



V
2013

BILLET D'ÉTAT

TUESDAY 26th MARCH 2013

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BILLET D'ÉTAT

TO
**THE MEMBERS OF THE STATES
OF THE ISLAND OF GUERNSEY**

I hereby give notice that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **TUESDAY**, the **26th MARCH, 2013** at **9.30 a.m.**, to consider the items contained in this Billet d'État which have been submitted for debate.

R. J. COLLAS
Bailiff and Presiding Officer

The Royal Court House
Guernsey

15th February 2013

**MENTAL HEALTH (BAILIWICK OF GUERNSEY) LAW, 2010
(COMMENCEMENT) ORDINANCE, 2013**

I. – Whether they are of the opinion to approve the draft Ordinance entitled “Mental Health (Bailiwick of Guernsey) Law, 2010 (Commencement) Ordinance, 2013” and to direct that the same shall have effect as an Ordinance of the States.

SOCIAL SECURITY DEPARTMENT

ELECTION OF NON-VOTING MEMBERS

The States are asked:-

II.- To elect

1. As a non-voting member of the Social Security Department, Mrs Suzanne Marie Andrade (commonly known as Susie) who has been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.
2. As a non-voting member of the Social Security Department, Mr Michael James Brown, who has been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.

(NB Rule 4 (2) of the Constitution and Operation of States Departments and Committees provides:

“ Any Department may nominate up to two non-voting members, who shall not be sitting Members of the States, and whose appointments shall expire at the same time as the terms of office of the four sitting Members of the States. No other nomination may be made. Such Members shall have the same rights and duties as ordinary Members (other than the right to vote).”

POLICY COUNCIL

ROLLING ELECTRONIC CENSUS PROJECT: PHASING AND LEGISLATION

1. Executive Summary

- 1.1. Critical information about the population, which in the past could only be obtained through a traditional paper based census process, is now largely in the hands of the States residing in various electronic databases. However, while the information exists it cannot be extracted easily without a bespoke technological solution. Against this background, in July 2010 the States agreed to abandon the historic approach to creating a census in favour of a Rolling Electronic Census.
- 1.2. Good progress is being made towards the creation of a Rolling Electronic Census (REC) with tenders for the technical solution currently being sought. The purpose of this report is twofold:
 - i. To propose to the States the making of an Ordinance to ensure that the REC is compliant with Data Protection legislation and
 - ii. To advise the States that one of the original objectives is to use this project to create a central names and addresses catalogue which will in due course require the development of primary legislation.
- 1.3. This report proposes that the development of a REC as originally envisaged should now be split into two phases – Phase One focusing on delivery of the information contained in a traditional census via electronic means through a new Ordinance and Phase Two, delivering the wider benefits of a central names and addresses catalogue through primary legislation.

2. Background

- 2.1. On the 28th July 2010 (Billet XVII 2010), the States considered a report from the Policy Council setting out a case for drawing together all of the relevant information held by the States necessary to create a Rolling Electronic Census. This report set out the significant cost of creating a traditional paper based census and the fact that it represented a snapshot on a single day which soon became outdated. In contrast a Rolling Electronic Census will provide a more cost effective and accessible method of obtaining critical information about the population in a manner that could be regularly refreshed at much shorter intervals. This was seen as essential to sustainable evidence based decision making in future.
- 2.2. The States resolved to approve the project, a capital vote was subsequently secured and the project has now progressed to the stage where tenders are being sought for a technical solution from specialist suppliers.

