 2010 to prescribe the Financial Reporting Council Limited as the professional oversight body for the purposes of the regulation of recognised auditors under Part XVIA of the Law.

These Regulations came into force on 7th April, 2016.

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT)
(AMENDMENT) REGULATIONS, 2016**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, “The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2016”, made by the Social Security Department on 12th February 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations add to the limited list of drugs and medicines available as pharmaceutical benefit which may be ordered to be supplied by medical prescriptions issued by medical practitioners.

These Regulations came into operation on 12th February, 2016.

**THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS) (AMENDMENT)
REGULATIONS, 2016**

In pursuance of Sections 12, 14, and 35 of The Health Service (Benefit) (Guernsey) Law, 1990, as amended, “The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2016”, made by the Social Security Department on 29th January 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations are made under The Health Service (Benefit) (Guernsey) Law, 1990. They provide for the payment to the designated Alderney authorised supplier of pharmaceutical benefit (Boardman’s Pharmacy and Perfumery) of additional fees from the Guernsey Health Service Fund, in connection with the supply of the first 1,500 relevant items of pharmaceutical benefit supplied each month. The Regulations provide that payment is subject to compliance by the supplier with the terms and conditions set out in an agreement made between the supplier and the Social Security Department relating to the level of service required to be provided by the supplier.

The rates of the additional fees are £17.11 for the first 1,500 items of pharmaceutical benefit supplied during February 2016 and £1.22 for the first 1,500 items of pharmaceutical benefit supplied each month thereafter. The enhanced rate applicable during February 2016 is intended to ensure that the supplier is in a position to continue to finance the operation of his Alderney business and takes into account additional costs incurred by the supplier in the past when providing dispensing services in Alderney under the 1990 Law.

These Regulations came into force on 1st February, 2016.

THE LIQUOR LICENCE (FEES) REGULATIONS, 2016

In pursuance of Section 99(3) of The Liquor Licensing Ordinance, 2006, "The Liquor Licence (Fees) Regulations, 2014", made by the Home Department on 11th April 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations amend Schedule 4 of The Liquor Licensing Ordinance, 2006 which sets the relevant fees for the liquor licences and Constable reports etc.

These Regulations are to come into force on 1st June, 2016.

THE MOTOR TAXATION (FIRST REGISTRATION DUTY) (EXEMPTIONS AND PREFERENTIAL RATES) REGULATIONS, 2016

In exercise of the powers conferred on it by Sections 2A and 2B of The Motor Taxation and Licensing (Guernsey) Law, 1987, and all the other powers enabling it in that behalf, and with the approval of the Treasury and Resources Department, "The Motor Taxation (First Registration Duty) (Exemptions and Preferential Rates) Regulations, 2016", made by the Environment Department on 14th April 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations set out the classes or uses of motor vehicles exempt from the requirement to pay first registration duty, and the classes or uses of motor vehicles entitled to preferential rates of the first registration duty, payable under The Motor Taxation (First Registration Duty) (Guernsey) Ordinance, 2016.

The classes or uses of motor vehicles that are exempt from the requirement to pay first registration duty are emergency response vehicles used by the fire and rescue or medical services, or emergency response vehicles used at licensed motor racing events or sports events, agricultural tractors, road repairing machines, vehicles specifically converted for use by disabled persons, classic cars and mini buses that are registered in the name of a charity and motor vehicles only used for licensed motor racing events.

The classes or uses of motor vehicles that are entitled to preferential rates on the amount of first registration paid are hire vehicles. Hire vehicles will be entitled to a preferential rate of 50% of the amount of the first registration duty payable provided that the hire car is exported from the island within twelve months of the first registration in Guernsey and is not re-imported back to the island within two years of the vehicle's exportation.

These Regulations came into force on the 1st May, 2016.

THE CONTROL OF POISONOUS SUBSTANCES (GUERNSEY) (AMENDMENT) REGULATIONS, 2016

In pursuance of Section 4 (1) (c) of The Poisonous Substances (Guernsey) Law, 1994, "The Control of Poisonous Substances (Guernsey) (Amendment) Regulations, 2016", made by the Commerce and Employment Department on 4th February 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations make transitional provisions relating to the commencement of The Control of Poisonous Substances (Guernsey) Regulations, 2014 ("principal Regulations").

A provision of the principal Regulations required professional users of poisonous substances to obtain a new certificate of competence, or renew their certificates every 5 years. However, a suitable competence scheme for the use of poisonous substances is not expected to be established on the island of Guernsey, and the relevant certificates are not expected to be issued, until 2017.

