



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Remote Meeting, Guernsey, Wednesday, 24th February 2021**

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**Present:**

**Ms J. E. Roland, Deputy Bailiff and Presiding Officer**

**Law Officers**

R. M. Titterington, Q.C. (H.M. Comptroller);

**People's Deputies**

S. E. Aldwell	C. J. Le Tissier
C. P. A. Blin	J. P. Le Tocq
A. H. Brouard	M. P. Leadbeater
Y. Burford	D. J. Mahoney
T. L. Bury	A. D. S. Matthews
A. Cameron	L. J. McKenna
D. de G. de Lisle	C. P. Meerveld
H. L. de Sausmarez	N. G. Moakes
A. C. Dudley-Owen	R. C. Murray
J. F. Dyke	V. S. Oliver
S. P. Fairclough	C. N. K. Parkinson
S. J. Falla	R. G. Prow
P. T. R. Ferbrache	L. C. Queripel
A. Gabriel	P. J. Roffey
J. A. B. Gollop	H. J. R. Soulsby
S. P. Haskins	G. A. St Pier
M. A. J. Helyar	L. S. Trott
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A. Kazantseva-Miller	

**Representatives of the Island of Alderney**

Alderney Representatives S. Roberts and  
E. A. J. Snowdon

**The Clerk to the States of Deliberation**

S. Ross, Esq. (H.M. States' Greffier)

**Absent at the Evocation**

M. M. E. Pullum, Q.C. (H.M. Procureur); Deputy A. W. Taylor (*relevé à 10h 05*)

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# States of Deliberation

*The States met virtually at 9.35 a.m. in the presence of  
His Excellency Vice-Admiral Sir Ian Corder, K.B.E., C.B.  
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

## PRAYERS

*The States' Greffier*

## EVOCATION

## CONVOCATION

**The States' Greffier:** Billet d'État V and Billet d'État VII of 2021.

To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of  
5 the States of Deliberation will be held via Microsoft Teams Live, on Wednesday, 24th February 2021  
at 9.30 a.m. to consider the items listed in this Billet d'État, which has been submitted for debate.  
Billet d'État VII is convened pursuant to the provisions of Rule 2(4) of the Rules of Procedure.

## Welcome to Lieutenant Governor – Procedural

**The Deputy Bailiff:** Good morning everyone, I am sorry for the slight delay due to technological  
10 problems. I would like to formally welcome His Excellency to the sitting of the States.

Greffier, then can I invite you to open the States' Meeting? Thank you.

I note that on Chat function Deputy Blin has indicated that he is present and having lots of  
interference and trying to get in, so Greffier I would be grateful if you would formally note that  
Deputy Blin is present in the virtual Chamber. (**The States' Greffier:** Yes, madam.) Other than that  
15 it would appear that only Deputy Taylor is absent so we will take note of that and if Deputy Taylor  
is able to attend later on we will deal with that by relevé.

Members, I do not know if there are going to be any maiden speeches today but I just pause to  
remind you that, if there are, to invite you at the end of the speech to open your mics and show the  
normal appreciation. Can I also ask, having been a virtual observer of the States that, where possible,  
20 can I encourage Members when they are speaking to turn on their mics, of course, but also their  
cameras?

Can I also ask that in order to ensure that votes are correctly counted that you do not vote on  
the Chat function until the motion has actually been called because the votes run very quickly on  
Chat and it becomes quite difficult for the States' Greffier and myself to ensure that numbers have  
25 been correctly counted.

In a similar way to the last virtual States' Meeting, I consider it would be worthwhile having a 10-  
minute comfort break at about 11 a.m., so for the first motion of the day I am going to formally put

a motion to the Members that we have a comfort break at 11 a.m. So if you would just like to vote on your Chat function if you agree with that.

*Members voted Pour.*

**The Deputy Bailiff:** Thank you. It does appear that has been unanimously passed. I am grateful for that.

## Statements

### POLICY & RESOURCES COMMITTEE

#### Financial Situation – Statement by the Treasury Lead

**The Deputy Bailiff:** Can I now invite Deputy Mark Helyar, who as Treasury lead is providing an update for the Policy & Resources Committee and providing a special Statement.

**Deputy Helyar:** Good morning, Madam Deputy Bailiff, and thank you, for allowing me to update the Assembly this morning on the States' financial position. My main focus will be on the provisional results for 2020 but I will also outline the initial impact on the 2021 position from the latest lockdown of the economy.

As is customary at this point in the year, I am able to share with you the provisional closing position for 2020. However, I would like Members to note that these are early numbers and still subject to further year-end adjustments and audit and therefore they may change, particularly given the exceptional year that was 2020.

At the end of the first quarter in 2020, financial forecasts were compiled based on the best information available at that time which estimated that the shortfall in revenue income in that year could be over £70 million. As the restrictions on our community were lifted and the on-Island economy returned to near normal functioning, this forecast improved significantly. When I presented the 2021 Budget Report to the Assembly in December, the shortfall in revenue was being forecast at £30 million.

I am delighted to now be able to report that year-end tax receipts and other revenue streams have been stronger than anticipated and that this shortfall has provisionally reduced to between £5 million and £10 million. I must stress the word provisional here as we must now look in detail at these numbers and ensure that any possible repayments in 2021 are properly understood and taken into account.

In terms of ETI, which is the best real-time indicator of economic performance, collections in the fourth quarter showed an increase of 2.8% on the same period in 2019. Quarter four remunerations in total were just under 1% higher than during the same period in 2019 and 12 of the 19 official sectors paid out more in remuneration for Q4 2020 than they did in Q4 2019. A total of nine of those 12 saw an above-inflation increase including construction, retail and real estate. Finance remuneration grew by just under 1% for the quarter year on year. All of these indicators are hugely encouraging and a strong platform from which to enter 2021.

I do not intend to go into further detail at this stage as I appreciate that a statement full of numbers is difficult for everyone to follow. I therefore intend to follow up this statement with a summary publication of provisional numbers over the next couple of weeks, which will allow a more detailed analysis to be shared as to the attribution of those numbers.

65 Suffice to say for now that our customs and document duty receipts have been exceptional and that Income Tax receipts have held up much more strongly than anticipated, which means that we have entered the second lockdown period in a position of greater economic strength.

Turning to expenditure, Committees collectively underspent the authorised budget by over £8 million. There was significant additional expenditure in certain areas as a result of Covid-19: most notably Health & Social Care services which had specific additional costs of almost £3 million; and  
70 Income Support payments which exceeded budget by over £4 million. However, these were more than offset by reduced expenditure elsewhere.

The cost of Business Support in 2020 was significant. In total, some £51 million of taxpayers' funding was expended in supporting the economy through these extraordinary times. The grants to small businesses and payroll co-funding schemes put in place supported over 2,700 entities in  
75 total and undoubtedly contributed to our unemployment levels remaining relatively low, even in the second quarter of last year.

In total then, I am now able to report that the overall deficit for 2020 was between £25 million and £30 million after allowing for the likely losses of Aurigny. I must caution here that we are still working with Aurigny on that entity's year-end position and that could move as year-end  
80 adjustments are made.

This much reduced deficit is undoubtedly largely the result of the majority of the economy being able to return to near normal conditions so much earlier than had been expected last year. This underlines the importance of economic activity being able to revive and support our community and our public finances. I sincerely hope that we will be able to move quickly through the latest  
85 stages of release of lockdown outlined by the Civil Contingencies Authority, recognising that we must also mitigate the public health risks as far as possible.

Members will be aware that the Policy & Resources Committee has re-introduced both payroll co-funding and grants to small businesses in January 2021 to support the latest lockdown. To date the number of businesses which have submitted a claim is lower than in the equivalent period in  
90 2020.

The claims cycle is a monthly one and therefore claims received to date only relate to the first week of lockdown. However, it is evident that the reduction in claim numbers is higher in some sectors than in others. This is encouraging as it indicates business confidence in being able to swiftly resume trading without needing to rely on business support following the experience of 2020.

95 Given the number of notifications received by the States following the announcement of the move to Stage 1, particularly from construction companies, it suggests that a significant percentage of businesses will have resumed some level of economic activity from 22nd February.

Clearly this is welcome news since, although we must support companies and individuals through this ongoing crisis, there will be a need to rebuild public finances and to ensure we can  
100 return to a position where we are able to ensure sufficient long-term capital investment in our infrastructure.

That is the challenge that we are faced with in this term of government and why the Tax Review remains an extremely high priority for the Policy & Resources Committee and the Committee for Employment & Social Security together with a sharp focus on prioritisation, cost  
105 effectiveness, and efficient capital and asset management. I am encouraged with the progress we have made to date and fully expect to be able to report back to the States on progress and with initial proposals in the autumn of this year.

Madam Deputy Bailiff, in summary, we do not know what lies around the corner but this is very positive news for the Bailiwick and is testament to the patience and resilience of the public and  
110 businesses across all sectors. With spring almost upon us and the weather finally showing signs of improvement, we hope that the economy will again recover strongly as we pass out of the current lockdown. Thank you.

**The Deputy Bailiff:** Thank you, Deputy Helyar.

115 We now have 15 minutes of question time and the first question is Deputy Gollop. Deputy Gollop are you able to pose your question?

**Deputy Gollop:** Yes. There was a bit of a time delay there. Sorry about that. My question is given that so far the tax returns have proved to be rather more positive than initially feared, will that encourage Deputy Helyar and indeed the Committee as a whole to ensure that there is greater support for vulnerable businesses, I think particularly of tourism, hospitality, anything to do with social integration of people and retail, and that there will be perhaps less of an austerity mindset moving forward?

125 **The Deputy Bailiff:** Deputy Helyar.

**Deputy Helyar:** Thank you, Deputy Gollop, for the question. The situation in terms of business support remains under constant review and I would urge any businesses out there, which feel that they are suffering or that they have fallen perhaps between the cracks in the pavement to contact the business support team.

130 The system that has been created is not perfect and there will always be businesses that do not perhaps quite qualify for one reason or another and we would be obviously very anxious to ensure that as much of the economy is able to survive and to be supported so that it can bounce back in due course.

135 **The Deputy Bailiff:** Deputy Roffey, your question.

**Deputy Roffey:** Thank you, Madam Deputy Bailiff. I wondered if the financial spokesman from P&R could update us on where the Committee stands on the possibility of allowing Islanders to invest in the Island's recovery from the Covid process, through some sort of recovery bond?

140 **Deputy Helyar:** Thank you, Deputy Roffey for that question. It is at the forefront of my mind that we do need to raise capital as we are heavily capital-constrained and that involves review of a number of options, not just the pure raising of money through a bond but perhaps through a securitisation of assets and at the States' aims, which are not at the moment producing any liquidity.

**The Deputy Bailiff:** Deputy de Lisle, your question please.

150 **Deputy de Lisle:** Thank you. I just wanted to ask, following Deputy Gollop's question, whether in fact there is any indication of reducing the unjustified increase in TRP of the last Treasury finance term to companies across the board?

**The Deputy Bailiff:** Deputy Helyar.

155 **Deputy Helyar:** The Budget provided for TRP holidays for certain sectors and those remain in force. There are no plans to change the TRP provisions but if people that receive their TRP bills are finding themselves in difficulty, they should contact the Treasury team and perhaps make arrangements, say, for direct debit so that these can be evened out across the year.

160 **Deputy de Lisle:** Thank you.

**The Deputy Bailiff:** There do not appear to be any questions outstanding on Chat, but I can ... Deputy St Pier.

165 **Deputy St Pier:** Yes, thank you. Does Deputy Helyar agree with me that, given the relative strength of our economy and our Public Health position and frankly our stellar public finance



performance last year, given events, and notwithstanding the need for caution as we go into 2021, given the ongoing pandemic, that actually we should not regard ourselves in a period of unnecessary austerity at the current time, given all of those strengths?

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**The Deputy Bailiff:** Deputy Helyar.

175

**Deputy Helyar:** Thank you, Deputy St Pier. I do agree that we must be extremely careful, to the extent that we choke off economic activity, whether that be Government activity or activity in the economy through raising taxes. We really do need to focus on enabling the economy to bounce back as hard and as fast as possible and I am very mindful of the need to balance the austerity moves, as it were, against those which might prevent further economic recovery.

180

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Thank you, madam. Just the word austerity has been used twice in questions, could Deputy Helyar remind me where the word austerity has featured in any updates since the election?

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**The Deputy Bailiff:** Deputy Helyar.

190

**Deputy Helyar:** Thank you, Deputy Inder. There has been no use of the word austerity since the election. In fact the first Budget, as you will recall in December, maintained the States' cash limits at exactly the level that they were set by the previous Policy & Resources Committee and there is no plan at the moment to undergo a wide range of cost-cutting. Perhaps the Government Work Plan, which will be coming to the States next month and the prioritisation of the States' work will assist us to refine the capital programme, but there is no plan for widespread cost-cutting at this time.