- 2.3. During the project planning and scoping stages, discussions took place with the Data Protection Commissioner. It was her view, shared by the Law Officers, that in order to proceed with the data sharing required for this project in a manner that was compliant with Data Protection legislation, it would be necessary to enact an appropriate Ordinance under customary law designed to enable the primary objectives set out below.
- 2.4. The primary objectives of the REC are to:
- i. Create an electronic system which collates socio-demographic data relating to the populations of Guernsey¹, Alderney, Herm, Jethou and Lihou from existing operational databases.
 - ii. Ensure the system costs less in the long run than running a traditional census every five years.
 - iii. Enable the Policy and Research Unit of the Policy Council to access the data, perform analysis and publish socio-demographic statistics.
 - iv. Ensure the system meets the requirements of the Data Protection Law.
 - v. Create a system which is integrated with the Corporate Address File (CAF)².
- 2.5. The Law Officers have advised that historically it has been established practice to use customary law making powers to create an Ordinance to facilitate the holding of a census. Accordingly, the States is asked to make an Ordinance, in exercise of customary law making powers, which would authorise the undertaking of an ongoing or rolling census using wholly electronic means. Such a Census Ordinance would be appropriate on the basis that the primary objectives of the REC Project include delivery of information similar to that historically sourced via a census (see Appendix 1) in a manner in keeping with traditional census practices i.e. only collating information snapshots on certain dates, providing staff access only to anonymised data sets, undertaking to maintain personal information in confidence and only archiving non-sensitive data for future family history research purposes. The existing ordinary duties of the Policy Council's research section already involve it in collating traditional census data and centralised data from Departments to produce aggregated, anonymised statistical information.

¹ A Guernsey Ordinance will enable Guernsey, Herm, Jethou and Alderney data collected by States of Guernsey Departments to be used for the purposes of the REC. A separate Alderney Ordinance may well be needed to enable data collected by States of Alderney sources to be used. This will be pursued separately if required.

² See <http://www.digimap.gg/caf> for further information on the CAF

- 2.6. The proposed Ordinance would also (in instances where suitable enabling powers exist) make any necessary consequential amendments and modifications to the confidentiality provisions of other relevant legislation in order to enable the free flow of information (subject to suitable conditions) needed for the purposes of the project. By way of example, an amendment would be needed to the Income Tax Law in order to enable appropriately anonymised information about income to be used for the purposes of the REC. In this respect the Treasury and Resources Board have been consulted and support this approach. The provisions of the Social Security Law require that the approval of the Social Security Board be sought if data is to be released from the Department. This Board have been consulted and have confirmed their approval in respect of the provisional data requirements and will be re-confirmed if there are any changes to those requirements as the project progresses.
- 2.7. Similarly, formal approval will be sought from the the Health Department's Caldecott Committee for the release of data from that Department once the requirements have been finalised.
- 2.8. The secondary objectives of the REC are to:
- i. Enable Departments to achieve efficiencies via corporate data sharing where possible.
 - ii. Make it easier for Islanders to update personal data that is used by Government where possible.
- 2.9. The Law Officers have advised that these secondary objectives cannot be achieved in a manner that enables compliance with Data Protection and other legal requirements via an Ordinance, since they are too far removed from the purposes of a traditional census. However, the IT system developed during Phase One will have the capability to deliver these objectives. For compliance with Data Protection Law, primary legislation will almost certainly be required along with much wider public consultation before the full capability of the IT system can be exercised.
- 2.10. Achieving the primary objectives of the project will provide a stepping stone towards overcoming the substantial technical challenges associated with the wider corporate goals. However, for compliance with Data Protection legislation and other related legal obligations, advancement towards the wider goals will need to be taken forward by different policy drivers.
- 2.11. As such, the Policy Council agreed that the objectives of the Project would be separated into phases in order to facilitate delivery. Further detail of the phases is provided in the next sections.

