



RULES FOR PAYMENTS TO STATES MEMBERS

**RULES FOR PAYMENTS TO STATES MEMBERS, NON-STATES MEMBERS
AND FORMER STATES MEMBERS**

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SECTION I

RULES FOR PAYMENTS TO STATES MEMBERS

Definition of States Members

1. For the purpose of this section of the Rules a States Member means any People's Deputy or Alderney Representative in the States of Deliberation (but not an alternative Representative elected or appointed under the States of Guernsey (Representation) Law, 1978).

Remuneration

2. Subject to the conditions set out in paragraph 3 below the following remuneration, which shall be subject to tax, is available to States Members:

People's Deputies

	Basic Remuneration	* Uplift for Social Security	Total
President of the Policy & Resources Committee	£63,315	£2,849	£66,164
Presidents of the Principal Committees, President of the Scrutiny Management Committee, President of the States' Assembly & Constitution Committee and members of the Policy & Resources Committee	£48,648	£2,189	£50,837
All other Deputies	£36,009	£1,620	£37,629
* The uplift for Social Security (i.e. the difference between the contribution rates of employed and self-employed persons) is not payable to Members aged 65 and over			

Alderney Representatives

	Basic Remuneration	* Uplift for Social Security	Total
President of the Policy & Resources Committee	£41,523	£1,869	£43,392
Presidents of the Principal Committees, President of the Scrutiny Management Committee, President of the States' Assembly & Constitution Committee and members of the Policy & Resources Committee	£26,857	£1,209	£28,066
With a seat on a Committee, the Transport Licensing Authority, the Development & Planning Authority or the States' Trading Supervisory Board	£19,875	£894	£20,769
All other Alderney Representatives	£11,759	£529	£12,288
* The uplift for Social Security (i.e. the difference between the contribution rates of employed and self-employed persons) is not payable to Members aged 65 and over			

Conditions

3. (i) The Remuneration and Allowances specified in paragraph 2 above shall be payable by monthly instalments in arrears.
- (ii) For the avoidance of doubt, following a General Election, Members elected to the position of President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee or an Alderney Representative elected to a seat on a Committee / Authority / Board shall be entitled to claim the additional allowance for that position with effect from the first day of the month following the General Election.
- (iii) The Remuneration shall terminate on the last day of the month in which a Member ceases to hold a seat in the States of Deliberation.

- (iv) The higher level of remuneration payable to the President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee and Alderney Representative who holds a seat on a Committee / Authority / Board shall terminate on the last day of the month in which a member ceases to hold the position in respect of which the higher level of remuneration is payable.
- (v) In the event that a President of a Principal Committee, the Scrutiny Management Committee or the States Assembly & Constitution Committee is unable to fulfil his or her duties for a period in excess of four weeks and the Vice-President takes on the full responsibilities of the post, his or her remuneration will temporarily increase to the level of a President.

SECTION II

RULES FOR PAYMENTS TO NON-STATES MEMBERS and to ALTERNATIVE ALDERNEY REPRESENTATIVES

Definition of Non-States Members

1. For the purpose of this section of the Rules a Non-States Member means any Member of the six Principal Committees, the Scrutiny Management Committee (including the Legislation Review Panel), the Transport Licensing Authority, the Development & Planning Authority and the States' Trading Supervisory Board.

Remuneration

2. Subject to the conditions set out in paragraph 3 below the following remuneration, which shall be subject to tax, is available to Non-States Members:

Non-States Member with a seat on the States' Trading Supervisory Board: £8,000

Any Other Non-States Member: £2,000

Alternative Alderney Representative

3. Any Alternative Alderney Representative shall be entitled upon application to the President of the Policy & Resources Committee to be awarded in respect of his attendance at a properly convened meeting of the States of Deliberation which he has been appointed to attend, pursuant to section 4 of the States of Guernsey (Representation of Alderney) Law, 1978 an attendance allowance not exceeding £70 per half-day or part thereof (rate applicable from 1 May 2017), which sum shall be subject to tax.
4. Applications for an allowance payable under the provisions of paragraph 3 above should be made to the President of the Policy & Resources Committee in respect of meetings attended in the three month periods ending on the last day of March, the last day of June, the last day of September and the last day of December. Applications should be received by the President not later than the last day of the month next following the period in respect of which the application is made. Alternatively, claims may be made in respect of meetings attended in each calendar month, in which case applications should be received not later than the last day of the month next following the above three month period in which the month falls. Applications received after the time limits specified above shall not be granted.

