

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28TH DAY OF JANUARY, 2004

The States resolved as follows concerning Billet d'Etat No. I  
dated 9th January, 2004

**PROJET DE LOI**

entitled

**THE STATES AUDIT COMMISSION (GUERNSEY) (REPEAL) LAW, 2004**

- I. To approve the Projet de Loi entitled “The States Audit Commission (Guernsey) (Repeal) Law, 2004”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**PROJET DE LOI**

entitled

**THE APPOINTMENTS TO THE STATES ESTABLISHED STAFF  
(GUERNSEY) (REPEAL) LAW, 2004**

- II. To approve the Projet de Loi entitled “The Appointments to the States Established Staff (Guernsey) (Repeal) Law, 2004”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE HOUSING (CONTROL OF OCCUPATION) (SUSPENSION OF  
PROVISIONS OF SECTION 65) ORDINANCE, 2004**

- III.- To approve the draft Ordinance entitled “The Housing (Control of Occupation) (Suspension of Provisions of Section 65) Ordinance, 2004”, and to direct that the same shall have effect as an Ordinance of the States.

**STATES PUBLIC ASSISTANCE AUTHORITY**

**ST. SAMPSON'S PAROCHIAL OUTDOOR ASSISTANCE BOARD**

**NEW MEMBER**

- IV.- To elect Mr. Alan Nant as a member of the St. Sampson's Parochial Outdoor Assistance Board to complete the unexpired term of office of Mr. A. M. J. Courtney, who has ceased to be a Douzenier, namely, to the 31<sup>st</sup> May, 2007.

**STATES PUBLIC ASSISTANCE AUTHORITY**

**ST. MARTIN'S PAROCHIAL OUTDOOR ASSISTANCE BOARD**

**NEW MEMBER**

- V.- To elect Mr. Richard Strappini as a member of the St. Martin's Parochial Outdoor Assistance Board to complete the unexpired portion of the term of office of Mrs. M. M. Laws, who has ceased to be a Douzenier, namely to the 31<sup>st</sup> May, 2005.

**STATES ADVISORY AND FINANCE COMMITTEE**

**STATES AUDIT COMMISSION: MEMBERSHIP**

- VI.- After consideration of the Report dated the 26<sup>th</sup> November, 2003, of the States Advisory and Finance Committee:-

1. To re-elect Mrs. Lesley Mary Perkins, who has been nominated in that behalf by the States Advisory and Finance Committee, as an ordinary member of the States Audit Commission with effect from the 1<sup>st</sup> March, 2004.
2. To re-elect Mr. Rodney Benjamin, who has been nominated in that behalf by the States Advisory and Finance Committee, as an ordinary member of the States Audit Commission with effect from the 1<sup>st</sup> March, 2004.

## **STATES ADVISORY AND FINANCE COMMITTEE**

### **GUERNSEY FINANCIAL SERVICES COMMISSION NEW CHAIRMAN AND NEW MEMBERS**

VII.- After consideration of the Report dated 18<sup>th</sup> December, 2003, of the States Advisory and Finance Committee:-

1. To re-elect Mr. John Edward Hallam, FCA as an ordinary member of the Guernsey Financial Services Commission for three years with effect from the 2<sup>nd</sup> February, 2004.
2. To elect Advocate Peter Andrew Harwood as an ordinary member of the Guernsey Financial Services Commission to complete the unexpired portion of the term of office left vacant by Advocate Carey's resignation, that is from the 1<sup>st</sup> August, 2004 until 1<sup>st</sup> February, 2006.
3. To re-elect Mr. John Edward Hallam, FCA as Chairman of the Guernsey Financial Services Commission for one year with effect from the 2<sup>nd</sup> February, 2004.

## **STATES ADVISORY AND FINANCE COMMITTEE**

### **PROCEEDS OF CRIME AND DRUG TRAFFICKING LAWS**

VIII.- After consideration of the Report dated the 19<sup>th</sup> November, 2003, of the States Advisory and Finance Committee:-

1. That the Proceeds of Crime and Drug Trafficking Laws shall be amended to allow for the restraint of assets once an investigation has commenced whether it be locally or abroad.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **STATES ADVISORY AND FINANCE COMMITTEE**

### **THE REMUNERATION OF STATES MEMBERS AND NON-STATES MEMBERS**

IX.- After consideration of the Report dated the 17<sup>th</sup> December, 2003, of the States Advisory and Finance Committee:-

1. That the present Compensation Payment shall be replaced by a Basic Allowance of £20,000 per year available to all Members excluding the Alderney Representatives.