3. Phase One

- 3.1. The original objectives for Phase One are set out in Section 2 of this Report but the Policy Council has agreed to adopt a sixth objective as follows:

- “6. Ensure the IT solution facilitates future development of a Population Register, a centralised name and address register and/or automatically generated Electoral Roll”.
- 3.2. The Policy Council’s research section has progressed work towards achieving these aims. It has passed the second (of three) Gateway Reviews and, at the time of writing this report, has issued an Invitation to Tender for the IT System. The intention is for a supplier to be selected during February 2013 in order that delivery stages can commence without delay following the March States Meeting, at which this report will be debated.
- 3.3. Subject to the legislative drafting being prioritised for completion prior to the end of 2013, Phase One will be completed in mid 2014. The benefits will include access to the following data, which can be used to inform policy.
- 3.4. Quarterly data on population:
- i. Age
 - ii. Sex
 - iii. Nationality / country of birth
 - iv. Housing document type
 - v. Length of stay on Island
 - vi. Employment/education status
 - vii. Long term illness / incapacity³
- 3.5. Plus quarterly data on population changes:
- i. Births
 - ii. Deaths
 - iii. Immigration
 - iv. Emigration
- 3.6. Additional annual data will also be collated regarding:
- i. Household incomes (from employment, benefits, grants and other sources)
- 3.7. It will be possible to analyse and report/publish (as appropriate) the data above by any combination of the variables above, plus by the following:
- i. CAF address⁴ i.e. household

³ The health data will be sourced from Social Security and will consist of the broad categories relating to benefits only i.e. no specific information on medical conditions will be sourced from Health.

⁴ Successful completion of the Corporate Housing Programme project (of a similar data harvesting nature) by the Policy Council’s research section in 2011, means that information relating to domestic properties, which used to be collected via the traditional census is already available via www.gov.gg/property.

- ii. Island
- iii. Parish
- iv. Voting district
 - v. School catchment area
- vi. Post code
- vii. Open / local market

3.8. Achieving the Phase One objectives within budget⁵ represents a cost saving of approximately £50,000 per annum each year from 2011 to 2021 and a further £100,000 every subsequent year (since a permanent solution will be delivered for less than the cost of one traditional census).

3.9. Furthermore, the IT system delivered for Phase One will (having overcome some substantial technical challenges) greatly facilitate the technical practicalities of delivering Phase Two.

4. Phase Two

4.1. The two secondary objectives (shown in section 2 of this report) and the necessary enabling primary legislation envisaged will be delivered in Phase Two. However, as mentioned above, delivering Phase One will represent a large step towards delivering the technical platform for Phase Two. The benefits that can be realised via Phase Two are:

- i. Automated generation of a list of persons eligible to vote, which can be used to create the Electoral Roll, saving approximately £100,000 every four years.
- ii. A register of names and addresses, used for population management and /or efficiency purposes (and enhanced efficiency for islanders interacting with the States via www.gov.gg), the precise financial and other benefits of which will be defined in the business case for Phase Two.

4.2. It should be noted that the policy drivers for embarking on the new primary legislation route will need to be very robust, such as a requirement for live data for population management purposes resulting from the Population Management Regime. A greater level of policy justification will be needed for the creation of a system of central management of information of names and addresses of islanders.

5. Resources, Law Drafting and Governance

5.1. There are no additional resource requirements arising from the proposals contained in this Report.

⁵ Information collected via a recent market testing exercise indicates it will be possible to achieve Phase One within budget. The planned expenditure will be confirmed following completion of the tender.

- 5.2. The Law Officers advise that the proposed Ordinance can be drafted within the timetable required to facilitate the introduction of the REC in mid 2014 and the Policy Council intends to prioritise drafting accordingly.
- 5.3. The Policy Council is satisfied that the proposals conform with the six Principles of Good Governance, particularly as they will facilitate compliance with: Core Principle 1, focusing on the organisations purpose and on outcomes for citizens and service users; Core Principle 4, taking informed transparent decisions and managing risks and; Core Principle 5, developing the capacity and capability of the governing body to be effective.

6. Conclusion

- 6.1. As originally anticipated, the benefits and cost savings to be realised via Phase One of the REC project, can be delivered in a manner that complies with Data Protection and other regulatory requirements by enactment of a suitable Ordinance as described in section 2 of this report. Successful completion of Phase One, currently on track for mid 2014, will facilitate the technical aspects of the delivery of Phase Two, which is likely to require the development of new primary legislation. A report on Phase Two and any associated legislative requirements will be presented to the States for separate debate in due course in order to enable the benefits of Phase One to be realised without delay.

