

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 24th DAY OF FEBRUARY, 2010

**The States resolved as follows concerning Billet d'État No IV
dated 5th February 2010**

PROJET DE LOI

entitled

THE BANKING SUPERVISION (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2010

I.- To approve the Projet de Loi entitled “The Banking Supervision (Bailiwick of Guernsey) (Amendment) Law, 2010” 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 FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2010

II.- To approve the Projet de Loi entitled “The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2010” 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 REGULATION OF FIDUCIARIES, ADMINISTRATION BUSINESSES AND COMPANY DIRECTORS, ETC. (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2010

III.- To approve the Projet de Loi entitled “The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc. (Bailiwick of Guernsey) (Amendment) Law, 2010” 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 PROTECTION OF INVESTORS (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2010

IV.- To approve the Projet de Loi entitled “The Protection of Investors (Bailiwick of Guernsey) (Amendment) Law, 2010” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE INSURANCE BUSINESS (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2010

V.- To approve the draft Ordinance entitled “The Insurance Business (Bailiwick of Guernsey) (Amendment) Ordinance, 2010” and to direct that the same shall have effect as an Ordinance of the States.

THE INSURANCE MANAGERS AND INSURANCE INTERMEDIARIES (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2010

VI.- To approve the draft Ordinance entitled “The Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) (Amendment) Ordinance, 2010” and to direct that the same shall have effect as an Ordinance of the States.

THE BOATS AND VESSELS (REGISTRATION, SPEED LIMITS AND ABATEMENT OF NOISE) (AMENDMENT) ORDINANCE, 2010

VII.- To approve the draft Ordinance entitled “The Boats and Vessels (Registration, Speed Limits and Abatement of Noise) (Amendment) Ordinance, 2010” and to direct that the same shall have effect as an Ordinance of the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (LEGAL PROFESSIONALS, ACCOUNTANTS AND ESTATE AGENTS) (BAILIWICK OF GUERNSEY) (AMENDMENT) (NO. 2) REGULATIONS, 2009

In pursuance of Section 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2009, made by the Policy Council on 21st December, 2009, were laid before the States.

**THE SOCIAL INSURANCE (CONTRIBUTIONS)
(AMENDMENT) REGULATIONS, 2009**

In pursuance of Section 117 of the Social Insurance (Guernsey) Laws, 1978-2004, the Social Insurance (Contributions) (Amendment) Regulations, 2009, made by the Social Security Department on 22nd December, 2009, were laid before the States.

**THE SOCIAL INSURANCE (RESIDENCE AND PERSONS ABROAD)
(GUERNSEY) (AMENDMENT) REGULATIONS, 2009**

In pursuance of Section 117 of the Social Insurance (Guernsey) Laws, 1978-2004, the Social Insurance (Residence and Persons Abroad) (Guernsey) (Amendment) Regulations, 2009, made by the Social Security Department on 22nd December, 2009, are laid before the States.

**THE SOCIAL INSURANCE (BENEFITS)
(AMENDMENT) (NO. 2) REGULATIONS, 2009**

In pursuance of Section 117 of the Social Insurance (Guernsey) Laws, 1978-2004, the Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2009, made by the Social Security Department on 22nd December 2009, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES)
(AMENDMENT) REGULATIONS, 2009**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Medical Appliances) (Amendment) Regulations, 2009, made by the Social Security Department on 22nd December, 2009, were laid before the States..

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT)
(AMENDMENT) REGULATIONS, 2009**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2008, made by the Social Security Department on 1st December, 2008, were laid before the States.

THE BOARDING PERMIT FEES ORDER, 2009

In pursuance of Section 17 of the Tourist Law, 1948, the Boarding Permit Fees Order, 2009, made by the Commerce and Employment Department on 15th December, 2009, was laid before the States.

THE COMPANIES (REGISTRAR) (FEES) REGULATIONS, 2009

In pursuance of Section 501(1) of the Companies (Guernsey) Law, 2008, the Companies (Registrar) (Fees) Regulations, 2009, made by the Registrar of Companies on 23rd December 2009, were laid before the States.