2. That the present Attendance Allowance and Presidential Allowances shall be replaced by workload and special responsibility allowances; in respect of workload allowances they shall be paid as follows:
  - (i). A Departmental Membership Allowance of £2,500 per year for each seat held on a States Department or the Scrutiny Committee or the Public Accounts Committee.
  - (ii). A Committee Membership Allowance of £1,250 per year for each seat held on a Standing States Committee excluding the Scrutiny Committee and the Public Accounts Committee.
  - (iii). A Special States Committee Membership Allowance to be set by the States on formation of the Committee at £2,500 per year or £1,250 per year, according to the expected workload.
3. The total amount of Departmental, Committee and Special Committee Membership Allowances paid to an individual States Member shall not exceed £7,500 per year.
4. That Special Responsibility Allowances shall be paid as follows:
  - (i) Chief Minister – £20,000 per year.
  - (ii) Deputy Chief Minister – £5,000 per year.
  - (iii) Ministers and Chairman of the Scrutiny Committee and Chairman of the Public Accounts Committee - £7,500 per year.
  - (iv) Chairmen of Standing States Committees excluding the Scrutiny Committee and the Public Accounts Committee - £3,750 per year.
  - (v) Deputy Ministers and Vice-Chairman of the Scrutiny Committee and Vice Chairman of the Public Accounts Committee - £2,500 per year.
  - (vi) Vice-Chairmen of Standing States Committees excluding the Scrutiny Committee and the Public Accounts Committee - £1,250 per year.
  - (vii) Chairmen and Vice-Chairmen of Special States Committees - £7,500 and £2,500 per year respectively if the States have set the workload allowance for the Committee at the Departmental level, and £3,750 and £1,250 respectively if the allowance is set at the Committee level.
5. That all Special Responsibility Allowances shall be paid in addition to the Basic Allowance and any Departmental, Committee and Special Committee Membership Allowances to which a Member may be entitled.

6. That the total amount of Special Responsibility Allowances payable to any individual Member, excluding the Chief Minister and Deputy Chief Minister, shall not exceed £15,000 per year.
7. That the total amount of Special Responsibility Allowances payable to the Deputy Chief Minister shall not exceed £22,500 per year.
8. That all States Members shall receive an annual Expense Allowance of £2,500, free of tax.
9. That Non-States Members shall continue to be remunerated by means of an attendance allowance of a maximum of £45 per half day, payable under the same conditions as the current Allowance.
10. That Alderney Representatives and Alternative Alderney Representatives shall receive an allowance for attendance at meetings of the States of Deliberation, payable under the same conditions as the current Attendance Allowance for the Alderney Representatives and at the same rate as recommended for non-States Members.
11. That new rules governing the remuneration of States Members and non-States Members shall be prepared and implemented by the States Advisory and Finance Committee in accordance with the decisions of the States.
12. That the States Advisory and Finance Committee, with the advice of the States Actuaries, shall prepare rules for a new States Members pension scheme along the lines of the current scheme but based on the Basic Allowance for approval by the States.
13. That the existing pension scheme for States Members shall remain applicable for service up to the date when the new scheme becomes effective (i.e. 1 May 2004).
14. That the remuneration of States Members and non-States Members of States departments, committees and Non-Governmental Bodies be again subject to independent review when the patterns of workload and responsibility resulting from the present changes to the machinery of government have become clear; such a review shall, in any event, take place before the election of 2008.
15. That independent reviews of States Members and non-States Members' remuneration shall be undertaken in the year before the election of 2012 and in each year before subsequent elections, with any resulting changes becoming effective at the start of the new session.

16. That the pay of States Members and non-States Members of States departments, committees and Non-Governmental Bodies shall be adjusted annually in line with changes in the Guernsey Index of Retail Prices in the period between reviews.
17. That the States Advisory and Finance Committee shall develop and implement a policy intended to ensure that all States Members have the use of Information Technology (IT) equipment of an adequate standard as set out in that Report.
18. That if, under such policy referred to in proposition 17 above, some or all States Members provide and/or operate IT equipment from their own resources for the purposes of States business, those members shall receive an additional expense allowance free of tax at a level or levels to be decided by the States Advisory and Finance Committee but not exceeding £500 per year.
19. That Departments and committees shall maintain a record of their States Members' attendance at, and absence from, meetings, including sub-committee meetings and the reasons for absence given shall also be recorded.
20. That the records of States Members' attendance at, absence from and reasons for absence from meetings, shall be made available to the House Committee to monitor and to take such action as it sees fit within its powers and the records shall also be available for inspection by the public.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 29<sup>TH</sup> DAY OF JANUARY, 2004

