



BILLET D'ÉTAT

WEDNESDAY, 16th DECEMBER, 2020

XXVIII
2020

ELECTIONS AND APPOINTMENTS

Appointment laid before the States

Appointment of an Ordinary Member of the Guernsey Competition and Regulatory Authority

LEGISLATIVE BUSINESS

Legislation laid before the States

The Income Tax (Approved International Agreements) (Implementation) (Mandatory Disclosure Rules) Regulations, 2020

The Criminal Conviction Declarations of Candidates (Public Inspection) Rules, 2020

The Water Charges (Amendment) Regulations, 2020

The Wastewater Charges (Guernsey) Regulations, 2020

The Waste Management Services (Charging) Regulations, 2020

Waste Disposal and Recovery Charges Regulations, 2020

Legislation for Approval

1. Policy & Resources Committee - The Parole Review Committee (Validation) (Guernsey) Law, 2020, P.2020/189
2. Committee for Economic Development - The Financial Services Ombudsman (Bailiwick of Guernsey) (Amendment) Ordinance, 2020, P.2020/190

CONTINUED OVERLEAF

OTHER BUSINESS

3. Committee *for* Home Affairs – Data Protection: United Kingdom
Adequacy and Data Sharing, P.2020/192
4. Schedule for future States' business, P.2020/194

BILLET D'ÉTAT

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I hereby give notice that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY the 16th December, 2020 at 9.30 a.m.**, to consider the items listed in this Billet d'État which have been submitted for debate.

J.E. ROLAND
Deputy Bailiff and Presiding Officer

The Royal Court House
Guernsey

27th November, 2020

APPOINTMENT LAID BEFORE THE STATES OF DELIBERATION

APPOINTMENT OF AN ORDINARY MEMBER OF THE GUERNSEY COMPETITION AND REGULATORY AUTHORITY

In accordance with section 1 (4A) of Schedule 1 to the Guernsey Competition and Regulatory Authority Ordinance, 2012, as amended, the following appointment by the Committee *for* Economic Development, to the Guernsey Competition and Regulatory Authority, is laid before the States of Deliberation:

- Dr. Philip Marsden as an ordinary member with effect from 1st January 2021.

Dr. Marsden has been appointed as an ordinary member until 31st December 2022.

The States of Deliberation have the power to annul the appointment.

The Committee *for* Economic Development has concluded that Dr. Marsden is suitable to be an ordinary member of the Guernsey Competition and Regulatory Authority.

A summarised version of the curricula vitae of Dr. Marsden is provided below.

Dr. Philip Marsden

Career:	Position/company:	Dates:
	Professor, College of Europe, Bruges.	2010-current
	Independent Counsel.	2002-current
	Senior Research Fellow, British Institute of International and Comparative Law, London.	2003-2014
	Co-founder, WTI Advisors.	2004-2010
	Senior lawyer, Linklaters.	1999-2002
	D.Phil, University of Oxford, Faculty of Law.	1996-1999
	Case Officer, Competition Bureau, Ottawa.	1994-1996
	Legal Consultant, Mori & Associates K.K, Tokyo.	1991-1994
	Solicitor, Osler Renault Ladner, Toronto.	1989-1991
Professional qualifications:	D.Phil, Faculty of Law, University of Oxford.	1999
	LL.M. Faculty of Law, Leicester University.	1995
	LL.B. Faculty of Law, University of Toronto.	1989
	B.A. (Hons), University of Toronto (English/Philosophy).	1986
Current Non-Executive Directorships	Deputy Chair, Enforcement Making Committee, Financial Conduct Authority.	2016-present

STATUTORY INSTRUMENT LAID BEFORE THE STATES

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

No. 21 of 2020

THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS) (IMPLEMENTATION) (MANDATORY DISCLOSURE RULES) REGULATIONS, 2020

In pursuance of section 203A of the Income Tax (Guernsey) Law, 1975, as amended, "The Income Tax (Approved International Agreements) (Implementation) (Mandatory Disclosure Rules) Regulations, 2020" made by the Policy & Resources Committee on 11th March 2020, are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations implement and enable the administration and enforcement in domestic law of the OECD (2018) Model Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures (the "Mandatory Disclosure Rules"), approved by the OECD Committee of Fiscal Affairs on the 8th March, 2018.

