

ORDINANCE LAID BEFORE THE STATES

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

THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (PRIVILEGES AND IMMUNITIES) (BAILIWICK OF GUERNSEY) ORDINANCE, 2021

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, “The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2021”, made by the Policy & Resources Committee on the 13th April, 2021, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance specifies the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment ("the CPT") as an international organisation under section 1 of the Privileges and Immunities (Bailiwick of Guernsey) Law, 2004. It also confers certain privileges and immunities to be enjoyed by the CPT and its personnel under Bailiwick law by providing that Article 16 and the Annex to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment shall have force of law in the Bailiwick.

The Ordinance was approved by the Legislation Review Panel on the 29th March, 2021 and made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948. Under the proviso to the said Article 66A(1), the States of Deliberation have the power to annul the Ordinance.

STATUTORY INSTRUMENT LAID BEFORE THE STATES

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

No. 131 of 2020

THE MARRIAGE (BAILIWICK OF GUERNSEY) REGULATIONS, 2020

In pursuance of section 66 (7) of the Marriage (Bailiwick of Guernsey) Law, 2020, the “Marriage (Bailiwick of Guernsey) Regulations, 2020”, made by the Policy & Resources Committee on 14th December, 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations are made under the Marriage (Bailiwick of Guernsey) Law, 2020. They make provision for procedural matters under that Law, including the method of giving consent to the marriage of a minor; applications for authorisation as a civil celebrant or authorised religious official; conditions to be attached to such an authorisation; the form of oath or affirmation to be taken by marriage celebrants; the information and documentation required to be provided on giving notice of marriage or applying for a certificate of no impediment; information to be included in notices of marriage and in the required publication prior to marriage; and the fees for various procedures under the Law.

These Regulations came into force in two stages; as to those provisions which relate to and support the application for, and granting of, authorisation as a civil celebrant or authorised religious official, on 11th January, 2021; and, as to the remaining provisions, on 1st March, 2021. Specifically:

Regulations 2,3,4,5,12,13,14 and 15 came into force on 11th January, 2021.

Regulations 1,6,7,8,9,10 and 11 came into force on 1st March, 2021.

No. 135 of 2020

THE MARRIAGE (BAILIWICK OF GUERNSEY) LAW, 2020 (COMMENCEMENT AND TRANSITIONAL PROVISIONS) REGULATIONS 2020

In pursuance of section 66 (7) of the Marriage (Bailiwick of Guernsey) Law, 2020, the “Marriage (Bailiwick of Guernsey) Law, 2020 (Commencement and Transitional Provisions) Regulations, 2020” made by the Policy & Resources Committee on 14th December, 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations are made under the Marriage (Bailiwick of Guernsey) Law, 2020 and make provisions for its commencement and for transitional provisions.

Those provisions which relate to, and are necessary for, the appointment of civil celebrants and authorised religious officials were brought into force on 11th January, 2021. The remaining provisions were brought into force on 1st March, 2021.

The transitional provisions provide that where notice of marriage is given prior to commencement of the main provisions of the new Law, the provisions of the existing legislation (the Loi ayant rapport aux Mariages Célébrés dans les Îles de Guernesey, d'Auregny et de Serk, 1919, in respect of marriages in Guernsey and Sark and the Loi ayant rapport aux Mariages Célébrés dans l'Île d'Auregny, 1923, in respect of marriages in Alderney), will continue to apply in respect of the marriage to which that notice relates.

These Regulations came into force on 11th January, 2021.

No. 33 of 2021

**THE MOTOR VEHICLES, LICENSING AND TRAFFIC (FEES) (GUERNSEY) REGULATIONS,
2021**

In pursuance of sections 2A and 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987, sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 1987, sections 4, 5, 8, 9 and 16 of the Registration Marks (Sale and Retention) Ordinance, 1997 and all other powers enabling them in that behalf, "The Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2021" made by the Committee for the Environment and Infrastructure on 29th March, 2021 are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees payable with effect from 1st June, 2021 in relation to —

- the exchange and retention of registration marks
- trade plate renewals
- the issue and renewal of driving licences and of duplicate licences
- first and subsequent registration of motor vehicles and the issue of duplicate registration certificates and certificates of export.

The increases are generally based on the increases in RPIX since the last review.

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

No. 37 of 2021

THE CONTROL OF POISONOUS SUBSTANCES (FEES) (GUERNSEY) REGULATIONS 2021

In pursuance of sections 1(2)(g) and 4 of the Poisonous Substances (Guernsey) Law, 1994, “The Control of Poisonous Substances (Fees) (Guernsey) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 21st April, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations specify fees payable to the States of Guernsey Health and Safety Executive under and for the purposes of the Poisonous Substances (Guernsey) Law, 1994 and the Control of Poisonous Substances (Guernsey) Regulations, 2014.

These Regulations come into force on the 1st day of June, 2021.

No. 38 of 2021

THE HEALTH AND SAFETY (FEES) ORDER, 2021

In pursuance of sections 1 and 3 of the Health and Safety (Fees) (Guernsey) Law, 1993, “The Health and Safety (Fees) Order, 2021”, made by the Committee *for* Employment & Social Security on 21st April, 2021, is laid before the States.

EXPLANATORY NOTE

This Order specifies the fees payable to the States of Guernsey Health and Safety Executive under and for the purposes of the Law entitled “Loi relative aux Explosifs, 1905”, the Law entitled “Loi relative aux Huiles ou Essences Minerales ou autre substances de la meme nature, 1924”, the Health, Safety and Welfare of Employees Law, 1950, and the Health and Safety at Work etc. (Guernsey) Law, 1979 (including the Ordinance thereunder).

This Order also enables the recovery of costs for contracted-out work required when regulating major hazard sites.

This Order also specifies, under the Public Highways Ordinance, 1967, fees payable for scaffolding, hoarding and banner permits granted under that Ordinance.

This Order will come into force on the 1st day of June, 2021.

No. 46 of 2021

**THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS) (IMPLEMENTATION)
(COMMON REPORTING STANDARD) (AMENDMENT) REGULATIONS, 2021**

In pursuance of section 203A of the Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Approved International Agreements) (Implementation) (Common

Reporting Standard) (Amendment) Regulations, 2021” made by the Policy & Resources Committee on 29th April 2021, are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations amend the Income Tax (Approved International Agreements) (Implementation) (Common Reporting Standard) Regulations, 2015, which implemented and enabled the administration and enforcement in domestic law of Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters (an approved international agreement providing for the obtaining, furnishing and exchanging of information in relation to tax), in accordance with the information exchange procedure agreed under the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information signed on behalf of the States of Guernsey at Berlin on the 29th October 2014, by modifying the civil penalties regime applicable to the reporting and due diligence requirements established by the 2015 Regulations.

No. 47 of 2021

**THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS) (IMPLEMENTATION)
(UNITED KINGDOM AND UNITED STATES OF AMERICA) (AMENDMENT)
REGULATIONS, 2021**

In pursuance of section 203A of the Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Approved International Agreements) (Implementation) (United Kingdom and United States of America) (Amendment) Regulations, 2021” made by the Policy & Resources Committee on 29th April 2021, are laid before the States.

EXPLANATORY MEMORANDUM

These Regulations amend the Income Tax (Approved International Agreements) (Implementation) (United Kingdom and United States of America) Regulations, 2014, which implemented and enabled the administration and enforcement in domestic law of the approved international agreements providing for the obtaining, furnishing and exchanging of information in relation to tax made between the States of Guernsey and the Governments of the United Kingdom and the United States of America, by modifying the civil penalties regime applicable to the reporting requirements established by the 2014 Regulations.

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