

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30th DAY OF JUNE 2010

**The States resolved as follows concerning Billet d'État No XV
dated 11th June 2010**

PROJET DE LOI

entitled

THE HEALTH SERVICE (BENEFIT) (GUERNSEY) (AMENDMENT) LAW, 2010

I.- To approve the Projet de Loi entitled “The Health Service (Benefit) (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 PRESCRIPTION ONLY MEDICINES (HUMAN) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2010

II.- To approve the draft Ordinance entitled “The Prescription Only Medicines (Human) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010” and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

PAROCHIAL LEGISLATION WORKING PARTY

III.- After consideration of the Report, dated 30th April, 2010, of the Policy Council:-

1. To approve the enactment, amendment and repeal of legislation on the lines set out in the report of the Parochial Legislation Working Party appended to that Report, i.e. that –
 - (a) the legislative provisions listed in Appendix 1 thereto which are no longer thought necessary be repealed;
 - (b) other sundry legislation concerning parochial matters be consolidated in a general parochial administration ordinance;
 - (c) the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991 be amended to allow the States from time to time, by Ordinance, to transfer appropriate functions from the States to the Constables and/or Douzaines of one, or some, or all of the Parishes, and vice-versa;

- (d) the Royal Court shall no longer be involved in matters relating to the establishment of cemeteries, brick-yards and quarries etc., the erection of cranes in St Peter Port and the installation of ovens in St Peter Port;
 - (e) the Douzaines' function relating to bornements shall continue in respect of buildings within 1.5 metres of a public road;
 - (f) a mechanism be introduced enabling any person who is dissatisfied by any decision of a Constable or Douzaine which is directed to that person alone (or to a discrete group of which that person is a member) to appeal against that decision;
 - (g) persons who fail to observe the requirements of legislation regarding the cutting of hedges etc. and cleaning of streams be dealt with by way of civil rather than criminal proceedings
 - (h) the maximum which may be held in a Parish Reserve Fund be increased to £250,000 plus accrued interest;
 - (i) Dog Tax be increased to £10 per dog.
2. (1) To authorise the Policy Council:-
 - (i) to pursue discussions with the Douzaines regarding the establishment of a Charter between the States and the Douzaines setting out the working relationship between the respective parties;
 - (ii) to agree the terms of the charter;
 - (2) To authorise the Chief Minister (or other Minister appointed in that behalf by the Policy Council) to sign the charter on behalf of the States.
3. To direct the Culture and Leisure Department, in association with the Constables of St Peter Port, to review and report back to the States on the present day issues regarding itinerant performers and street entertainers.
 4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

POLICY COUNCIL

TRIBUNAL OF INQUIRY INTO INDUSTRIAL ACTION BY AIRPORT FIRE FIGHTERS AT GUERNSEY AIRPORT

IV.- After consideration of the Report dated 17th May, 2010, of the Policy Council:-

1. To accept the Report of the Tribunal of Inquiry into Industrial Action by Airport Fire Fighters at Guernsey Airport.

2. To record their thanks to Mr David Hogg, CB, the Chairman, and to Professor Gillian Morris, LLB, PhD and Mr John Lee, TD, FCIB the Members, of the Tribunal for serving on the Tribunal, for discharging their Inquiry so expeditiously and for their most thorough and clear report on all the issues involved.
3. To endorse the proposed workstreams to be taken on the recommendations of the Tribunal, as set out in that Report, and to direct the Policy Council to report back to the States by no later than June 2011 outlining the progress made against each of the workstreams.

POLICY COUNCIL

OVERSEAS AID

V.- After consideration of the Report dated 17th May, 2010, of the Policy Council:-

To note that report.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE COMPANIES (RECOGNITION OF AUDITORS) REGULATIONS, 2010

In pursuance of Section 537 of the Companies (Guernsey) Law, 2008 the Companies (Recognition of Auditors) Regulations, 2010, made by the Commerce and Employment Department on 13th April, 2010, were laid before the States.

THE MISUSE OF DRUGS (MODIFICATION No. 2) ORDER, 2010

In pursuance of Section 30 (3) of the Misuse of Drugs (Bailiwick of Guernsey) Law 1974, as amended, the Misuse of Drugs (Modification No. 2) Order, 2010, made by the Health and Social Services Department on 13th April, 2010, was laid before the States.

THE STATES HOUSING (TRIBUNAL AND APPEALS) (GUERNSEY) (AMENDMENT) REGULATIONS, 2010

In pursuance of section 5 of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Tribunal and Appeals) (Guernsey) (Amendment) Regulations, 2010, made by the Housing Department on 23rd April, 2010, were laid before the States.

**THE EXPORT CONTROL (COMMENCEMENT)
(BAILIWICK OF GUERNSEY) ORDER, 2010**

In pursuance of Section 12 of the Export Control (Bailiwick of Guernsey) Law, 2006, the Export Control (Commencement) (Bailiwick of Guernsey) Order, 2010, made by the Home Department on 26th April 2010, was laid before the States.