The Rules supplement the Common Reporting Standard on the Automatic Exchange of Financial Account Information in Tax Matters ("the CRS") approved by the Council of the OECD and published by the OECD on the 15th July, 2014.

The CRS was implemented in Guernsey by the Income Tax (Approved International Agreements) (Implementation) (Common Reporting Standard) Regulations, 2015 following the signing on behalf of the States of Guernsey at Berlin on the 29th October, 2014 of the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information.

The Mandatory Disclosure Rules and these Regulations in particular focus on the use of CRS avoidance arrangements and opaque offshore structures as a means of avoiding the reporting obligations of the CRS by requiring intermediaries in respect of such arrangements or structures to disclose them to the Director if they make the arrangement or structure available for implementation, or provides relevant services in respect of the arrangement or structure, through an office or branch located in Guernsey; or are resident or have their place of management in Guernsey; or if they are incorporated in, or established under the laws of, Guernsey.

No. 76 of 2020

**THE CRIMINAL CONVICTION DECLARATIONS OF CANDIDATES
(PUBLIC INSPECTION) RULES, 2020**

In pursuance of Article 78 of the Reform Law (Guernsey) Law, 1948 and all other powers enabling it in that behalf, "The Criminal Conviction Declarations of Candidates (Public Inspection) Rules, 2020" made by the States' Assembly & Constitution Committee on 19th August, 2020, are laid before the States.

EXPLANATORY NOTE

These Rules specify the places at which and the period during which the declarations by candidates in the 2020 General Election of unspent criminal convictions which resulted in sentences of imprisonment will be available for public inspection. These Rules were made on 19th August 2020 and came into force on the day they were made.

No. 106 of 2020

THE WATER CHARGES (AMENDMENT) REGULATIONS, 2020

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, "The Water Charges (Amendment) Regulations, 2020", made by the States' Trading Supervisory Board on 06 August 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the charges which will be made for the supply of water for 2021.

These Regulations come into force on 1st January, 2021.

No. 107 of 2020

THE WASTEWATER CHARGES (GUERNSEY) REGULATIONS, 2020

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, "The Wastewater Charges (Guernsey) Regulations, 2020", made by the States' Trading Supervisory Board on 06 August 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe new wastewater charges and rates applying under the Wastewater Charges (Guernsey) Law, 2009.

These Regulations come into force on 1st January, 2021.

No. 108 of 2020

THE WASTE MANAGEMENT SERVICES (CHARGING) REGULATIONS, 2020

In pursuance of section 72(3) of the Environmental Pollution (Guernsey) Law, 2004, the Waste Management Services (Charging) Regulations, 2020, made by the Waste Disposal Authority on 29th October, 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Schedule to the Waste Management Services (Charging) Ordinance, 2018 to increase the prescribed bag charges for residual waste bags of both sizes (up to and including 50 litres in capacity and those 51 to 90 litres in capacity). They also increase the annual fixed charge.

These Regulations come into force on the 1st January, 2021.

No. 109 of 2020

WASTE DISPOSAL AND RECOVERY CHARGES REGULATIONS, 2020

In pursuance of section 72(3) of the Environmental Pollution (Guernsey) Law, 2004 the Waste Disposal and Recovery Charges Regulations, 2020, made by the Waste Disposal Authority on 10th September, 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the charges, or rates of charge, payable from 1st January, 2021 as a pre-condition of the acceptance of waste of particular descriptions by the Waste Disposal Authority for disposal or recovery at specified public waste management sites (see Table 1 in Schedule 1). They also set out charges in 2021 for the reloading of waste which is not accepted at specified public waste management sites (see Table 2 in Schedule 1). These Regulations do not change the charges for black bag waste put out for household, kerbside collections which are set out in different legislation.

The changes from the previous Waste Disposal and Recovery Charges (No. 2) Regulations, 2019 include amended rates of charge as set out in Schedule 1, Table 1. Two new categories of charge have been added to Table 1; one is for household waste or commercial waste, or a mixture of the same, delivered to the Mont Cuet site for which there is another reasonable means of disposal and which does not fall into the other more specific categories for the site. This will generally cover one-off waste large waste items or materials such as portacabins or boats and reflects the additional cost of disposing of such items.

A new category has been added to Table 1 for packaged food waste delivered to the Waste Transfer Station site in its original packaging which has to be unpacked manually prior to processing, for which there is a higher charge than for standard food

waste. This is because of the additional cost of manually unpacking certain packaged food prior to processing.

