

**IN THE STATES OF THE ISLAND OF GUERNSEY**  
**ON THE 25TH DAY OF OCTOBER, 2006**

The States resolved as follows concerning Billet d'État No. XVII  
dated 6<sup>th</sup> October, 2006

**PROJET DE LOI**

entitled

**THE HOUSING (CONTROL OF OCCUPATION) (GUERNSEY)  
(AMENDMENT) LAW, 2006**

I.- To approve the Projet de Loi entitled "The Housing (Control of Occupation) (Guernsey) (Amendment) Law, 2006" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for her Royal Sanction thereto.

**THE ATTENDANCE AND INVALID CARE ALLOWANCES  
ORDINANCE, 2006**

II.- To approve the draft Ordinance entitled "The Attendance and Invalid Care Allowances Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE FAMILY ALLOWANCES ORDINANCE, 2006**

III.- To approve the draft Ordinance entitled "The Family Allowances Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT)  
(ANNUAL GRANT AND AMENDMENT) ORDINANCE, 2006**

IV.- To approve the draft Ordinance entitled "The Health Service (Benefit) (Annual Grant and Amendment) Ordinance, 2006" and to direct that the same shall have effect as an Ordinance of the States.

**THE ALDERNEY eGAMBLING  
(OPERATIONS IN GUERNSEY) ORDINANCE, 2006**

V.- To approve the draft Ordinance entitled “The Alderney eGambling (Operations in Guernsey) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY)  
(ANNUAL GRANT AND RATES) ORDINANCE, 2006**

VI.- To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Annual Grant and Rates) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE REAL PROPERTY (HOUSING SCHEMES AND MISCELLANEOUS  
PROVISIONS) (GUERNSEY) (AMENDMENT) ORDINANCE, 2006**

VII.- To approve the draft Ordinance entitled “The Real Property (Housing Schemes and Miscellaneous Provisions) (Guernsey) (Amendment) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE SOCIAL INSURANCE  
(RATES OF CONTRIBUTIONS AND BENEFITS, ETC.) ORDINANCE, 2006**

VIII.- To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)  
(AMENDMENT) ORDINANCE, 2006**

IX.- To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2006” and to direct that the same shall have effect as an Ordinance of the States.

## **TREASURY AND RESOURCES DEPARTMENT**

### **CAPITAL PRIORITISATION**

X.- After consideration of the Report dated 5<sup>th</sup> September, 2006, of the Treasury and Resources Department:-

1. That the Health and Social Services Department's Clinical Block is the key capital expenditure priority for the States of Guernsey.
2. That, subject to adequate funding being available, the States capital expenditure priorities are as set out in this Report.
3. To note the Treasury and Resources Department's intention to review the method of funding and accounting for Departmental routine capital expenditure and to report back as soon as practicable.
4. To note the Treasury and Resources Department's intention to review the method of funding and accounting for the Housing Department's rent rebate scheme and to report back as soon as practicable.
5. To direct the Treasury and Resources Department to take account of the above proposals when bringing forward recommendations in future Budget Reports.
6. To give the Treasury and Resources Department delegated authority to approve a capital vote, and to transfer an appropriate sum from Reserves, in the event of an emergency requiring capital expenditure.
7. To direct the Treasury and Resources Department to report back to the States on any amounts so authorised under its delegated authority as soon as is practicable.

## **HEALTH AND SOCIAL SERVICES DEPARTMENT**

### **PRINCESS ELIZABETH HOSPITAL - PHASE 5 (CLINICAL BLOCK)**

XI.- After consideration of the Report dated, 22<sup>nd</sup> August, 2006, of the Health and Social Services Department:-

1. To approve the construction of the clinical block as set out in that Report.

2. To accept the tender from Charles Le Quesne (Gsy) Ltd in the sum of £26,974,565 in respect of these works.
3. To vote the Health and Social Services Department a further credit of £34,300,000 to cover the cost of the above works, such sum to be charged to its capital allocation.
4. To authorise the Treasury and Resources Department to make two transfers from the Capital Reserve to the capital allocation of the Health and Social Services Department, each of £17,150,000, in 2007 and 2008.
5. To instruct the Public Accounts Committee to cause to be carried out a full independent review of all the circumstances leading to the withdrawal of the lower tender (referred to in section 8 of Article 11, on page 1896) and report back to the States with the findings of that investigation as soon as possible.

## **PUBLIC SERVICES DEPARTMENT**

### **THE MANSELL TRUST**

XIV.- Whether, after consideration of the Report dated 6<sup>th</sup> September, 2006, of the Public Services Department:-

1. To approve the dissolution of the Mansell Trust.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

### ***ORDINANCES LAID BEFORE THE STATES***

#### **THE PRISON ADMINISTRATION (GUERNSEY) (AMENDMENT) ORDINANCE, 2006**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Prison Administration (Guernsey) (Amendment) Ordinance, 2006, made by the Legislation Select Committee on the 24<sup>th</sup> August, 2006, was laid before the States.

#### **THE MACHINERY OF GOVERNMENT (TRANSFER OF FUNCTIONS) (GUERNSEY) (NO. 3) ORDINANCE, 2006**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Machinery of Government (Transfer of Functions) (Guernsey) (No. 3) Ordinance, 2006, made by the Legislation Select Committee on the 24<sup>th</sup> August, 2006, was laid before the States.

***STATUTORY INSTRUMENT LAID BEFORE THE STATES***

**THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS)  
(AMENDMENT) REGULATIONS, 2006**

In pursuance of Section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2006, made by the Social Security Department on 12<sup>th</sup> September, 2006, were laid before the States.