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**The Deputy Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Thank you. Would Deputy Helyar like to comment on the implications for a resumption in contributions to the Capital Reserve?

200

**Deputy Helyar:** Thank you, Deputy Parkinson. I think we need to wait and see a little bit longer; we need to get out of this lockdown at the moment. I think part of the stellar performance, which Deputy St Pier described has been the fact that our economic activity in the Island has been almost exclusively focussed inwardly and I do anticipate that once lockdown finishes and that international travel, for example, becomes more widespread, that some of the capital that has been invested in the Island will be travelling out of it again. So I do expect that the performance that we have seen, perhaps last year, may tail off. So we need to be mindful of that.

205

But we do need to be focussing on not maintaining but improving our Capital Reserve position as soon as possible. We cannot afford to conduct the projects which have been planned for.

210

**The Deputy Bailiff:** Members, are there any further questions in relation to Deputy Helyar's statement? There does not appear to be, so thank you, Deputy Helyar.

**SCRUTINY MANAGEMENT COMMITTEE**

**Scrutiny Management Committee –  
General Update by the President**

**The Deputy Bailiff:** Now I would invite Deputy Burford to provide the Update Statement as President of the Scrutiny Management Committee.

**Deputy Burford:** Thank you, Madam Deputy Bailiff.

215 I am pleased to present this statement, the first routine update of the work of this Scrutiny Management Committee. Once the States had confirmed the appointment of our two voting non-States' members, the Committee were able to discuss and consider which area merited being the subject of our first review.

220 Before announcing details, I need to mention one item from last term that we will be addressing. The previous Committee, led by former Deputy Green, completed a significant piece of work into Freedom of Information and published a review with recommendations last August, just prior to the election.

225 Although my Committee were not involved in undertaking or preparing this review and indeed we may not all agree with all the of the recommendations drawn from it, nevertheless we consider that it should be presented to the States for debate to enable the Assembly to make an informed choice as to whether changes should be made to the current system of Access to Public Information. To this end we have drafted a covering policy letter with a range of options and our recommendation, to which we will append the original review, and this will be submitted in the next few weeks.

230 Looking forward, we have identified various topics to commence our programme of reviews for this term. Our first review will be of the policies in place regarding the Island's sea links. Over the last decade, a huge amount of scrutiny and wider political activity has been focussed on the Island's air links but less consideration has been given to our links by sea.

235 The Committee believes that this absence of political focus is an oversight and that there is broad public interest, particularly regarding the frequency and cost of travel on and off the Island by sea. Of course, the issue is wider than just passenger and vehicle travel and one of the challenges that we encountered when scoping this review was deciding exactly where to draw the system boundaries. It would be all too easy to expand the boundary to include everything relating to the harbours, including fuel ships and such like, and end up with a vast unmanageable task for the time and resources that we have available.

240 Nevertheless, we do realise the interconnectedness of the many activities that take place in our ports, and the significant infrastructure that our harbour encompasses, and we will strive for a balanced and informed outcome that understands the various impacts of the many parts that make up the whole picture. We will seek to clarify how the States of Guernsey can secure its future sea connectivity, determine how effectively the current policy has been implemented, and assess whether the Bailiwick's current sea connectivity policy is fit for purpose.

245 In terms of other activity, we will be holding a public hearing with the Policy & Resources Committee in the first half of this year focussing on the Government Work Plan. Although this has been delayed by the second wave of the pandemic, when we are able to schedule it, it will provide an opportunity for some detailed scrutiny of this vital work and allow senior public officials who cannot contribute to a States debate to add additional information around this subject, in public, which will undoubtedly be central to the work of government this term. Public hearings with Principal Committees will follow throughout 2021.

250 During the year we will be announcing further reviews and, of course, my Committee is aware of its role in holding snap hearings as and when the need arises to respond to emerging matters of significant public interest within its mandate.

I'd like to use the remaining time I have in this Statement to make some general points about the Scrutiny Management Committee to further assist members and others who may be listening to better understand its role and purpose. Firstly, when the new Machinery of Government changes were introduced in 2016, it was envisaged that a greater number of deputies would be involved in the Scrutiny process on a temporary basis. In the last States, just three members, other than those who were on the Committee itself, participated on a task and finish panel. I do hope that this term a greater number of my colleagues will take up the call to be involved, in order to ensure the effective functioning of the wider scrutiny role.

Members will tire, if they have not already, of hearing me repeat the need for all Deputies to be scrutineers. I really do want to stress the point that a collegiate and respectful relationship with fellow States' Members is not at odds with also robustly holding Committees, and by extension, colleagues, to account. Members of Principal Committees have a vital scrutiny role for often only they will see the information upon which decisions are made.

Up until May 2016, a dedicated Public Accounts Committee focused considerable and valuable attention on the States' audit processes and expenditure. In the last political term, I believe that the level of financial scrutiny was more limited despite that Committee's best endeavours. My Committee considers that now is a good time for a mature and thorough re-consideration of how financial scrutiny arrangements might be enhanced in the future and this is something that we intend to focus on over the coming months.

However, I should make it clear, in order to address confusion that seems to exist and which is evidenced by the call in some quarters to reinstate the Public Accounts Committee, that the SMC has all the functions of the former PAC and more and there is no need to try to re-establish the Public Accounts Committee in its previous format. It has not disappeared.

I would also remind those currently calling for a prioritisation and acceleration of legislation on disclosure, including for evidence and sanctions, that this legislation came into force in the last political term and its existence will serve to strengthen the effectiveness of the Scrutiny function. Madam, I hope this update has been informative and useful for members and I welcome any questions. Thank you.

**The Deputy Bailiff:** Thank you, Deputy Burford.

Before we start on the questions, Deputy Taylor do you wish to be relevé?

**Deputy Taylor:** Yes please madam. Sorry for my late arrival.

**The Deputy Bailiff:** Thank you.

**The Deputy Bailiff:** We will now start a period of question time and I start with Deputy Gollop.

**Deputy Gollop:** Thank you, Madam Deputy President and thank you, to Deputy Burford as well. I am pleased and honoured to be a Member already of a Scrutiny Panel, that is to say the Legislation Review Panel, of which there are five Deputies on that. I am also the President of the Transport Licensing Committee, which only deals with air routes. Will there be an opportunity for Members specifically to join the upcoming and exciting review on sea transport, harbour connectivity? Thanking you.

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. Yes, I am quite sure that there will be opportunities coming forward. We have not reached that stage in the scoping of the review but I note and thank Deputy Gollop for his interest.

**The Deputy Bailiff:** Deputy de Lisle, you have a question.

**Deputy de Lisle:** Yes, thank you, madam. I would like to ask Deputy Burford what is being done to ensure additional financial scrutiny takes place in future in order to ensure the significant resources of the Government are managed effectively?

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. I thank Deputy de Lisle for his question and it is a very important question. I think, as I highlighted in my speech, we are certainly looking to strengthen the financial scrutiny aspect of the Committee and focus our resources more in that direction in this term. It is probably a good opportunity for me to mention that we were considering doing a review of the Government investments as our first review. Obviously, that is vitally important in terms of the amount of money involved.

However, with the decision by Policy & Resources, to look at structuring that in a significantly different way, we decided that we would rather wait until that was done and then look and review the functioning of the new set up. So that is very much in our sights. Thank you.

**The Deputy Bailiff:** Deputy Le Tissier, your question.

**Deputy Le Tissier:** Thank you, madam. I think concerns have been raised from a number of areas in respect of the contractual obligations, KPIs and the cost and performance of the Agilisys contract. Will the Scrutiny Committee undertake to investigate the circumstances and the effectiveness of the provision, given that it is a massive contract and probably the biggest that we have committed to in a long time? Thank you.

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. I thank Deputy Le Tissier for his question. Yes, in fact this is also something that is very much on our radar. We have already had exchanges of correspondence with Policy & Resources on this and as Deputy Le Tissier correctly says it is a significant contract and it is something again that is in the sights of the Scrutiny Management Committee.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Deputy Le Tissier, effectively, asked my question. I was going to ask whether there still remain significant concerns over the Agilisys contract in terms of procurement placements and performance but I think Deputy Burford answered that. What she did say, she said it was within her sights. Could she confirm what that actually means? I am always a bit sceptical when someone says something is in their sights or on their radar. It does need a certain amount of Scrutiny and would she give us some indication whether she would get to grips with that sooner rather than later? Thank you very much.

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. Yes, I thank Deputy Inder for his question. I am very happy to elaborate on my previous answer. We have, as I have said, already had correspondence with Policy & Resources on the subject of the contract and, indeed, in an previous speech on the Budget debate I also highlighted some of Scrutiny's questions around the Agilisys contract. We have also requested sight of the contract terms but obviously Deputy Inder will understand that certain aspects of that are naturally confidential for contractual reasons. So yes it is something that we will be looking and certainly within the very early part of the Scrutiny Panel's work.

**The Deputy Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you. I would like to ask the President that last year we had a number of amendments regarding the sea links and also regarding the Airport and last term there was a vouch for quite a lot of money to be spent on various reports so I was just wondering if actually it is needed, when we will have all those reports meant to be coming out?

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**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, and thank you, to Deputy Oliver for her question. I think one of the wider issues with Scrutiny is that there is generally always something going on. In many ways there is never a perfect time to do a review on any particular issue. However, I think that there is still significant public interest in the matter of sea links and the Scrutiny can actually perform a wider role insofar as actually bringing together all of the reports that are existing and trying to come to a cohesive decision on it. But we also go further than that in terms of putting this very much in the public domain and holding public hearings and being able to question people and indeed with legal backing on that.

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**The Deputy Bailiff:** Deputy Queripel.

**Deputy Queripel:** Thank you, madam. Regarding future reviews, when the Committee publish the results of those reviews, will they then contain recommendations or Propositions and then later on, say 12 months later on, will the Committee follow-up on those recommendations or Propositions to establish whether or not the departments have progressed them? Thank you, madam.

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**The Deputy Bailiff:** Deputy Burford.

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**Deputy Burford:** Thank you, madam and thank you, to Deputy Queripel for his question and, again, another important question, I think. I think I can demonstrate our intentions by the comments I made, in fact, on the freedom of information review that the previous Committee did. One of our motivations for bringing that forward to the States is that although it contains a page full of recommendations, if Scrutiny do not take some action then it is very likely that nothing will ever happen with it and then it really does rather raise the question as to why time and energy was spent on the review.

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So I think in a similar vein, we are not policy makers in Scrutiny, but I think in a similar vein, what we will do is we will do reviews and reviews naturally lead to recommendations, and Scrutiny will be looking to Committees to see how they progress those recommendations and then we also have the backstop if necessary of bringing a policy letter to see if the States what to put those recommendations into resolutions. Thank you.

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**The Deputy Bailiff:** Deputy Kasantseva-Miller.

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**Deputy Kasantseva-Miller:** Thank you, madam. Is Deputy Burford aware that the Committee for Economic Development is undertaking quite a significant sea links review of policy and negotiations and whether her workstream can effectively work together with the Committee for Economic Development, rather than in separation? Thank you.

405

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you very much, Madam Deputy Bailiff. Yes, indeed, it is always the intention of the Scrutiny Management Committee to work closely with the Committees that are involved in the areas of policy that we are actually reviewing.

410

**The Deputy Bailiff:** Deputy Soulsby.

415 **Deputy Soulsby:** Thank you, Madam Deputy Bailiff. On the back of previous questions from  
Deputies Le Tissier and Inder is Deputy Burford interested to know that in addition to providing the  
contract with Agilisys to the Scrutiny Management Committee, in the interests of transparency, this  
Policy & Resources Committee will in the next few weeks be providing the results of the internal  
420 review undertaken by the CEO to all States' Members and the financial reconciliation with the policy  
letter of May 2019?

**The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam and I thank Deputy Soulsby. Yes, of course any information  
425 that is coming forward on the subject or is of assistance and I look forward to receiving that report.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Back to my original question, it is a bit of a supplementary from Deputy Burford's  
430 response when she mentioned there might be some restrictions when it comes to commercial  
confidentiality. I accept that in the private sector, less so in the public sector, with significant  
contracts, would she commit to writing to all Deputies and giving us a sort of outline of where  
commercial confidentiality will preclude her Committee from getting to the crux of any future  
review? Thank you.

435 **The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. Yes I think there are two things here. Yes, I am more than  
happy to write to States' Members on the subject that Deputy Inder raises. I think there are also  
440 occasions where it is quite possible for Scrutiny to have access to such confidential information.  
What is not necessarily possible for us to do is to then publish that information.

