



BILLET D'ÉTAT

WEDNESDAY, 25th MARCH 2009

VIII
2009

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B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE, on WEDNESDAY, the 25th MARCH, 2009,** at 9.30am, to consider the items contained in this Billet d'État which have been submitted for debate.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
6 March 2009

PROJET DE LOI

entitled

THE MINIMUM WAGE (GUERNSEY) LAW, 2009

The States are asked to decide:-

I.- Whether they are of the opinion to approve the Projet de Loi entitled “The Minimum Wage (Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE ELECTRICITY (GUERNSEY) LAW, 2001
(AMENDMENT) ORDINANCE, 2009**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the draft Ordinance entitled “The Electricity (Guernsey) Law, 2001 (Amendment) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE DWELLING PROFITS TAX (SUSPENSION OF LAW)
(GUERNSEY) ORDINANCE, 2009**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Dwelling Profits Tax (Suspension of Law) (Guernsey) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT WITH
UNITED KINGDOM) ORDINANCE, 2009**

The States are asked to decide:-

IV.- Whether they are of the opinion to approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreement with United Kingdom) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

SCRUTINY COMMITTEE

NEW MEMBER

The States are asked:-

V.- To elect a sitting Member of the States as a member of the Scrutiny Committee to complete the unexpired portion of the term of office of Deputy M M Lowe, who has resigned as a member of that Committee, namely to serve until May 2012 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.

(NB Deputy Lowe has asked that the States be made aware that, following her election as a member of the Health and Social Services Department, she wishes to relinquish her position on the Scrutiny Committee solely in accordance with her stated opinion that because of the inevitable difficulties that may arise through conflicts of interest it is not appropriate for Members of the Committee also to serve on Departments.)

POLICY COUNCIL

FEES FOR APPEALS MADE UNDER THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW 2005

Executive Summary

1. This Report recommends the introduction of fees for appeals made under the Land Planning and Development (Guernsey) Law, 2005, and Ordinances made under it (“the Law”).

Introduction

2. At its November 2008 meeting the States approved the Land Planning and Development (Fees and Commencement) Ordinance, 2008 which will
 - (a) bring the Law into force on 6 April 2009; and
 - (b) introduce fees to be charged for making planning and building control applications under the Law.
3. Fees in respect of plans deposited under the building regulations will come into effect on 8 June 2009 and in respect of planning applications on 5 October 2009 and can be increased by the Environment Department by Regulation.
4. The introduction of fees for planning and building control applications was agreed in principle by the States on 28 September 2007 (Billet d’État XX of 2007) after considering a Report dated 26 July 2007 from the Environment Department.
5. However, in that Report the Environment Department expressed the view “*that it would be unfair to charge an appellant for exercising a right of appeal as a matter of principle*”.
6. In commenting on the Environment Department’s proposals the Policy Council, however, stated

The Policy Council supports the proposals but reserves its position in relation to the Environment Department’s recommendations regarding Planning Appeals fees pending further detailed consultations with the Department and Treasury and Resources Department.

The Policy Council’s preliminary view is that it may be appropriate to charge fees for Planning and Building Control Appeals probably on a sliding scale according to the scale and complexity of the case, but that the level of fees, the refunding of costs to successful appellants and the

administration of the appeals system all require further careful consideration before the proposed ordinance is brought forward.

7. After further discussions with the Environment and Treasury and Resources Departments, the Policy Council has concluded that it would be desirable to introduce a system of appeals fees which, while not preventing appeals where there are genuine grounds, would provide a degree of disincentive in respect of frivolous appeals and would contribute to the cost of the new appeals service.
8. In the case of appeals against decisions in respect of planning applications the Policy Council considers that there should be discounted fees to encourage appellants to submit written representations rather than to automatically opt for expensive tribunal hearings when the planning issues/scale of development concerned are such that they could readily be dealt with in written form.
9. In the case of appeals to an Adjudicator in relation to the building regulations the Land Planning and Development (Appeals) Ordinance, 2007 provides that it is the Policy Council which will decide whether the appeal can be determined on the basis of written representations. The Policy Council considers that in such cases, notwithstanding that it is not the appellant's decision that the matter be decided on the basis of written representations, discounted fees should also apply.

Arrangement for Appeals under the Law

10. Appeals may be made under the Law, and under certain Ordinances made under the law, in the following circumstances:
 - (a) Section 68 of the Law gives rights of appeal against:
 - the refusal of full planning permission or outline permission
 - conditions imposed on a planning permission
 - the grant of outline permission where full planning permission had been applied for
 - refusal of an application for approval or consent by the Environment Department required by a condition of planning permission or against conditions imposed on such an approval or consent
 - refusal of an application to modify or discharge a planning covenant
 - refusal of an application for any other form of approval required under an Ordinance or against conditions imposed on such a approval

- failure to make a decision within a specified time.
- (b) Section 70 of the law gives rights of appeal against:
- compliance notices
 - completion notices
- (c) Sections 18-21 of the Land Planning and Development (Special Controls) Ordinance, 2007 provide for appeals against:
- listing, or the amendment to a listing of, protected monuments and buildings
 - preservation notices
 - the confirmation of tree protection orders

The arrangements to transfer the existing register of ancient monuments and buildings into the new lists of protected monuments and protected buildings will give rise to limited rights of appeal under section 18(2) and (4).

- (d) Section 10 of The Land Planning and Development (Appeals) Ordinance, 2007 gives rights of appeal to an Adjudicator against various decisions under the Building Regulations.
11. Planning appeals will be considered by a newly established system of planning tribunals, although there is provision by which appeals may be considered by a single professional member of the Planning Panel (who will constitute the Tribunal) solely on the basis of written representations.
 12. In a separate report, included in this Billet d'État, the Policy Council nominates six persons for election by the States to serve as members of the Planning Panel. The Policy Council, at the same time, nominates for designation by States resolution one of the members of the Planning Panel as its Chairman and another as its Deputy Chairman.
 13. Building control appeals will be considered by an Adjudicator appointed by the Policy Council on an individual basis.
 14. At this stage it is difficult to predict the number of appeals which will need to be dealt with. In its States report of 26 July 2007 the Environment Department commented

At the time that the States considered the planning legislation (Billet d'Etat I, 2005), the Environment Department calculated that the cost of the new appeals system, assuming a total of 200 appeals per year, would

be around £1m if all cases went to a tribunal hearing and half that if all cases were considered by written representation. These figures were based on the assumption that a certain proportion of decisions to refuse planning permission (calculated by comparison with English local authorities of similar profile to Guernsey) would result in an appeal. However, the final figure will depend on a number of circumstances, including new factors, such as the influence of the new exemptions on overall numbers of applications. In addition, if charges were levied on appeals, this would, in itself, be likely to reduce overall numbers. On the other hand, planning decisions are not the only type of appeal that the new planning system will deal with; there will be appeals against compliance notices, against the listing of protected monuments and buildings and appeals to an adjudicator on building control matters. The considerable degree of uncertainty surrounding predicted numbers of appeals makes the future situation particularly difficult to manage. However, it potentially represents a substantial sum to find in current circumstances.

