

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 26th DAY OF NOVEMBER, 2008

The States resolved as follows concerning Billet d'État No XV
dated 7th November 2008

TREASURY AND RESOURCES DEPARTMENT

AMENDMENT TO THE CHARITIES AND NON PROFIT ORGANISATIONS (REGISTRATION) (GUERNSEY) LAW, 2008 ("THE LAW")

I.- After consideration of the report dated 26th September, 2008, of the Treasury and Resources Department:-

1. (1) To create the statutory office of Registrar of Non-Profit Organisations.
- (2) To direct the preparation of such legislation as may be necessary to give effect to their above decision.
2. (1) That the 2008 Law be amended to provide for the:
 - (a) Administrator of Income Tax to be able to delegate his duties under the Charities and Non-Profit Organisations (Registration) (Guernsey) Law, 2008;
 - (b) creation of a private register of Non-Profit Organisations;
 - (c) removal the obligation to register from Non-Profit Organisations administered, operated or controlled by persons licensed by the Guernsey Financial Services Commission (but to provide that they shall continue to be subject to the Administrator's power to request information);
 - (d) amendment of the definition of "based in" Guernsey; and
 - (e) specifying of the circumstances in which information obtained under the Charities and Non-Profit Organisations (Registration) (Guernsey) Law, 2008 can be used and disclosed.
- (2) To approve the draft Ordinance entitled "The Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) (No. 2) Ordinance, 2008" and to direct that the same shall have effect as an Ordinance of the States.

PROJET DE LOI

entitled

THE PRESCRIBED BUSINESSES (BAILIWICK OF GUERNSEY) LAW, 2008

II.- To approve the Projet de Loi entitled “The Prescribed Businesses (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.

PROJET DE LOI

entitled

THE INCOME TAX (GUERNSEY) (AMENDMENT) LAW, 2008

III.-

- (1) To approve the Projet de Loi entitled “The Income Tax (Guernsey) (Amendment) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
- (2) Considering it expedient in the public interest so to do, to declare, pursuant to section 1 of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992, that section 6 of the said Projet de Loi shall have effect from the 1st January, 2009, as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2008

IV.- To approve the draft Ordinance entitled “The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

THE DRUG TRAFFICKING (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2008

V.- To approve the draft Ordinance entitled “The Drug Trafficking (Bailiwick of Guernsey) (Amendment) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

**THE DISCLOSURE (BAILIWICK OF GUERNSEY)
(AMENDMENT) ORDINANCE, 2008**

VI.- To approve the draft Ordinance entitled “The Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

**THE PREVENTION OF CORRUPTION (BAILIWICK OF GUERNSEY)
(AMENDMENT) ORDINANCE 2008**

VII.- To approve the draft Ordinance entitled “The Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Ordinance 2008” and to direct that the same shall have effect as an Ordinance of the States.

**THE LAND PLANNING AND DEVELOPMENT (FEES AND
COMMENCEMENT) ORDINANCE, 2008**

VIII.- To approve subject to the following amendment, the draft Ordinance entitled “The Land Planning and Development (Fees and Commencement) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

AMENDMENT

In the Table of Fees in Schedule 1 to the draft Ordinance entitled “The Land Planning and Development (Fees and Commencement) Ordinance, 2008” (on pages 123 to 131 of the Brochure):

- a) for “2.25 vergées” wherever appearing substitute “2.47 vergées”;
- b) at items 6A and 6B of that Table (on page 129 of the Brochure) for “0.56 of a vergee” substitute “0.62 of a vergee”.

**THE ATTENDANCE AND INVALID CARE ALLOWANCES
ORDINANCE, 2008**

IX.- To approve the draft Ordinance entitled “The Attendance and Invalid Care Allowances Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

THE FAMILY ALLOWANCES ORDINANCE, 2008

X.- To approve the draft Ordinance entitled “The Family Allowances Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2008

XI.-To approve the draft Ordinance entitled “The Health Service (Benefit) (Amendment) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY)
(RATES) ORDINANCE, 2008**

XII.-To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2008” 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, 2008**

XIII.-To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)
(AMENDMENT) ORDINANCE, 2008**

XIV.-To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2008” and to direct that the same shall have effect as an Ordinance of the States.

ORDINANCES LAID BEFORE THE STATES

**THE CHARITIES AND NON PROFIT ORGANISATIONS (REGISTRATION)
(GUERNSEY) LAW, 2008 (AMENDMENT) ORDINANCE, 2008**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2008, made by the Legislation Select Committee on the 13th October, 2008, was laid before the States.

