

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27TH DAY OF NOVEMBER, 2002

The States resolved as follows concerning Billet d'Etat No. XXIII
dated 8th November, 2002

PROJET DE LOI

entitled

THE MERCHANT SHIPPING (BAILIWICK OF GUERNSEY) LAW, 2002

- I. To approve the Projet de Loi entitled "The Merchant Shipping (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.

PROJET DE LOI

entitled

THE MATRIMONIAL CAUSES (AMENDMENT) (GUERNSEY) LAW, 2002

- II. To approve the Projet de Loi entitled "The Matrimonial Causes (Amendment) (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.

PROJET DE LOI

entitled

**THE ATTENDANCE AND INVALID CARE ALLOWANCES (GUERNSEY)
(AMENDMENT) LAW, 2002**

- III. To approve the Projet de Loi entitled "The Attendance and Invalid Care Allowances (Guernsey) (Amendment) 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 ATTENDANCE AND INVALID CARE ALLOWANCES ORDINANCE, 2002

- IV. To approve the draft Ordinance entitled "The Attendance and Invalid Care Allowances Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2002

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

THE FAMILY ALLOWANCES ORDINANCE, 2002

- VI. To approve the draft Ordinance entitled "The Family Allowances Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT)
ORDINANCE, 2002**

- VII. To approve the draft Ordinance entitled "The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE CENTRAL OUTDOOR ASSISTANCE BOARD REGULATIONS
(AMENDMENT) ORDINANCE, 2002**

- VIII. To approve the draft Ordinance entitled "The Central Outdoor Assistance Board Regulations (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (OPHTHALMIC BENEFIT) (REPEAL)
ORDINANCE, 2002**

- IX. To approve the draft Ordinance entitled "The Health Service (Ophthalmic Benefit) (Repeal) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (ANNUAL GRANT) ORDINANCE, 2002

- X. To approve the draft Ordinance entitled "The Health Service (Benefit) (Annual Grant) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (ALDERNEY HOSPITAL BENEFIT)
(AMENDMENT) ORDINANCE, 2002**

- XI. To approve the draft Ordinance entitled "The Health Service (Alderney Hospital Benefit) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (SPECIALIST MEDICAL BENEFIT) (AMENDMENT)
ORDINANCE, 2002**

- XII. To approve the draft Ordinance entitled "The Health Service (Specialist Medical Benefit) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

THE DRIVING LICENCES (GUERNSEY) (AMENDMENT) ORDINANCE, 2002

- XIII. To approve the draft Ordinance entitled "The Driving Licences (Guernsey) (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

THE FIREARMS (AMENDMENT) ORDINANCE, 2002

- XIV. To approve the draft Ordinance entitles "The Firearms (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

STATES COMMITTEE FOR HOME AFFAIRS

AMENDMENT OF THE PRISON ADMINISTRATION (GUERNSEY) ORDINANCE, 1998

- XV. After consideration of the Report dated the 15th October, 2002, of the States Committee for Home Affairs:-
1. That the Prison Administration (Guernsey) Ordinance, 1998, shall be amended to provide:-
 - (a) that serious offences against discipline shall be dealt with by a Lieutenant Bailiff or Assistant Magistrate appointed by the Bailiff as an adjudicator; and
 - (b) that in such cases, the prisoner shall be entitled to legal representation.
 2. To approve the draft Ordinance entitled "The Prison Administration (Amendment) Ordinance, 2002", and to direct that the same shall have effect as an Ordinance of the States.

STATES PUBLIC ASSISTANCE AUTHORITY

ST. SAMPSON'S PAROCHIAL OUTDOOR ASSISTANCE BOARD

NEW MEMBER

- XVI. To elect Mr. Stephen Park as a member of the St. Sampson's Parochial Outdoor Assistance Board to complete the unexpired portion of the term of office of Mr. J. E. Foster, who has resigned as a member of that Board, namely, to the 31st May, 2003.

STATES BOARD OF ADMINISTRATION

ST. PETER PORT HARBOUR – NO. 1 RO-RO LINKSPAN REFURBISHMENT

- XVII. After consideration of the Report dated the 11th October, 2002, of the States Board of Administration:-
1. To approve the refurbishment of No. 1 Ro-Ro linkspan in St. Peter Port Harbour at a total cost, inclusive of a sum of £30,000 as a contingency sum, not exceeding £306,364.00
 2. To authorise the States Board of Administration to accept the tender in the sum of £276,364.00 submitted by Howlett Marine and Industrial Services Limited for the above work.

3. To vote the States Board of Administration a credit of £306,364.00 to cover the cost of the above project, which sum shall be charged as capital expenditure in the accounts of the Harbour of St. Peter Port.

STATES BOARD OF HEALTH

NEW MENTAL HEALTH LEGISLATION

XVIII. After consideration of the Report dated the 25th October, 2002, of the States Board of Health:-

1. To approve that new Mental Health legislation be enacted for the Bailiwick on the lines set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES BOARD OF INDUSTRY

BAILIWICK INTELLECTUAL PROPERTY LEGISLATION AND ECONOMIC OPPORTUNITIES IN A KNOWLEDGE ECONOMY

XIX. After consideration of the Report dated the 21st October, 2002, of the States Board of Industry:-

1. To approve the introduction of a modern regime of intellectual property legislation along the lines described in that Report.
2. To agree to compliance with the standards required by the Trade Related aspects of Intellectual Property Rights (TRIPS) under the World Trade Organisation Agreement.
3. To note the intention to extend the various international conventions, treaties and agreements as set out in that Report relating to intellectual property, subject to the normal scrutiny procedures for such agreements applied by the States Advisory and Finance Committee.
4. To agree in principle that a Bailiwick Intellectual Property Office shall be created under the auspices of the States Board of Industry.
5. To direct the States Board of Industry to submit to the States plans for the creation of a Bailiwick Intellectual Property Office including a business plan, prior to the introduction of the proposed Intellectual Property legislation.
6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