15. Before coming out against the charging of a fee for appeals, the Environment Department also pointed out that

Clearly, a fee that would cover the entire costs of each individual appeal would be prohibitively expensive. A modest fee in order to register an appeal would be a possible alternative and may deter appeals where the grounds are not strong. A differential fee could be used to encourage the use of written representation procedures rather than a hearing.

16. The Policy Council believes that the approach suggested in the previous paragraph would be an appropriate way forward.
17. It is intended that the income from fees charges for planning and building control applications will be used to fund improvements within the Environment Department and to fund the appeals system.
18. The Policy Council proposes that appeal fees would be paid to the Planning Tribunal/building control Adjudicator administration, not to the Environment Department, to assist in meeting the costs of the appeals system.

Appeal Fees

Basis of charging appeal fees

19. The Land Planning and Development (Fees and Commencement) Ordinance, 2008 sets out the fees for planning and building control applications, which were fixed having regard to the level of fees in England, Jersey and the Isle of Man.
20. The full range of those fees is not repeated here but, in order to remind Members of the States of their level, some of the key fees in respect of domestic

applications are given below:

Planning Fees

applications for outline permission	£475
applications for a new flat	£265
application for a new dwelling house	£475.

Building Control Fees

new dwelling	£325-£770
extension/alteration to dwelling	£ 63-£555.

21. The jurisdictions referred to in paragraph 19 do not charge fees for appeals although the Planning Act 2008 does make provision for such fees to be introduced in the future in England.
22. However, both Northern Ireland and the Republic of Ireland charge fees for appeals. In Northern Ireland there is a flat fee of £126. In the Republic of Ireland the standard fee payable to make an appeal is €220 but there is a range of higher fees including
 - €660 for an appeal on a planning application where the application relates to unauthorised development (which includes most development and works and changes of use carried out without a grant of permission)
 - €250 for a building control appeal
23. Having noted the level of fees charged for appeals in Northern Ireland and, in particular, in the Republic of Ireland, **the Policy Council believes that there would be logic in Guernsey charging fees for appeal at the same level as for the original planning application or deposit of plans under the building regulations.**
24. The Land Planning and Development (Appeals) Regulations, 2008 provide for the award of costs by the Planning Tribunal, up to specified limits, in line with procedures for other Guernsey tribunals. This will enable the appellant, if successful, to offset the costs of appeals.

Application of appeal fees

25. As indicated in paragraph 3 of this Report fees in respect of plans deposited under the building regulations and for planning applications do not come into effect immediately on the Law coming into force and the Policy Council proposes that there should be a similar delay in introducing appeal fees.

26. Further, there are certain appeals, which are not against decisions of the Environment Department on planning applications or deposit of plans such as against -

- a refusal of an application to modify or discharge a planning covenant,
- a refusal of an application for an approval required under a condition (other than the refusal of a reserved matters application)
- the listing or the amendment to a listing of a protected monument or building,
- the confirmation of a tree protection order,
- a preservation notice.
- certain decisions under the building regulations (see section 10 of the Appeals Ordinance)

so that there is no original application fee. The Policy Council proposes that in such cases there should be no appeal fee.

The Policy Council also considers that no appeal fee should be charged where

- an appeal is made against conditions imposed on a grant of permission/ approval of reserved matters or plans, or
- in cases where the Environment Department has failed to make a decision on an application within a specified time or has given notice that it is declining to make a decision in circumstances set out in section 16 of the Law.

Therefore, there would only be fees charged on appeals against -

Planning appeals

- (a) the refusal of full planning permission or outline permission,
- (b) the grant of outline permission where full planning permission had been applied for,
- (c) refusal of an application for approval of matters reserved for later approval under an outline planning permission,

Building Regulation appeals

- (e) a rejection of full plans deposited under the building regulations,

and not for the other types of appeal listed in paragraph 10.

27. The Policy Council also proposes that there should be provision for exemptions for certain persons (such as those in receipt of social security) or which allows them to apply to the Planning Tribunal for a waiver or reduction of the fee on the basis of financial hardship.
28. Specific appeals or classes of planning appeals may be dealt with on the basis of written representations, subject to the consent of the appellant and the Environment Department, in cases where the Chairman of the Planning Panel, with the written consent of the Policy Council, appoints single professional members of the Panel to act as the Planning Tribunal.
29. In respect of building control appeals the Policy Council is empowered to appoint an Adjudicator to hear and determine the appeal and to decide if the appeal may be determined on the basis of written representations.
30. The Policy Council proposes that in respect of planning appeals, where the appellant indicated willingness for the appeal to be considered on the basis of written representations a discount of one-quarter should be made on the appeal fee that would be charged.
31. For example, the fee for an appeal in respect of a planning application for a domestic extension of between 50 and 100 square metres would be £265 (discounted to £198.75 if dealt with on the basis of written representations), which compares with the fee for €220 in the Republic of Ireland.
32. The Policy Council considers that the discount should apply in respect of planning appeals whether or not the Environment Department also consents. The effect of this could be that where the appellant agrees but the Environment Department does not and a full hearing is therefore held, the appellant would still be charged the discounted fee.
33. The Policy Council also considers that, notwithstanding that it is not the appellant's decision a discounted fee should be charged in respect of building control appeals determined by the Adjudicator on the basis of written representations.
34. Finally, the Policy Council, having noted that the Environment Department has power by Regulation to increase fees for planning applications and the deposit of plans under the building regulations (see paragraph 3), proposes that the Council be empowered to increase appeal fees by Regulation.