THE CHILDREN (SECURE ACCOMMODATION) (GUERNSEY AND ALDERNEY) REGULATIONS, 2009

In pursuance of Section 120(3) of the Children (Guernsey and Alderney) Law, 2008, the Children (Secure Accommodation) (Guernsey and Alderney) Regulations, 2009, made by the Health and Social Services Department on 22nd December, 2009, were laid before the States.

THE CHILDREN (RESIDENCE) REGULATIONS, 2009

In pursuance of Section 120(3) of the Children (Guernsey and Alderney) Law, 2008, the Children (Residence) Regulations, 2009, made by the Health and Social Services Department on 22nd December, 2009, were laid before the States.

THE HARBOUR DUES AND FACILITIES CHARGES REGULATIONS, 2009

In pursuance of Section 5 (2) (c) of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Harbour Dues and Facilities Charges Regulations, 2009, made by the Public Services Department on 24th December, 2009, were laid before the States.

THE PILOTAGE (FEE FOR RENEWAL OF SPECIAL PILOTAGE LICENCE) REGULATIONS, 2009

In pursuance of Section 5 (2) (c) of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Pilotage (Fee for Renewal of Special Pilotage Licence) Regulations, 2009, made by the Public Services Department on 24th December, 2009, were laid before the States.

THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND TAX-FREE LUMP SUMS) REGULATIONS, 2010

In pursuance of Sections 153(2), 157A(2)(b)(vi), 157A(5B) and 159 of the Income Tax (Guernsey) Law, 1975, as amended, the Income Tax (Pensions) (Contribution Limits and Tax-free Lump Sums) Regulations, 2010, made by the Treasury and Resources Department on 19th January, 2010, were laid before the States.

**THE INCOME TAX (GUERNSEY) (VALUATION OF
BENEFITS IN KIND) REGULATIONS, 2010**

In pursuance of Section 8(2)(b) of the Income Tax (Guernsey) Law, 1975, as amended, the Income Tax (Guernsey) (Valuation of Benefits in Kind) Regulations, 2010, made by the Treasury and Resources Department on 19th January, 2010, were laid before the States.

K H TOUGH
HER MAJESTY'S GREFFIER

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 25th DAY OF FEBRUARY, 2010

(Meeting adjourned from 24th February 2010)

**The States resolved as follows concerning Billet d'État No IV
dated 5th February 2010**

COMMERCE AND EMPLOYMENT DEPARTMENT

ELECTION OF NON-VOTING MEMBER

VIII.- To elect as a non-voting member of the Commerce and Employment Department, Mr Peter David Mills who has been nominated in that behalf by that Department, to serve until May 2012 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.

HOME DEPARTMENT

AMENDMENT TO THE ALDERNEY EGAMBLING (OPERATIONS IN GUERNSEY) ORDINANCE, 2006

IX.- After consideration of the Report dated 23rd December, 2009, of the Home Department:-

1. To approve the proposed amendments to the Alderney eGambling (Operations in Guernsey) Ordinance, 2006 as set out in paragraph 3 of that Report and any other minor consequential amendments necessary in order to ensure that the activities of eGambling licensees regulated by the AGCC under the 2006 Ordinance are not unlawful for the purposes of the Gambling (Guernsey) Law, 1971, as amended.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

HOME DEPARTMENT

AMENDMENTS TO CRIMINAL JUSTICE LEGISLATION IN RESPECT OF MONEY LAUNDERING AND TERRORIST FINANCING

X.- After consideration of the Report dated 9th January, 2010, of the Home Department:-

1. To approve the amendments outlined in that Report to the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 the Drug Trafficking (Bailiwick of Guernsey) Law, 2000, the Disclosure (Bailiwick of Guernsey) Law, 2007, the

Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 and the Cash Controls (Bailiwick of Guernsey) Law, 2007, but correcting the wording at the end of the first paragraph on page 120 by replacing "*I advise therefore that this defence should be repealed*" with "*I advise therefore that this defence should be modified to remove the risk of its being exploited by criminals, subject to the introduction of necessary safeguards*".

