

Legislation drafting in progress

In priority categories as of 2nd June 2023



States of
Guernsey

LEGISLATION DRAFTING IN PROGRESS – In priority categories as of 2nd June 2023

The table below captures the progress of legislation that the States of Deliberation directed on 18th July 2023 to be drafted as recommended by the Government Work Plan 2023-2025: Rule 23 Update Policy Letter. The drafting priority of the items of legislation is categorised as high, medium or low, with some items not yet prioritised¹.

Agreed priority	Title and description	Lead Committee	Billet d'État & (Article No.)	Stage²
1. High	Roll On/Roll Off Ferry Services Licensing regime for Roll On/Roll Off services at St Peter Port Harbour.	Committee <i>for</i> Economic Development	XIV/2015 (Art. XV)	4
1. High	Limited partnerships Re-enactment of the Limited Partnerships (Guernsey) Law, 1995 with miscellaneous amendments – e.g., transfer functions to company registrar, migrations, conversions, protected cells.	Committee <i>for</i> Economic Development	VI/2010 (Art. XI)	4
1. High	Parole legislation Ordinance to cover applications for parole, revocation and recall and the Parole Review Committee.	Committee <i>for</i> Home Affairs	IV/2005 (Art. VII)	4
1. High	Register of driving instructors Legislation to provide for a register of driving instructors and subsequent amendments to the Driving Licences (Guernsey) Ordinance, 1995.	Committee <i>for the</i> Environment & Infrastructure	XXVI/2014 (Art. XI)	4

¹Prioritisation is a guide to help focus resources. It is not necessarily related to order of completion as there are other factors at play. Items not yet prioritised can be brought forward for drafting if they become more pressing, or if drafters have capacity to progress smaller items, for example while awaiting Committee responses on higher priority items.

² [‘New legislation’ page on www.gov.gg](#): which includes an explanation of the stages new legislation goes through.

1. High	States of Guernsey Annual Budget for 2020. Provision for equity release mortgages (proposition 28).	Policy & Resources Committee	XXI/2019 (Art. I)	4
1. High	Development of Competition Legislation Amendments to the Competition (Enabling Provisions) (Guernsey) Law, 2009, the Competition (Guernsey) Ordinance, 2012 and the Guernsey Competition and Regulatory Authority Ordinance, 2012.	Committee for Economic Development	VII/2020 (Art. VII)	4
1. High	Capacity Law Secondary legislation is required in order to implement the different parts of the Law.	Committee for Health & Social Care	VII/2016 (Art. III)	2
1. High	Proposals for a new Discrimination Ordinance Amendment of the Sex Discrimination (Employment) (Guernsey) Ordinance, 2005 to ensure it aligns with the new Discrimination Ordinance (section 10 of the Policy Letter). Amend existing employment and discrimination legislation to ensure that a consistent approach is taken to offering pre-complaint conciliation with regards its effect on suspending the time limit for registering complaints and to enable other relevant time limits to be amended as may be considered appropriate.	Committee for Employment & Social Security	XV/2020 (Art. XV)	7
1. High	Proposals for a new Discrimination Ordinance Amendment of the Employment & Discrimination Tribunal (Guernsey) Ordinance, 2005 to require Tribunal Chairs to be legally qualified (section 7.4.3. of the Policy Letter).	Committee for Employment & Social Security	XV/2020 (Art. XV)	4
1. High	Use of money in dormant accounts Establishment of a statutory scheme to require the transfer of balances in dormant bank accounts in the Bailiwick to a statutory central fund called the Bailiwick Dormant Accounts Fund.	Policy & Resources Committee	IV/2021 (Art. V)	4