Income from appeal fees

35. It is difficult to assess the level of income which the proposed fees would generate, not least because of the likely range of appeals, but the Policy Council considers that it is possible that a sum in the region of £40,000 might be raised.

Recommendations

36. The Policy Council recommends
- a) that fees should be charged for the types of appeals under the Land Planning and Development (Guernsey) Law, 2005 and the Ordinances made under it as listed in paragraph 26;
 - b) that the fee charged in respect of each appeal shall be set at the same level as the fee charged for the original application or deposit of plans provided that
 - (i) there shall be no fee for an appeal where –
 - a. no original application fee is provided for;
 - b. the appeal is against a condition imposed on a grant of permission/approval of reserved matters or full plans;
 - c. the Environment Department has failed to take a decision on an application within a specified time or has given notice that it is declining to make a decision in the circumstances set out in section 16 of the Law;
 - (ii) provision is made for exemptions for certain persons (such as those in receipt of social security) or to allow them to apply to the Tribunal for a waiver or reduction of the fee on the basis of financial hardship; and
 - (iii) the appeal fee is discounted in respect of appeals determined solely on the basis of written representations as set out in the report;
 - c) that the Policy Council be empowered to increase appeal fees by Regulation; and
 - d) to direct the preparation of such legislation as may be necessary to give effect to the foregoing.

L S Trott
Chief Minister

16th February 2009

(NB The Treasury and Resources Department supports the proposals.)

The States are asked to decide:-

VI.- Whether, after consideration of the Report dated 16th February, 2009, of the Policy Council, they are of the opinion:-

1. That fees shall be charged for the types of appeals under the Land Planning and Development (Guernsey) Law, 2005 and the Ordinances made under it as listed in paragraph 26 of that Report.
2. That the fee charged in respect of each appeal shall be set at the same level as the fee charged for the original application or deposit of plans provided that
 - (1) there shall be no fee for an appeal where –
 - a) no original application fee is provided for;
 - b) the appeal is against a condition imposed on a grant of permission/approval of reserved matters or full plans;
 - c) the Environment Department has failed to take a decision on an application within a specified time or has given notice that it is declining to make a decision in the circumstances set out in section 16 of the Law;
 - (2) provision is made for exemptions for certain persons (such as those in receipt of social security) or to allow them to apply to the Tribunal for a waiver or reduction of the fee on the basis of financial hardship; and
 - (3) the appeal fee is discounted in respect of appeals determined solely on the basis of written representations as set out in that Report.
3. That the Policy Council be empowered to increase appeal fees by Regulation.
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

POLICY COUNCIL

APPOINTMENT OF PLANNING PANEL

1. Executive Summary

- 1.1 In accordance with the Land Planning and Development (Guernsey) Law, 2005 (“the Law”) this report recommends six independent persons for election by the States to the Planning Panel. The report also recommends, in accordance with the Law, the designation by the States of a Chairman and Deputy Chairman from among the Members of the Planning Panel.
- 1.2 The duties of the Chairman and, in his absence, the Deputy Chairman will include appointing Members to the Planning Tribunals which will hear each individual appeal and determining which appeals may be determined by a single professional Member of the Planning Panel without a hearing on the basis of written representations.

2. Legal Requirements

- 2.1 The Law and related Ordinances, which will come into effect on 6th April 2009, includes provision for the determination of appeals, against decisions on planning applications, on the merits of each case by Planning Tribunals drawn from a six person Planning Panel or, for certain appeals, by a single professional Member of the Panel based solely on the basis of written representations.
- 2.2 Section 86 of the Law provides as follows:

“Establishment of Planning Panel.

- 86.** (1) The States shall, on the recommendation of the Policy Council, draw up and maintain a panel to be called the Planning Panel which shall consist of six independent persons and from which the members of the Planning Tribunal shall, from time to time, be appointed.
- (2) A recommendation of the Policy Council under subsection (1) may be amended by resolution of the States to the intent that persons other than those recommended by the Policy Council may be elected to the Planning Panel.
- (3) Of the members of the Planning Panel –
- (a) not less than four shall be permanently resident within the Channel Islands,

- (b) not less than two, who shall be designated by States' resolution as the "**professional members**", shall be persons with such qualifications and experience in planning matters as in the opinion of the States is necessary for the hearing and determination of appeals to the Planning Tribunal,
 - (c) one shall be designated by States' resolution as the Chairman of the Planning Panel, and
 - (d) one shall be designated by States' resolution as the Deputy Chairman thereof.
- (4) The members of the Planning Panel shall, subject to the provisions of subsection (5), hold office for a term of six years, and a person may be elected for more than one term of office.
- (5) Of the six persons first elected as members of the Planning Panel –
- (a) two, who shall be specified by States' resolution, shall hold office for a term of two years,
 - (b) two others, who shall also be specified by States' resolution, shall hold office for a term of four years, and
 - (c) the remaining two shall hold office for a term of six years."

2.3 In addition to these requirements of the Law itself, the Land Planning and Development (Appeals) Ordinance, 2007 provides that the following may not be a Member of the Planning Panel:-

- “(a) a Member of the States of Deliberation within the meaning of the Reform (Guernsey) Law 1948,
- (b) an employee of the States who is employed by the States within the [Environment] Department, a member of the Department or a person who carries out work for, or provides services to the Department in relation to any functions of the Department under the Law or the repealed enactments,
- (c) a member of the Strategic Land Planning Group,

(d) a person who holds appointment to any judicial office in Guernsey,

or any person who has been such a person at any time within the period of two years ending on the date of the proposed election”.

3. The Selection Process

3.1 It is necessary for the members of the Planning Panel to have been appointed by the States at the time the law comes into effect to ensure that they are familiar with the procedural provisions applying and receive any necessary training before the first actual appeals are made. Appeals can only be lodged, however, in relation to decisions made under the new law so it is likely that there will be a period before the number of appeals under the new system begins to build up.

3.2 In August 2008 the Policy Council advertised in the Guernsey Evening Press for members of the public to submit initial expressions of interest in membership of the Planning Panel. There was a good response to the press notice and the Policy Council received over fifty replies from people with a wide variety of backgrounds.