**The Deputy Bailiff:** Deputy Vermeulen.

445 **Deputy Vermeulen:** Thank you, madam. Deputy Burford, I have listened intently to what you  
have had to say there and I am somewhat puzzled over you taking the Airport out of the air and  
sea category. Does this infer a preference and are you saying that in your opinion is tickety-boo at  
the Airport as we currently trade?

450 **The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. No I am not saying everything is tickety-boo at the Airport.  
It is no judgement on the Airport one way or another but, as explained in my speech, the Airport  
has been the subject of a significant number of reviews, some by Scrutiny, in recent years, whereas  
455 our travel by sea has not been. Thank you.

**The Deputy Bailiff:** Deputy McKenna.

**Deputy McKenna:** Thank you, Madam Deputy Bailiff. To Deputy Burford, I welcome Deputy  
460 Burford's comments that we should be collegiate and respectful. Under the Government work  
policy, no other Committee should try to undermine another Committee. So could the President of  
Scrutiny confirm to me does she believe that the weaponised questions that she gave against  
Deputy Andrew Dudley-Owen and the ESC were really collegiate and respectful? Thank you.

465 **The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam. I do not accept Deputy McKenna's premise that my questions were weaponised. I am happy to answer this question. In my view, Education, Sport & Culture had made several statements which led me to believe and suspect that the Committee did not have any intention of following the Resolutions as passed by the previous Assembly and as I made quite clear in my questions that is entirely their right so to do provided they seek those Resolutions be rescinded and I was also curious as to whether new Resolution would be put in their place and that was the fundamental thrust of my questions and I do not think that is weaponised. Thank you.

475 **The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thank you, again, Madam Deputy Bailiff. Whilst I am reassured to hear Deputy Burford on behalf of Scrutiny Management Committee confirming that they do indeed have all the powers and abilities of a full public accounts parliamentary Committee, would they accept that one of the main roles of Scrutiny Management, is to look at all contracts, tenders and procurement elements within the States and to ensure the Island is getting best value for money for our economy as a whole? Thanking you.

485 **The Deputy Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, madam and thank you, to Deputy Gollop for his question. Indeed, I would love that the Scrutiny Management Committee had the resources to look at every single contract that the States enters into but I am afraid I have to inform Deputy Gollop that that really is not realistic on the resources that we have available to us and therefore it is the job of the Scrutiny Management Committee to carefully prioritise where it targets those resources and to look at matters that actually represent the widest policy or financial implications for the Island. Thank you.

**The Deputy Bailiff:** Can I just take a moment to see whether there are any further questions for Deputy Burford in relation to the statement? There does not appear to be so thank you, Deputy Burford.

## STATES' ASSEMBLY & CONSTITUTION COMMITTEE

### States' Assembly & Constitution Committee – General Update by the President

**The Deputy Bailiff:** I now invite Deputy Meerveld, on behalf of the States' Assembly & Constitution Committee to provide his General Update.

500 **Deputy Meerveld:** I am grateful, madam, for this opportunity to provide an update on the work and priorities of the States' Assembly & Constitution Committee. The work of the previous Committee towards the end of the last political term was unsurprisingly dominated by preparations for the October General Election. The Committee was pleased to receive the CPA BIMR Election Expert Mission Report in December, which confirmed that the Election was a successful democratic exercise and that Guernsey's legal framework for elections complies with international standards.

505 Guernsey can be proud of holding a successful election during a global pandemic and on behalf of the Committee, I wish to express our appreciation of the work of our predecessor, the Election Team, the Douzaines and the countless people in the Island who ensured its success. Whilst the

Election was a success, improvements can always be made and the Committee is working to carefully consider the recommendations made by the Mission, along with the report from the Registrar-General of Electors, which it expects to receive next month, and will be returning to the States in due course with proposals for improvements.

The Committee has also prioritised its work programme and top of the list is returning to the States this year with proposals for a system of simultaneous ... *[Audio connection interrupted]*

As noted in the Government Work Plan, the Committee is also looking at Rule 4 and how this can be improved. This is separate to a general review of the Rules of Procedure of the States of Deliberation and their Committees which will take place later this year, once all Members have had the opportunity to have a good grounding in how they work in practice. One matter the Committee will be looking at separately to the general review is to review the provisions of the Rules relating to the matter of a direct or special interest.

The Committee is keen to build on the work of the previous Committee in respect of the continuous development of Members. It continues to oversee the work of the Induction Working Group in creating a quarterly programme of sessions for Members. Unfortunately, this has been impacted by the lockdown, but one session ... *[Audio connection interrupted]* ...

A 'Questions Workshop' had been planned for this week however given its format, had to be postponed until it can take place in person. Further details will be issued about this rescheduled workshop to all Members and I would strongly encourage all Members – old and new – to attend and participate.

The Committee has been working with the Strategic Lead for Supporting Government to look at options to improve ... *[Audio connection interrupted]* ... Improvements will be made to the Members' room at Sir Charles Frossard House – at minimal costs – whilst we consider the options in the longer term.

Last August, the States considered the review of the Code of Conduct for Members of the States of Deliberation and agreed to introduce a Commissioner for Standards. Further work needs to be undertaken before this can be fully realised but there is ongoing staff liaison to progress this workstream.

The previous Committee had been looking at the composition of the States of Election, the election process, term of office and age limits for Jurats. A sub-Committee of Deputies McSwiggan and Graham had undertaken good work to progress this workstream last term, which will be picked up by this Committee this term.

The Committee is open to hearing from Members on any improvements they have identified in respect of any areas under its mandate and would encourage anyone who wishes to provide feedback or ideas to do so. Whilst entirely open to new ideas, the only note of caution the Committee would express ... *[Audio connection interrupted]* ...

**The Deputy Bailiff:** I hope that Members will have been able to hear the majority of Deputy Meerveld's statement as I know that it was distorted but we will move onto questions. I suggest, Deputy Meerveld, perhaps if you turn your camera off for the questions, that might help with your sound in any event.

**Deputy Dudley-Owen:** Madam Deputy Bailiff, may I ask if Deputy Meerveld might be able to deliver his speech again, maybe even the last half, without his camera on? I am sorry to interject at that point but I think many of us could not hear at all.

**The Deputy Bailiff:** If that is the case, that people were unable to hear, Deputy Meerveld could you perhaps start from 'The Committee is keen to build on the work of the previous Committee ...'? If you read that without your camera on and hopefully ...

**Deputy Meerveld:** Yes I would be very happy to. The Committee is keen to build on the work of the previous Committee in respect of the continuous development of Members. It continues to



oversee the work of the Induction Working Group in creating a quarterly programme of sessions for Members.

565 Unfortunately, this has been impacted by the lockdown, but one session has been held virtually and other planned sessions will be rescheduled. A 'Questions Workshop' had been planned for this week however given its format, had to be postponed until it can take place in person. Further details will be issued about this rescheduled workshop to all Members and I would strongly encourage all Members – old and new – to attend and participate.

570 The Committee has been working with the Strategic Lead for Supporting Government to look at options to improve the support and facilities available to States' Members. Improvements will be made to the Members' room at Sir Charles Frossard House – at minimal costs – whilst we consider the options in the longer term.

575 Last August, the States considered the review of the Code of Conduct for Members of the States of Deliberation and agreed to introduce a Commissioner for Standards. Further work needs to be undertaken before this can be fully realised but there is ongoing staff liaison to progress this workstream.

The previous Committee had been looking at the composition of the States of Election, the election process, term of office and age limits for Jurats. A sub-Committee formed of Deputy Ferbrache and former Deputies McSwiggan and Graham had undertaken good work to progress this work last term, which will be picked up by this Committee this term.

580 The Committee is open to hearing from Members on any improvements they have identified in respect of any area under its mandate and would encourage anyone who wishes to provide feedback or ideas to do so. Whilst entirely open to new ideas, the only note of caution the Committee would express is that it only has one member of staff, and a very limited budget, and therefore the resource implications of any new workstreams put forward would need to be carefully considered. Thank you.

590 **The Deputy Bailiff:** I am grateful Deputy Meerveld. I, for one, could hear that very clearly and I hope the Members could too. We are now starting a period of question time and I invite Deputy Gollop, who is first off the blocks again, to put his question to Deputy Meerveld.

**Deputy Gollop:** Thank you, Madam Deputy Bailiff. I think as a Committee, SACC has got off to a good start, I say that as a Member, but was special efforts will the President make on behalf of us and the Committee to ensure that States' Members this term behave with absolute courtesy and respect to each other all the time and will there be induction training sessions on that social human element of our work, as well as the technical and intellectual nature of our business?

**The Deputy Bailiff:** Deputy Meerveld.

600 **Deputy Meerveld:** I thank Deputy Gollop for that question. It follows on a very amusing email sent around to Members via –

**The Deputy Bailiff:** I am sorry to interrupt, Deputy Meerveld –

605 **Deputy Meerveld:** Are you having difficulty hearing me?

**The Deputy Bailiff:** Yes. Would you mind keeping your camera off? I am sorry about that but it was much clearer when your camera was off. If you would like to start from the beginning, that question again. Thank you.

610 **Deputy Meerveld:** Okay. I thank Deputy Gollop for the question and it follows on an interesting and sometimes amusing email sent around by the Greffier to Members regarding unparliamentary language used in some other jurisdictions. Having said which, the role of monitoring the suitable

use of language and respect in the Assembly actually falls to the presiding officer rather than the SACC Committee but I think the SACC Committee would be happy to provide guidance to Members on what we believe is appropriate. At the end of the day, it should be at the discretion of the Members to always be polite and respectful in the delivery of their statements. Thank you.

**The Deputy Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Thank you, madam. I would just like to ask Deputy Meerveld whether he would have SACC consider introducing a time limit on speeches in order to cut the length of speeches of the past and increase efficiency in house debates? Thank you.

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** I thank Deputy de Lisle for the question. It has been something that has been raised a few times and I think it will form part of the greater review that we will be doing of the Rules in the next year or so. It certainly will be on the agenda. I personally have some opinions on it. I think it may be difficult to enforce a restriction on speeches but it will be included in the broader review that we will be doing later this year and I will look forward to reporting back on that later. Thank you.

**Deputy de Lisle:** Thank you.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Deputy Meerveld. Thank you, for your update. Would the President agree with me that part of the delivery of a free and fair election would be the publication of the candidate expenditure report and that his Committee should seek to influence, by any means, the publishing of that document?

**The Deputy Bailiff:** Deputy Meerveld, are you able to respond to Deputy Inder's question?

**Deputy Meerveld:** I was responding, my microphone was off! My apologies for that. Thank you, Deputy Inder for the question and I totally agree that that is a part of the requirements of any free, fair and transparent election. The Registrar-General's report on the October election is due in the next few weeks and I suspect it has been delayed something with the Covid issues and as soon as that is available I look forward to it being published. Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, madam. Deputy Meerveld will, I am sure, be aware of the problems with Rule 4(3) in that there is no necessary verification of the financial implications stated in an amendment or a requête. I just wondered whether the States' Assembly & Constitution Committee is minded to look at this issue and see if they can make that Rule more effective or meaningful in this political term?

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Yes, Rule 4(3), as I mentioned in my statement, is something that the States' Assembly & Constitution Committee is specifically looking at and it is not just the issue that Rule 4(3) and how you quantify and audit the financial impact. It is also looking at that Rule and how it applies to all types of Propositions and whether it applies equally, but also whether or not it covers other extant Resolutions of the States regarding things like environmental issue ... *[Audio connection*

665 *interrupted]* ... eventually to bring in greater scrutiny or greater information into all Propositions laid  
before the States, so that it is definitely something that we are looking at specifically now. Thank  
you.

**The Deputy Bailiff:** Deputy Roffey.

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**Deputy Roffey:** Thank you. I wonder whether Deputy Meerveld could give us an approximate  
timescale from when we would be able to consider how we/whether we select Jurats in future and  
also some insight into the current thinking of his Committee in this respect.

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**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Yes, thank you, Deputy Roffey. The States of election is an ongoing review  
obviously that was started in the last term and is continuing now. The Committee has not come to  
any conclusions on it at the moment. It is a part of our continuing workstream but we would hope  
680 to come back to the States, we would obviously be coming back later this term and we would hope  
to come back as soon as we can with some proposals to the States for how to reform that for the  
States of Election, which obviously is a fairly arcane system that we have inherited from past  
generations. Thank you.

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**The Deputy Bailiff:** Deputy Roffey, you had a follow-up question.

**Deputy Roffey:** It is a separate question, actually, on a different subject if I may?

**The Deputy Bailiff:** Yes, please go ahead.

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**Deputy Roffey:** Until recently, or a few years ago, States' Members' telephone numbers were  
clearly published in the front of the telephone directory. This seems to have paused and it seems  
to me to be regrettable as not everybody prefers looking up telephone numbers on websites rather  
than in the physical directory. Will SACC give some thought to whether or not that process can be  
695 re-established of putting our phone numbers in the front of the telephone directory?