(Meeting adjourned from 28<sup>th</sup> January, 2004)

The States resolved as follows concerning  
Billet d'État No. I dated 9<sup>th</sup> January, 2004

**STATES HOUSING AUTHORITY**

**EXTENSION OF THE HOUSING (CONTROL OF OCCUPATION) (GUERNSEY)  
LAW, 1994**

X.- After consideration of the Report dated the 12<sup>th</sup> December, 2003, of the States Housing Authority:-

1. That the Housing (Control of Occupation) (Guernsey) Laws 1994 to 2001, shall remain in force for a further period of one year.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

**STATES HOUSING AUTHORITY**

**FUTURE MANAGEMENT OF ST. JULIAN'S HOUSE**

XI.-After consideration of the Report dated the 16th December 2003, of the States Housing Authority:

1. To confirm that responsibility for managing St Julian's House shall pass to the Health and Social Services Department with effect from 1 May 2004.
2. To direct that the Health and Social Services Department shall report back to the States no later than January 2005 with its recommendations on the type of service(s) and client group(s) to be served by St Julian's House, having consulted fully with the Housing Department and the Home Department, together with all other relevant non-governmental agencies.

## **REQUÊTE**

### **MISUSE OF FIREWORKS**

XII.- After consideration of the Requête dated the 7<sup>th</sup> November, 2003, signed by Deputy D. A. Barrett and seven other Members of the States:-

To direct the States Board of Industry and the States Committee for Home Affairs jointly to report to the States:

- A. on the misuse of fireworks;
- B. on the number of nights on which firework displays whether private or organised are or may be held;
- C. on the desirability and practicability of providing by legislation for control of the misuse of fireworks and the holding of firework displays;
- D. on the desirability and practicability of providing by legislation for the States Board of Industry to licence retail sales of fireworks;
- E. and in the case of firework and retail sales of fireworks on the involvement of the Constables and Douzaines of the relevant parishes.

### ***ORDINANCE LAID BEFORE THE STATES***

#### **THE HEALTH SERVICE (BENEFIT) (AMENDMENT) (NO. 3) ORDINANCE, 2003**

In pursuance of the proviso to paragraph 66 of the Reform (Guernsey) Law, 1948, as amended, the Health Service (Benefit) (Amendment) (No.3) Ordinance, 2003, made by the States Legislation Committee on the 8<sup>th</sup> December, 2003, was laid before the States.

### ***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

#### **THE SOCIAL INSURANCE (BENEFITS) (TRANSITIONAL) REGULATIONS, 2003**

Pursuant to section 117 of the Social Insurance (Guernsey) Law, 1978, the Social Insurance (Benefits) (Transitional) Regulations, 2003 were ANNULLED.



**THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND TAX-FREE LUMP SUMS) REGULATIONS, 2003**

**INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND) REGULATIONS, 2003**

In pursuance of the provisions of section 203 of the Income Tax (Guernsey) Law, 1975, as amended, the above Regulations made by the States Income Tax Authority on the 4<sup>th</sup> December, 2003 were laid before the States.

**THE ATTENDANCE ALLOWANCE (GUERNSEY) REGULATIONS, 2003**

In pursuance of the provisions of section 24 of the Attendance and Invalid Care Allowances (Guernsey) Law, 1984, as amended, the above Regulations, made by the Guernsey Social Security Authority on the 12<sup>th</sup> December, 2003 were laid before the States

**THE SOCIAL INSURANCE (BENEFITS) REGULATIONS, 2003**

**THE SOCIAL INSURANCE (CLASSIFICATION) (AMENDMENT) REGULATIONS, 2003**

**THE SOCIAL INSURANCE (CONTRIBUTIONS) (AMENDMENT) REGULATIONS, 2003**

**THE SOCIAL INSURANCE (DETERMINATION OF CLAIMS AND QUESTIONS) (AMENDMENT) REGULATIONS, 2003**

**THE SOCIAL INSURANCE (RESIDENCE AND PERSONS ABROAD) (AMENDMENT) REGULATIONS 2003**

In pursuance of the provisions of section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the above Regulations made by the Guernsey Social Security Authority on the 12<sup>th</sup> December, 2003, were laid before the States.

**THE IDENTIFICATION OF BOVINE ANIMALS AND BOVINE RECORD BOOKS ORDER 2003**

In pursuance of the provisions of section 33(1)(c) of the Animal Health Ordinance, 1996, the above Order, made by the States Agriculture and Countryside Board on the 15<sup>th</sup> December, 2003 was laid before the States.

K. H. TOUGH  
HER MAJESTY'S GREFFIER