

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE FINANCIAL SERVICES OMBUDSMAN (BAILIWICK OF GUERNSEY) (AMENDMENT)
ORDINANCE, 2020**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Financial Services Ombudsman (Bailiwick of Guernsey) (Amendment) Ordinance, 2020", and to direct that the same shall have effect as an Ordinance of the States.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Ordinance further amends the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 to provide that the Committee *for* Economic Development ("the Committee") may appoint a member of the Office of the Financial Services Ombudsman for a period shorter than three years. The amendment is consistent with the appointment period in relation to other statutory bodies, such as the Guernsey Competition and Regulatory Authority. The Ordinance also provides that the Committee may re-appoint a member if it thinks fit to do so.

The Financial Services Ombudsman (Bailiwick of Guernsey) (Amendment) Ordinance, 2020

THE STATES, in pursuance of their Resolution of the 19th August, 2020^a, and in exercise of the powers conferred on them by section 1(6)(b) and 27 of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014^b, and all other powers enabling them in that behalf, hereby order:-

Amendment to the Law.

1. (1) The Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, is further amended as follows.

(2) In Schedule 1 to the Law -

(a) in paragraph 1(6) -

- (i) delete the words "not less than 3 years (subject to paragraph 4) and", and
- (ii) immediately after "5 years", insert "and, for the avoidance of doubt, the Committee may re-appoint an ordinary member if it thinks fit to do so", and

^a Article VI of Billet d'État No. XVI of 2020.

^b Order in Council No. I of 2015; as amended by Ordinance No. XVII of 2015, Nos. XXXV and IX of 2016, No. XXVII and XLIII of 2018, and No. XX of 2019.

(b) in paragraph 2(3) -

(i) delete the words "not less than 3 years and",
and

(ii) immediately after "ordinary member", insert
"and, for the avoidance of doubt, the
Committee may re-appoint a chairman if it
thinks fit to do so".

Citation.

2. This Ordinance may be cited as the Financial Services Ombudsman
(Bailiwick of Guernsey) (Amendment) Ordinance, 2020.

Commencement.

3. This Ordinance shall come into force on the 17th December, 2020.