1. High	Introduction of Limited Liability Companies legislation.	Committee <i>for</i> Economic Development	VIII/2021 (Art. IX)	4
1. High	Future Governance and operation of the Seized Asset Fund Legislation to put the seized asset arrangements on a statutory footing. This is a joint Policy Letter from P&R and Home.	Policy & Resources; Committee <i>for</i> Home Affairs	VIII/2021 (Art. XII)	4
1. High	OECD Pillar 1 and 2 Proposals to address the tax challenges arising from the digitalisation of the economy The OECD has been developing new international tax standards to tackle remaining BEPS issues. Aspects of Pillar 1 and 2 are minimum standards, therefore anticipate bringing a policy letter recommending their implementation as soon as the standards are finalised. These will require both signing of a multilateral agreement and domestic legislation. The ambitious timeframe for implementation proposes that these take effect from 2024.	Policy & Resources Committee		2
1. High	Proposed introduction of a general housing law Introduction of enabling legislation to allow for the regulation of the Island's housing other than control of occupation. Amendment of other legislation relevant to housing standards. The enabling Law was approved by the States in October 2021. Secondary legislation now needs to be prepared.	Committee <i>for the</i> Environment & Infrastructure	XIII/2020 (Art. VI)	3
1. High	Legislation relating to financial crime and related matters Amendments to the criminal justice framework for addressing financial crime: repealing and replacing the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007; amendments to eight other pieces of legislation; and new legislation regarding liability for international assistance.	Committee <i>for</i> Home Affairs	XXIII/2021 (Art. IV)	6

1. High	Sexual Offences Secondary legislation.	Committee <i>for</i> Home Affairs	XIII/2011 (Art. IX)	3
1. High	Proposed legislation for the Regulation of Notaries Public A Law to enable the regulation of Notaries Public in the Bailiwick by the Master of the Faculties.	Policy & Resources Committee	XII/2022 (Art. XI)	3
1. High	Amendments to the Criminal Justice Framework The introduction of legislation to: create preventive offences; create disclosure obligations in criminal cases; and enable deferred prosecution agreements. Amend the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 to introduce a reverse burden of proof, a summary forfeiture procedure and protection against liability for the authorities. Amend legislation governing confiscation in criminal cases to change the way that property subject to saisie is treated.	Committee <i>for</i> Home Affairs	XVII/ 2022 (Art. X)	6
1. High	Review of the Children Law and Outcomes	Committee <i>for</i> Health & Social Care	XX/2022 (Art. III)	3
1. High	A New Guernsey Anti Money Laundering Combating the Financing of Terrorism Forum Amend the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 and the Disclosure (Bailiwick of Guernsey) Law, 2007 to: enable information to be shared between the FIS and third parties in line with information-sharing provisions in the Crime and Courts Act 2013, the Proceeds of Crime Act 2002 and the Terrorism Act 2000 ; introduce confidentiality provisions applicable to any information shared; and introduce a power for the Committee to make regulations to introduce a process for the sharing of information to the	Committee <i>for</i> Home Affairs	XX/2022 (Art. XIV)	6

	FIS. Amendments to the Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002 and Ordinance, 2006 is also directed.			
1. High	Contributory Benefit and Contribution Rates for 2023 Amendments to the Social Insurance (Guernsey) Law, 1978 and any legislation under it to make provision to give the Director of the Revenue Service powers to issue civil sanctions etc in relation to breaches of requirements under the Law relating to social insurance contributions and provide for rights of appeal.	Committee <i>for</i> Employment & Social Security	XVIII/2022 (Art. VII)	3
1. High	Access to Work Scheme Amendment of the Social Insurance (Guernsey) Law, 1978 to enable the Committee to provide grants to facilitate the retention or entrance into employment of an insured person with a disability.	Committee <i>for</i> Employment & Social Security	VI/2023 (Art. VI)	6
1. High	Population and Immigration Policy Review Amendment of the Population Management (Guernsey) Law, 2016 to: remove Medium-Term Employment Permits from the Law; amend the requirements in relation to Short-Term Employment Permits; and make clear that Open Market householders may accommodate Seasonal Employment Permit holders.	Committee <i>for</i> Home Affairs	XVIII/2022 (Art. V)	4
1. High	Amendments to Criminal Justice Legislation An Ordinance to make provision in relation to the extradition of persons to Jersey and the Isle of Man which mirrors provision in respect of extradition to the UK.	Committee <i>for</i> Home Affairs	VII/2023 (Art. XI)	6