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Well, I must admit that Deputy Roffey has highlighted something to me that  
700 I was not aware. I did not realise that previously it was published and that it has ceased being  
published. I am very happy to approach the commercial company that offers that service and see if  
they would be willing to reinstate that in the future as I am always keen to find any ways to increase  
accessibility of Members to the public and the electorate. So I am quite happy to undertake that  
and to take it on personally and will copy Deputy Roffey in. Thank you.

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**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Thank you, madam. Deputy Meerveld, some of the chat in the last term was that  
Island-wide voting would only survive one election. Could he confirm that the Island-wide election  
710 and Island-wide voting is safe under his chairmanship?

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Well, yes there were many doom and naysayers who were saying that Island-  
715 wide voting would (a) fail and (b) would only last one term. It was established under a public

referendum. That work was never undertaken as a trial. It was a permanent change to our electoral system.

Luckily – well, not luckily – I think due to the efforts of Deputy Inder and the previous SACC Committee, the Island-wide voting undertaken at short notice in October was a resounding success and I think very few people could make fault with it and therefore I can see no reason why this Assembly should wish to change from that system for the next election and I certainly could not see myself, as a champion of Island-wide voting who helped promote it, leading a charge to do so. Thank you.

**The Deputy Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, madam. A question for Deputy Meerveld. I was potentially one of those naysayers, not being so confident about the process, how successful the process would be around Island-wide voting. But, clearly, it has been a resounding success and the efforts of the Committee's staff have been huge, as well as all volunteers.

However, will the President seek to be refining some of the processes, especially in the time that candidates had to spend with regard to lobby groups, who are very important in the community but there seemed to be a lack of cohesion about how those lobby groups canvass candidates? I think it would be a really good use of their time to be able to help co-ordinate those lobby groups to push questions towards candidates in a better way. Is that something that could be looked at this term please, prior to the next election?

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, for that question. The Island-wide voting election was unique. Not only was it the first, I think, international election held during a period of Covid, but it was also unique in its format in that I do not think any other jurisdiction had ever elected as many independent members or have as many independent members participating in an election. Consequently it was an unknown to some extent and for that reason I can understand some of the naysayers' concerns.

Having gone through it and completed it successfully, there are many lessons to be learned from it, things that could be improved, I think, for the next one, and that is going to be a big part of the SACC Committee's workstream going forward, finding ways and recommendations to improve that process and that will include the engagement with lobby groups and the way that the candidates ... facilitating the candidates interacting with the electorate as well. Thank you.

**The Deputy Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, Madam Deputy Bailiff. Just following on from Deputy Dudley-Owen's question, during the recent campaign, there were some independent hustings arranged where certain Deputies were invited along and others were not. Would SACC consider arranging some hustings right the way across the board for every candidate, so everyone can get a fair bite of the cherry?

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** I think that is one of the areas that the SACC Committee, now this has not come to the Committee yet so I cannot speak on behalf of the Committee, it has not been something considered, but it is certainly something that I would be looking for, more centrally organised hustings, because there was a plethora of mini-hustings organised by different groupings of people and different organisations and many of them were not particularly well attended by the public and I think something more centrally organised and centrally marketed would help both the

candidates reaching out to the public and also help attract a larger participation by the electorate. So it is definitely something we will be looking at. Thank you.

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**The Deputy Bailiff:** Deputy Kasantseva-Miller.

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**Deputy Kasantseva-Miller:** Thank you, madam. The States of Guernsey is now following the US sustainable development goals framework and goal number five is gender equality and one of the targets of that goal is to ensure equal representation of women but also of other minorities in the decision-making policies in Government and beyond. Does SACC consider that it should be taking much more proactive action in ensuring equal representation in the number of candidates who are standing, not only from gender perspective but also from age and all sorts of other minority demographics? Thank you.

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**The Deputy Bailiff:** Deputy Meerveld.

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**Deputy Meerveld:** Absolutely. We want a States that is representative of our community. Now it has to be borne in mind that it is the community itself, the electorate, who make the final decision on who will be representing them but we want to have representation for every segment and section of our society.

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I am also pleased to note that yourself, Deputy Kasantseva-Miller, Deputy Bury and Deputy Burford, will be – assuming we finish on time – attending an International Women’s Commonwealth Parliamentary conference in the next two days looking at exactly these issues and I look forward to the feedback from that. But you can take my assurance that SACC will be making every effort to make sure we have candidates in all sections of our society, we facilitate them coming forward and presenting themselves to the electorate. Thank you.

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**The Deputy Bailiff:** Deputy Queripel.

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**Deputy Queripel:** Thank you, madam. On that issue, madam, it concerns me greatly that the role of a Deputy has never been defined and I think it is vital that it is. In order that candidates need to know in the next election exactly what they are letting themselves in for should they be elected. Can the President clarify SACC’s view on that issue, please, in order that the community know exactly where SACC are on that issue of informing candidates about absolutely everything a Deputy is expected to get involved in, should they be elected? For example, one-to-one cases as well as Committee work and policy work and everything else a Deputy is expected to get involved in? Thank you, madam.

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**The Deputy Bailiff:** Deputy Meerveld.

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**Deputy Meerveld:** Thank you, Deputy Queripel. Absolutely. I think there needs to be a greater understanding of a Deputy’s role, not just in the minds of candidates but also the general public. This is my personal opinion because it is on the workstream for SACC to look at going forwards but in my personal opinion it is important that SACC take the lead in trying to enable everyone to understand what the role of the Deputy is, both what the expectations of the public should be of their elected representatives, but also what the expectations should be of candidates when they stand and when they come into the States and what they expect the probable requirements will be.

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Certainly, I think, part of what I would like to see SACC promoting as we come into the next election is greater understanding by both the electorate, of what a Deputy does and, by candidates, what a Deputy needs to do. Thank you.

**The Deputy Bailiff:** Deputy Soulsby.

820 **Deputy Soulsby:** Thank you, madam. It has been apparent to me, having reviewed the extant Resolutions, particularly of Policy & Resources over the last few weeks, that many Resolutions really are not possible to be discharged because they relate to the requirement of a Committee to do something on an ongoing basis. I would like to know whether the President of SACC thinks it is worth considering whether certain Resolutions are categorised in a specific way in order that we do not build up such Resolutions to the extent that they are at the moment.

**The Deputy Bailiff:** Deputy Meerveld.

830 **Deputy Meerveld:** Yes, thank you, for that question and that observation because Deputy Soulsby is absolutely correct. We ended up with this massive list of extant Resolutions, some of which can never be struck off as done because it is an ongoing requirement of the Committee or the States and I do agree that some form of categorisation would be good to enable us to be able to pigeonhole those ongoing obligations and that is actually one of the things we are looking at under Rule 3, where there are extant Resolutions for the entire States to adopt certain policies towards the environment, to sustainability, to society, but that they should be included in the Rule 4(3) disclosure on actual specific Propositions.

835 It is something I will definitely take forward to discuss with the Committee going forward as part of our greater review. Thank you.

840 **The Deputy Bailiff:** And now, this is the final question, it is from Deputy Dyke.

**Deputy Dyke:** Thank you. Would Deputy Meerveld agree that whilst it is desirable to have a mix of people in the States representing our citizens it is not for the States to spend public money favouring one group of candidates over another? I have in mind that the election before last there was a certain amount of uproar over States' money being used to favour women's groups over male candidates. Would Deputy Meerveld accept that that should not happen?

**The Deputy Bailiff:** Deputy Meerveld.

850 **Deputy Meerveld:** There are two perspectives on this. One side says, as you have alluded to, the position would be that no additional resources should be given to any one group and I agree that it is a fine balance. The other side of the argument is, though, if some groups are disadvantaged, if there are impediments in their way, should not the States as an organisation possible commit resources to remove those impediments to attracting those candidates to ensure that we have proper representation of all segments of society in the candidates presented to the electorate for choice?

855 It is a fine balancing act because I think making a blanket statement that no resources should be committed would be wrong, but also then trying to do it without overly emphasising or supporting groups where they are given an advantage over other candidates is the balance that has to be struck. Thank you.

**The Deputy Bailiff:** Thank you, Deputy Meerveld.

## Questions for Oral Answer

### COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

#### L'Ancrese Anti-Tank Wall – Four questions

**The Deputy Bailiff:** We now turn to the questions posed by Deputy Le Tissier. Can I invite Deputy Le Tissier to put forward his first question?

**Deputy Le Tissier:** Thank you, madam. As a resident of the Vale, I have got a close interest in the wall and L'Ancrese Beach and so I would like to ask Deputy de Sausmarez if she could tell me what progress has been made on phase two of the work and the introduction of rock armour, following the repairs to panels eight and nine as set out in the Deputy Brouard Requête? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, madam. The Brouard Requête specifically states that maintenance should be undertaken to provide stability to the wall, to give the optimum chance of the wall remaining intact for the 10-year period. So, engineers from States' Property Services produced a multi-phased maintenance schedule to fulfil this direction.

The previous Committee prioritised and implemented the work required at the end of last year, in accordance with the schedule, ahead of the winter. The next phase of work, planned for this year, which I assume is what Deputy Le Tissier means by phase two, involves the installation of rock armour, including at, but not limited to, panels eight and nine. But that will need additional funding, as will all the subsequent phases of work.

As the Requête did not allocate any funds for the necessary work, the Committee and its officers have been in constructive dialogue with officers at P&R. A paper will be jointly considered by the two Committees and I hope that these questions, for which I thank Deputy Le Tissier, will help expedite that process.

**Deputy Le Tissier:** Thank you. I have a supplementary question, which unfortunately I cannot seem to get into the Chat.

**The Deputy Bailiff:** I would invite you, Deputy Le Tissier, to simply put your supplementary question now.

**Deputy Le Tissier:** Thank you. Could Deputy de Sausmarez tell me when will the meeting with P&R about future funding take place? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I am not able to answer that, I am afraid, because this is something that has been taking place at officer level. I know that I do have an informal meeting in the diary with Deputy Ferbrache, I think it is next week, actually. So I am looking forward to that. It is definitely something we will be discussing then. But I am afraid, our officers have been working with officers at P&R and I know that it is in progress but I am afraid I cannot give Deputy Le Tissier a specific date, because I do not think it has been set, however I can assure him that I will keep him posted.

**The Deputy Bailiff:** Deputy Burford, you say you have a supplementary question.

**Deputy Burford:** Yes please. Thank you, madam. Presumably, Policy & Resources could provide the funding that was not provided for in the Requête, by means of their delegated authority. However, I would like to ask the President what her Committee intends to do if they do not? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, that is correct. P&R could indeed use their delegated authority to provide the funding necessary. If they choose not to, which their predecessors chose not to and if they reaffirm that decision, effectively, any other option other than P&R using their delegated authority to provide the necessary funding will result in E&I bringing a policy letter to the States, so that the States can give clear direction on how they see resources being allocated.

**The Deputy Bailiff:** Deputy Vermeulen, you have a supplementary question.

**Deputy Vermeulen:** Thank you, madam. I wonder if you could tell me, Madam President, is there any other progress E&I at repairing perhaps the Fermain Wall or the steps at the Aquarium. The Aquarium is now a year old since those broke down, the wall at Fermain is getting on for six years with a huge hole in it. Will you update me if there has been any speedy progress on this please?

**The Deputy Bailiff:** Deputy de Sausmarez, some of those questions go beyond the specific question posed by Deputy Le Tissier, so I leave it to you whether or not you can answer those questions.

**Deputy de Sausmarez:** Yes madam, those are well and truly outside of the scope of the answer I gave to Deputy Le Tissier. I invite Deputy Vermeulen to submit questions on those if he would like answers, but I am not in a position to give him the specifics he is asking for at this time.

**The Deputy Bailiff:** Thank you. Deputy Inder, you have a supplementary question?

**Deputy Inder:** It is not dissimilar to Deputy Vermeulen's but I think it is within the bounds of the question, would Deputy de Sausmarez not agree with me, given that L'Ancrese Wall has not fallen down since the prediction of 20 years ago, monies would be better spent on the slipway at the Douit du Moulin, the Fermain Wall or fixing the steps at the Cow's Horn?

**The Deputy Bailiff:** Again, Deputy de Sausmarez, that does go outwith the ruling over the question posed by Deputy Le Tissier. I leave it to you whether or not you can answer that question.

**Deputy de Sausmarez:** Yes. All I would say is that E&I is under States' Resolution to adhere to the Resolutions as directed by the Requête. I agree with Deputy Inder that all the things he has raised are important but I am afraid, call me old-fashioned, but we are under Resolution by the States and I do need to do what I can to discharge that Resolution, so those are the options I am currently looking at. I am seeking to comply with the Resolutions as directed by the States.