The charges (known as commercial gate fees) are typically uplifted in accordance with the increase in the Retail Prices Index, although there are a few exceptions.

For commercial wastes received at Longue Hougue Waste Transfer Station and Mont Cuet Landfill Site the standard rate of charge increases from £240 per tonne to £246 per tonne. There is also a corresponding increase for wastes received at the Longue Hougue Waste Transfer Station from £360 per tonne to £369 per tonne when a contamination charge is applied.

Charges for hazardous sludge at the Mont Cuet Landfill Site increase from £50 per tonne to £260 per tonne. This category was previously discounted and the increase brings the charge rate to a rate that reflects the costs involved in the disposal of this material. The Committees of the States that are affected by this price increase have been consulted.

There is also an increase in the charge for household waste delivered to the Household Waste and Recycling Centre by a private individual, rising from £2.50 to £2.70 per 90 litre bag (or equivalent).

Schedule 2 lists the recyclable materials, the inclusion of which in certain mixed loads of waste, results in a higher charge than where such recyclable waste is not present. Plasterboard or other similar products made predominantly of gypsum have been added to Schedule 2.

Schedule 3 lists the wastes not accepted at the energy from waste facility to which residual waste is sent; such wastes are also contaminants, the inclusion of which in certain loads of waste results in a higher charge. Schedule 3 has been amended to remove items comprised predominantly of gypsum from the list, as these now fall under recyclable wastes in Schedule 2, and to add any item containing significant amounts of bitumen because of operating difficulties caused at the plant when bitumen is incinerated.

A further general category of waste is also added at the end of Schedule 3 and an amendment made to the related definition of "Schedule 3 waste" in regulation 3 to cover other waste material or items which cannot reasonably be processed at the receiving energy from waste plant or separated from other waste and processed into refuse derived fuel for shipping to that plant. This is to cover one off waste items such as portacabins and boats or large volumes of dusts or powders.

These Regulations come into force on 1st January, 2021.

The full text of the legislation can be found at: <http://www.guernseylegalresources.gg>

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE PAROLE REVIEW COMMITTEE (VALIDATION) (GUERNSEY) LAW, 2020

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Parole Review Committee (Validation) (Guernsey) Law, 2020", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

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 Projet de Loi validates retrospectively decisions of the Parole Review Committee taken during the period 1 July 2019 to 18 August, 2020. During that period, due to an administrative oversight, the term of office of the Chairperson of that Committee had ceased and the Committee was not, therefore, validly constituted. The Chairperson was re-appointed by the States on 18 August, 2020 and the decisions of the Committee during the intervening period were ratified by the Committee immediately thereafter. This Projet ensures the validity of those decisions.

PROJET DE LOI

ENTITLED

The Parole Review Committee (Validation) (Guernsey) Law, 2020

WHEREAS the Parole Review Committee ("**the Committee**") is a body established by Resolution of the States in accordance with section 1 of the Parole Review Committee (Guernsey) Law, 1989^a;

WHEREAS by their Resolution of 14th December, 1989^b the States resolved that the constitution of the Committee shall include a Chairperson appointed by the States and the term of office of such appointment shall be three years;

WHEREAS by their Resolution of 30th July, 2003^c the States set a maximum total term of office of 16 years for a person appointed as Chairperson of the Committee;

WHEREAS by their Resolution of 7th September, 2016^d the States appointed Mr Philip John Taylor ("**Mr Taylor**") as Chairperson of the Committee for three years

^a Ordres en Conseil Vol. XXXI, p. 414; amended by Order in Council No. IX of 2005; Ordinance No. XV of 2004.

^b Article XXI of Billet d'Etat No. XXV of 1989.

^c Article VII of Billet d'Etat No. XVI of 2003.

^d Article I of Billet d'Etat No. XXI of 2016.

with effect from 1st July, 2016;

WHEREAS therefore on 1st July 2019 Mr Taylor ceased to hold office, but this was not noticed and Mr Taylor purported to continue to perform his functions as Chairperson of the Committee; and

WHEREAS by their Resolution of 18th August, 2020 the States approved the re-appointment of Mr Taylor as Chairperson of the Committee retrospectively, for three years with effect from 1st July, 2019.

NOW THEREFORE THE STATES, in pursuance of their Resolution of the 18th August, 2020^e, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Validity of decisions etc.