SECTION III

RULES FOR PAYMENT OF PENSIONS TO FORMER STATES MEMBERS, THEIR SURVIVING SPOUSES AND DEPENDANT CHILDREN

Definition of Former States Members

1. For the purpose of this Scheme a Former States Member means any Conseiller, any Deputy (excluding representatives of the States of Alderney) and any Douzaine Representative in the States of Deliberation, who:
 - (i) no longer has a seat in the States of Deliberation, and
 - (ii) has in the aggregate held a seat in the States of Deliberation for a period of four years or more, and
 - (iii) (a) has attained the age of 65 years, or
(b) has died before attaining the age of 65 years.

Pension

2. Subject to the conditions set out in rule 5 and in accordance with the rates of payment set out in Schedule 1 to these Rules:
 - (A) Former States Members who ceased to hold office on or before 31st December, 1989 (Non-contributory Scheme)**
 - (a) Former States Members who ceased to be Members of the States on or before the 31st December, 1989, shall be entitled to claim a pension of up to Rate D per week for each year of service in the States of Deliberation;
 - (b) where sub-paragraph 1 (iii) (a) applies, the surviving spouse of a Former States Member shall be entitled to claim a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent remarriage;
 - (c) where sub-paragraph 1 (iii) (b) applies, the surviving spouse of a Former States Member shall be entitled to claim a pension amounting to Rate E per week for each year of service of the Former States Member, subject to such pension ceasing in the event of a subsequent remarriage;
 - (d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).

(B) Former States Members who ceased to hold office on or before 30th April, 2004 (1st January, 1990 up to and including 30th April, 2004 Contributory Scheme)

- (a) Former States Members who ceased to be Members of the States on or before 30th April, 2004, shall be entitled:
 - (i) in respect of service up to and including the 31st December, 1989, to a pension of Rate D per week for each year of service in the States of Deliberation; and
 - (ii) in respect of service from 1st January, 1990, unless they opt out in accordance with the rules of the Scheme, to a pension of Rate B per week for each year of service in the States of Deliberation;
- (b) where sub-paragraph 1(iii)(a) applies, the surviving spouse of a Former States Member shall be entitled to a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent re-marriage;
- (c) where sub-paragraph 1 (iii)(b) applies, the surviving spouse of a Former States Member shall be entitled to a pension amounting to Rate E per week for each year of service of the Former States Member prior to 31st December, 1989, and Rate D per week for each year of service of the Former States Member after 1st January, 1990, subject to such pension ceasing in the event of a subsequent re-marriage;
- (d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).

(C) Other Members (1st May 2004 up to and including 30th April, 2012 Contributory Scheme)

- (a) Members of the States who become Former States Members on or after 1st May, 2004, shall be entitled
 - (i) in respect of service up to and including the 31st December, 1989, to a pension of Rate D per week for each year of service in the States of Deliberation;
 - (ii) in respect of service from 1st January, 1990 up to and including 30th April, 2004, unless they opt out in accordance with the rules of the Scheme, to a pension of Rate B per week for each year of service in the States of Deliberation; and
 - (iii) in respect of service from 1st May, 2004 up to and including 30th April 2012, unless they opted out in accordance with the rules of the Scheme, to a pension of Rate A per week for each year of service in the States of Deliberation;
- (b) where sub-paragraph 1(iii)(a) applies, the surviving spouse of a Former States Member shall be entitled to a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent re-marriage;
- (c) where sub-paragraph 1 (iii)(b) applies, the surviving spouse of a Former States Member shall be entitled to a pension amounting to Rate E per week for each year of service of the Former States Member prior to 31st December, 1989, Rate D per week for each year of service of the Former States Member from 1st January, 1990 up to and including 30th April, 2004 and Rate C per week for each year of service of the Former States Member from 1st May, 2004 up to and including 30th April 2012, subject to such pension ceasing in the event of a subsequent re-marriage;
- (d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).

Pension Fund

3. There shall be a fund entitled the "States Members Pension Fund".
 - (a) There shall be paid into the Fund -
 - (i) contributions from the States Members up to and including 30th April 2012;
 - (ii) contributions from the States of Guernsey, of such amounts as the Committee may from time to time resolve.
 - (b) There shall be paid out of the Fund -
 - (i) pensions in accordance with these Rules;
 - (ii) refunds of contributions in accordance with these Rules;
 - (iii) transfers of accrued benefits in accordance with these Rules;
 - (iv) investment and professional fees and other expenses of investment.
 - (c) The Fund shall be invested by the Committee in a similar manner to the assets of the fund authorised under the States of Guernsey (Public Servants) (Pensions and other Benefits) Rules, 1972 as amended.
 - (d) The Committee shall appoint an actuary and arrange for actuarial reviews to be effected from time to time.

