

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 29th DAY OF MARCH 2006

The States resolved as follows concerning Billet d'État No VII
dated 10th March, 2006

POLICY COUNCIL

REVIEW OF THE NEW SYSTEM OF GOVERNMENT

- I. - To defer consideration of this item until the April meeting of the States.

HOUSE COMMITTEE

REVIEW OF THE NEW SYSTEM OF GOVERNMENT PROCEDURAL MATTERS

- II. - To defer consideration of this item until the April meeting of the States.

TREASURY AND RESOURCES DEPARTMENT

REVIEW OF TAX ON RATEABLE VALUES

III.- After consideration of the Report dated 24th January, 2006, of the Treasury and Resources Department:-

1. To endorse the Treasury and Resource Department's proposals for the fundamental review and simplification of the Tax on Rateable Values system.
2. To agree to the categorisation of properties along the lines set out in Appendix IV to that Report.
3. To agree that the first vergee (1650 square metres) of domestic land shall be exempt from charge for Tax on Real Property.
4. To agree that the liability for Tax on Real Property for utilities shall be assessed on the same basis as other commercial entities.
5. To note that the Treasury and Resources Department will be reporting back to the States later this year with detailed proposals to support the revised system, and direct the Department to have regard to the aspirations of the States Corporate Anti Poverty Programme in compiling that report, and include in it proposals for a mechanism through which people with low incomes are afforded appropriate protection.
6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

TREASURY AND RESOURCES DEPARTMENT

DOCUMENT REGISTRATION FEES AND FEES FOR BIRTH, MARRIAGE AND DEATH REGISTRATION

IV.- After consideration of the Report dated 27th January, 2006, of the Treasury and Resources Department:-

1. To approve revised fees relating to Document Registration, etc., as set out in paragraphs 2.3 and 2.4 of that Report.
2. To approve revised fees relating to Births, Marriages and Deaths Registration, as set out in paragraphs 3.2, 3.3 and 3.5 of that Report.
3. To approve revised fees relating to Legitimacy Registration as set out in paragraph 3.6 of that Report;
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

COMMERCE AND EMPLOYMENT DEPARTMENT

GREFFE COMPANY REGISTRY – REVIEW OF FEES

V.- After consideration of the Report dated 9th February, 2006, of the Commerce and Employment Department:-

1. To approve the proposals to amend the Company Registry Fees as set out in paragraphs 6 and 7 of that Report and in the Schedules 1 and 2 appended to that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision

COMMERCE AND EMPLOYMENT DEPARTMENT

AMENDMENT OF THE PREFERRED DEBTS (GUERNSEY) LAW, 1983

VI.- After consideration of the Report dated 27th January, 2006, of the Commerce and Employment Department:-

1. To amend the Preferred Debts (Guernsey) Law, 1983 in accordance with the principles set out in section 4 of that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

HEALTH AND SOCIAL SERVICES DEPARTMENT

IMPLEMENTING 'SMOKEFREE' LEGISLATION

VII.- After consideration of the report dated 31st January, 2006, of the Health and Social Services Department:-

1. To approve that an ordinance be prepared which allows for the exemptions and exceptions to the Smoking (Prohibition in Public Places and Workplaces) (Guernsey) Law, 2005 as detailed in paragraph 63 of that Report, specifically to include:
 - (a) the cells of prisoners at Les Nicolles Prison;
 - (b) hotel bedrooms designated 'smoking';
 - (c) designated non public areas of long stay wards, residential, nursing and community homes, provided measures are in place to minimise unnecessary exposure of other residents and staff to environmental tobacco smoke;
 - (d) designated internal areas of the acute psychiatric hospital, provided measures are in place to minimise unnecessary exposure of other residents and staff to environmental tobacco smoke;

and also any premises which are

- (A) premises (excluding specified commercial vehicles) used as a place of work by only one individual
- (B) specified commercial vehicles used as a place of work by only one individual

to which members of the public, do not regularly have access;

and also any area on board a fishing vessel with an enclosed wheelhouse which is operated solely by one master and is either on passage to Guernsey and Herm and within territorial limits or moored in a port, harbour or other place in Guernsey or Herm.

2. To approve that an ordinance be prepared to specify signage to be displayed in line with paragraphs 68-71 of that Report.
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

LEGISLATION SELECT COMMITTEE

CHURCH OF ENGLAND CLERGY DISCIPLINE

IX.- After consideration of the Report dated 17th February, 2006, of the Legislation Select Committee:-

To acquiesce in the draft Scheme prepared by the Bishop of Winchester, pursuant to the Channel Islands (Church Legislation) Measures 1931 and 1957, for applying to the Bailiwick of Guernsey the Clergy Discipline Measure 2003 and the Church of England (Legal Aid) Measure 1994, as set out in the Appendix to that Report.

