

# IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 25<sup>th</sup> DAY OF JUNE, 2008

The States resolved as follows concerning Billet d'État No VIII  
dated 6<sup>th</sup> June 2008

## PROJET DE LOI

entitled

### THE CHARITIES AND NON PROFIT ORGANISATIONS (INVESTIGATORY POWERS) (BAILIWICK OF GUERNSEY) LAW, 2008

I.- To approve, subject to the following amendment, the Projet de Loi entitled "The Charities and Non Profit Organisations (Investigatory Powers) (Bailiwick of Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

#### AMENDMENT

For clause 11 (printed at pages 19 to 21 of the Brochure) substitute the following clause-

#### **"Powers to make Ordinances.**

11. (1) The States may by Ordinance -
  - (a) amend sections 1, 3, 4, 5, 10, 12 or 13, where it appears to the States to be necessary for any of the purposes described in subsection (5), and
  - (b) make such additional provision as they think fit for the purposes of carrying this Law into effect.
- (2) Any Ordinance, regulation or Order under this Law -
  - (a) may be amended, repealed or revoked by a subsequent Ordinance, regulation or Order, as the case may be, hereunder, and
  - (b) may contain such consequential, incidental, supplementary and transitional provision as may appear to be necessary or expedient.
- (3) Any power conferred by this Law to make any Ordinance,

regulation or Order may be exercised -

- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,
- (b) so as to make, as respects the cases in relation to which it is exercised -
  - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise),
  - (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes,
  - (iii) any such provision either unconditionally or subject to any prescribed conditions.

(4) Regulations under this Law shall be laid before a meeting of the States as soon as possible after being made; and, if at that or the next meeting the States resolve that the regulations be annulled, then they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

(5) The purposes are -

- (a) enhancing or protecting the reputation or economic interests of the Bailiwick,
- (b) improving or enhancing the investigation, prevention or detection of crime,
- (c) facilitating the instigation of, or otherwise for the purposes of, any criminal proceedings,
- (d) facilitating the detection, seizure and forfeiture of the proceeds of crime or assets intended for use in crime,
- (e) discharging any international obligation to which the Bailiwick is subject, and

- (f) assisting, in the interests of the public or otherwise
  - (i) any competent authority, or
  - (ii) any authority which appears to the States to exercise in a place outside the Bailiwick functions corresponding to any of the functions of Her Majesty's Procureur or the police under this Law."

## **HOME DEPARTMENT**

### **ELECTION OF NON-VOTING MEMBER**

II.- To elect, as a non-voting member of the Home Department, Mr Andrew Lucas Ozanne, who had 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.

## **HOUSING DEPARTMENT**

### **ELECTION OF NON-VOTING MEMBER**

III.- To elect, as a non-voting member of the Housing Department, Mr Dudley Robert Jehan, who had 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.

## **POLICY COUNCIL**

### **ENERGY POLICY**

IV After consideration of the Report dated 19<sup>th</sup> May, 2008, of the Policy Council:-

1. To note the States' Policy Council Energy Policy Report, including the Energy Hierarchy as set out in paragraphs 2.19 to 2.24 of the appended Energy Policy Report.
2. To agree the three Headline Policies set out in paragraph 1.3, and the work streams which underpin them, as set out in paragraphs 5.2, 8.2 and 13.2 of the appended Energy Policy Report, except that the project/initiative identified as A. ix) in the table at paragraph 13.2 shall be clarified so as to read:

‘Investigate the implications of making Guernsey carbon emissions free

in the long term by moving towards having electricity as virtually the only power source.’

3. To agree in principle (subject to further research as set out) the targets for reductions in carbon dioxide emissions, and the generation of electricity from local renewable sources, as set out in paragraph 2.18 of the appended Energy Policy Report.
4. To direct the Policy Council and the Lead Departments (as identified in the appended Energy Policy Report) to progress the various work streams and to agree appropriate timeframes.
5. To note that the allocation of adequate resources is essential to the successful implementation and operation of the Energy Policy and to direct the Treasury and Resources Department to be mindful of this when considering resource requests from Departments, particularly the Environment Department, involved in the implementation of the Energy Policy; .
6. To agree that progress in the various work streams will form part of the monitoring of the annual Government Business Plan (Priority 10 - Meet Energy needs more efficiently and sustainably).
7. To focus their interests in renewable energy on:-
  - (a) preparing the necessary legislation which will enable Guernsey to take advantage of tidal power opportunities as and when they arise;
  - (b) closely monitoring tidal power technologies and opportunities;
  - (c) encouraging, promoting and facilitating tidal power opportunities; and
  - (d) directing the Commerce and Employment Department to establish a Guernsey Renewable Energy Commission responsible for promoting and licensing macro-renewable energy projects within Guernsey.
8. To direct the Commerce and Employment Department to monitor the issue of “Peak Oil” and report to the States as necessary.

## **TREASURY AND RESOURCES DEPARTMENT**

### **TAX ON REAL PROPERTY – APPEALS PANEL**

V.- After consideration of the Report dated 29<sup>th</sup> April, 2008, of the Treasury and Resources Department:-

1. To appoint -

Advocate Mark Dunster

Mrs Sheila Evans MRICS  
Mr Martin Johnson  
Mrs Caroline Latham MRICS  
Mr Eric Legg  
Mr Stuart Le Maitre  
Mr John Weir FRICS  
Mr Michael Vaudin

as Members of the Tax on Real Property Appeals Panel

2. To appoint Mr Stuart Le Maitre as Chairman of that Panel.
3. To appoint Mrs Caroline Latham as Deputy Chairman of that Panel.

***ORDINANCES LAID BEFORE THE STATES***

**THE COMPANIES (GUERNSEY) LAW, 2008  
(COMMENCEMENT) ORDINANCE, 2008**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Companies (Guernsey) Law, 2008 (Commencement) Ordinance, 2008, made by the Legislation Select Committee on the 19<sup>th</sup> May, 2008, was laid before the States.

**THE UNION OF THE COMOROS (FREEZING OF FUNDS)  
(GUERNSEY) ORDINANCE, 2008**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Union of the Comoros (Freezing of Funds) (Guernsey) Ordinance, 2008, made by the Legislation Select Committee on the 19<sup>th</sup> May, 2008, was laid before the States.

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