



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 13TH DAY OF OCTOBER, 2021**

**The States resolved as follows concerning Billet d'État No XX
dated 4th October, 2021**

ELECTIONS AND APPOINTMENTS

**ELECTION OF ONE NON-STATES MEMBER OF THE
STATES' TRADING SUPERVISORY BOARD
P.2021/115**

- I. To elect Dr Simon Thornton with effect from 16th October 2021 as a voting member of the States' Trading Supervisory Board in accordance with Rule 16 of The Rules of Procedure of the States of Deliberation and their Committees, whose term of office shall expire in accordance with the terms of Rule 37(2).

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

**THE APPOINTMENT OF EMPLOYMENT & DISCRIMINATION TRIBUNAL PANEL CHAIRS AND
MEMBERS AND DESIGNATION OF CONVENOR AND DEPUTY CONVENOR
P.2021/105**

- II. After consideration of the Policy Letter entitled 'The Appointment of Employment & Discrimination Tribunal Panel Chairs and Members and Designation of Convenor and Deputy Convenor', dated 13th September 2021: -
1. To appoint the following people to the Employment and Discrimination Panel with effect from 1st January 2022 until 31st December 2024, subject to satisfactory checks with the Disclosure and Barring Service (DBS).

Alex Crosland*	Karen Ferneyhough
Jason Hill*	Alison Girollet
Susan Gordon-Hardy*	Rebecca Hunter
Patrick Hardy*	George Jennings
Michael Whitbread*	Christine Le Lievre

Dr Sarah Brewer	Helen Martin
Paula Brierley	Alysa Rixon
Roger Brookfield	Steve Roussel
Alan Brown	Georgette Scott
Roy Burke	Jason Shambrook
Racheal Coleman	Andrew Vernon
Joanne de Garis	Peter Woodward
Darren Etasse	

Those marked * are legally qualified and will Chair Panel hearings when the new Discrimination Ordinance and the Employment and Discrimination Tribunal (Guernsey) Order, 2022 (currently in draft form) come into force.

2. To designate Jason Hill as the Convenor of the Panel and Paula Brierley as Deputy Convenor of the Panel from 1st January 2022 until 31st December 2024.

S.M.D. ROSS
STATES' GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 14TH DAY OF OCTOBER, 2021**

**The States resolved as follows concerning Billet d'État No XX
dated 4th October, 2021**

ARTICLES DEFERRED FROM PREVIOUS MEETINGS OF THE STATES

POLICY & RESOURCES COMMITTEE

**THE TAX REVIEW
P.2021/97**

- III. After consideration of the policy letter "The Tax Review" dated 20 August 2021:-
1. To note the Tax Review policy letter and direct the Policy & Resources Committee, taking into account the views expressed by Members in debate, to:
 - i. Investigate the options for raising additional revenue from corporates, having due regard for the need to retain an internationally acceptable and competitive tax environment;
 - ii. Undertake a period of extensive consultation and engagement with States Members, the business community and wider public stakeholders; and
 - iii. Report back to the States with detailed proposals for a restructure of the tax base and its phased implementation, by no later than July 2022.

COMMITTEE FOR ECONOMIC DEVELOPMENT

THE GUERNSEY COMPETITION AND REGULATORY AUTHORITY: ACCOUNTS AND AUDITORS' REPORT FOR THE YEAR ENDING 31st DECEMBER 2020 P.2021/85

- IV. After consideration of the Policy Letter entitled "The Guernsey Competition and Regulatory Authority: Accounts and Auditors' Report for the year ending 31st December 2020" dated 15th July 2021:-
1. To note the accounts of the Guernsey Competition and Regulatory Authority and auditors' report for the year ended 31st December 2020.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

CONTRIBUTORY BENEFITS AND CONTRIBUTION RATES FOR 2022 P.2021/108

- XI. After consideration of the Policy Letter entitled 'Contributory Benefits and Contribution Rates for 2022', dated 13th September 2021:
1. To increase the percentage contribution rate for employers and employees into the Guernsey Insurance Fund in increments of 0.1% each per year over ten years, and for self-employed persons, and non-employed persons under pension age in increments of 0.2% per year over ten years, with effect from 1st January 2022, as set out in paragraph 3.11 of that Policy Letter.
2. To increase the percentage contribution rate for employees, self-employed persons, and non-employed persons under and over pension age, into the Long-term Care Insurance Fund in increments of 0.1% per year over four years, with effect from 1st January 2022, as set out in paragraph 3.18 of that Policy Letter.
3. If Propositions 1 and 2 are approved, to direct the Committee *for* Employment & Social Security to:
- a) review, in consultation with the Policy & Resources Committee, its ten year plan for increasing contributions each year, and
- b) report to the States each year, in its annual Policy Letter on contributory benefits and contribution rates, on whether to pursue or to adjust the plan, particularly in light of the resolutions following the debate on the Tax Review, the economic circumstances of the Island and other relevant factors at the time.
4. To set the upper weekly earnings limit and the upper monthly earnings limit for employed persons and employers at £3,027.00 and £13,117.00 respectively, from 1st January 2022.