3.3 In December 2008, the Policy Council asked the Chief Minister and fellow Ministers, Deputies Dorey and Mahy to form a “selection panel” to consider these expressions of interest and recommend suitable candidates who could be proposed for appointment by the States.

3.4 First of all, the selection panel agreed a shortlist by applying criteria appropriate to meeting the requirements for lay (ordinary) members, ‘professional members’ and (from amongst both categories), a Chairman and Deputy Chairman. The criteria included considerations relating to:

- Preferred type of membership and period of service.
- Relevance of qualifications.
- Willingness to undertake training.
- Degree of availability for service on tribunals.
- Neutrality/absence of what might be perceived as bias in relation to planning matters in Guernsey.
- Place of residence.

For the sake of consistency, a candidate’s age was also taken into account where this exceeded, or would soon exceed, the limits which are applied by legislation to other bodies which hear statutory appeals.

- 3.5 The selection panel met each shortlisted candidate before recommending a final list of six to the Policy Council. The list was endorsed by the Policy Council and a brief resumé of the candidates' background and experience is provided as Appendix I to this report.

4. Competence and Probity

- 4.1 In assessing the suitability of candidates to serve as “professional members” of the Planning Panel, the Policy Council has interpreted “persons with such qualifications and experience in planning as in the opinion of the States is necessary for the hearing and determination of appeals to the Planning Tribunal” (section 86(3)(b) of the Law), to include persons who are not Chartered Town Planners. None of the proposed members of the Planning Panel hold this specific qualification although one is a Chartered Architect who was trained and worked for the UK Planning Inspectorate for a period. Other prospective members include a qualified lawyer and chartered surveyors some of whom are willing to serve as ordinary members rather than in a professional capacity.
- 4.2 At the time of writing, arrangements are being made to ensure that all Members of the Planning Panel will receive specific training appropriate to their rôles. In addition, three candidates, who have been interviewed but who are not included in the six recommended for election by the States to the inaugural Planning Panel, have been asked to train as informal ‘reserves’ to be available should workload require that the Planning Panel be enlarged as provided for in section 86 (5A) of the Law. In such a situation the Policy Council would then be in a position to recommend their election by the States in a future report.
- 4.3 As well as needing to be competent to adjudicate on planning matters and make legally robust decisions, the Planning Panel needs to be seen to demonstrate independence from any practical involvement in planning and development matters in Guernsey and, include members who are less likely to be unable to serve on a particular tribunal through having prior involvement in the particular case. It is extremely important that the Planning Panel is perceived to be fair and unbiased. From this point of view, the Policy Council considers it advantageous that the candidates include one Alderney and one Jersey resident and that those who are Guernsey residents with professional qualifications have mainly practised outside the island.

5. Recommendations

- 5.1 In accordance with the provisions of the Land Planning and Development (Guernsey) Law, 2005, the Policy Council recommends that the States:
- (a) appoint the following as members of the Planning Panel, to take effect from 6th April 2009

- i. Mr Patrick Russell as an ordinary member for a period of 6 years;
 - ii. Mr Stuart Fell as a professional member for a period of 6 years;
 - iii. Mr William Bowen as a professional member for a period of 4 years;
 - iv. Mrs Sheelagh Evans as an ordinary member for a period of 4 years;
 - v. Mr John Weir as an ordinary member for a period of 2 years;
 - vi. Mr Nigel Burnard as an ordinary member for a period of 2 years;
- (b)
- i. designate Mr Patrick Russell as Chairman of the Planning Panel;
and
 - ii. designate Mr John Weir as Deputy Chairman of the Planning Panel.

L S Trott
Chief Minister

23rd February 2009

APPENDIX 1**PLANNING PANEL****Summary of the Career History of Candidates****Mr Patrick O. Russell**

Mr Russell received an LL.B (Hons.) Degree in Law from the University of North London. After being articled to the Clerk to the Justices at the Chichester Magistrates Court he was admitted as a solicitor in 1982. He took up an appointment as a Prosecuting Solicitor later that year with the Sussex Police and subsequently with the Crown Prosecution Service. He was invited to join a local firm of solicitors and went into private practice in 1988 and became his firm's Criminal Litigation Partner. He developed an interest in mental health law and in 1998 set up a specialist mental health practice in West Sussex where he remained as senior partner until his retirement in 2008.

Mr Russell was appointed as a Legal Member of the Mental Health Review Tribunal by the Lord Chancellor's Department, London, in 1994. He is currently a part time Tribunal Judge of the First-Tier Tribunal, Health, Education and Social Care Chamber. He has wide experience of sitting as a Tribunal Chairman and being responsible for the conduct of the proceedings and preparing the written judgement of the Tribunal. As well as receiving regular training in the practise and procedure of tribunals he also has attended training courses in wider areas such as Human Rights legislation, Diversity, Gender and Disability Equality, and Trans-cultural issues.

Mr Stuart Fell

Mr Fell currently works as a consultant to an expanding planning and architectural design practice based in Jersey. He is involved with a wide range of development work, but his special interests include historic building projects, design work, and challenges to the planning process. Before moving into private practice, he worked for 10 years for the States of Jersey Planning Service in the role of conservation architect and urban designer, and for a period he headed up the development control service. Mr Fell trained originally as an architect, but quickly developed an interest in heritage matters. Following specialist training, he subsequently worked in conservation officer posts in Halifax, Chester and Newark, before taking up the job of Chief Technical officer at Tunbridge Wells Borough Council. This managerial post included responsibility for architectural and quantity surveying services, as well as the repair of the Council's public housing stock of several thousand dwellings. On leaving Tunbridge Wells, Mr Fell took up a 3 year contract as a planning Inspector with the UK Planning Inspectorate, where he determined a wide range of planning appeals in the name of the Secretary of State. These appeals were dealt with by means of written representations, informal hearings, or formal public inquiries. Mr Fell left the Inspectorate to take up his position in Jersey.