7. Recommendations

- 7.1. The States are asked to:
- a. Note that the Rolling Electronic Census Project will be delivered in two phases and that a further report will be presented following Phase One proposing the legislative requirements for successful delivery of Phase Two and,
 - b. Direct the preparation of such legislation as may be necessary to facilitate the provision of a Rolling Electronic Census in a manner compliant with Data Protection and other relevant legislation.

Peter A Harwood
Chief Minister

28th January 2013

J P Le Tocq
Deputy Chief Minister

Deputy G A St Pier	Deputy A H Langlois	Deputy D B Jones	Deputy M H Dorey
Deputy R Domaille	Deputy K A Stewart	Deputy M G O'Hara	Deputy R W Sillars
Deputy P A Luxon			

(NB The Treasury and Resources Department has noted that the progression of the Rolling Electronic Census will require an amendment to the Income Tax legislation to ensure the exchange of information in a data protection compliant manner and supports such an amendment.)

The States are asked to decide:-

III.- Whether, after consideration of the Report dated 28th January 2013, of the Policy Council, they are of the opinion:

1. To note that the Rolling Electronic Census Project will be delivered in two phases and that a further report will be presented following Phase One proposing the legislative requirements for successful delivery of Phase Two.
2. To direct the preparation of such legislation as may be necessary to facilitate the provision of a Rolling Electronic Census in a manner compliant with Data Protection and other relevant legislation.

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

RECORD OF MEMBERS' ATTENDANCE AT MEETINGS OF THE STATES OF DELIBERATION, THE POLICY COUNCIL, DEPARTMENTS AND COMMITTEES

The Presiding Officer
The States of Guernsey
Royal Court House
St Peter Port

7th January 2013

Dear Sir

On the 29th October, 2010 the States resolved, inter alia:

1. ...
2. *That departments and committees shall maintain a record of their States Members' attendance at, and absence from meetings and that the reason for absence shall also be recorded.*
3. *That the records referred to in 2 above, together with a record of States Members' attendance at meetings of the States of Deliberation, shall be published from time to time as an appendix to a Billet d'État.*

As this is the first report to be submitted since last year's General Election, the Committee considers that it would be appropriate to submit it for debate rather than as an appendix.

I should be grateful if you would arrange for this report, in respect of statistics provided by Her Majesty's Greffier, Departments and Committees for the six months ended 31st October 2012, to be published in a Billet d'État with a proposition "to note the report".

Yours faithfully

M. J. FALLAIZE

Chairman
States Assembly and Constitution Committee

Members of the Committee are

Deputy M. H. Dorey (Vice-Chairman) Deputy P. L. Gillson Deputy E. G. Bebb
Deputy R. Conder

PART I - REPORT BY DEPARTMENT/COMMITTEE

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	States business	Personal/business/holiday	Other

POLICY COUNCIL							
P. A. Harwood	15	15					
J. P. Le Tocq	15	8	1		3	3	
G. A. St. Pier	15	12				3	
K. A. Stewart	15	12	2			1	
M. G. O'Hara	15	12			3		
R. W. Sillars	15	13				1	1 delayed flight
R. Domaille	15	13	1			1	
A. H. Adam	15	11		2		2	
D. B. Jones	15	14				1	
P. A. Luxon	15	14	1				
A. H. Langlois	15	14			1		
Alternate Members:							
B. L. Brehaut	4	4					
A. H. Brouard	1	1					
M. P. J. Hadley	1	1					
D. A. Inglis	3	3					
S. A. James MBE	1	1					
J. Kuttlewascher	3	3					
A. R. Le Lièvre	1	1					
F. W. Quin	6	6					
A. Spruce	1	1					