PANEL OF MEMBERS

(constituted by The Administrative Decisions (Review) (Guernsey) Laws, 1986-1993)

REPORT OF THE REVIEW BOARD 2003-2005

X.- After consideration of the Report, dated 3rd January, 2006, of the Review Board constituted under the Administrative Decisions (Review) (Guernsey) Laws, 1986 - 1993:-

To accept that Report

ORDINANCE LAID BEFORE THE STATES

THE IVORY COAST (FREEZING OF FUNDS) (GUERNSEY) ORDINANCE, 2006

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Ivory Coast (Freezing of Funds) (Guernsey) Ordinance, 2006, made by the Legislation Select Committee on the 13th February, 2006, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE BOARDING PERMIT FEES ORDER 2006

In pursuance of Section 17 (3) of the Tourist Guernsey (Law), 1948, as amended, the Boarding Permit Fees Order, 2006, made by the Commerce and Employment Department on 27th January, 2006, was laid before the States.

THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT) REGULATIONS, 2006

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2006, made by the Social Security Department on 15th February, 2006, were laid before the States.

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

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31st DAY OF MARCH 2006

(Meeting adjourned from 30th March, 2006)

ENVIRONMENT DEPARTMENT

ROAD TRANSPORT STRATEGY

VIII.- Whether, after consideration of the Report dated 22nd February, 2006, of the Environment Department:-

1. To approve that the main objective of the Island's Road Transport Strategy shall be to reduce the adverse environmental, economic and social impacts of vehicle use in the Island, in particular by: encouraging the use of alternative forms of transport; discouraging unnecessary motor vehicle usage; promoting more responsible use of vehicles; and, promoting the more efficient use of the Island's transport infrastructure.
2. To approve the Environment Department's plans to improve the bus service schedules, as set out in section 4.2 of that Report.
3. To approve the Environment Department policies in respect of bus fares, as set out in section 4.3 of that Report.
4. To authorise the Environment Department to enter into a new five year contract with Island Coachways for the provision of the scheduled bus service, as set out in section 4.4 of that Report, the terms and conditions of which shall be subject to the agreement of the Treasury and Resources Department.
5. To approve the Environment Department's proposals to introduce free school bus services on an experimental basis, as set out in section 4.6 of that Report and, subject to the results, to direct the Department to report back to the States in due course on the provision of a free school bus service for all pupils.
6. TO NEGATIVE THE PROPOSITION to approve the introduction of legislation making it an offence to overtake a stationary school bus when it is dropping off or picking up its passengers.
7. To rescind their Resolution IX.3 of Billet d'Etat XIII of 2001 and Resolution XXI.4 of Billet d'Etat IV of 2003 in respect of park-and-ride services and the associated infrastructure.
8. To approve the Environment Department's proposals for the introduction of further on-street residents' parking schemes, as set out in section 4.9 of that Report.
9. To approve the Environment Department's intention to acquire and develop suitable sites that might become available for the construction of off-street residents' parking facilities, as set out in section 4.9.7 of that Report.

10. To approve the Environment Department's policies in respect of motorcycling, cycling, small car parking schemes, travel plans, car sharing and vulnerable road users, as set out in sections 4.10 to 4.13 of that Report.
11. TO NEGATIVE THE PROPOSITION to approve that motor tax shall be abolished and that a corresponding increase should be introduced in the tax on petrol and diesel and to direct the Treasury and Resources Department, in conjunction with the Environment Department and the Home Department, to report back to the States with detailed proposals as part of its budget report for 2007, taking into account the issues set out in section 5.1.8 of that Report.
12. To approve, in principle, the introduction of a register of driving instructors in the Island and to direct the Environment Department to report back to the States with detailed proposals in due course.
13. To approve the Environment Department's intention to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing and to direct the Department to report back to the States with the results in due course.
14. To approve the Environment Department's intention to commission a comprehensive and strategic review of the Island's speed limits.
- 14A. To direct the Environment Department to review the speed limits applicable to those parts of the public highway in the immediate vicinity of all schools, and to make such regulations as the Department may consider appropriate prior to commencement of the autumn school terms in September 2006.
15. To approve the introduction of legislation banning the use of "bull bars" as set out in section 6.5 of that Report.
16. To approve the Environment Department's intention to develop proposals for the introduction of compulsory emission and noise tests for vehicles and to direct the Department to report back to the States with these in due course;
17. To approve the Environment Department's intention to carry out a review of the road hierarchy for the purposes set out in section 7.2 of that Report.
18. To approve the Environment Department's intention to carry out a review of heavy goods vehicle activity and its regulation in the Island, as set out in section 7.3 of that Report.
19. To note the seafront junction and link assessment that has been commissioned by the Environment Department.
20. (1) To progress their Resolutions XXI.5, XXI.6 and XXI.7 on Billet d'État No. IV of 2003 in respect of the introduction of pay parking.
(2) To agree that a charge shall be imposed for parking in the long-stay parking places at the Odeon, Salarie and North Beach car parks, and in