**THE EXPORT CONTROL (MILITARY, SECURITY, AND RELATED MATTERS)
(BAILIWICK OF GUERNSEY) ORDER, 2010**

In pursuance of Section 12 of the Export Control (Bailiwick of Guernsey) Law, 2006, the Export Control (Military, Security, and Related Matters) (Bailiwick of Guernsey) Order, 2010, made by the Home Department on 26th April 2010, was laid before the States.

**THE EXPORT CONTROL (MISCELLANEOUS GOODS)
(BAILIWICK OF GUERNSEY) ORDER, 2010**

In pursuance of Section 12 of the Export Control (Bailiwick of Guernsey) Law, 2006, the Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) Order, 2010, made by the Home Department on 26th April 2010, was laid before the States.

**THE WASTE CONTROL AND DISPOSAL
(EXEMPTIONS) REGULATIONS, 2010**

In pursuance of section 72 (3) of the Environmental Pollution (Guernsey) Law, 2004, the Waste Control and Disposal (Exemptions) Regulations, 2010, made by the Director of Environmental Health and Pollution Regulation on 11th May, 2010, were laid before the States.

**THE WASTE CONTROL AND DISPOSAL
(DUTY OF CARE) REGULATIONS, 2010**

In pursuance of section 72 (3) of the Environmental Pollution (Guernsey) Law, 2004, the Waste Control and Disposal (Duty of Care) Regulations, 2010, made by the Director of Environmental Health and Pollution Regulation on 11th May, 2010, were laid before the States.

**THE ENVIRONMENTAL POLLUTION
(WASTE CONTROL AND DISPOSAL) (FEES) REGULATIONS, 2010**

In pursuance of section 72 (3) of the Environmental Pollution (Guernsey) Law, 2004, the Environmental Pollution (Waste Control and Disposal) (Fees) Regulations, 2010, made by the Director of Environmental Health and Pollution Regulation on 11th May, 2010, were laid before the States.

**THE WASTE CONTROL AND DISPOSAL
(SPECIALLY CONTROLLED WASTE) REGULATIONS, 2010**

In pursuance of section 72 (3) of the Environmental Pollution (Guernsey) Law, 2004, the Waste Control and Disposal (Specially Controlled Waste) Regulations, 2010, made by the Director of Environmental Health and Pollution Regulation on 11th May, 2010, were laid before the States.

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL
BENEFIT) (AMENDMENT NO. 3) REGULATIONS, 2010**

In pursuance of Section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2010, made by the Social Security Department on 12th May, 2010, were laid before the States.

**THE ENVIRONMENTAL POLLUTION
(PUBLIC REGISTER) REGULATIONS, 2010**

In pursuance of section 72 (3) of the Environmental Pollution (Guernsey) Law, 2004, the Environmental Pollution (Public Register) Regulations, 2010, made by the Policy Council on 17th May, 2010, were laid before the States.

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 1ST DAY OF JULY 2010

(Meeting adjourned from 30th June, 2010)

**The States resolved as follows concerning Billet d'État No XV
dated 11th June 2010**

HEALTH AND SOCIAL SERVICES DEPARTMENT

PROPOSED BAN ON THE DISPLAY OF TOBACCO PRODUCTS AND RESTRICTION ON VENDING MACHINES TO ESTABLISHMENTS FOR OVER 18 YEAR OLDS

VI.- After consideration of the Report dated 4th May, 2010, of the Health and Social Services Department, they are of the opinion:-

1. That the States Resolution of 12th March, 2008 (on Billet d'État III of 2008) to prohibit advertising at point of sale shall be extended to include a prohibition on the display of tobacco products, otherwise than in a wholly enclosed tobacco area that is only accessible to persons aged 18 or over.
2. That legislation shall be prepared banning cigarette vending machines throughout Guernsey.
3. That legislation shall be prepared banning the supply (including possession for supply) of tobacco products for oral use as proposed in that Report.
4. That legislation enabling the States to make provision by Ordinance for matters relating to the importation, advertisement, sale, supply or consumption of tobacco products shall be prepared as proposed in that Report.
5. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

ISLAND-WIDE VOTING – 2nd REPORT

VII.- After consideration of the Report dated 7th May, 2010, of the States Assembly and Constitution Committee,

To sursum the Article, and direct the States Assembly and Constitution Committee to report back to the States of Deliberation as soon as practicable with a broader report containing-

- (a) detailed consideration of the options for reducing the number of People's Deputies in the States of Deliberation from 45 to (i) 40, (ii) 35 and (iii) any other number of Deputies the Committee considers would be appropriate;
- (b) a detailed analysis of all the options for the introduction of Island-wide voting, to include not only the options set out in the Committee's 2nd Report but also those that have been introduced through the amendments to the Propositions thereon that have been circulated prior to this Meeting of the States of Deliberation and any variants thereon that the Committee considers should be covered, in each case taking into account the possible modifications of the number of People's Deputies in accordance with paragraph (a); and
- (c) details of all the operational and logistical issues that would arise and require amendment in respect of every option under consideration in accordance with paragraphs (a) and (b) regarding the elections for, and constitution of, the States of Deliberation which will take effect from the General Election to be held in 2012 and, where applicable, in respect of any partial election of the Members of the States of Deliberation preceding or following that General Election.

K H TOUGH
HER MAJESTY'S GREFFIER