Mr William Bowen

Mr Bowen qualified as a Chartered Surveyor in 1970 and set up his own private practice of chartered surveyors in Birmingham in 1972. He became a Fellow of the Royal Institution of Chartered Surveyors in 1979. He specialised in Commercial property matters and more particularly for some 34 years in tribunal work as an expert witness instructed by major Plc, private companies and Solicitors, in connection with all aspects of Liquor, Gaming, betting and public entertainment licensing. Attending and giving evidence in the Crown and Magistrates courts as well as before Local authority licensing panels throughout England and Wales. He also presented planning appeals at local enquiries and by written statement to the planning inspectorate, acting on behalf of clients. He retired from private practice to live in Guernsey in 2006 and is currently acting as a consultant to a Guernsey based firm seeking property in the United Kingdom.

Mrs Sheelagh Evans

Mrs Evans holds a BSc (Hons) in Estate Management and a Master's degree in Urban Land Appraisal. She retired from working as a Chartered Surveyor some years ago to raise her family. She is currently a Committee member of the British Red Cross (Bailiwick of Guernsey Branch) with responsibility for property matters and is also a member of the Tax on Real Property Appeals Panel.

Mr John M. Weir

Mr Weir has been working in the property industry for almost 40 years. A Fellow of the Royal Institution of Chartered Surveyors, he has experience in a number of different facets of the profession including: private practice, Local Authority, quasi civil service, investment institution and industry as Property Director of both Siemens and United News & Media. Until taking early retirement he was Real Estate Executive at BP a position that entailed acquiring and disposing of various global property assets and seeking planning changes as appropriate. Throughout his career, planning has played an important part in delivering various projects. As a Member of CoreNet Global the organisation for Corporate Real Estate Professionals he has chaired a number of their workshop summits in global locations. He occasionally chairs the Tax on Real Property Appeals Tribunal.

Mr Nigel Burnard

In September 2005 Mr Burnard retired from the Island Police Service after 28½ years having reached the rank of Inspector. For the last 5½ years of his career his primary role was working within the Court Office initially as a Prosecuting Inspector then with additional responsibility for Youth Justice. In 2002 he had responsibility for the Workflow Unit ensuring that all submitted files were complete as regards evidence and deciding whether persons should be placed before the Court or the matter dealt with by other means. From January 2003 he oversaw the compilation of most Police Royal Court files and sudden death enquiries together with managing the investigation of

'outside agency' enquiries. In these roles he had many dealings with the Law Officers of the Crown. Due to the various roles undertaken in his Police Service he has demonstrated his ability to deal with complex and emotive matters with high degree of probity.

(NB The Treasury and Resources Department has no comment on the proposals.)

The States are asked to decide:-

VII.- Whether, after consideration of the Report dated 23rd February, 2009, of the Policy Council, they are of the opinion:-

1. To elect as members of the Planning Panel to take effect from 6th April 2009
 - (1) Mr Patrick Russell as an ordinary member for a period of 6 years.
 - (2) Mr Stuart Fell as a professional member for a period of 6 years.
 - (3) Mr William Bowen as a professional member for a period of 4 years
 - (4) Mrs Sheelagh Evans as an ordinary member for a period of 4 years
 - (5) Mr John Weir as an ordinary member for a period of 2 years
 - (6) Mr Nigel Burnard as an ordinary member for a period of 2 years
2.
 - (1) To designate Mr Patrick Russell as Chairman of the Planning Panel.
 - (2) To designate Mr John Weir as Deputy Chairman of the Planning Panel.

COMMERCE AND EMPLOYMENT DEPARTMENT

THE GUERNSEYFINANCE FUNDING LAW

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

17th February 2009

Dear Sir

1. Executive Summary

- 1.1 GuernseyFinance is a company limited by guarantee which undertakes the promotion of Guernsey as an international centre for the provision of financial services. These activities are currently fully funded out of the budget of the Commerce and Employment Department.
- 1.2 This States Report seeks approval from the States for the introduction of a GuernseyFinance Funding Law which will require those businesses based in Guernsey and regulated and licensed by the Guernsey Financial Services Commission to make a financial contribution to the costs of the activities of GuernseyFinance.

2. Introduction

- 2.1 GuernseyFinance was formed as a limited liability company in 2004 to take over responsibility for the promotion of Guernsey as a well regulated and innovative international centre for the provision of financial services. These responsibilities had previously been undertaken by the GFSC and then by the Guernsey Promotional Agency.
- 2.2 The promotion of the Guernsey “brand” is essential if the financial services sector is to continue to be the driver of the Guernsey economy providing job opportunities both directly and indirectly in other sectors and to continue as a major contributor to tax revenues.
- 2.3 The joint shareholders of GuernseyFinance are the States, acting through the Commerce and Employment Department, and the Guernsey international Business Association (GIBA), representing the industry. The Board structure reflects this joint shareholding and corporate governance arrangements provide

for the Commerce and Employment Department Board to approve the annual budget and business plan of GuernseyFinance.

- 2.4 The costs of promotion activities are currently fully funded through the budget of the Commerce and Employment Department. It should be noted however that individual service providers have given substantial support to GuernseyFinance particularly in attending events and conferences internationally to specifically market the Guernsey brand.
- 2.5 Following a consultation with the industry in late 2007, the Department is proposing that a new GuernseyFinance Funding Law be introduced to collect a compulsory levy from the industry as a contribution to the costs incurred by GuernseyFinance.
- 2.6 The contribution raised by the levy will be offset against the total budget for GuernseyFinance, as agreed by the Commerce and Employment Department, and thus reduce the payment otherwise required from the Department's budget.

3 Principles of the New Funding Law

- 3.1 The Law will require all financial services businesses that are regulated and licensed by the GFSC to pay the levy.
- 3.2 The charge will be based on the number of staff employed by each business, with a fixed maximum to be paid by those individual businesses or groups that have a large complement of staff. The number of staff will be calculated on the basis of the number of full time equivalent staff.
- 3.3 Many Guernsey financial services businesses that are regulated and licensed by the GFSC may, in fact, be divisions of the same entity. A particular example is the banking industry where a bank may have a number of different licences for different divisions such as retail banking, insurance, investment advice, private wealth management, stock broking etc.
- 3.4 In respect of corporate groups and to prevent double charging, the law will need to include a power, vested in the Department (to be exercised after consultation with the Board of GuernseyFinance) that allows the Department, by Regulation, to provide for the following:
 - A power to recognise corporate groups and ensure that the fee is only levied once on the entire group. The Department would specify those organisations that belong to a corporate group and exempt all but one of them from payment of the levy. The Law should not result in any organisation being charged twice.
 - A power to exempt particular organisations or individuals from payment of the fee. For example an insurance firm that does no international

business and gains no real advantage from the international work of GuernseyFinance may wish to be exempt from the regime. That will require a decision on a case by case basis. The Department will prepare regulations setting out the criteria by which any such exemption can be granted.