	<p>Amendments to the Proceeds of Crime (Bailiwick of Guernsey) Law, 1999 and the Drug Trafficking (Bailiwick of Guernsey) Law, 2000 in respect of money laundering offences.</p> <p>Amendment to the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 in relation to sanctions for breaching Court orders.</p> <p>Amendments to the Drug Trafficking (Bailiwick of Guernsey) Law, 2000 in relation to designations under the Law.</p> <p>Amendments to the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017 regarding direct access to the Register for the Head of the FIU.</p>			
2. Medium	<p>Adoption</p> <p>Repeal of the Adoption (Guernsey) Law, 1960 and all relevant legislation relating to adoption to be replaced by new legislation based on the provisions of the Adoption and Children Act 2002.</p>	Committee <i>for</i> Health & Social Care	VII/2016 (Art. V)	4
2. Medium	<p>Health and Care Regulation in the Bailiwick</p> <p>Bailiwick wide enabling Law to establish, amongst other things, an independent Commission to regulate health and care provision.</p>	Committee <i>for</i> Health & Social Care	III/2019 (Art. V)	4
2. Medium	<p>People working with children and vulnerable adults:</p> <p>Vetting and barring scheme.</p>	Committee <i>for</i> Home Affairs	XXIV/2009 (Art. XII)	3
2. Medium	<p>Animal Welfare Legislation</p> <p>Ordinance required for welfare of animals during international transport, regulation of professions and responsibilities and liabilities of animal owners.</p>	Committee <i>for the</i> Environment & Infrastructure	III/2003 (Art. VI)	4
2. Medium	<p>Terrorism</p> <p>New offences based on Terrorism Act 2006.</p>	Committee <i>for</i> Home Affairs	XVIII/2006 (Art. XIII)	3

2. Medium	Terrorist financing, money laundering and weapons proliferation Legislation equivalent to the provisions of schedule 7 of the UK Counter Terrorism Act 2008.	Committee for Home Affairs	XV/2013 (Art. X)	4
2. Medium	On-Island Integrated Transport strategy Resolution 10 - requirement to pass a theory test before driving on the road as a provisional driving licence holder.	Committee for the Environment & Infrastructure	IX/2014 (Art. VI)	4
2. Medium	Road Transport and Driving Licence Implications for Driving in Europe Post-Brexit and other related matters Periodic Vehicle Inspections.	Committee for the Environment & Infrastructure	XXVII/2018 (XVIII)	2
3. Low	On-Island Integrated Transport strategy Extensive legislative proposals (e.g. presumed liability, speed limit review, motorcycle licensing requirements, amendments to theory tests, etc.	Committee for the Environment & Infrastructure	IX/2014 (Art. VI)	3
3. Low	Regulation of utilities Remove postal services and electricity regulation by the Guernsey Competition and Regulatory Authority; amend Post Office and Electricity Laws to enable the CED to regulate those utilities. ³	Committee for Economic Development	III/2016 (Art. XVII)	1
3. Low	Genetically modified crops Legislation to regulate.	Committee for the Environment & Infrastructure	XXV/2003 (Art. XI)	1
3. Low	Sale of knives to under-18's Amend the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003 and the Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2006.	Committee for Home Affairs	XI/2008 (Art. XVIII)	4
3. Low	Domestic Abuse Strategy Amend the Domestic Proceedings and Magistrates Court (Guernsey) Law, 1988 Law to allow Court to hand down suspended sentences of	Committee for Home Affairs	XXI/2009 (Art. IV)	4