**The Deputy Bailiff:** Thank you, Deputy de Sausmarez. There do not appear to be any further supplementary questions, so I invite ... ah, supplementary question from Deputy Taylor.

**Deputy Taylor:** Yes, thank you, madam. Much ado is made about L'Ancrese military defences and rightly so, but it is not the only section of the Island's coastal defences with our sea or military that are in dire need of repair, as mentioned in the previous questions. My question, in a sense, to Deputy de Sausmarez, is would she give an indication, maybe on a scale of one to 10, with 10 being



the highest, of her Committee's general view, level of interest in repairing any area of our sea defences? Thank you.

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**The Deputy Bailiff:** Deputy de Sausmarez, again this is outwith the Rule 11 and can I remind Members that the purpose of the supplementary questions in relation to a Rule 11 question is in relation to the question and answer itself. But Deputy de Sausmarez, if you are able to answer that question, I leave it to you.

965

**Deputy de Sausmarez:** Yes, I agree with you, Madam Deputy Bailiff, that this is outside of the scope of the answer given to the first question. Deputy Taylor has taken a very keen interest in our coastal defence work and our coastal works in general and he knows that I am very engaged in this as well. I will just take the opportunity to reaffirm publicly that we will be bringing Deputies into that process as soon as we have got the opportunity to do so. But his specific question falls outside of the scope in this instance.

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**The Deputy Bailiff:** Deputy Oliver, you have a supplementary question.

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**Deputy Oliver:** Thank you, madam. I was just wondering. Do E&I actually think that the L'Ancrese Wall should be rebuilt or do they think money should be spent elsewhere?

**The Deputy Bailiff:** Deputy de Sausmarez and can I reiterate the Rule 11 supplementary questions are supposed to relate to the question and answer itself. They are not supposed to be general policy questions. But, for the final time, I hope, I will be asking Deputy de Sausmarez whether or not she is prepared to answer this question.

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**Deputy de Sausmarez:** Madam, I will just reiterate that E&I is under direction, by the States, to comply with a certain set of Resolutions, and that is what we are currently trying to do.

985

**The Deputy Bailiff:** Thank you. Deputy Vermeulen, you have a second supplementary question?

**Deputy Vermeulen:** Thank you, madam. Deputy de Sausmarez, I hope not to step outside of my margin here but would the team that repaired the L'Ancrese sea wall in the Vale, would that be the same team that you are perhaps considering to complete other repairs around the Island?

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**The Deputy Bailiff:** Deputy de Sausmarez, I think this is on the edge, but if you wish to answer the question you may, but I do consider this as beyond the Rule 11 specific provisions.

995

**Deputy de Sausmarez:** So do I, madam. I think I should stop oxygenating it, perhaps.

**The Deputy Bailiff:** Thank you. There do not appear to be any other supplementary questions, so therefore I shall invite Deputy Le Tissier to pose his next question.

1000

**Deputy Le Tissier:** Thank you, madam. Quite a simple one this. What has been the exact cost of the repairs to panels eight and nine? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

1005

**Deputy de Sausmarez:** Work completed on panels eight and nine has so far amounted to around £25,000.

**The Deputy Bailiff:** Are there any supplementary questions? There do not appear to be, so Deputy Le Tissier can you pose your third question please?

1010 **Deputy Le Tissier:** Thank you, madam.

**The Deputy Bailiff:** I am sorry to interrupt Deputy Le Tissier, I think Deputy Inder does wish to ask a supplementary question and I know there is a bit of delay on Chat so I will allow him. So I apologise for interrupting you. Deputy Le Tissier, would you ask your supplementary question.

1015 **Deputy Inder:** Deputy Inder, did you mean, or Deputy Le Tissier?

**The Deputy Bailiff:** I am sorry. Yes, Deputy Inder, if you would like to ask your supplementary question.

1020 **Deputy Inder:** Sorry madam. It is just in response to the last question. Just for clarification, when Deputy Lindsay de Sausmarez said that panels eight and nine, the amount spent on repairing was £25,000, that did not include the rock armour in front, did it? Can she just confirm that that is correct?

1025 **The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I am not exactly sure what that involves but I will get back to Deputy Inder with precise details. I know it involved concrete repairs but rock armour is typically more expensive.

**The Deputy Bailiff:** Thank you. Can I invite Deputy Le Tissier to pose his third question, then, please?

1035 **Deputy Le Tissier:** Thank you, madam. Would Deputy de Sausmarez tell me what priority the Committee has allocated to the recommendations in the 10-year maintenance report? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

1040 **Deputy de Sausmarez:** My Committee and its predecessor have so far successfully prioritised work to fulfil the States' Resolutions. A maintenance schedule was drawn up as soon after the debate as Public Health guidance allowed and the first phase of works to satisfy the Requête was prioritised and implemented ahead of the winter weather window. So thus far, all work has been carried out to schedule.

1045 However, my Committee cannot meaningfully prioritise the further work set out in the maintenance schedule without the funding to implement it, which is why dialogue with P&R is needed to establish whether that funding can be made available. If not, we will return to the States with a policy letter so that the Assembly can determine the appropriate approach and allocation of resources.

1050 **The Deputy Bailiff:** Are there any supplementary questions? I will just pause for a moment to allow Chat to catch up. Deputy St Pier, you have a supplementary question.

1055 **Deputy St Pier:** Sorry madam. Could Deputy de Sausmarez confirm that if, after engagement with the Policy & Resources Committee, the requisite delegated authority is to be used that she will advise Members of the Assembly so that they are fully apprised of the current position at the time?

**The Deputy Bailiff:** Deputy de Sausmarez.

1060 **Deputy de Sausmarez:** Yes, I can absolutely undertake to do what Deputy St Pier suggests.

**The Deputy Bailiff:** Are there any further supplementary questions? There does not appear to be so Deputy Le Tissier, would you kindly pose your fourth question?

1065 **Deputy Le Tissier:** Thank you, madam. Now previously the Committee *for the Environment & Infrastructure* have told members of the public – and in fact myself – that the report on the 10-year maintenance plan for the anti-tank wall would be made public. However, further inquiries see the Committee using section 2.10 of the Code of Practice to Access Public Information to deny publication. Will that end any time soon? Thank you.

1070

**The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** The Committee is keen to publish the maintenance schedule as soon as a decision over its resourcing can be made. This schedule of works is designed to give the wall the optimum chance of remaining intact for the 10-year period for which the realignment policy has been suspended, as directed by the Requête.

1075

**The Deputy Bailiff:** Are there any supplementary questions? Deputy Taylor.

1080 **Deputy Taylor:** Thank you, madam. It may be in the public domain but would Deputy de Sausmarez be able to inform us how much the condition survey and the maintenance schedule has cost to draft to date? Thank you.

**The Deputy Bailiff:** Deputy de Sausmarez.

1085

**Deputy de Sausmarez:** I do not have that information to hand, I am afraid, but I will obviously let Deputy Taylor and all other Deputies know. I will find out the answer but I am afraid I do not have that information to hand. I think it is important to stress this was not an externally commissioned report. This was an internal report done by States' Property Services engineers so how you calculate the costs of internal work, I am not sure. But I will endeavour to find out the answer. I think that is also one of the reasons why it did not quite fit in terms of public access to information, because it was an internal report, as opposed to an externally commissioned report.

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**The Deputy Bailiff:** Deputy Le Tissier, you have a supplementary question?

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**Deputy Le Tissier:** Yes I do, thank you, madam. It is just to clarify the previous reply from Deputy de Sausmarez. Are you saying that as soon as you have had your meeting with P&R and a decision has been made then that is when you will be releasing the report? Thank you.

1100 **The Deputy Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, the problem at the moment is we do not really know the status of the maintenance schedule. Because it is not funded it is not necessarily something we can implement. We do need to understand, we do need to have that kind of support in context before we are able to publish it. Because if we were to publish it before we can secure funding for it then that could potentially create confusion or certain expectations in public that may not be able to be met. So it is important that we have that support in context and we can be clear about its status when we communicate it and really, essentially, that is the only reason.

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Because we have not been able to secure funding for it, for the work that is outlined in that maintenance schedule, that is really the only reason why we are not yet in a position to publish it. The other alternative is of course, if we were to bring a policy letter to the States, because P&R choose not to use their delegated authority, then obviously I would assume that the maintenance

1110

schedule would be a part of that policy letter as well, to help inform States' Members' decision-making

1115 **The Deputy Bailiff:** Deputy Gollop, you have a supplementary question.

1120 **Deputy Gollop:** Thank you very much Madam President. Given the sensitive status of the 10-year coastal maintenance review, when the Committee does get permission for parts of it at least to be published or made public, will the Committee undertake a consultation process with the public, including maybe a public meeting or online Zoom/Teams meeting with stakeholders and interested parties?

1125 **The Deputy Bailiff:** Deputy de Sausmarez.

1130 **Deputy de Sausmarez:** It is an interesting suggestion but I do not see how that would be an appropriate way to work, given that we are under States' Resolution to maintain the wall, give the wall the optimum chance of remaining intact for 10 years while the current policy is suspended and the engineers, who are the people that understand how that is best achieved, have drawn up a maintenance schedule, I am really not sure that inviting comments from members of the public would be a particularly constructive way to approach that because we have gone to the people who understand how this work can best be done. So I am not really sure that a public consultation on the maintenance schedule is a particularly appropriate way to implement it.

1135 **The Deputy Bailiff:** Deputy Roffey, you have a supplementary question.

1140 **Deputy Roffey:** Thank you. Yes, it has become very clear that the last States instructed you, rather instructed E&I to do a job without giving them resources to do it. Rather than asking P&R to use their delegated authority, would a policy letter not be the right approach to make sure that this Assembly wants to prioritise the spending engendered by the Requête on L'Ancrese Wall or whether it has other priorities?

**The Deputy Bailiff:** Deputy de Sausmarez.

1145 **Deputy de Sausmarez:** As I have outlined in previous answers to questions if P&R choose not to use their delegated authority we will absolutely bring a policy letter to the States so the States can endorse the previous States' decision or indeed take a different approach. However, we are currently under Resolution to carry out this work and it suggested, in the Requête, that we apply for minor capital.

1150 So that is what we are in the process of doing. We think that is the appropriate first step. We do not think it would actually be appropriate to jump straight to the point where we bring a policy letter to the States. We do think we need to fulfil the particular obligation that we are currently under and approach P&R first.

1155 It is absolutely P&R's prerogative whether they choose to use their delegated authority or, for the reasons that Deputy Roffey has outlined, refuse to. But if there is anything, any other option than P&R using their delegated authority then E&I will certainly be bringing a policy letter to the States.

1160 **The Deputy Bailiff:** Deputy Vermeulen, you have a supplementary question.

**Deputy Vermeulen:** Thank you, madam. Just in relation, Deputy de Sausmarez, to your answers, do you consider the schedule to be appropriate for these current times? I am a little bit puzzled as to why you seem to be blaming P&R for delays when funding has been made available for coastal repairs. That is my understanding.

1165 **The Deputy Bailiff:** Deputy de Sausmarez, again I think we have got a question about whether this really goes to the heart of Deputy Le Tissier's questions and your responses in relation to the questions on the wall but I leave it to you to decide whether or not to respond.

**Deputy de Sausmarez:** I agree with your analysis Madam Deputy Bailiff.

1170 **The Deputy Bailiff:** Are there any further supplementary questions? It appears there are not so that brings us to the end of question time. As it is now 11.10 a.m. it seems an appropriate time to have the comfort break we agreed to take first thing this morning, so we will now have a comfort break for 10 minutes, so the States' will start again at 11.20 a.m.

*The Assembly adjourned at 11.11 a.m.  
and resumed at 11.20 a.m.*

## Billet d'État V

### APPOINTMENTS TO BE LAID BEFORE THE STATES

#### COMMITTEE FOR ECONOMIC DEVELOPMENT

**Appointment of Mr John Curran as an Ordinary Member  
to the Office of Financial Services Ombudsman;  
Appointment of Ms Caroline Chan as Ordinary Member of the  
Guernsey Competition and Regulatory Authority**

1175 **The Deputy Bailiff:** I will now invite the States' Greffier to read out the appointments laid before the States.

1180 **The States' Greffier:** The following appointments are laid before the States. The Committee for Economic Development, the appointment of an Ordinary Member of the Office of the Financial Services Ombudsman; and the Committee for Economic Development, the appointment of an Ordinary Member of the Guernsey Competition Regulatory Authority.