- 3.5 The law will require a means by which the payment can be enforced. It should be made clear in the law that a debt is a civil debt that GuernseyFinance can recover through legal proceedings including taking action under insolvency law for a failure to pay the debt.
- 3.6 Once the legislative infrastructure is in place GuernseyFinance would need to put in place the following administrative measures:
- An invoicing system. Those invoices would be issued in December to be paid by the end of January apart from 2009 when invoices will be issued as soon as the legislation is enacted; and
 - The establishment of a direct debit system to reduce the administrative costs of collecting the funds.
- 3.7 The scale of fees will be determined by the Commerce and Employment Department following consultation with GIBA on behalf of the industry and prescribed by Regulation laid before the States.
- 3.8 It had been the intention of the Commerce and Employment Department to propose the initial scale of fees in this States Report. However, in the light of comments made on levels of funding during the 2009 budget debate, the almost unprecedented developments in global financial services markets and the increase in the promotional activities of competing jurisdictions in reaction to those developments, the intention is now to report back to the States with a separate report recommending the initial scale of fees.
- 3.9 Those recommendations will be made following a further consultation process with the industry, an assessment of where, and at what level, promotional activities may best be directed to maintain financial services as the driver of the Guernsey economy and how those activities should be funded. The report will be submitted at the same time as the proposals to bring the law into force following Privy Council approval.
- 3.10 In the meantime the Commerce and Employment Department is recommending that the introduction of the new law be approved so that it can be brought into force as soon as possible and enable the collection of levies at whatever level is ultimately approved by the States.
- 3.11 In considering these proposals members of the States need to be mindful of the following:

- Elements of the finance industry, such as banking, presently bear taxation not borne directly by the corporate sector whether engaged in financial services or otherwise,
- The banking sector exclusively has to bear the costs of funding Guernsey's Depositor Compensation Scheme.
- The current world financial crisis will inevitably conduce greater financial sector regulation with its attendant expenses, increased fees and compliance costs, resulting in the cost of doing business in Guernsey rising over time.

3.12 Members of the States no doubt appreciate that any failure or weakening of the States' commitment to support its principal revenue earner could only have a detrimental effect on the Island's economy but also give rise to negative perceptions of support to the finance sector and its customers world wide. Guernsey must continue to demonstrate its commitment.

4 Recommendations

4.1 The States are asked to:

- (a) Approve the proposals for the introduction of an Industry Levy as set out in Section 3 of this report; and
- (b) Direct the preparation of such legislation as may be necessary to give effect to the foregoing.

Yours faithfully

C S McNulty Bauer
Minister

(NB The Policy Council has no comment on the proposals.)

(NB The Treasury and Resources Department supports the proposals.)

The States are asked to decide:-

VIII.- Whether, after consideration of the report dated 17th February, 2009, of the Commerce and Employment Department, they are of the opinion:-

1. To approve the proposals for the introduction of an Industry Levy as set out in Section 3 of that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES**THE MOTOR TAXATION AND LICENSING (FEES)
(GUERNSEY) REGULATIONS, 2007**

In pursuance of sections 2A and 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987, as amended, the Motor Taxation and Licensing (Fees) (Guernsey) Regulations, 2007, made by the Environment Department on 20th December, 2007, are laid before the States.

EXPLANATORY NOTE

These regulations prescribe the fees payable to the Department upon first registration of a motor vehicle (£35) and the issue of a duplicate registration certificate (£10). The fees are payable to the Department with effect from 1st January, 2008.

THE COMPANIES (AUDIT EXEMPTION) REGULATIONS, 2008

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Audit Exemption) Regulations, 2008, made by the Commerce and Employment Department on 22nd July, 2008, are laid before the States.

EXPLANATORY NOTE

These regulations prescribe certain classes of company ("large companies") the members of which may not pass a waiver resolution exempting the company from the requirement under section 255 of the Companies (Guernsey) Law, 2008 to have its accounts for a financial year audited.

**THE COMPANIES (TRANSITIONAL PROVISIONS)
(NO. 3) REGULATIONS 2008**

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Transitional Provisions) (No. 3) Regulations, 2008, made by the Commerce and Employment Department on 28th October, 2008, are laid before the States.

EXPLANATORY NOTE

These regulations permit dormant and asset holding companies (within the meaning of the Companies (Guernsey) Law, 1994) to pass a waiver resolution under section 256 of the Companies (Guernsey) Law, 2008 exempting them in their current financial year from the need to audit their accounts.

THE PUBLIC RECORDS (FEES FOR REGISTRATION AND CERTIFIED COPIES OF DOCUMENTS) REGULATIONS, 2008

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Public Records (Fees for Registration and Certified Copies of Documents) Regulations, 2008, made by the Treasury and Resources Department on 11th November, 2008, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees payable on registration at the Greffe of conveyances and bonds, etc, and for the provision of copies of such documents.

**THE BANKING DEPOSIT COMPENSATION SCHEME
(LIABILITY OF PARTICIPANTS TO COMPENSATION LEVY)
(BAILIWICK OF GUERNSEY) REGULATIONS 2008**

In pursuance of Section 44(3) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the Banking Deposit Compensation Scheme (Liability of Participants to Compensation Levy) (Bailiwick of Guernsey) Regulations, 2008, made by the Commerce and Employment Department on 9th December, 2008, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe, for the purposes of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the manner in which the individual liability of participants in the Guernsey Banking Deposit Compensation Scheme to a compensation levy in respect of a default is to be calculated.

**THE LIMITED PARTNERSHIPS
(FEES AND ANNUAL RETURN) REGULATIONS 2008**

In pursuance of Section 44(3) of the Limited Partnerships (Guernsey) Law, 1995, the Limited Partnerships (Fees and Annual Return) Regulations, 2008, made by the Commerce and Employment Department on 9th December, 2008, are laid before the States.