In light of this, it is considered appropriate to postpone the implementation of this requirement until 1st September, 2017. In the meantime any certificate of competence recognised under the previous Control of Poisonous Substances Regulations, 1995 will continue to be regarded as a valid certificate of competence until that date, or the expiry of 5 years from the date on which the certificate was issued, whichever is the later.

These Regulations will come into force on the 5th February, 2016.

THE DRIVING LICENCES (AMENDMENT) REGULATIONS, 2016

In exercise of the powers conferred on it by Sections 2A(a) and 2B of The Motor Taxation and Licensing (Guernsey) Law, 1987, "The Driving Licences (Amendment) Regulations, 2016", made by the Environment Department on 28th April 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations amend The Driving Licences (Guernsey) Ordinance, 1995 to clarify that a road train comes within Category D (Large passenger-carrying vehicle) of the categories of licence set out under Schedule 4 of the Ordinance.

These Regulations came into force on the 3rd May, 2016.

THE DRIVING TESTS (FEES) REGULATIONS, 2016

In pursuance of Sections 2A(b) and 2B of The Motor Taxation and Licensing (Guernsey) Law, 1987, as amended, "The Driving Tests (Fees) Regulations, 2016", made by the Environment Department on 4th February 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the current fees that are chargeable for tests of competence which take place, on or after the 18th April 2016.

These Regulations came into force on the 8th February, 2016.

THE TRADE MARKS (FEES) REGULATIONS, 2016

In pursuance of Section 101 (3) of The Trade Marks (Bailiwick of Guernsey) Ordinance, 2006, "The Trade Marks (Fees) Regulations, 2016", made by the Commerce and Employment Department on 25th February 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations replace The Trade Marks (Fees) Regulations 2010 and prescribe the fees payable to the Office of the Registrar of Intellectual Property for applications and other matters in respect of the performance of the Registrar's functions under The Trade Mark (Bailiwick of Guernsey) Ordinance, 2006.

These Regulations came into force on the 1st day of March, 2016.

THE TRADE MARKS (FEES) (NO 2) REGULATIONS, 2016

In pursuance of Section 101 (3) of The Trade Marks (Bailiwick of Guernsey) Ordinance 2006, as amended, "The Trade Marks (Fees) (No 2) Regulations, 2016", made by the Commerce and Employment Department on 21st March, 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations repeal The Trade Marks (Fees) Regulations 2010, the provisions of which were replaced by The Trade Marks (Fees) 2016^c, which came into force on 1st March, 2016.

These Regulations come into force on the 21st day of March, 2016.

^cG. S. I. No. 12 of 2016

**THE FISHING (MINIMUM SIZE AND PRESCRIBED SPECIES) (AMENDMENT) (NO. 2)
ORDER, 2016**

In pursuance of Section 26 (1) (c) of the Fishing Ordinance, 1997, "The Fishing (Minimum Size and Prescribed Species) (Amendment) (No. 2) Order, 2016", made by the Commerce and Employment Department on 21st March 2016, is laid before the States.

EXPLANATORY NOTE

This Order repeals the entry for Whelk (*Buccinum undatum*) in Part II of Schedule 1 to The Fishing (Minimum Size and Prescribed Species) Order, 1997 and The Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 2016.

This Order came into force on the 21st March, 2016.

**THE FISHING (MINIMUM SIZE AND PRESCRIBED SPECIES) (AMENDMENT) ORDER,
2016**

In pursuance of Section 26 (1) (c) of The Fishing Ordinance, 1997, "The Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 2016", made by the Commerce and Employment Department on 4th February 2016, is laid before the States.

EXPLANATORY NOTE

This Order amends The Fishing (Minimum Size and Prescribed Species) Order, 1997, by including Whelks (*Buccinum undatum*) in the list of prescribed species for which a minimum size is specified under Part II of Schedule I.

This Order came into force on the 4th February, 2016.

THE BOARDING PERMIT FEES ORDER 2016

In pursuance of Section 17 (3) of The Tourist Law, 1948, "The Boarding Permit Fees Order, 2016", made by the Commerce and Employment Department on 21st January 2016, is laid before the States.

EXPLANATORY NOTE

This Order prescribes the fees payable by an applicant for a boarding permit valid during the period 1st April 2016 to 31st March 2017.

This Order came into force on the 1st April, 2016.

The full text of the statutory instruments and other legislation included in this document can be found at: <http://www.guernseylegalresources.gg/article/151276/2016>