**LEGISLATION LAID BEFORE THE STATES**

**The Income Tax (Residence) (Amendment) (Guernsey) Ordinance, 2020;**  
**The European Communities (Coronavirus Vaccine) (Immunity from Civil Liability)**  
**(Guernsey) Ordinance, 2020;**  
**The Income Tax (Surcharges) (Amendment) (Guernsey) Ordinance, 2020;**  
**The International Trade Agreements (General Implementation) (Bailiwick of Guernsey)**  
**Ordinance, 2020;**  
**The World Trade Organisation (Privileges and Immunities) (Bailiwick of Guernsey)**  
**Ordinance, 2020;**  
**The Competition (Vertical Arrangements Block Exemption) (Guernsey) Regulations, 2020;**  
**The Financial Services Commission (Fees) Regulations, 2020;**  
**The Boarding Permit Fees (No. 2) Order, 2020;**  
**The Haiti (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey) Regulations, 2020;**  
**The Libya (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey) Regulations, 2020;**  
**The Former Yugoslavia (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey)**  
**Regulations, 2020;**  
**The Customs and Excise (Import) (Customs Declarations) Regulations, 2020;**  
**The Customs and Excise (Special Customs Procedures) (Bailiwick of Guernsey)**  
**Regulations, 2020;**  
**The Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment)**  
**Order, 2020;**  
**The Fire Services (Fees and Charges) (Guernsey) Regulations, 2020;**  
**The Customs (Temporary Admission Procedures) (Bailiwick of Guernsey) Regulations, 2020;**  
**The Health Service (Payment of Authorise Appliance Suppliers) (Amendment)**  
**Regulations, 2020;**  
**The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2020;**  
**The Customs and Excise (Approved Ports and Customs Declarations) (Revocation)**  
**Regulations, 2020;**  
**The Customs and Excise (Import) (Customs Declarations) (Amendment) Regulations, 2020;**  
**The Data Protection (General Provisions) (Bailiwick of Guernsey) (Amendment No. 3)**  
**Regulations, 2020;**  
**The Customs and Excise (Customs Export Declarations) Regulations, 2020;**  
**The Income Tax (Standard Charge) (Amendment) Regulations, 2020**

**The States' Greffier:** The following legislation is laid before the States: The Income Tax (Residence) (Amendment) (Guernsey) Ordinance, 2020; The European Communities (Coronavirus Vaccine) (Immunity from Civil Liability) (Guernsey) Ordinance, 2020; The Income Tax (Surcharges) (Amendment) (Guernsey) Ordinance, 2020; The International Trade Agreements (General Implementation) (Bailiwick of Guernsey) Ordinance, 2020; The World Trade Organization (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2020; The Competition (Vertical Arrangements Block Exemption) (Guernsey) Regulations, 2020; The Financial Services Commission (Fees) Regulations, 2020; The Boarding Permit Fees (No. 2) Order, 2020; The Haiti (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey) Regulations, 2020; The Libya (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey) Regulations, 2020; The Former Yugoslavia (Sanctions) (Prohibition of Claims) (Bailiwick of Guernsey) Regulations, 2020.

The Customs and Excise (Import) (Customs Declarations) Regulations, 2020; The Customs and Excise (Special Customs Procedures) (Bailiwick of Guernsey) Regulations, 2020; The Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment) Order, 2020; The Fire Services (Fees and Charges) (Guernsey) Regulations, 2020; The Customs (Temporary Admission Procedures) (Bailiwick of Guernsey) Regulations, 2020; The Health Service (Payment of Authorise Appliance Suppliers) (Amendment) Regulations, 2020; The Health Service (Payment of Authorised Suppliers)

1200 (Amendment) Regulations, 2020; The Customs and Excise (Approved Ports and Customs  
Declarations) (Revocation) Regulations, 2020; The Customs and Excise (Import) (Customs  
Declarations) (Amendment) Regulations, 2020; The Data Protection (General Provisions) (Bailiwick  
of Guernsey) (Amendment No. 3) Regulations, 2020; The Customs and Excise (Customs Export  
Declarations) Regulations, 2020; The Income Tax (Standard Charge) (Amendment) Regulations,  
2020.

1205 **The Deputy Bailiff:** Thank you, Greffier. There are no motions to annul. so we will move onto  
the legislation that has been put before the States.

## LEGISLATION FOR APPROVAL

### POLICY & RESOURCES COMMITTEE

#### I. The Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021 – Proposition carried

*Article I.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Projet de Loi entitled "The Health Service  
Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021", and to authorise the  
Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.*

**The States' Greffier:** Article I. Policy & Resources Committee – the Health Service Benefit  
(Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021.

1210 **The Deputy Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Thank you, madam. I do not propose adding anything to the explanatory  
note, but I am able to deal with questions.

1215 **The Deputy Bailiff:** It is now open to general debate, does anybody wish to speak? I will just  
pause for a few moments to ensure that the Chat function ... No, it appears that nobody wishes to  
debate the motion. Therefore there is request for this matter to be a recorded vote and therefore  
we will vote by the Chat function so I can ask for the Members to now vote on the Proposition put  
1220 forward by Deputy Ferbrache by indicating on their Chat function?

*Members voted Pour.*

**The Deputy Bailiff:** Thank you. I declare that Proposition duly carried. I think there are still some  
votes coming in but nevertheless that Proposition is duly carried.

Let us move onto the next Proposition please, Greffier.

**COMMITTEE FOR HOME AFFAIRS**

**II. The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021 –  
Proposition carried**

*Article II.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Projet de Loi entitled "The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.*

1225 **The States' Greffier:** Article II. The Committee for Home Affairs – the Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021.

**The Deputy Bailiff:** Deputy Prow.

1230 **Deputy Prow:** Thank you, Madam Deputy Bailiff. In January 2020, in the last term, the States approved a policy letter entitled 'Police Support for Alderney and Sark'. This policy letter related to the proposed amendment to the Police Force (Guernsey) Law of 1986, to extend the current Law that already permits police officers from the UK and Jersey to temporarily undertake duties in Guernsey to cover the Islands of Alderney and Sark.

1235 The ordinance presented to the Assembly today formalises the States' decision in amending the 1986 Law. This ordinance will ensure that Alderney and Sark can benefit from the additional support of the UK and Jersey police officers when this is required in addition to that provided by the local police force. For example, to support critical incidents, major investigations or royal visits. This amendment ordinance does not change the requirement that all police officers coming to the  
1240 Bailiwick to assist in the policing duties will require approval of the Bailiff following application from the Committee for Home Affairs.

Once authorised, the visiting officers come under the direct command of the Chief Officer of the Island Police Force and are subject to the authority and jurisdiction of Guernsey courts. Madam I would therefore ask this Assembly to approve this ordinance. Thank you, madam.

1245 **The Deputy Bailiff:** Thank you, Deputy Prow. Does anybody wish to speak in general debate? I will just give you a few moments longer to indicate on the Chat function if you do wish to speak. It would appear that nobody wishes to speak in general debate so we will put the Proposition before the States and I should be grateful if you could now indicate in the Chat function whether or not  
1250 you support the Police Force (Bailiwick of Guernsey) (Amendment) Law, as put forward by Deputy Prow.

*Members voted Pour.*

**The Deputy Bailiff:** Again I can confirm that that Proposition is carried. Thank you. The votes are still coming in but nevertheless it is still so far unanimous. That Proposition is carried.



**POLICY & RESOURCES COMMITTEE**

**III. The Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2021 –  
Proposition carried**

*Article III.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.*

1255 **The Deputy Greffier:** I now turn again to Deputy Ferbrache after the States' Greffier has introduced the next Proposition.

**The States' Greffier:** Article III, the Policy & Resources Committee – The Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2021.

1260 **Deputy Ferbrache:** Again, madam, nothing to add to the explanatory note.

**The Deputy Bailiff:** Does anybody wish to speak to this in general debate?

1265 **Deputy Dyke:** Yes, madam, could I speak briefly?

**The Deputy Bailiff:** Deputy Dyke is that you? (**Deputy Dyke:** Yes.) Yes, certainly Deputy Dyke, if you wish to, speak now.

1270 **Deputy Dyke:** Thank you, madam. I am slightly nervous about this amendment Ordinance. It appears to extend the powers of our Director of Income Tax to disclose taxpayer information from the people of Guernsey or relating to tax information it has on the people of Guernsey to foreign countries, effectively on a fishing expedition, not in respect necessarily of proceedings ongoing but in terms of fishing around for something to go on. I have in mind in particular paragraph four of the proposed amendment, which I find slightly worrying and chilling and I wonder if we should not  
1275 look at this again with a view to considering how far we are going on this sort of thing?

**The Deputy Bailiff:** Is that everything you wanted to say, Deputy Dyke?

1280 **Deputy Dyke:** That is all I wanted to say, yes.

**The Deputy Bailiff:** Thank you. Does anybody else wish to contribute towards general debate? We will just pause for a few moments just to see. It would appear not. Deputy Ferbrache do you wish to respond?

1285 **Deputy Ferbrache:** Very briefly, madam. It has been through, it refers in the explanatory note, which I will read says that this particular Ordinance modifies the powers of the Director of Revenue Service, or Income Tax, as Deputy Dyke has called that person, and other specified people to ...

... disclose information to police and customs officers for the purposes of civil forfeiture and to take account of ... amendments to the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007.

1290 So it does no more than that and it talks about, he referred to paragraph four of the Ordinance, which refers to an amendment after section 8(2)(da) to insert the provision they have got to initiate or bring to an end any such investigation or proceedings or facilitate a determination of whether any such investigation or proceeding should be initiated or brought to an end. So madam it is just

adding to those powers in conformity with our obligations under international law, good practice etc.

1295 Of course therefore I have dealt with Deputy Dyke's response but can I commend him and anybody else that if, on amendments such as these, they have any particular concerns, because these are published well in advance, that they take the opportunity of contacting the Committee well in advance so that those points can be dealt with more fully.

1300 That would be much more helpful than, of course, the way that Deputy Dyke is perfectly entitled to exercise his democratic right but also with every right there is duty and the duty in this particular circumstance, I would respectfully say, would have been for him to contact us in advance. But I have nothing more to add.

1305 **The Deputy Bailiff:** Thank you. In that case we will put the Proposition before the States in relation to The Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2021. Would you kindly indicate your vote on the Chat function?

*Members voted Pour.*

**The Deputy Bailiff:** That Proposition is passed.

#### COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

##### IV. The Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021 – Proposition carried

*Article IV.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Social Insurance (States Pension) (Amendment) (Guernsey) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.*

**The Deputy Bailiff:** I turn now to Deputy Roffey, on behalf of the Committee for Employment & Social Security, after the States' Greffier has introduced the Proposition.

1310 **The States' Greffier:** Article IV. The Committee for Employment & Social Security – the Social Insurance (States' Pension) (Amendment) (Guernsey) Ordinance, 2021.

1315 **Deputy Roffey:** This is a straight change of name of the scheme from Old Age Pension to States' Pension. I have to say, as somebody that is getting on in years myself now, I do not see particularly the pejorative nature of old age but I think some people do, particularly those people in their 60's and early 70's, perhaps, who are in receipt of the pension who feel that it might be a slightly pejorative term. So the last Assembly decided that it was better to change it to States' Pension and this is simply implementing that decision.

1320 **The Deputy Bailiff:** Thank you, Deputy Roffey. Does anybody wish to contribute to general debate on this Proposition? It would appear that this is not a matter which anyone wishes to debate and therefore I will put to the Members to indicate in the Chat function whether or not they support this Proposition. Thank you.

*Members voted Pour.*

**The Deputy Bailiff:** I declare that Proposition is passed. States' Greffier.

## Billet d'État VII

### CIVIL CONTINGENCIES AUTHORITY

**I. The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 2)  
(Bailiwick of Guernsey) Regulations, 2021 and  
the Emergency Powers (Coronavirus) (General Provision)  
(Bailiwick of Guernsey) (No. 2) Regulations, 2021, as amended –  
Propositions carried**

*Article I.*

*The States are asked to decide:-*

*Whether, after consideration of the Policy Letter entitled "The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 2) (Bailiwick of Guernsey) Regulations, 2021 and the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021, as amended" dated 15th February 2021 they are of the opinion:-*

- 1. To approve the "Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 2) (Bailiwick of Guernsey) Regulations, 2021", made by the Civil Contingencies Authority on 5th February 2021;*
- 2. To approve the "Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations, 2021", made by the Civil Contingencies Authority on 5th February 2021; and*
- 3. To approve the "Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) (Amendment) Regulations, 2021", made by the Civil Contingencies Authority on 11th February 2021.*

1325 **The States' Greffier:** Billet d'État VII – Article I – The Civil Contingencies Authority – The Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 2) (Bailiwick of Guernsey) Regulations, 2021; and the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 2) Regulations 2021, as amended.