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 26TH DAY OF OCTOBER, 2006**

(Meeting adjourned from 25<sup>th</sup> October 2006)

The States resolved as follows concerning Billet d'État No. XVII  
dated 6<sup>th</sup> October, 2006

**TREASURY AND RESOURCES DEPARTMENT**

**REVIEW OF MOTOR VEHICLE TAXATION**

XII.- After consideration of the Report dated 5<sup>th</sup> September, 2006, of the Treasury and Resources Department:-

1. That motor vehicle taxation should be abolished with effect from 1 January 2008 and that, subject to certain exemptions, increased duties on petrol and diesel fuel should be introduced.
2. That the End Of Life Disposal Levy should be abolished with effect from 1 January 2008.
3. That diesel fuel used for exempted purposes such as agricultural and horticultural purposes, the construction, maintenance and clearance of roads and other construction machinery that is not primarily used to transport goods and people should be exempt from diesel duty and that a system of dyeing be implemented with effect from 1 January 2008.
4. To direct the Treasury and Resources Department to continue to review the issue of diesel duty on non-commercial marine vessels and to report back as soon as practicable.

5. To note the Environment Department's intention to continue to investigate and report back on the most appropriate method of ensuring that motor vehicles are registered and adequately insured.
6. To direct the Treasury and Resources Department to take account of the above proposals when bringing forward recommendations as part of that Department's Budget Reports.
7. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **HOME DEPARTMENT**

### FIXED PENALTY NOTICE LEGISLATION

XIII.- After consideration of the Report dated 8<sup>th</sup> September, 2006, of the Home Department:-

- 1 That the present fixed penalty legislation shall be replaced as set out in that Report, to include:
  - (a) A system of banding for fixed penalty offences and the addition of non-traffic offences as set out in the Appendix of that Report;
  - (b) The two tier levels of fixed penalties as described at paragraph 6 of that Report;
  - (c) Provision for on-line (internet) and other electronic payment of fixed penalties to be included as approved methods of payment;
  - (d) Provision for the Department to prescribe the format of a fixed penalty notice as set out in Paragraph 7 of that Report;
  - (e) Provision for the notices to be issued electronically as well as manually.
2. To approve a capital vote of £150,000 to fund the costs of purchasing and installing an electronic fixed penalty system to be charged to the capital allocation of the Home Department.
3. To direct the Treasury and Resources Department to take account of the capital and revenue costs associated with this project when recommending Capital Allocations and Cash Limit to the States for 2007 and future years.
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **PUBLIC SECTOR REMUNERATION COMMITTEE**

### **MECHANISM FOR DETERMINING PUBLIC SECTOR PAY IN GUERNSEY**

XV.- After consideration of the report dated 15<sup>th</sup> August, 2006, of the Public Sector Remuneration Committee:-

1. That the pay and conditions of public sector workers in Guernsey shall continue to be determined by a process of collective bargaining.
2. That the employer's authority in that process shall remain with the Public Sector Remuneration Committee (i.e. there shall be no change to the Committee's mandate).
3. That the Committee shall improve consultation with employing departments by adopting the measures set out in paragraph 10.18 of that Report.

### **IN THE STATES OF THE ISLAND OF GUERNSEY** **ON THE 27TH DAY OF OCTOBER, 2006**

(Meeting adjourned from 26<sup>th</sup> October 2006)

The States resolved as follows concerning Billet d'État No. XVII  
dated 6<sup>th</sup> October, 2006

## **PUBLIC SECTOR REMUNERATION COMMITTEE AND TREASURY AND RESOURCES DEPARTMENT**

### **REVIEW OF PUBLIC SECTOR PENSION SCHEMES ETC**

XVI.- Whether, after consideration of the Report dated 13<sup>th</sup> September, 2006, of the Public Sector Remuneration Committee and the Treasury and Resources Department:-

1. That the objectives for Guernsey public sector pension schemes detailed in paragraph 30 of that Report shall remain.
2. (a) To direct that the necessary work (arising from the imminent changes in the UK) shall be undertaken by a Review Panel of the PCC chaired by an independent person, acceptable to both sides, with proven credentials in pension matters.

- (b) That the Review Panel shall also be required to consult with the non-States bodies whose employees are members of the scheme but not represented on the PCC as their position also needs to be addressed.
  - (c) That the Review Panel shall be required to produce a detailed report and necessary Rule changes to be submitted for consideration by the PCC and subsequent endorsement by the States in early 2007.
- 3. That the employer contribution rates in respect of the States of Guernsey Superannuation Scheme shall remain at the present levels.
- 4. To approve the draft States of Guernsey (Public Servants) (Pensions and other Benefits) (Amendment) (No 2) Rules, 2006 and draft Teachers' Superannuation (Guernsey) (Amendment) Regulations, 2006 both of which are attached as Appendix I of that Report.
- 5. To rescind resolution 12 on Billet d'Etat XIII of 15 July 1999 and approve the States of Guernsey (Public Servants) (Pensions and other Benefits) (Permitted Investments) (Amendment) Rules, 2006 set out in Appendix II of that Report:
- 6. To rescind resolution 13 on Billet d'Etat XIII of 15 July 1999 and replace it with the resolution set out in Appendix III of that Report.
- 7. To approve the establishment of a post-May 2004 States Members Pension Scheme as set out in Appendix IV of that Report

K. H. TOUGH  
HER MAJESTY'S GREFFIER