EXPLANATORY NOTE

These regulations impose an annual £500 fee on all limited partnerships registered in Guernsey; require all such limited partnerships to file an annual return with the Greffier setting out prescribed particulars; and increase the filing fee payable by a person wishing to effect the registration of a limited partnership from £100 to £350.

THE COMPANIES (REGISTRAR) (FEES) (NO. 2) REGULATIONS 2008

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Registrar) (Fees) (No. 2) Regulations, 2008, made by the Registrar of Companies on 23rd December, 2008, are laid before the States.

EXPLANATORY NOTE

These regulations prescribe the fees payable to the Registrar of Companies in respect of the delivery of a company's annual validation for the calendar year 2009 under section 234 of the Companies (Guernsey) Law, 2008.

THE MARRIAGE FEES (GUERNSEY) REGULATIONS, 2009

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Marriage Fees (Guernsey) Regulations, 2009, made by the Treasury and Resources Department on 27th January, 2009, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees payable to the Registrar-General of Marriages for taking notice of marriage, solemnisation of marriages etc.

THE BIRTHS, DEATHS AND MARRIAGE CERTIFICATES (FEES) REGULATIONS, 2009

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, made by the Treasury and Resources Department on 27th January, 2009, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees payable for the issue of birth, death and marriage certificates.

**THE LAND PLANNING AND DEVELOPMENT
(IMMUNITY CERTIFICATE FEE) REGULATIONS, 2009**

In pursuance of section 3(3)(b) of the Land Planning and Development (Enforcement) Ordinance, 2007 and section 89 of the Land Planning and Development (Guernsey) Law, 2005, the Land Planning and Development (Immunity Certificate Fee) Regulations, 2009, made by the Environment Department on 6th February 2009, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe a fee of £50 to accompany an application for an immunity certificate made under the Land Planning and Development (Enforcement) Ordinance, 2007

**THE HOUSING (CONTROL OF OCCUPATION)
(FEES) (GUERNSEY) REGULATIONS, 2009**

In pursuance of section 66A (3) of the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, the Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2009, made by the Housing Department on 9th February 2009, are laid before the States.

EXPLANATORY NOTE

These Regulations make provision for the fees to be charged for certain applications made under the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, one of which took effect on 16 February 2009; the others shall come into force not earlier than 1 June 2009.

**THE FEES, CHARGES AND PENALTIES (AIRPORT FEES)
(GUERNSEY AND ALDERNEY) REGULATIONS, 2009**

In pursuance of section 5 (2) (c) of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Fees, Charges and Penalties (Airport Fees) (Guernsey and Alderney) Regulations, 2009, made by the Public Services Department on 20th February, 2009, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees for use of Alderney Airport and Guernsey Airport with effect from 1 April 2009.

APPENDIX

PUBLIC SECTOR REMUNERATION COMMITTEE

**ESTABLISHED STAFF OF THE STATES OF GUERNSEY -
THE SALARY MINIMA & MAXIMA OF THE GENERAL GRADES**

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

5th February 2009

Dear Sir

In accordance with States Resolution XXXVI of 28 October 1987, as amended, I have the honour to enclose, for publication as an Appendix to a Billet d'Etat, details of the salary minima and maxima of the Established Staff general grades applying from 1 May 2008, the settlement for which was reached in December 2008. The number of staff in each grade is also detailed.

Yours faithfully

A H Brouard
Chairman

ESTABLISHED STAFF OF THE STATES OF GUERNSEY
The Salary Minima & Maxima of the General Grades

	At 1.05.08 £	
Senior Officer 12	112750/127126	} Note 1
Senior Officer 11	103040/116178	
Senior Officer 10	94173/106178	
Senior Officer 9	86070/97039	
Senior Officer 8	78659/88691	
Senior Officer 7	71894/81055	
Senior Officer 6	65704/74086	
Senior Officer 5	60047/67708	
Senior Officer 4	54877/61877	
Senior Officer 3	50155/56550	
Senior Officer 2	45838/51682	
Senior Officer 1	41891/47235	
Executive Grade V	39628/41866	} Note 2
Executive Grade IV	36499/38557	
Executive Grade III	33237/35413	
Executive Grade II	30005/32122	
Executive Grade I	26707/28861	
Administrative Assistant 2	22096/25180	} Note 3
Administrative Assistant 1	16959/21580	
Clerical Assistant	13311/16959	
Personal Assistant 2	29445/32616	} Note 4
Personal Assistant 1	25750/28462	
Typist C	22867/24943	
Typist B	15881/22867	
Typist A	13381/19479	
Other Grades	11039/40689	} Note 5

NOTES:

There are 1852 Established Staff in total on the general grades. (All establishment figures are as at 31 January 2008.)

1. There are 305 staff (16.5% of total) on the Senior Officer grades.
2. There are 862 staff (46.5% of total) on the Executive Grades.
3. There are 347 staff (18.7% of total) on the Administrative Assistant, Clerical Assistant and equivalent grades.
4. There are 105 staff (5.7% of total) on the Personal Assistant and Typist grades.
5. There are 233 staff (12.6% of total) on other grades i.e. Non-Standard, Miscellaneous, Home Staff, School Administration Assistant whose salaries broadly span Clerical Assistant to Executive Grade V.

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 25th DAY OF MARCH, 2009**

**The States resolved as follows concerning Billet d'État No VIII
dated 6th March 2009**

PROJET DE LOI

entitled

THE MINIMUM WAGE (GUERNSEY) LAW, 2009

I.- To approve the Projet de Loi entitled “The Minimum Wage (Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE ELECTRICITY (GUERNSEY) LAW, 2001
(AMENDMENT) ORDINANCE, 2009**

II.- At the instance of the Minister, Commerce and Employment Department, TO GRANT LEAVE TO WITHDRAW this Article.

**THE DWELLING PROFITS TAX (SUSPENSION OF LAW)
(GUERNSEY) ORDINANCE, 2009**

III.- To approve the draft Ordinance entitled “The Dwelling Profits Tax (Suspension of Law) (Guernsey) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT WITH
UNITED KINGDOM) ORDINANCE, 2009**

IV.- To approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreement with United Kingdom) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

SCRUTINY COMMITTEE

NEW MEMBER

V.- To elect Deputy M P J Hadley as a member of the Scrutiny Committee to complete the unexpired portion of the term of office of Deputy M M Lowe, who has resigned as a member of that Committee, namely to serve until May 2012 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.