1330 **The Deputy Bailiff:** Deputy Ferbrache.

1335 **Deputy Ferbrache:** Thank you very much madam. Normally, but sadly because of the pressure of time, these are brought under Rule 18 – Emergency Propositions. But because there was the gap in time, the Presiding Officer rightly said that a policy letter should be submitted – and it has. It is self-explanatory. It seeks the approval of the three Regulations that the States' Greffier has read out and which are further detailed on the substantive page one of Billet VII. I have nothing further to add.

1340 **The Deputy Bailiff:** Thank you, Deputy Ferbrache. Does anybody wish to contribute to general debate on this Proposition? Deputy Queripel.

1345 **Deputy Queripel:** Thank you, madam. Before I decide on which way to vote on Proposition 1 I would like clarification on a couple of the points, please. As we are told on page four of the Instrument itself, damages of costs of up to a maximum of £120,000 in respect of death or personal injury suffered by any one person receiving the vaccine, I have two questions in relation to that.

The first being what criteria did the CCA employ to determine a person's life must only be worth a mere £120,000 and the second being what will happen to the person who administers the vaccine, if someone should die or suffer from that administration of the vaccine? Will they be permitted to carry on operating and practising in their profession? That is all, madam. Thank you.

**The Deputy Bailiff:** Thank you. Deputy Gollop.

**Deputy Gollop:** Thank you, Madam Deputy President. The last speech was shorter than I thought it would be. I too would like to perhaps understand more of the context because I was concerned from a legislative point of view that we could be implementing future legal actions that hopefully will not be justified but could be and I am always wary, when we exclude liability from members of the public who might wish to seek redress.

But I think, on a broader level, we also need to know why, perhaps, these Resolutions before us today do not include additional items such as the now mandatory Rule of wearing masks in public places and evolutions of CCA requirements, because I think many of us are concerned that Guernsey may be going in a different direction from England or Scotland or Jersey and so we wish to see at some point, when hopefully the virus gets much lesser in our society, a harmonisation so it will be easier for business and travellers to move between jurisdictions, rather than have 10 days here, 13 days there and so on.

So I would also like reassurance that the CCA are taking on board those concerns and maybe, if both Guernsey and Jersey reach zero any time soon with active cases, we could consider a travel bubble between us and Jersey, assuming they have similar tight and safe and careful border restrictions. Thanking you madam.

**The Deputy Bailiff:** Before I turn back to Deputy Ferbrache is there anybody else who wishes to contribute towards general debate? I am just pausing for slightly longer. It would appear not.

Ah, sorry, Deputy de Lisle wishes to contribute towards general debate.

**Deputy de Lisle:** Yes, I just wanted to bring up the fact that there is a fixed penalty notice with regard to masks, or not wearing such. It just seems to me that having a fixed penalty of that nature may be abused, actually, in certain cases, or may be taken out of context, with respect to perhaps some people that are forgetful at the time or have reasons for not wearing the masks and find themselves with a fixed penalty. I am just wondering what precautions might be brought in there and whether in fact we should be looking at £100 fine.

**The Deputy Bailiff:** Thank you, Deputy de Lisle. There does not appear to be anybody who wishes to contribute towards debate, so I invite you to reply, Deputy Ferbrache.

**Deputy Ferbrache:** Thank you very much, madam. Dealing in the order that they were asked, he said a 'mere' £120,000 for somebody's life. Somebody's life is precious. It would not matter if you got £120 million for it. The States is here covering, and it is a continuation, covering the temporary position between when a vaccine is received as in like temporary permission and before it receives full permission. That is the idea and that is the position in relation to it because otherwise the States' insurers will not cover it. That is the reason for implementing this Regulation in the first place. But for Deputy Queripel to say a mere £120,000 the value of somebody's life, nobody puts that on it and I think that is a regrettable comment.

He also said what happens to the person who administers it. Well, if they have administered a vaccine in good faith and proficiently and, for some sad reason, that turns out to have contributed to somebody's death or illness, and it was not licensed and therefore not covered by an insurance policy, that person has done absolutely nothing wrong. So I am not quite sure what Deputy Queripel is concerned with. But if somebody is negligent that is a different matter, but his concern or his question seemed to be much wider than that.

Deputy Gollop, why not include something about face masks. Well, we do, because if you look at the overall Regulations they do and indeed that led on to the question, which I will come to in a moment or two, from Deputy de Lisle. Of course harmonisation with the UK. We are doing what is best for Guernsey and if we had not had the travel and border restrictions that have been in place

for, now, some time, to protect the Bailiwick of Guernsey, and we had dealt with it in the way the UK had dealt with it in the past, we would have a much more substantial problem.

As for travel bubbles, of course, as soon as it is safe to do so, we would have travel bubbles. It may be with Jersey, it may be with the Isle of Man. That is a matter that is under consideration, not only today and tomorrow, but for the foreseeable future, whilst we are still in this pandemic.

Deputy de Lisle said fixed penalty could be abused. I was not sure which way he was talking about, whether we should be doing a more severe penalty, because £100 is, as I understand it, the highest level of fixed penalty, so whether we should get rid of fixed penalty and prosecute people, or whether he was saying it could have been taken out of context for not wearing a face mask.

Well, if you do not wear a face mask, you do not have to if you have some kind of exemption and there are many people who have those kinds of exemptions. You have got to wear one unless you have got good cause in a closed space in public, for example supermarkets, taxis, on the bus etc. We think that is proportionate. We have received advice from the Law Officers that is proportionate and we will continue to do the best that we think is necessary for the public of the Bailiwick. Madam, I have nothing further to add. Thank you very much.

**The Deputy Bailiff:** Thank you, Deputy Ferbrache. Therefore I invite Members to vote on the most recent iteration of the Emergency Powers Regulations as contained in the Propositions and indicate on their Chat function whether they support the Propositions or do not support the Propositions.

*Members voted Pour.*

**The Deputy Bailiff:** The Proposition is passed. Thank you, Deputy Ferbrache.

**Deputy Ferbrache:** Thank you, madam.

## Billet d'État V

### DEVELOPMENT & PLANNING AUTHORITY

#### **V. Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation – Propositions carried as amended**

*Article V.*

*The States are asked to decide:-*

*Whether, after consideration of the "Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation" policy letter dated 11th January 2021 they are of the opinion:-*

*1. To agree that -*

*(a) a change of use of visitor accommodation from a use within use class 7 or 8 of the Land Planning and Development (Use Classes) Ordinance, 2017 to a use within residential use classes 1, 2 or 5 in that Ordinance, which took place or will take place between the 25th March, 2020 and the 31st December, 2021 inclusive, is temporarily exempted from the requirement for planning permission subject to specified conditions being met including that the use reverts back to its previous lawful visitor accommodation use prior to 25<sup>th</sup> March, 2020 by the 31st January 2022, and*

*(b) a change of use back to the lawful visitor accommodation use prior to the 25th March 2020, in compliance with the proposed exemption in paragraph (a), is also exempted from the requirement for planning permission,*

*as set out in paragraphs 6.1 to 6.6 of the policy letter.*

*2. To agree that the planning legislation is modified so that the period during which the temporary exemption runs, for certain changes of use of visitor accommodation, is disregarded for the purpose of calculating the period within which a planning compliance notice may be issued, where there is a breach of planning control, as set out in paragraph 6.7 and 6.8 of the policy letter.*

*3. To agree that an owner or occupier of non-serviced visitor accommodation which is being used legally as a winter let between November and March in a twelve month period must notify the Development & Planning Authority in writing of the commencement of such use within 21 days of the use first occurring in each winter let period as set out in paragraphs 6.9 and 6.10 of the policy letter.*

*4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.*

1425 **The Deputy Bailiff:** Can I turn now to Deputy Oliver once the States' Greffier has read the next Proposition?

1430 **The States' Greffier:** Billet d'État V. Article V. Development & Planning Authority – the Temporary Exemption from Requirement for Planning Permissions for Certain Changes of Use of Visitor Accommodation.

**Deputy Oliver:** Thank you, madam. I am going to turn my video off if you do not mind because I think my internet connection is quite ...

1435 **The States' Greffier:** Yes, even in that short sentence there some of your words were missed, unfortunately, Deputy Oliver. You have a technical amendment. Do you wish to move the amendment first?

**Deputy Oliver:** Yes please.

[Amendment](#)

*1. To amend Propositions 1, 2 and 3 as follows:*

*(a) in Proposition 1 for 'paragraphs 6.1 to 6.6' substitute 'paragraph 6';*

*(b) in Proposition 2 for 'paragraph 6.7 and 6.8' substitute 'paragraph 7';*

*(c) in Proposition 3 for 'paragraphs 6.9 and 6.10' substitute 'paragraph 8'.*

**The Deputy Bailiff:** States' Greffier, if you would not mind reading out the amendment?

*The States' Greffier read out the amendment.*

1440 **The Deputy Bailiff:** Thank you. Deputy Oliver.

**Deputy Oliver:** Thank you. That is just a technical amendment sorting out the numbering. With the main body, the Development & Planning Authority have brought this policy letter –

1445 **The Deputy Bailiff:** Sorry to interrupt Deputy Oliver but can Deputy Taylor formally second the amendment?

**Deputy Oliver:** Sorry, madam.

1450 **Deputy Taylor:** Seconded. Thank you.

**The Deputy Bailiff:** Thank you. In that case we should formally vote on the amendment, as Deputy Oliver has briefly described it is basically a technical amendment changing some numbering in relation to the Proposition, which she shall address us on very shortly, so I would be grateful if  
1455 you indicate in your Chat function whether or not you support the amendment sought by Deputy Oliver and seconded by Deputy Taylor, changing the numbers.

*Members voted Pour.*

**The Deputy Bailiff:** Thank you. I can confirm that in relation to the amendment that is passed and I will now ask Deputy Oliver to address the Members on the main Proposition.

1460 **Deputy Oliver:** Thank you, madam. The Development & Planning Authority have brought this policy letter before the Assembly today in order to help the visitor accommodation sector respond to the difficult issues it currently faces as a result of the ongoing Covid-19 pandemic. The Authority's proposals, as explained in the policy letter, are principally to create a temporary exemption for the need of planning permission on changes of use both to serviced and non-serviced visitor  
1465 accommodation, to certain residential uses, until the end of 2021.

This proposed measure responds directly to the request from the Guernsey Hospitality Association to extend the traditional winter let period for the whole of 2021 and is supported by the Association and by the Committee for Economic Development. The Authority is keen to support the owners of visitor accommodation throughout 2021 tourist season to assist them in managing  
1470 their use of premises more flexibly in relation to offering it to those seeking temporary accommodation in a hotel, guest house, or self-catering unit.

The Authority, however, agrees with the Committee for Economic Development that it is important to ensure any relaxation of these requirements to obtain planning permission for change of use to visitor accommodation should be a temporary measure and only linked to the coronavirus.

1475 The Authority has already exercised flexibility in this respect through previously agreeing to a policy that enforcement action would not be taken against change of use and this policy will remain in place until the end of March. However, given the ongoing issues and the timescales involved, there is now a need to make a provision within planning legislation, to give the necessary legal clarity to visitor accommodation providers and the Authority.

1480 The Authority's proposal will allow serviced or non-serviced visitor accommodation establishments and these are falling within user classes seven and eight to be lawfully used as a dwelling house or flat, including part business purposes. These falling in user classes one, two and five, providing that the change of use occurs between 25th March 2020 and 31st December 2021, without the need for planning permission. This will be on condition that the premises revert back  
1485 to the visitor accommodation use existing prior to 25th March 2020 by 31st January 2022, so they are not lost to our visitor accommodation sector in the long-term and the stock of visitor accommodation is retained.

There will also be a requirement to notify the Authority of the date of change of use to retain the proper control and oversight. Other matters which the Authority asks the Assembly to note in  
1490 relation to this policy letter are, firstly, that it is intended that the period of temporary change of use to be disregarded for the purposes of calculating the period in which planning compliance notice may be issued. The planning period will therefore not count towards the establishment of an alternative lawful use, so avoiding any unintended loss of visitor accommodation by this possible route.

1495 Secondly, that there will be a requirement for non-serviced accommodation establishments to notify the Authority when undertaking winter lets, as allowed within the user class. For consistency, in order that the Authority is aware of this use, we are asking them to notify the Authority. I can

assure you that this will be straight-forward and easy to administer both for the establishment and the Authority. It will not be onerous in the least.

1500 In the interest of speed, an Ordinance has already been drafted and considered by the Legislation Review Panel. It is intended that the Ordinance be presented to the States for approval in March, with a view to coming into effect on 1st April. In the unfortunate event that these provisions need to be extended for a further period, the DPA will bring a further short policy letter to the States at the appropriate time.