5. To set the lower weekly earnings limit and the lower monthly earnings limit for employed persons and employers at £152.00 and £658.67 respectively, from 1st January 2022.
6. To set the upper and lower annual earnings limits for self-employed persons at £157,404.00 and £7,904.00 respectively, from 1st January 2022.
7. To set the upper and lower annual income limits for non-employed persons at £157,404.00 and £19,760.00 respectively, from 1st January 2022.
8. To set the allowance for non-employed persons at £8,904.00 per year, from 1st January 2022, in line with the uprating policy for contribution rates and to agree that section 8(4) of the Social Insurance (Guernsey) Law, 1978, is amended to allow for the same.
9. If Proposition 8 is approved, to set the voluntary contribution for non-employed persons at £22.34 per week, from 1st January 2022, in line with the minimum weekly amount payable by a non-employed person under pension age.
10. To set the overseas voluntary contribution at £103.45 per week for non-employed people and £114.37 per week for self-employed people, from 1st January 2022.
11. To set the standard rates of contributory social insurance benefits as set out in Table 10 of that Policy Letter, from 3rd January 2022.
12. To set the contribution (co-payment) required to be made by the claimant of care benefit, under the Long-term care Insurance Scheme, at £256.83 per week, from 3rd January 2022, and at £271.67 per week, from 4th July 2022.
13. To set the maximum weekly long-term care benefit at the rates set out below, from 3rd January 2022:
 - a) £532.98 per week residential care benefit for persons resident in a residential home;
 - b) £696.64 per week elderly mentally infirm (EMI) benefit for qualifying persons in a residential home; and
 - c) £961.59 per week nursing care benefit for persons resident in a nursing home or the Guernsey Cheshire Home.
14. To set the maximum weekly respite care benefit:
 - a) at the rates set out below, from 3rd January 2022:
 - i) £789.81 per week for persons receiving respite care in a residential home;
 - ii) £953.47 per week for the elderly mentally infirm (EMI) rate for persons receiving respite care in a residential home; and
 - iii) £1,218.42 per week for persons receiving respite care in a nursing home or the Guernsey Cheshire Home.
 - b) at the rates set out below from 4th July 2022:

- i) £804.65 per week for persons receiving respite care in a residential home;
 - ii) £968.31 per week for the elderly mentally infirm (EMI) rate for persons receiving respite care in a residential home; and
 - iii) £1,233.26 per week for persons receiving respite care in a nursing home or the Guernsey Cheshire Home.
- 15. To approve, in principle, the policy options set out in paragraphs 6.21 to 6.39 of this Policy Letter in respect of changing the residency conditions to be satisfied to qualify for long-term care benefit, introducing a sliding scale of long-term care benefit entitlement based on length of residency in aggregate in Guernsey, Alderney, Herm or Jethou, and taking into account the capital value of a person's home in the income support means test if the person is living in a residential or nursing home and the property is not occupied by the person's spouse, partner or dependent relative(s).
- 16. If Proposition 15 is approved, to direct the Committee *for* Employment & Social Security, in consultation with the Policy & Resources Committee, to return to the States with detailed policy proposals in respect of the policy outlined in paragraphs 6.21 to 6.39 of this Policy Letter at the earliest opportunity, but no later than October 2022.
- 17. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

C. FOSTER
DEPUTY GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 15TH DAY OF OCTOBER, 2021**

**The States resolved as follows concerning Billet d'État No XX
dated 4th October, 2021**

ARTICLES DEFERRED FROM PREVIOUS MEETINGS OF THE STATES

POLICY & RESOURCES COMMITTEE

**INTERNATIONAL CRIMINAL COURT -
EXTENSION OF RELEVANT PROVISIONS OF UK ACT OF PARLIAMENT
P.2021/91**

- V. After consideration of the Policy Letter entitled 'International Criminal Court – Extension of relevant provisions of UK Act of Parliament', dated 28th July, 2021:-
1. To agree that an Order in Council be made to extend to the Bailiwick, to such extent, and with such modifications, as appear to Her Majesty in Council to be appropriate following consultation with the Committee *for* Home Affairs, Sections 23(5), 44, 45 and 83 of and Schedule 10 to the International Criminal Court Act, 2001, and
 2. To signify their agreement to the substance of the proposed Order in Council (a copy of the latest draft of which is attached as an Appendix to the Policy Letter) for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as amended.