such other on-street long-stay parking places in St Peter Port as shall be identified by Ordinance.

- (3) To agree that that charge shall initially be set at 15p. per hour.
 - (4) To direct the Environment Department to cause an Ordinance to be placed before the States as soon as possible, to establish that charge, identify those other on-street, long-stay parking places in St Peter Port, and specify the modalities for collecting and enforcing payment of that charge.
 - (5) To direct the Environment Department to report to the States within 12 months on the desirability and practicality of extending paid parking to other locations.
21. To approve that the Strategy shall be funded by a combination of:
 - (a) the increases in bus fare revenues set out in section 9.2 of this Report;
 - (b) the administration charges for residents' parking permits and vehicle registrations set out in section 9.2 of this Report;
 - (c) paid parking in accordance with Proposition 20;
 22. To direct the Treasury and Resources Department to take account of the additional revenue and capital expenditure, revenue income and operating income associated with this Strategy, as set out in section 9 of that Report, and to increase the Environment Department's budget accordingly.
 23. To approve the amendments to the legislation on number plates, as set out in section 10.2 of that Report.
 24. To approve the amendment to the legislation on traffic signs and lines, as set out in section 10.3 of that Report.
 25. To approve the amendment to the legislation on the renewal of provisional driving licences for motorcycles, as set out in section 10.4 of that Report.
 26. To approve the amendment to the legislation on the exchange of driving licences issued by other jurisdictions, as set out in section 10.5 of that Report.
 27. To approve the amendment to the legislation on applications for the renewal of driving licences, as set out in section 10.6 of that Report.
 28. To approve the consolidation of the Driving Licences (Guernsey) Ordinance, 1995, as amended, and its subsequent amendment Ordinances within a single new Ordinance, as set out in section 10.7 of that Report.
 29. To approve amendments to the vehicle registration legislation on registration books, as set out in section 10.8 of that Report.

30. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.
31. To direct the Environment Department to investigate the desirability, feasibility, enforceability and likely effect of imposing a probationary scheme on recently qualified drivers, and to report back to the States no later than February 2008 with such recommendations as that Department may consider appropriate.

K. H. TOUGH
HER MAJESTY'S GREFFIER

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 26th DAY OF APRIL 2006

(Meeting adjourned from 31st March, 2006)

The States resolved as follows concerning Billet d'État No VII
dated 10th March, 2006

POLICY COUNCIL

REVIEW OF THE NEW SYSTEM OF GOVERNMENT

I.- After consideration of the Report dated 14th February, 2006, of the Policy Council:-

1. That States Members shall receive increases in pay in 2006 and 2007 that are equivalent to 1% below the prevailing RPI.
2. That the mandates of the following Departments shall be amended as set out in Appendix 6 to that Report: -
 - (a) Policy Council
 - (b) Commerce and Employment Department
 - (c) Environment Department
 - (d) Public Services Department
 - (e) Social Security Department
 - (f) Treasury and Resources Department
 - (g) Public Sector Remuneration Committee
3. That responsibility for administering the Food and Environment Protection Act 1985 should be transferred from the Home Department to the Health and Social Services Department.
4. That responsibility for administering the Beaucette Quarry (Yacht Marina) (Control of Development and Use) Law, 1968 should be transferred from the Home Department to the Public Services Department.
5. That responsibility for the issuing and administration of Auctioneers' licences and the associated law (Loi relative aux Ventes Publiques a L'encan, 1914) should be transferred from the Home Department to the Commerce and Employment Department.
6. That responsibility for administering Part 5, Article 10 of the Ordonnance Relative à la Santé Publique 1936 should be transferred from the Health and Social Services Department to the Emergency Powers Authority.