POLICY COUNCIL

FEEES FOR APPEALS MADE UNDER THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW 2005

VI.- After consideration of the Report dated 16th February, 2009, of the Policy Council:-

1. That fees shall be charged for the types of appeals under the Land Planning and Development (Guernsey) Law, 2005 and the Ordinances made under it as listed in paragraph 26 of that Report.
2. That the fee charged in respect of each appeal shall be set at the same level as the fee charged for the original application or deposit of plans provided that
 - (1) there shall be no fee for an appeal where –
 - a) no original application fee is provided for;
 - b) the appeal is against a condition imposed on a grant of permission/approval of reserved matters or full plans;
 - c) the Environment Department has failed to take a decision on an application within a specified time or has given notice that it is declining to make a decision in the circumstances set out in section 16 of the Law;
 - (2) provision is made for exemptions for certain persons (such as those in receipt of social security) or to allow them to apply to the Tribunal for a waiver or reduction of the fee on the basis of financial hardship; and
 - (3) the appeal fee is discounted in respect of appeals determined solely on the basis of written representations as set out in that Report.
3. That the Policy Council be empowered to increase appeal fees by Regulation.

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

POLICY COUNCIL

APPOINTMENT OF PLANNING PANEL

VII.- After consideration of the Report dated 23rd February, 2009, of the Policy Council:-

1. To elect as members of the Planning Panel to take effect from 6th April 2009
 - (1) Mr Patrick Russell as an ordinary member for a period of 6 years.
 - (2) Mr Stuart Fell as a professional member for a period of 6 years.
 - (3) Mr William Bowen as a professional member for a period of 4 years
 - (4) Mrs Sheelagh Evans as an ordinary member for a period of 4 years
 - (5) Mr John Weir as an ordinary member for a period of 2 years
 - (6) Mr Nigel Burnard as an ordinary member for a period of 2 years
2.
 - (1) To designate Mr Patrick Russell as Chairman of the Planning Panel.
 - (2) To designate Mr William Bowen as Deputy Chairman of the Planning Panel.

COMMERCE AND EMPLOYMENT DEPARTMENT

THE GUERNSEYFINANCE FUNDING LAW

VIII.- After consideration of the report dated 17th February, 2009, of the Commerce and Employment Department:-

1. To approve the proposals for the introduction of an Industry Levy as set out in Section 3 of that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE MOTOR TAXATION AND LICENSING (FEES) (GUERNSEY) REGULATIONS, 2007

In pursuance of sections 2A and 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987, as amended, the Motor Taxation and Licensing (Fees) (Guernsey) Regulations, 2007, made by the Environment Department on 20th December, 2007, were laid before the States.

THE COMPANIES (AUDIT EXEMPTION) REGULATIONS, 2008

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Audit Exemption) Regulations, 2008, made by the Commerce and Employment Department on 22nd July, 2008, were laid before the States.

THE COMPANIES (TRANSITIONAL PROVISIONS) (NO. 3) REGULATIONS 2008

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Transitional Provisions) (No. 3) Regulations, 2008, made by the Commerce and Employment Department on 28th October, 2008, were laid before the States.

THE PUBLIC RECORDS (FEES FOR REGISTRATION AND CERTIFIED COPIES OF DOCUMENTS) REGULATIONS, 2008

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Public Records (Fees for Registration and Certified Copies of Documents) Regulations, 2008, made by the Treasury and Resources Department on 11th November, 2008, were laid before the States.

THE BANKING DEPOSIT COMPENSATION SCHEME (LIABILITY OF PARTICIPANTS TO COMPENSATION LEVY) (BAILIWICK OF GUERNSEY) REGULATIONS 2008

In pursuance of Section 44(3) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the Banking Deposit Compensation Scheme (Liability of Participants to Compensation Levy) (Bailiwick of Guernsey) Regulations, 2008, made by the Commerce and Employment Department on 9th December, 2008, were laid before the States.

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(FEES AND ANNUAL RETURN) REGULATIONS 2008**

In pursuance of Section 44(3) of the Limited Partnerships (Guernsey) Law, 1995, the Limited Partnerships (Fees and Annual Return) Regulations, 2008, made by the Commerce and Employment Department on 9th December, 2008, were laid before the States.

THE COMPANIES (REGISTRAR) (FEES) (NO. 2) REGULATIONS 2008

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008, the Companies (Registrar) (Fees) (No. 2) Regulations, 2008, made by the Registrar of Companies on 23rd December, 2008, were laid before the States.

THE MARRIAGE FEES (GUERNSEY) REGULATIONS, 2009

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Marriage Fees (Guernsey) Regulations, 2009, made by the Treasury and Resources Department on 27th January, 2009, were laid before the States.

**THE BIRTHS, DEATHS AND MARRIAGE CERTIFICATES (FEES)
REGULATIONS, 2009**

In pursuance of sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Births, Deaths and Marriage Certificates (Fees) Regulations, 2009, made by the Treasury and Resources Department on 27th January, 2009, were laid before the States.

**THE LAND PLANNING AND DEVELOPMENT
(IMMUNITY CERTIFICATE FEE) REGULATIONS, 2009**

In pursuance of section 3(3)(b) of the Land Planning and Development (Enforcement) Ordinance, 2007 and section 89 of the Land Planning and Development (Guernsey) Law, 2005, the Land Planning and Development (Immunity Certificate Fee) Regulations, 2009, made by the Environment Department on 6th February 2009, were laid before the States.

**THE HOUSING (CONTROL OF OCCUPATION)
(FEES) (GUERNSEY) REGULATIONS, 2009**

In pursuance of section 66A (3) of the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, the Housing (Control of Occupation) (Fees) (Guernsey)

Regulations, 2009, made by the Housing Department on 9th February 2009, were laid before the States.

**THE FEES, CHARGES AND PENALTIES (AIRPORT FEES)
(GUERNSEY AND ALDERNEY) REGULATIONS, 2009**

In pursuance of section 5 (2) (c) of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Fees, Charges and Penalties (Airport Fees) (Guernsey and Alderney) Regulations, 2009, made by the Public Services Department on 20th February, 2009, were laid before the States.

**K H TOUGH
HER MAJESTY'S GREFFIER**