POLICY & RESOURCES COMMITTEE

**AMENDMENTS TO LEGISLATION RELATING TO IMPLEMENTATION
OF INTERNATIONAL SANCTIONS MEASURES
P.2021/92**

- VI. After consideration of the Policy Letter dated 2nd August, 2021 of the Policy & Resources Committee:-
1. To agree to remove from the Sanctions (Bailiwick of Guernsey) Law, 2018, the power to implement sanctions measures enacted by the European Union and other

provisions relating to the implementation of such measures; the power to amend the definition of sanctions measures by Ordinance (as set out in section 3);

2. To agree to clarify the scope of the criminal offences in the Sanctions (Bailiwick of Guernsey) Law, 2018 for breaching sanctions measures or for providing false or misleading information (as set out in section 4); and
3. To direct the preparation of such legislation as may be necessary to give effect to the foregoing.

POLICY & RESOURCES COMMITTEE

THE HUMAN RIGHTS (BAILIWICK OF GUERNSEY) LAW, 2000 – AMENDMENT OF LEGISLATION P.2021/93

- VII. After consideration of the Policy Letter entitled “ The Human Rights (Bailiwick of Guernsey) Law- amendment of legislation” dated 4th August, 2021:-
1. to agree to amend section 9(2) of the Human Rights (Bailiwick of Guernsey) Law, 2000, to enable a court to award compensation to a person in respect of a judicial act done in good faith, in the circumstances set out in paragraph 2.5 of that Policy Letter.
 2. to direct the preparation of such legislation as may be necessary to give effect to the above decision.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

GUERNSEY LEGAL AID SERVICE - 2020 ANNUAL REPORT

- VIII. After consideration of the appendix report entitled ‘Guernsey Legal Aid Service – 2020 Annual Report’, to note the Report.

LEGISLATION LAID BEFORE THE STATES

No. 39 of 2021

THE STATES REFORM (PERFORMANCE OF FUNCTIONS) (GUERNSEY HEALTH SERVICE FUND) REGULATIONS, 2021

In pursuance of sections 3 and 4 of the States (Reform) (Guernsey), Law, 2015, “The States Reform (Performance of Functions) (Guernsey Health Service Fund) Regulations, 2021”, made jointly by the Policy & Resources Committee and the Committee *for* Employment & Social Security on 2nd September, 2021, were laid before the States.

LEGISLATION

COMMITTEE *FOR THE ENVIRONMENT & INFRASTRUCTURE*

THE HOUSING (STANDARDS AND REGULATION) (ENABLING PROVISIONS) (GUERNSEY) LAW, 2021 P.2021/103

- IX. To approve the draft *Projet de Loi* entitled "The Housing (Standards and Regulation) (Enabling Provisions) (Guernsey) Law, 2021", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

OTHER BUSINESS

POLICY & RESOURCES COMMITTEE and COMMITTEE *for ECONOMIC DEVELOPMENT*

DELIVERING NEXT GENERATION DIGITAL INFRASTRUCTURE P.2021/106

- X. After consideration of the policy letter entitled 'Delivering Next Generation Digital Infrastructure' dated 13th September 2021: -
1. To endorse the policy objectives for the delivery of next generation digital infrastructure as set out in **Appendix 2**.
 2. To agree the funding capped to a maximum of £12.5m in order to enable the accelerated roll-out of fibre cable connections.
 3. To direct the Policy & Resources Committee to finalise the contract with Sure, and for such member of the Policy & Resources Committee as that Committee may determine, to sign the contract, on behalf of the States of Guernsey, to enable the accelerated roll-out of fibre cable connections to commence.
 4. To direct the Committee *for Economic Development* to submit a Policy Letter on licensing of next generation mobile technology by no later than 31 December, 2022.

POLICY & RESOURCES COMMITTEE AND STATES' TRADING SUPERVISORY BOARD

THE AURIGNY GROUP – FINANCIAL SUSTAINABILITY P.2021/102

- XII. After consideration of the policy letter 'The Aurigny Group – Financial Sustainability' dated 3rd September, 2021:-
1. To note the Air Policy Framework which includes the Shareholder Objectives for Aurigny;
 2. To approve the recapitalisation of the Aurigny Group in respect of its cumulative losses up to 31st December, 2020, in the sum of £46.8m in accordance with the provisions of section 6 of that policy letter and in accordance with such terms as the Policy & Resources Committee and the States' Trading Supervisory Board shall deem appropriate;
 3. To approve the recapitalisation of the Aurigny Group in respect of its losses for the year-ending 31st December, 2021, in accordance with the provisions of section 6 of that policy letter and in accordance with such terms as the Policy & Resources Committee and the States' Trading Supervisory Board shall deem appropriate;
 4. To authorise the Policy & Resources Committee to provide or guarantee overdraft facilities to the Aurigny Group in accordance with the provisions of sections 5 and 6 of that policy letter and on such terms as the Policy & Resources Committee shall deem appropriate.

POLICY & RESOURCES COMMITTEE

SCHEDULE FOR FUTURE STATES' BUSINESS P.2021/109

- XVI. After consideration of the Schedule for Future States' Business, which sets out items for consideration at the Meeting of the 24th November, 2021 and subsequent States' Meetings, to approve the Schedule.

S.M.D. ROSS
STATES' GREFFIER