7. That subject to the environmental responsibility of the Environment Department in respect of Lihou Island all States responsibilities for Herm Island, Jethou Island and Lihou Island should be transferred to the Treasury and Resources Department thereby providing a single point of contact.
8. To rescind paragraph 1 of Resolution XI of 10th December, 1952, on Billet d'État XXV, and to substitute the following therefor:-
 - “1. To accept the principle that the matters contained in a Billet d'État do not become public property until one minute after midnight on the day of issue.”.
9. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

K. H. TOUGH
HER MAJESTY'S GREFFIER

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27th DAY OF APRIL 2006

The States resolved as follows concerning Billet d'État No VII
dated 10th March, 2006

HOUSE COMMITTEE

REVIEW OF THE NEW SYSTEM OF GOVERNMENT PROCEDURAL MATTERS

II.- After consideration of the Report dated 30th January, 2006, of the House Committee:-

1. That the Reform (Guernsey) Law, 1948, as amended be further amended to provide that a candidate for the office of People's Deputy shall be ordinarily resident in this Island on the date of his nomination and have had his ordinary place of residence in Guernsey either for a period of at least two years immediately prior to that date or at any time before that date for a period or periods of at least five years in total;
2. That the Rules of Procedure of the States of Deliberation shall be amended with immediate effect as follows: -
 - (a) In Rule 20, after paragraph (2), insert:

“(2A) Any Member of the States shall be eligible to hold the Office of Chief Minister provided that he shall have held the office of People's Deputy for a period of not less than four years in the eight years immediately preceding the date set for the election of a Chief Minister.”;
 - (b) In Rule 12(1) delete the full stop and insert:

“, provided that immediately before so doing he may propose an adjournment of the debate of not more than 15 minutes. Such proposal shall be put to the States by the Presiding Officer without debate.”;
 - (c) Immediately after Rule 13(7) insert:

“(7A) If a sursis is carried, which was proposed and seconded after the commencement of general debate on a matter, the person who would otherwise have been entitled to reply on that debate under Rule 12(1) shall be so entitled notwithstanding that sursis.”.

3. That the Rules relating to the Constitution and Operation of States Departments and Committees shall be amended with immediate effect as follows: -
- (a) In Rule 4(3), before the full stop insert:
- “, nor shall he sit as Chairman or ordinary Member on either the Public Accounts Committee or the Scrutiny Committee”;
- (b) In Rule 7(2), before the full stop insert:
- “, save that when the vacancy occurs by reason of the death or resignation of a People’s Deputy it shall not be filled until a new People’s Deputy has been elected in his place”;
4. That the Rules relating to the Constitution and Operation of States Departments and Committees shall be amended with effect from the 1st May, 2008, as follows: -
- (a) In Rule 4, delete paragraph (2) and substitute therefor:
- “(2) Any Department may nominate up to two non-voting members, who shall not be sitting Members of the States, and whose appointments shall expire at the same time as the terms of office of the four sitting Members of the States. No other nomination may be made. Such Members shall have the same rights and duties as ordinary Members (other than the right to vote).”
- (b) In Rules 5(1)(c) and 5(1)(d), delete all the words following “Four Members of the States” and substitute therefor:
- “- The Committee may nominate up to two non-voting members, who shall not be sitting Members of the States, and whose appointments shall expire at the same time as the terms of office of the four sitting Members of the States. No other nomination may be made. Such Members shall have the same rights and duties as ordinary Members (other than the right to vote).”
- (c) In Rule 18(3) with regard to the Parochial Ecclesiastical Rates Review Committee delete all the words following “Four sitting Members of the States” and substitute therefor:
- “- The Committee may nominate up to two non-voting members, who shall not be sitting Members of the States, and whose appointments shall expire at the same time as the terms of office of the four sitting Members of the States. No other nomination may be made. Such Members shall have the same rights and duties as ordinary Members (other than the right to vote).”

5. To note the intention of the House Committee to write to all Members of the States, and all non-States members of States Departments/ Committees, in the Spring of the second year following a General Election to ascertain whether they wish to relinquish any offices at the May meeting of the States.
- 5A. To direct the House Committee to undertake a comprehensive review of the eligibility of employees of the States and other public sector bodies to serve as Members of the States of Deliberation or as non-States Members of States Departments or Committees, and to report back to the States as soon as possible before the next General Election.
- 5B. To direct the House Committee to undertake a comprehensive review of all practicable methods of introducing Island-wide voting for the office of People's Deputy, and to report back to the States in sufficient time to enable the introduction of such a system with effect from the General Election to be held in 2012.
6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

K. H. TOUGH
HER MAJESTY'S GREFFIER