1. (1) Nothing done during the period commencing on 1st July, 2019 and ending on 18th August, 2020 ("**the relevant period**") by Mr Philip John Taylor ("**Mr Taylor**") in the purported discharge of his functions as Chairperson of the Parole Review Committee ("**the Committee**"), shall be deemed to be, or ever to have been, unlawful or invalid by reason only of the expiration of Mr Taylor's term of office immediately before the beginning of the relevant period.

(2) No purported determination of or other thing done by, on behalf of, or in relation to the Committee during the relevant period shall be deemed to be, or ever to have been, unlawful or invalid by reason only of the expiration of Mr Taylor's term of office immediately before the beginning of the relevant period.

^e Article II of Billet d'État No. XVIII of 2020.

Citation.

2. This Law may be cited as the Parole Review Committee (Validation) (Guernsey) Law, 2020.

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.

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE *FOR* HOME AFFAIRS

DATA PROTECTION: UNITED KINGDOM ADEQUACY AND DATA SHARING

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Data Protection: United Kingdom Adequacy and Data Sharing', they are of the opinion:-

1. To approve the continuation of the designation of the UK as an authorised jurisdiction for the purposes of the Data Protection (Bailiwick of Guernsey) Law, 2017; and
2. To approve the Ordinance entitled "The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020".

The above Propositions have 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.

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

COMMITTEE *FOR* HOME AFFAIRS

DATA PROTECTION: UNITED KINGDOM ADEQUACY AND DATA SHARING

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port
Guernsey

2nd November 2020

Dear Sir

1. Executive Summary

- 1.1. The purpose of this Policy Letter is to request the approval of the States of Deliberation in respect of matters in the attached draft Ordinance, namely "The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020". Approval of the draft Ordinance will ensure that the status quo regarding the continued free-flow of personal data between the Bailiwick of Guernsey and the United Kingdom ("UK") is maintained for a further year in the event that the UK does not receive an adequacy decision in respect of data protection by 31st December 2020.
- 1.2. This Policy Letter follows on from the previous Policy Letter "Data Protection: Data Sharing with the United Kingdom" [Billet d'État No. II of 2019, P.2019/4].

2. Background

- 2.1. "The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) Ordinance, 2019" was approved by the States of Deliberation on 30th January 2019 and designated the UK as an "authorised jurisdiction" for a specified time period. This Ordinance ensured that the free-flow of personal data between the Bailiwick of Guernsey and the UK was maintained in the event of a no-deal Brexit. The Ordinance will expire at the end of 31st December 2020, the date at which the UK were expecting to have received confirmation of their own adequacy from the European Commission.

3. Adequacy

- 3.1. 'Adequacy' enables third countries to apply to the European Commission ("the Commission") for recognition that their own data protection regime provides protection of personal data that is 'essentially equivalent' to that found within the EU. Where a third country is given 'adequacy' status from the Commission, personal data can be transferred to that third country without the requirement for any additional safeguards as specified within the General Data Protection Regulation ("the GDPR").
- 3.2. The Bailiwick of Guernsey currently has 'adequacy' status under the previous EU data protection legislation: the Data Protection Directive ("the Directive"), however legislative and regulatory changes were required locally in order to maintain this status under the GDPR. Existing adequacy decisions made under the Directive remain in force until they are amended, replaced or repealed.
- 3.3. A review of the Bailiwick of Guernsey's adequacy decision is currently being undertaken by the Commission, with a decision expected by the end of 2020. This review has been ongoing throughout 2020.
- 3.4. The UK Department for Digital, Culture, Media and Sport ('DCMS') has advised that discussions with the Commission with regards to the UK's adequacy are ongoing. Whilst they are hopeful that the UK will receive its adequacy decision by the end of 2020, the Bailiwick of Guernsey needs to prepare alternative provisions should the specified timeframe not be achieved.
- 3.5. The DCMS has further advised that other third-country jurisdictions are working to guarantee that data-flows to the UK will continue after 31st December 2020.

4. Data Sharing

- 4.1. The Bailiwick of Guernsey is home to a number of global businesses which rely heavily on the unrestricted flow of personal data to and from EU Member States; this is particularly crucial for the financial services sector. It is also important to highlight that the UK is currently the Island's biggest data sharing partner and therefore it is imperative that an unrestricted data flow between the Bailiwick of Guernsey and the UK is maintained.
- 4.2. In addition to private sector requirements, the Bailiwick of Guernsey's public authorities also routinely share personal data with UK Government Agencies in crucial areas such as Policing, Security, Health Care and Education. It is of the utmost importance that public authorities can continue to share personal data with the UK for intelligence and security purposes.