³ Subject to review by Committee

	imprisonment for breaches of Domestic Violence Injunctions and to permit an individual contesting a breach of a Domestic Violence Injunctions to be remanded in custody.			
3. Low	Residential On-Street Parking Ordinance under the Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009 to provide for parking permits.	Committee <i>for the</i> Environment & Infrastructure	XIV/2015 (Art. XIX)	3
3. Low	Plant Health (Guernsey) Ordinance Non-Brexit related Ordinances may be required.	Committee <i>for the</i> Environment & Infrastructure	VIII/2006 (Art. IX)	1
3. Low	Diffuse Mesothelioma Payment Scheme Introduction of a statutory Diffuse Mesothelioma Payment Scheme.	Committee <i>for</i> Employment & Social Security	XI/2020 (Art. XII)	1
3. Low	Proposals for a new Discrimination Ordinance Rules of Procedure for the Employment and Discrimination Tribunal by Order under the provisions of paragraph 3 of the Schedule to the Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005.	Committee <i>for</i> Employment & Social Security	XV/2020 (Art. XV)	1
3. Low	Reform to the System for Publication of Official Notices and Establishment of the Guernsey Gazette	Policy & Resources Committee	XX/2022 (Art. XV)	1
4. Not yet prioritised	Channel Islands lottery New Ordinance under Gambling (Guernsey) Law, 1971 to permit other forms of lottery and allocation of proceeds.	Committee <i>for</i> Home Affairs	XX/2014 (Art. XIII)	1
4. Not yet prioritised	King George the Fifth Memorial Playing Field Trust Preparation of a Law to create a statutory trust to consolidate the King George the Fifth Memorial Playing Field Trust and the Friends of KGV Trust, alter the definition of 'King George's Fields' to allow the commercial parts of the trust property to be used as security, remove the Bailiff as Trustee and necessary and ancillary amendments.	Policy & Resources Committee	XVI/2020 (Art. XII)	3

4. Not yet prioritised	States of Guernsey Annual Budget for 2021 Amendment of the Income Tax (Guernsey) Law, 1975 to clarify that income paid from an international savings plan is exempt from tax in the manner set out in paragraphs 4.10 and 4.11 (proposition 6).	Policy & Resources Committee	XXVI/2020 (Art. I)	4
4. Not yet prioritised	The Bailiwick's Participation in UK Free Trade Agreements Legislation in respect of Free Trade Agreements.	Policy & Resources Committee	XVII/2021 (Art. XVII)	1
4. Not yet prioritised	The Bailiwick's Further Participation in UK Free Trade Agreements New legislation may be required, or existing legislation amended, to ensure the island(s) fulfil the obligations of the CPTPP or other reasons.	Policy & Resources Committee	XVII/2022 (Art. VI)	1
4. Not yet prioritised	Future Waste Charges Amend the Waste Management Services (Charging) Ordinance, 2018 and other legislation relevant to waste charging to reflect the fact that the full costs of the WDA's waste management services will not be recouped from charges.	States' Trading Supervisory Board	XIII/2022 (Art. IV)	1
4. Not yet prioritised	Low Value Debt Relief Introduction of legislation to allow for the remission of low levels of unsecured personal debt.	Committee <i>for</i> Economic Development	XVIII/2022 (Art. II)	1
4. Not yet prioritised	Proposal for Provisions to Address Land which is Affecting the Amenity of an Area Legislation to give the DPA a power to serve civil notices on owners and occupiers of land, other than land forming part of a dwelling house, where the Authority considers the condition of that land is adversely affecting the amenity of the area.	Development & Planning Authority	IV/2023 (Art. III)	1
4. Not yet prioritised	Amendment to the Royal Court (Reform) (Guernsey) Law, 2008 To amend the Royal Court (Reform) Law, 2008, to allow Jurats of not less than 3 years' standing to be appointed as Juré-Justicier Suppléant.	Policy & Resources Committee	VI/2023 (Art. VII)	6



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