Repayments and transfers of benefits

4.
 - (a) Any Member who has contributed to the Fund but who does not qualify for a Pension in accordance with these rules or who opts out in accordance with the rules of the Scheme shall be entitled to repayment of the aforementioned contributions together with compound interest thereon at the rate of three per centum per annum with yearly rests at the 31st December in each year.
 - (b) Any Member who has contributed to the Fund shall be entitled to transfer accrued benefits in respect of all service into alternative pension arrangements, on terms to be advised by the States Actuary.

Conditions

- 5
- (a) Pensions to Former States Members who ceased to be Members of the States on or before the 31st December, 1989, shall be payable following application in writing to the President of the Committee and claims will be back-dated only to the first day of the month in which the application is made. No retrospective payments shall otherwise be made.
 - (b) Pensions to Members of the States who become Former States Members on or after the 1st January, 1990, shall be paid without application.
 - (c) The pension specified in paragraph 2 above shall be payable by monthly instalments in arrears.
 - (d) Any amount specified in rule 2 may be varied by resolution of the Committee in accordance with section IV.
 - (e) A Member of the States may opt out of the 1st January, 1990 to 30th April, 2004 Contributory Scheme by notifying the Committee in writing accordingly, and if he does so then:
 - (i) no pension shall be payable under rule 2(B) in respect of his service from 1st January 1990 up to and including 30th April, 2004; and
 - (ii) rule 4(a) shall cease to apply in his case; and
 - (iii) he shall be entitled to repayment of his contributions together with compound interest at three per centum per annum with yearly rests at each 31st December; and
 - (iv) it is declared for the avoidance of doubt that he may not thereafter seek to gain entitlement to such a pension by paying contributions.
 - (f) A Member of the States may opt out of the 1st May, 2004 to 30th April, 2012 Contributory Scheme by notifying the Committee in writing accordingly, and if he does so then:
 - (i) No pension shall be payable under rule 2(C) in respect of his service from 1st May, 2004; and
 - (ii) rule 4(a) shall cease to apply in his case; and

- (iii) he shall be entitled to repayment of his contributions together with compound interest at three per centum per annum with yearly rests at each 31st December; and
- (iv) it is declared for the avoidance of doubt that he may not thereafter seek to gain entitlement to such a pension by paying contributions.

General Interpretation

6 In these rules:

- (a) the masculine includes the feminine, the singular includes the plural, and vice versa;
- (b) a child is "dependant" if -
 - (i) he is under eighteen or is in full time education; and
 - (ii) he was, in the opinion of the Committee, wholly or mainly dependant on the former States Member concerned at the date of the latter's death;
- (c) "the Committee" means the States of Guernsey Policy & Resources Committee;
- (d) "Compensation Payment" means the payment available to States Members prior to 1st May, 2004;
- (e) "Basic Allowance" means the payment available to States Members from 1st May 2004 to 30th April 2012;
- (f) "the Fund" means the States Members pension fund created pursuant to rule 3 of these rules.

SECTION IV

GENERAL RULES

1. The remuneration of States Members, Non-States Members and attendance allowance for Alternative Alderney Representatives shall be automatically adjusted annually on 1st May, based on any percentage change in median earnings for the previous year. In the event of a negative change, no adjustment shall be made. Should a percentage increase occur in the year following a negative change, the adjustment shall reflect the percentage change from the year preceding the negative change.
2. At the beginning of a political term, any States Member or Non-States Member who chose to accept remuneration would be required to decide either to accept or reject any changes in such remuneration that might result from any changes in median earnings during the relevant political term.
3. The Policy & Resources Committee shall publish as soon as practicable in an Appendix to a Billet d'État the total remuneration received during the previous calendar year by each States Member in respect of his or her performance of States business.
4. In each year prior to 1st May, the Policy & Resources Committee shall review the amounts payable under Section III hereof, having regard to the change in the Guernsey Index of Retail Prices (RPIX) since those amounts were last determined and shall amend the said amounts accordingly.

COMMENCEMENT

These Rules shall take effect on 1st May 2016.

SCHEDULE 1

The Rates of Payment specified in Section III paragraph 2 of these Rules shall, with effect from the 1st May 2016, be as follows:

Rate A	£11.68
Rate B	£8.53
Rate C	£5.84
Rate D	£4.26
Rate E	£2.14