**THE ROAD TRAFFIC (DRINK DRIVING)
(AMENDMENT) ORDINANCE, 2008**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Road Traffic (Drink Driving) (Amendment) Ordinance,

2008, made by the Legislation Select Committee on the 13th October, 2008, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT NO. 6) REGULATIONS, 2008

In pursuance of section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6) Regulations, 2008, made by the Social Security Department on 1st October, 2008, were laid before the States.

**THE INCOME TAX (LOANS TO PARTICIPATORS)
(EXEMPTIONS) (NO. 2) REGULATIONS, 2008**

In pursuance of Section 66A(4)(d) of the Income Tax (Guernsey) Law, 1975, as amended, the Income Tax (Loans to Participators) (Exemptions) (No. 2) Regulations, 2008, made by the Treasury and Resources Department on 14th October, 2008, were laid before the States.

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 28th DAY OF NOVEMBER, 2008

(Meeting adjourned from 26th November 2008)

**The States resolved as follows concerning Billet d'État No XV
dated 7th November 2008**

POLICY COUNCIL

INTERNATIONAL IDENTITY FRAMEWORK DOCUMENT

XV.- After consideration of the Report dated 6th October, 2008, of the Policy Council:-

Having noted the contents of that report, to authorise the Chief Minister to sign the International Identity Framework Document.

TREASURY AND RESOURCES DEPARTMENT

SUPERANNUATION FUND: ACTUARIAL REPORT

XVI.- After consideration of the Report dated 1st October, 2008, of the Treasury and Resources Department:-

1. To note the Actuarial Valuation of the States of Guernsey Superannuation Fund as at 31 December 2007.
2. That, with effect from 1 January 2010, except for Guernsey Electricity Limited, Guernsey Post Limited and the Guernsey Financial Services Commission, the policy will be to set employer contribution rates at a level that fully funds the costs of benefits accruing in respect of future service and 90% of the past service liabilities.
3. That, except for Guernsey Electricity Limited, Guernsey Post Limited and the Guernsey Financial Services Commission, the employer and additional employer contribution rates in respect of the States of Guernsey Superannuation Fund shall be as set out in Appendix 1 with effect from 1 January 2010.
4. That the employer contribution rate for Guernsey Electricity Limited be increased from 16.3% to 17.3% with effect from 1 April 2009.
5. That the employer contribution rate for Guernsey Post Limited be increased from 14.0% to 15.0% with effect from 1 April 2009.

6. That the employer contribution rate for the Guernsey Financial Services Commission be increased from 10.4% to 17.8% with effect from 1 January 2009.

HOUSING DEPARTMENT

THE HOUSING (CONTROL OF OCCUPATION) (GUERNSEY) LAW, 1994 – REQUEST FOR A FURTHER EXTENSION

XVII.- After consideration of the Report dated 18th September, 2008, of the Housing Department:-

1. To agree to the preparation of an Ordinance to enable the Housing (Control of Occupation) (Guernsey) Laws 1994 to 2001 to remain in force until 31 December 2011.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.
3. To instruct the Policy Council to increase the level of staffing available to the Population Policy Group to a level which reflects the urgency of the work streams assigned to that group.

PUBLIC SERVICES DEPARTMENT

REFURBISHMENT OF BELLE GREVE WASTEWATER DISPOSAL FACILITY

XVIII.- After consideration of the Report dated 25th September, 2008, of the Public Services Department:-

- 1 To vote the Public Services Department an additional credit of £2,500,000 to refurbish the Belle Greve Main Pumping Station as set out in that Report, such sum to be charged to its capital allocation.
- 2 To vote the Public Services Department an additional credit of £500,000 to develop plans for outfall refurbishment as set out in this report, such sum to be charged to its capital allocation.
- 3 To authorise the Treasury and Resources Department to transfer an appropriate sum from the Capital Reserve to the capital allocation of the Public Services Department in respect of these works.
- 4 To delegate authority to the Treasury and Resources Department to approve acceptance of tenders in connection with these works.

HOME DEPARTMENT

POLICE COMPLAINTS COMMISSION

XIX.- After consideration of the Report dated 26th September, 2008, of the Home Department:-

1. That the policy decision to establish a Police Complaints Commission in Guernsey reached by the States on 26th January 2005 shall be amended in respect of appeals from the proposed Police Complaints Tribunal for the reasons set out in this Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their Resolution of 26th January 2005 as modified by their above decision.

COMMERCE AND EMPLOYMENT DEPARTMENT

IMF PREPARATIONS - DISQUALIFICATION OF ACTUARIES

XX.- After consideration of the report dated 16th October, 2008, of the Commerce and Employment Department:-

1. To approve the proposals of the Guernsey Financial Services Commission as set out in that report.
2. To direct the preparation of such legislation as may be necessary to give effect to their decision above.

S M D ROSS
HER MAJESTY'S DEPUTY GREFFIER