- 4.3. The need to safeguard the Islands' current data sharing practices is a clear objective and this is reflected in the 'Future Guernsey – Policy & Resource Plan Phase One' (approved by the States of Deliberation on 16th November 2016) and ties in to two of the four themes; 'Our Quality of Life – safe and secure place to live' and 'Our Economy – strong, sustainable and growing'.

5. “Sunset Clause”

- 5.1. “The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) Ordinance, 2019” designated the UK as an “authorised jurisdiction”. This designation meant that data can be freely transferred from the Bailiwick to the United Kingdom just as it can be freely transferred to Member States of the European Union.
- 5.2. However, that Ordinance included a “sunset clause” in order to provide the UK with a suitable window of time to achieve its own adequacy decision, in accordance with the withdrawal agreement of the United Kingdom and Northern Ireland from the European Union. That Ordinance was specified to expire on 31st December 2020, the date at which the UK were expecting to have received an adequacy decision from the Commission.
- 5.3. Whilst the UK is still expecting to receive an adequacy decision by the end of 2020, there is a real risk that this timeframe will not be achieved. If this were to be the case, the Bailiwick of Guernsey would be left in a position where the sharing of personal data with the UK would be unlawful and technically would have to cease.
- 5.4. In order to avoid this and to maintain the free flow of personal data to the UK, the Bailiwick of Guernsey must be prepared with alternate provisions. As such, it is recommended that the Assembly approve "The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020" in order to extend the “sunset clause” for data sharing with the United Kingdom.
- 5.5. If approved, this Ordinance would ensure that the UK continues to be designated as an “authorised jurisdiction” until 31st December 2021.

6. Consultation

- 6.1. The following have been consulted and no objections were raised:
- a) the Data Protection Authority;
 - b) the Policy and Finance Committee of the States of Alderney; and
 - c) the Policy and Finance Committee of the Chief Pleas of Sark.

- 6.2 In accordance paragraph 5.2.1 of the Directive regarding the submission of propositions to the States of Deliberation¹, the Committee has obtained prior permission from the Presiding Officer for this Policy Letter and draft Ordinance to be considered at the same meeting of the States.

7. Conclusions

- 7.1. It is proposed that the Assembly approve the extension of the "sunset clause" in the Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) Ordinance, 2019 by one year and consequently approve the "The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020".
- 7.2. This will maintain the status quo for a further year regarding the continued free-flow of data between the Bailiwick of Guernsey and the UK in the event that the UK does not achieve its own adequacy decision by the end of 2020.

8. Compliance with Rule 4

- 8.1. Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 8.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.
- 8.3 In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the propositions above have the unanimous support of the Committee.
- 8.4 In accordance with Rule 4(5), the Propositions relate to the duties of the Committee to advise the States and to develop and implement policies on matters relating to its purpose, including data protection.
- 8.5 Also in accordance with Rule 4(5), the Committee has consulted as detailed in paragraph 6 of this Policy Letter.

Yours faithfully

R G Prow
President

S P J Vermeulen

¹ [HM Greffier Directive No.1 of 2018](#)

Vice-President

M P Leadbeater

C J Le Tissier

A W Taylor

The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020

THE STATES, in exercise of the powers conferred on them by sections 108 and 111(1) of the Data Protection (Bailiwick of Guernsey) Law, 2017^a and following consultation with the Policy and Finance Committee of the States of Alderney, the Policy and Finance Committee of the Chief Pleas of Sark and the Data Protection Authority, hereby order:-

Amendment of Ordinance of 2019.

1. (1) The Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) Ordinance, 2019^b is amended as follows.

(2) In section 4 of that Ordinance, for "2020", substitute "2021".

Citation.

2. This Ordinance may be cited as the Data Protection (Authorised Jurisdiction) (Bailiwick of Guernsey) (Amendment) Ordinance, 2020.

Commencement.

3. This Ordinance shall come into force on the 31st December, 2020.

^a Order in Council No. VI of 2018; as amended by Order in Council No. IV of 2018; Ordinance Nos. VIII and X of 2018 and G.S.I. No. 21 of 2018.

^b Ordinance No. I of 2019.