

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31ST DAY OF MAY, 2002

The States resolved as follows concerning Billet d'Etat No. IX  
dated 10th May, 2002

**PROJET DE LOI**

entitled

**THE CRIMINAL EVIDENCE AND MISCELLANEOUS PROVISIONS  
(BAILIWICK OF GUERNSEY) LAW, 2002**

- I. To approve the Projet de Loi entitled "The Criminal Evidence and Miscellaneous Provisions (Bailiwick of Guernsey) Law, 2002", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE COMPANIES (SHARES OF NO PAR VALUE) ORDINANCE, 2002**

- II. To approve the draft Ordinance entitled "The Companies (Shares of No Par Value) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE DRUG TRAFFICKING (DESIGNATED COUNTRIES AND TERRITORIES)  
(AMENDMENT) ORDINANCE, 2002**

- III. To approve the draft Ordinance entitled "The Drug Trafficking (Designated Countries and Territories) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (ENFORCEMENT OF  
OVERSEAS CONFISCATION ORDERS) (AMENDMENT) ORDINANCE, 2002**

- IV. To approve the draft Ordinance entitled "The Criminal Justice (Proceeds of Crime) (Enforcement of Overseas Confiscation Orders) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE PAROCHIAL COLLECTION OF REFUSE  
(AMENDMENT) ORDINANCE, 2002**

- V. To approve the draft Ordinance entitled "The Parochial Collection of Refuse (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**STATES ADVISORY AND FINANCE COMMITTEE**

**AMENDMENTS TO LEGISLATION RELATING TO MONEY LAUNDERING**

- VI. After consideration of the Report dated the 23rd April, 2002 of the States Advisory and Finance Committee:-

1. To approve the following items of law reform-

(1) that financial services businesses shall be required by law to report any suspicions they have concerning any transaction they are involved in;

(2) that the Police and Customs shall be permitted to seize money anywhere in the Bailiwick when it is suspected to be the proceeds of crime;

(3) that the requirement under section 44 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 for the consent of H. M. Procureur shall be abolished;

(4) that H. M. Procureur shall be allowed to disclose information obtained under the provisions of the Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law, 1991, to "competent authorities" and the Guernsey Income Tax Administrator;

(5) that it shall be an offence to disclose the existence of enquiries under the Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law, 1991 to any person who is the subject of the enquiry;

(6) that the Guernsey Financial Services Commission shall be given explicit power under statute to visit financial services businesses to obtain information and ask questions;

(7) that the Guernsey Income Tax Authority shall be permitted to disclose any suspicions they have to the Police, Customs and the Guernsey Financial Services Commission;

(8) that the definition of "officer of police" in the Regulation of Fiduciaries, Administration Business and Company Directors (Bailiwick of Guernsey) Law, 2000 shall be amended to include customs officers.

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

## **STATES ADVISORY AND FINANCE COMMITTEE**

### **TRANSFER OF THE BUSINESS OF BARCLAYS BANK PLC BARCLAYS FINANCE COMPANY (GUERNSEY) LIMITED AND WOOLWICH GUERNSEY LIMITED**

VII. After consideration of the Report dated 23rd April, 2002, of the States Advisory and Finance Committee:-

To direct the preparation of legislation designed:

- (1) to effect the transfer of all the undertakings of Barclays Bank Public Limited Company, Barclays Finance Company (Guernsey) Limited and Woolwich Guernsey Limited to Barclays Private Clients International Limited, the transfer of which falls to be governed by the laws of Guernsey;
- (2) for the transfer to Barclays Private Clients International Limited of contracts of employment governed by the law of Guernsey of persons employed by Barclays Bank Public Limited Company, Barclays Finance Company (Guernsey) Limited and Woolwich Guernsey Limited;
- (3) to provide for all agreements with Barclays Bank Public Limited Company, Barclays Finance Company (Guernsey) Limited and Woolwich Guernsey Limited (including agreements with clients, counterparties and employees) to continue with Barclays Private Clients International Limited;
- (4) to provide for other purposes incidental thereto and consequential thereon.

## **STATES BOARD OF ADMINISTRATION**

### **POLICE AND CUSTOMS CLOSED CIRCUIT TELEVISION SECURITY SYSTEM AT GUERNSEY AIRPORT**

VIII. After consideration of the Report dated 26th March, 2002 of the States Board of Administration:-

1. To approve the installation of a CCTV system at Guernsey Airport, as set out in that Report, at a total cost, inclusive of associated civil works and consultants' fees, not exceeding £597,000.
2. To confirm that Videcom Security Limited be appointed as contractor for the installation of that CCTV system.
3. To vote the States Board of Administration a credit of £597,000 to cover the cost of the above works, which total sum shall be charged as £263,000 to the capital allocation of that Board, £263,000 to the capital allocation of the States Committee for Home Affairs and £71,000 as capital expenditure in the accounts of Guernsey Airport.