1505 Madam, the Authority asks the Assembly to support the policy letter and the Propositions. This is an important measure for supporting the visitor economy during this very difficult time and one which the DPA is very pleased to be able to facilitate. Thank you.

**The Deputy Bailiff:** Thank you, Deputy Oliver. Before I open to general debate, Deputy Inder has declared an interest, so I formally note that. Does anybody wish to speak in general debate? Deputy Gollop.

**Deputy Gollop:** Hello?

1515 **The Deputy Bailiff:** Deputy Gollop do you wish to speak in general debate?

**Deputy Gollop:** Yes, thank you very much madam. I had a time delay there with my Chat. I congratulate and support Deputy Oliver and her new team in making their maiden policy letter with this sensible and pragmatic response and I am sure it will achieve quite a few solutions hitting the nails on the head as it were, two birds with one stone, because it will both support the hospitality sector and maybe provide accommodation for persons who might not wish to live in particular family circumstances for health or other reasons.

1520 It raises a number of broader issues, though. We heard, perhaps yesterday or the day before, from the Prime Minister of the United Kingdom that Easter holidays are probably a no go area really but the tourism sector may be getting back to normal by the end of the mid-summer, that is to say the end of June.

1530 But it does therefore indicate, especially as Deputy Ferbrache has rightly reminded us, that Guernsey has followed a very onerous border regime which has contributed to our health and wellbeing and our safety but it is unlikely, from what we hear in England, that we will see mass tourism from the UK return in April, May or June, possibly a lot later. So this is clearly a wise move.

But there has proved to be, in some respects, a housing shortage during the lockdown period. Rents have been rising, the population may have risen by 500 people, students and people of the Guernsey diaspora returned to the Island, and clearly, that is an issue that we have to take on board for a wider policy concern.

1535 Now, I can believe and we have looked at this at the Legislation Panel, that the proposals from the Development & Planning Authority allow not just perhaps self-catering accommodation but maybe visitor accommodation but maybe hotels as well. Of course there could be social or Public Health issues if large numbers of people were living independently in hotel rooms rather than living in more normal flats or housing and hopefully Economic Development and Planning will be aware of any issues or anomalies that might occur as a result of that.

1540 On the other hand, to be optimistic, should our visitor sector return to near normal by, say, July, then it seems perhaps relatively inflexible that the arrangements that have been outlined will continue until December 31st of this year, or effectively January 31st of 2022 for implementation. I am perhaps surprised by the vehicle used in this respect of this particular policy letter approach because I would have thought, maybe, a Statutory Instrument or discretionary use of powers by the Planning Authority was more appropriate.

Admittedly, this gives a degree of certainty for the sector for the year but we would not wish to see a shortage of visitor accommodation arising in July and August and September, which might disadvantage, perhaps for example, the transport part of our hospitality sector, whether it be



1550 coaches, shipping travel agents, aviation or whatever who find that there would be pent up demand for coming to Guernsey for holidays but virtually no accommodation available because it was being occupied by our local residents.

1555 So I would ask a degree of pragmatic sensitivity in the administration of this, because we would not want to see unforeseen consequences to either our society or our economy and I think there is a bigger question that this States will have to grapple with about the flexibility or otherwise in allowing new visitor accommodation to emerge and change of use of outmoded or uneconomic visitor accommodation, which of course raises an ancillary point that some visitor accommodation might be uneconomic at present but would suddenly have a boost to its sustainability by being able to admit local residents as a substitute for visitors from outside the Island. So again, that might  
1560 need to be considered. Thanking you very much.

**The Deputy Bailiff:** Thank you, Deputy Gollop. Deputy Inder.

**Deputy Inder:** Only briefly, madam. In short, Deputy Gollop has said most of what I was going  
1565 to say because the other benefits are of course relieving the rental market and I think it should be noted that in Lockdown One, something like this was already in place. It is an extension of that. It is being done more formally by policy letter and, to a great relief, the self-catering sector certainly assisted key workers, assisted returning people to self-isolate so it should be welcome and I am of course grateful for the DPA for bringing this policy letter because it is a good thing to have on a  
1570 number of levels.

Just briefly I just wanted to touch on something Deputy Gollop said. Yes, I suppose he has identified a potential risk, given what he has gleaned from what is coming out of the UK but what is coming out of the UK is slightly different to what is happening in Guernsey. For the summer period it is, by all accounts, looks like if England comes out of its lockdown and heads towards  
1575 something that looks like normality, their staycation campaigns are very much internal and it is fact that most of the self-catering accommodation is full up already because people are really looking forward to getting out of this misery that they have all been in in much greater extent than we necessarily have.

However, that is not the same in Guernsey. Forward bookings are very low indeed and there is  
1580 a lot of, 'we are interested in booking but please can you assure is if we cannot come over we can have our money back'. The reality is there is great distance between what the UK can do within its internal economy and move 60 million people around its own economy and its staycation campaign and what can be done in Guernsey.

Without having a business tunnel or a tourism tunnel to the UK, I am afraid right now it is not  
1585 looking like we are going to have much of a summer. So although I accept Deputy Gollop's potential risk to a degree, I do not accept it to the degree that he has stated and I think, with the greatest respect, he has over-stated that. Thank you.

**The Deputy Bailiff:** Thank you, Deputy Inder. Does anybody else wish to contribute to general  
1590 debate? Just give it a moment longer. Deputy Queripel.

**Deputy Queripel:** Madam, thank you. I just want to put on record, I commend the DPA for laying  
1595 this policy letter in front of the States. I also commend them for their alacrity in doing so. This is much-needed, which is why I wanted to put my respect for the DPA for realising that and for the awareness and once again their alacrity. Thank you, madam.

**The Deputy Bailiff:** Thank you, Deputy Queripel. Deputy de Lisle.

**Deputy de Lisle:** Yes, thank you, madam. Just with regard to 6.3 in the policy letter with respect  
1600 to winter lets and their extension, I notice that the owner or occupier has to notify the Authority in writing of the date of the change of use first occurred within a specific time. Does that mean that

for a person with more than one winter let, for example, that one notification of all would suffice under this policy of 6.3(c)? Thank you.

1605       **The Deputy Bailiff:** Thank you, Deputy de Lisle. Does anybody else wish to contribute to general debate on this matter? No. In that case, I turn back to you Deputy Oliver to reply.

1610       **Deputy Oliver:** Thank you, madam. If I start in reverse order for Deputy de Lisle, 6.3(c). It is meant to be very easy and it is just to allow the Authority to know what is happening to these units. I will have to ask whether people can do it in bulk but I imagine that it will be done singly but I will come back to Deputy de Lisle on that point. It is just a simple form that they just need to fill out.

1615       I would like to thank Deputy Queripel for his comments and I think Deputy Inder basically answered Deputy Gollop's questions that he had. But one of them was that potentially the visitor accommodation actually needs to be able to change use to forward there. We are waiting for Economic Development to produce a visitors' accommodation report and as soon as we have got that visitors accommodation we can actually look at whether many of the hotels still need to be within a two-year period if they want to get out. But that very much depends on what Economic Development says.

1620       In regards to potentially missing the tourist season, I think that it will not just be suddenly one day we wake up and we have our tourist season back, it will be a gradual trickle that will come back and I think that, as with anything, people will either sign up to a full 12 months for that winter let or they will be on a rolling monthly basis. If they are on a rolling monthly basis I know that some of the visitor accommodation have already said that they can have it up to June/July but then after that they are expecting them to move somewhere else.

1625       I think it very much depends on each visitor accommodation and what they are planning but I do not see that as a problem with this policy letter and I just hope that people will vote for it. Thank you.

1630       **The Deputy Bailiff:** Thank you, Deputy Oliver. I would now be grateful if Members would indicate whether or not they support or otherwise the Propositions put forward by the Development & Planning Authority in relation to the Temporary Exemption Requirement so please indicate on Chat now.

*Members voted Pour.*

**The Deputy Bailiff:** That Proposition is passed. Thank you.

**POLICY & RESOURCES COMMITTEE**

**VI. Schedule for Future States' Business –  
Approved**

1635

*Article VI.*

*The States are asked to decide:- Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Meeting of the 24th March 2021 and subsequent States' Meetings, they are of the opinion to approve the Schedule.*

**STATES OF DELIBERATION SCHEDULE for FUTURE STATES' BUSINESS**

*(For consideration at the Ordinary Meeting of the States commencing on the 24th February 2021)*

*Items for Ordinary Meeting of the States commencing on the 24th March 2021*

*(a) communications by the Presiding Officer including in memoriam tributes;*

*(b) statements;*

*(c) questions;*

*(d) elections and appointments;*

*P.2021/16 – Committee for the Environment & Infrastructure – Planning Panel – The re-election of members of the Planning Panel and to rescind Resolution 5 of Billet d'État VI of 2015*

*P.2021/20 – Committee for Home Affairs – Police Complaints Commission: Notification of Resignation and Reappointment propositions*

*P.2021/22 – Presiding Officer – Election of two Non-States Members of the States' Trading Supervisory Board*

*(e) motions to debate an appendix report (1st stage);*

*(f) articles adjourned or deferred from previous Meetings of the States;*

*(g) all other types of business not otherwise named;*

*The Income Support (Implementation) (Amendment) (No.2) Ordinance, 2021*

*No. 80 of 2020 – The LLPs (Annual Validation) Regulations, 2020*

*No. 81 of 2020 – The Companies (Annual Validation) Regulations, 2020*

*No. 82 of 2020 – The Limited Partnerships (Annual Validation) (Amendment) Regulations, 2020*

*No. 83 of 2020 – The Foundations (Annual Renewal) (Amendment) Regulations, 2020*

*No. 111 of 2020 – The Companies (Annual Validation) (No. 2) Regulations, 2020*

*No. 126 of 2020 – The Companies (Registrar) (Fees and Penalties) Regulations, 2020*

*No. 151 of 2020 – The Immigration and Social Security Co-ordination (EU Withdrawal) (Bailiwick of Guernsey) Regulations, 2020*

*No. 14 of 2021 – The Immigration (Bailiwick of Guernsey) (Amendment) Rules 2021*

*P.2021/11 – The Income Tax (Charitable Donations) (Guernsey) (Amendment) Ordinance, 2021\**

*P.2021/12 – The Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021\**

*P.2021/13 – The Copyright (Bailiwick of Guernsey) (Amendment) Ordinance, 2021\**

*P.2021/14 – States' Trading Supervisory Board – States' Trading Supervisory Board - Succession Planning\**

*P.2021/18 – Committee for Economic Development – Control of the first sale and purchase of fish and shellfish landed in Guernsey\**

*P.2021/8 – Committee for Economic Development – Introduction of Limited Liability Companies Legislation\**

*P.2021/15 – Committee for Employment & Social Security – Implementation of approved rate of Long-term Care co-payment\**

*P.2021/17 – Policy & Resources Committee and Committee for Employment & Social Security – Improving the Governance of the States of Guernsey's Investment Funds\**

*P.2021/19 – Policy & Resources Committee and Committee for Home Affairs – The Future Governance and Operation of the Seized Asset Fund\**

*Amendments to the proposed meeting dates and order are permitted only for those items marked with an \**

*Items for Special Meeting of the States commencing on the 17th March 2021  
P.2021/21 – Government Work Plan – stage 1*

*Ordinary Meeting of the States commencing on the 26th May 2021 (N.B. A Meeting of the States of Election will be convened for this date prior to the meeting of the States of Deliberation.)*

*Items for Special Meeting of the States commencing on the 16th June 2021  
P.2021/xx – States' Accounts*

*Items for Special Meeting of the States commencing on the 29th September 2021  
P.2021/xx – Policy & Resource Plan*

*Items for Special Meeting of the States commencing on the 2nd November 2021  
P.2021/xx – States' Budget*

**The Deputy Bailiff:** I now turn back to Deputy Ferbrache in relation to the Schedule for future States' Business.

1640 **Deputy Ferbrache:** Thank you, madam. I have really nothing to add to the Schedule and ask the States to approve it.

**The Deputy Bailiff:** Members, please indicate in your Chat function whether or not you support or otherwise the Schedule for Future States' Business. Thank you.

*Members voted Pour.*

1645 **The Deputy Bailiff:** I confirm that that Proposition is passed.  
That therefore brings us to the end of the business for this Meeting of the States of Deliberation. Can I just say, before I ask the States' Greffier to close this session, that some of you will be attending a virtual CPA seminar with the natty title 'CPA BIMR Covid-19, Isle of Man: Borders, Travel and Tourism', so please do not forget if you signed up to attend. That will be starting promptly at 12.30 p.m.

1650 Thank you, all for your contributions today and for observing the Chat functions so appropriately and I therefore will now ask the States' Greffier to close this session with the prayer.

*The Assembly adjourned at 12.08 p.m.*