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

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

THE ELECTORAL ROLL – PROPOSED AMENDMENTS TO THE REFORM (GUERNSEY) LAW, 1948 AS AMENDED

XI.- After consideration of the Report dated 4th January, 2010, of the States Assembly and Constitution Committee:-

1. By a majority of more than two thirds of the Members present and voting, to further amend the Reform (Guernsey) Law, 1948, as amended, to provide that:
 - (a) persons who do not fulfil the requirements set out in sub-paragraph (1)(d) of Article 27 of the Law may nonetheless make application for enrolment but that such persons shall not vote at any election until they fulfil the said requirements;
 - (b) the Registrar-General of Electors be authorised to rectify any administrative errors or omissions discovered after the closure of the Electoral Roll;
 - (c)
 - (i) the Registrar-General of Electors be authorised to remove a name from the Electoral Roll upon receipt of a written application either
 1. from the current occupier of a dwelling in which the said occupier has certified that the person named no longer resides at the said dwelling; or
 2. from a close relative of a deceased person, which application shall be supported by the production of a death certificate;
 - (ii) the making of a false declaration in the circumstances set out in (i) above shall constitute a criminal offence;
 - (d) the copy of the Electoral Roll provided to Returning Officers pursuant to Article 34(9) may be provided in electronic format and the list of voters kept pursuant to Article 27(3) may be kept electronically.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

PUBLICATION OF STATES REPORTS AND FREQUENCY AND HOURS OF MEETINGS OF THE STATES OF DELIBERATION

XII.- After consideration of the Report dated 5th January, 2010, of the States Assembly and Constitution Committee:-

To amend the Rules of Procedure of the States of Deliberation as follows:

- (a) In Rule 1 (3) for “14 clear days” substitute “5 weeks”;
- (b) In Rule 1 (3) (a) for “15 clear days” substitute “3 weeks”;
- (c) In Rule 1 (3) (b) for “12 clear days” substitute “2 weeks”;
- (d) In Rule 1 (3) delete sub-paragraphs (c) and (d);
- (e) In Rule 1 (4) delete the words “, other than a Meeting to which sub-paragraph (3) (a), (b), or (c) applies,”;
- (f) In Rule 2 (1) (a) for “60 days” substitute “11 weeks”;
- (g) In Rule 13 (3) (b) for “5” substitute “7”

to take effect in respect of the Billet(s) d’État to be issued for the September 2010 meeting of the States.

SCRUTINY COMMITTEE

SCRUTINY COMMITTEE PERFORMANCE REPORT AND FORWARD WORK PROGRAMME

XIII.- After consideration of the Report dated 20th January, 2010, of the Scrutiny Committee:-

1. To note the Scrutiny Committee’s 2008-9 performance report entitled *Guernsey Scrutiny*.
2. To endorse the Committee’s intended forward work programme outlined in Section 4 of that Report.
3. To endorse the Committee’s intention to develop and agree a Memorandum of Understanding with Departments and Committees that sets out the expectations of those involved in the scrutiny process.

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 26th DAY OF FEBRUARY, 2010

(Meeting adjourned from 25th February 2009)

**The States resolved as follows concerning Billet d'État No IV
dated 5th February 2010**

REQUÊTE

RESIDUAL WASTE TREATMENT – CONTRACTING WITH SELECTED PREFERRED BIDDER

XIV.- After consideration of the Requête dated 16th December 2009, signed by Deputy J Kuttelwascher and six other Members of the States:-

1. To rescind the Resolutions on Billet d' État No. XX of 2009.
2. To rescind Resolutions 4 and 5 on Billet d'État No. I of 2007.
3. To direct the Public Services Department to give written notice to Suez Environnement of the States' decision to withdraw its status as Preferred Bidder and to withdraw from the procurement process.
4. To direct the Public Services Department to return to the States as soon as practicable with a Report setting out proposals for a revised strategy for disposing of solid waste.
5. To direct the Policy Council, with assistance from the Public Services Department, to ascertain from the States of Jersey the most beneficial contractual terms on which the States of Jersey will agree to import and dispose of waste exported from Guernsey and to report to the States thereon as soon as practicable.

**S M D ROSS
HER MAJESTY'S DEPUTY GREFFIER**