**STATES HOUSING AUTHORITY**  
**SURVEY OF GUERNSEY'S HOUSING NEEDS**

- IX. After consideration of the Report dated 11th April, 2002 of the States Housing Authority:-
1. To note and endorse the findings of that initial report on the Housing Needs Survey.
  2. That, in bringing forward proposals to amend the Strategic and Corporate Plan as part of the 2002 Policy and Resource Planning Report, the States Advisory and Finance Committee shall note the wish of the States that the benchmark target for additional new homes shall be set at 300 per annum over a maximum period of three years commencing in 2002.
  3. To note the States Housing Authority's general intention to review what additional measures are necessary to influence the provision of houses of particular tenures, size and price.
  4. To direct that the States Housing Authority, in conjunction with the Island Development Committee, reports to the States on the results of their investigations into the suitability of Planning Covenants as a means of producing lower cost homes, together with details of that Authority's review of measures designed to ensure that homes stay in the low cost bracket in the long term.
  5. To note the States Housing Authority's intention to continue to liaise with the Island Development Committee, States Cadastre Committee and the States Advisory and Finance Committee, to improve and develop better means of monitoring the annual supply of land for housing, and the actual annual provision of housing of particular tenures, size and price.
  6. To note the States Housing Authority's intention to implement the establishment of an "affordable" Housing Roll.
  7. That a follow up Housing Needs Study shall be carried out in 2004 and, thereafter, at intervals of not more than five years.
  8. To direct the States Advisory and Finance Committee to take account of the budgetary requirements of such surveys in recommending to the States the States Housing Authority's general revenue allocations in the years concerned.
  9. To note the States Housing Authority's statement on the administration of the Housing Control Law as set out in the body of that Report.
  10. To note that the States Housing Authority will continue its investigation into other housing issues arising from the Main Housing Needs Survey report and to report back to the States on those matters as soon as possible.

## **STATES INCOME TAX AUTHORITY**

### **INCOME TAX RELIEF FOR MAINTENANCE PAID UNDER COURT ORDERS**

- X. After consideration of the Report dated the 23rd April, 2002, of the States Income Tax Authority:-
- a. That section 43A of the Income Tax (Guernsey) Law, 1975, shall be repealed.
  - b. To note that income tax relief will not be available in respect of maintenance payments under new Court Orders made after the date of commencement of the amending law and that such payments will not be treated as taxable income in the hands of the recipient.
  - c. To note that maintenance payments under existing Court Orders, or Court Orders made up to the date of commencement of the amending law, including variations thereof, will still qualify for income tax relief and continue to be treated as taxable income in the hands of the recipient.
  - d. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **STATES TRAFFIC COMMITTEE**

### **CO-ORDINATION OF ROAD WORKS AND ROAD CLOSURES**

- XI. After consideration of the Report dated the 28th March, 2002, of the States Traffic Committee:-
1. To invest in the States Traffic Committee the responsibility and executive authority for the temporary closure of any road for the purpose of any works in or around that road.
  2. To invest in the States Traffic Committee the responsibility and executive authority for the granting of permission for any road work or other project necessitating traffic management measures.
  3. To require the States Traffic Committee to consult with the parish Constables, service utilities and contractors before granting or refusing any temporary road closure.
  4. To authorise the States Traffic Committee to acquire a Computer Aided Management system as described in section 8(ii) of that Report at an estimated cost of £200,000 and to delegate authority to the States Advisory and Finance Committee to approve a vote to cover the cost of acquisition, to be charged to the capital allocation of the States Traffic Committee.

5. To award a joint contract to Integrated Skills (Guernsey) and Digimap Limited for the development of a Computer Aided Management system as described in section 8 (ii) of that Report.
6. To approve of the implementation of the measures and associated incentive charges as described in section 8 (iii) of that Report.
7. To direct the States Advisory and Finance Committee to take account of the additional costs associated with the Computer Aided Management system and extra staff posts when recommending to the States capital and revenue allocations for the States Traffic Committee for 2003 and subsequent years.
8. To direct the States Civil Service Board to have due regard to the staffing implications of the States' decisions on Propositions 1 to 7 when administering the Staff Number Limitation Policy.
9. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

### **STATES TRAFFIC COMMITTEE**

#### **AN INVESTIGATION OF PAY PARKING**

- XII TO POSTPONE consideration of this Article until the meeting of the States to be held on 26th June, 2002.

### **STATES CIVIL DEFENCE COMMITTEE**

#### **REPORT ON PERCEIVED RISKS EMANATING FROM THE FRENCH NUCLEAR FACILITIES ON THE COTENTIN PENINSULA**

- XIII After consideration of the Report dated the 18th April, 2002, of the States Civil Defence Committee:-

To note that Report.

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