STATES CHILDREN BOARD AND STATES HOUSING AUTHORITY

HOUSING PROJECTS FOR YOUNG PEOPLE

XX. After consideration of the joint Report dated the 25th October, 2002, of the States Children Board and States Housing Authority:-

1. To authorise the States Housing Authority to make an annual revenue grant to NCH to provide for the continuation and the establishment of those housing projects for young people specified in that Report.
2. To authorise the States Advisory and Finance Committee to increase the 2003 revenue expenditure budget of the States Housing Authority by a sum of up to £300,000, in respect of the grant payable to NCH.
3. To direct the States Advisory and Finance Committee to take account of the annual grant to the NCH when recommending to the States revenue allocations for the States Housing Authority in 2004 and subsequent years.
4. That administration of the property known as 17 Havilland Street be transferred to the States Housing Authority for use as training bed-sit accommodation for young people as set out in that Report, on such terms and conditions as may be laid down by the States Housing Authority and approved by the States Advisory and Finance Committee.
5. To authorise the States Housing Authority to seek and accept, subject to the approval of the States Advisory and Finance Committee, a tender for the renovation of 17 Havilland Street for use as a training bed-sit accommodation for young people, chargeable to the capital allocation of the States Housing Authority as referred to in paragraph 10.4 of that Report.
6. That the States Rent Rebate Scheme be extended to apply to any person accommodated in the training bed-sit accommodation provided as part of the housing projects for young people, the rents for such accommodation being set at levels comparable to equivalent accommodation provided for States' tenants.
7. That contracts be drawn up between the States Housing Authority, States Children Board and NCH to formalise the arrangements set out in that Report, including service level agreements identifying the services to be provided, the standards to be met, and the outcomes to be achieved.

K. H. TOUGH
HER MAJESTY'S GREFFIER

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28TH DAY OF NOVEMBER, 2002

(Meeting adjourned from the 27th November, 2002)

The States resolved as follows concerning Billet d'Etat No. XXIII
dated 8th November, 2002

STATES PROCEDURES AND CONSTITUTION COMMITTEE

THE ELECTORAL ROLL

XXI. After consideration of the Report dated the 14th October, 2002, of the States Procedures and Constitution Committee:-

1. (1) By a majority of more than two-thirds of the members present and voting, that the Reform (Guernsey) Law, 1948, as amended, be further amended to provide that:
 - (a) in article 34 (1), the States be enabled to specify, by Ordinance, the year and period of the year in which electoral roll forms shall be delivered to each household;
 - (b) applications for enrolment on the electoral roll, notifications of errors and notification changes of name or address shall be accepted by the Registrar-General of Electors at any time;
 - (c) the States be enabled to specify, by Ordinance, the period during which the electoral roll, or a section of it, shall be closed for the purpose of holding an election or by-election of People's Deputies and Parish Representatives and that the States Procedures and Constitution Committee be enabled to specify, by Regulation, the period during which the electoral roll, or a section of it, shall be closed for the purpose of holding an election or by-election to a parochial office;
 - (d) the States Procedures and Constitution Committee be enabled to specify, by Regulation, when, where and by what means the electoral roll shall be published for inspection;
 - (e) the validity of the current electoral roll, and any subsequent electoral roll, be extended until such time as the States, by Ordinance, direct that it be renewed;
 - (f) the States Procedures and Constitution Committee be enabled to specify, by Regulation, which persons or categories of persons shall be entitled to obtain copies

of the electoral roll, by what means (whether electronic or otherwise) they may be supplied, and the charge to be made for supplying the copies.

(2) TO NEGATIVE the propositions that:

(a) a person be enabled to vote, notwithstanding that his name is not on the electoral roll, providing that he shall certify to the Returning Officer that he had made application for enrolment, that he remains eligible to vote and that he has not and will not vote or attempt to vote at another polling station;

(b) a false declaration made under (a) above shall constitute a criminal offence.

2. To note the States Procedures and Constitution Committee's intention to pursue ways of making registration on the electoral roll easier, particularly for new voters.
- 2A. To direct the States Procedures and Constitution Committee to return to the States not later than June 2003 with detailed proposals for increasing the percentage of eligible persons whose names are inscribed on the Electoral Roll.
3. By a majority of more than two-thirds of the members present and voting, to direct the preparation of such legislation as may be necessary to give effect to their above decisions.

REQUÊTE

BUILD YOUR OWN EQUITY SHARING HOMES FOR FAMILIES SCHEME

XXII. After consideration of the Requête dated the 14th September, 2002, signed by Deputy R. C. Berry, OBE, and seven other Members of the States:-

1. To instruct the States Housing Authority to consider a self build scheme as one element of its broader initiatives on equity sharing and affordable housing, and report back to the States as soon as possible, having regard to the following principles.
2. That the rules for such self build, equity sharing and affordable housing schemes should be far less restrictive than those set out in the requête.
3. That there should be no land zoned specifically for self build homes, but instead the Island Development Committee should pursue policies which will release sufficient development land to facilitate all equity sharing and affordable housing schemes approved by the States.

S. M. D. ROSS

HER MAJESTY'S DEPUTY GREFFIER