COMMERCE AND EMPLOYMENT DEPARTMENT							
K. A. Stewart	17	16			1		
A. H. Brouard	17	16				1	
D. de G. De Lisle	17	15		1	1		
M. P. J. Hadley	17	17					
L. B. Queripel	17	16		1			

CULTURE AND LEISURE DEPARTMENT							
M. G. O'Hara	11	9	1		1		
D. A. Inglis	11	10				1	
D. J. Duquemin	11	11					
P. R. Le Pelley	11	9	2				
F. W. Quin	11	11					

EDUCATION DEPARTMENT							
R. W. Sillars	15	15					
A. R. Le Lièvre	15	12	1	2			
R. Conder	15	14	1				
C. J. Green	15	14	1				
P. A. Sherbourne	15	15					

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	States business	Personal/business/holiday	Other

ENVIRONMENT DEPARTMENT							
R. Domaille	16	16					
A. Spruce	16	13	1			2	
B. L. Brehaut	16	15				1	
Y. Burford	16	15	1				
B. J. E. Paint	16	16					

HEALTH AND SOCIAL SERVICES DEPARTMENT							
A. H. Adam	15	14				1	
B. L. Brehaut	15	12				3	
E. G. Bebb	15	14			1		
D. A. Inglis	15	15					
A. M. Wilkie	15	11			1	3	

HOME DEPARTMENT							
J. P. Le Tocq	12	10				2	
F. W. Quin	12	12					
M. K. Le Clerc	12	12					
A. M. Wilkie	12	8			1	3	
B. N. Kelly	12	9	1	2			

HOUSING DEPARTMENT							
D. B. Jones	14	11				3	
M. P. J. Hadley	14	14					
P. R. Le Pelley	14	13				1	
B. J. E. Paint	14	12				2	
M. J. Storey	14	14					

PUBLIC SERVICES DEPARTMENT							
P. A. Luxon	13	13					
S. J. Ogier	13	12		1			
Y. Burford	13	13					
D. J. Duquemin	13	12				1	
R. A. Jones	13	13					

SOCIAL SECURITY DEPARTMENT							
A. H. Langlois	18	15	2		1		
S. A. James MBE	18	15	1		1	1	
J. A. B. Gollop	18	16	2				
C. J. Green	18	15	1		1	1	
M. K. Le Clerc	18	17	1				

TREASURY AND RESOURCES DEPARTMENT							
G. A. St. Pier	25	18	2		1	4	
J. Kuttelwascher	25	24				1	
G. M. Collins	25	23			1	1	
M. H. Dorey	25	24			1		
A. Spruce	25	19	1			5	

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	States business	Personal/business/holiday	Other

LEGISLATION SELECT COMMITTEE							
R. A. Jones	6	6					
J. A. B. Gollop	6	6					
E. G. Bebb	6	3			2	1	
L. B. Queripel	6	6					
B. N. Kelly	6	3					3 unable to travel from Alderney

PUBLIC ACCOUNTS COMMITTEE							
H. J. R. Soulsby	8	8					
M. K. Le Clerc	8	8					
S. A. James MBE	8	7	1				
P. A. Sherbourne	8	5	1		1	1	
E. P. Arditti	8	3	1	1	2	1	

SCRUTINY COMMITTEE							
E. P. Arditti	5	5					
P. L. Gillson	5	5					
M. J. Fallaize	5	5					
R. A. Jones	5	4	1				
A. R. Le Lièvre	5	3	1			1	
P. R. Le Pelley	5	5					
S. J. Ogier	5	2	1	2			
P. A. Sherbourne	5	4			1		
H. J. R. Soulsby	5	5					

STATES ASSEMBLY AND CONSTITUTION COMMITTEE							
M. J. Fallaize	9	9					
M. H. Dorey	9	9					
P. L. Gillson	9	9					
R. Conder	9	7	2				
E. G. Bebb	9	7			1	1	

PAROCHIAL ECCLESIASTICAL RATES REVIEW COMMITTEE							
J. A. B. Gollop	1	1					
M. M. Lowe	1	1					
R. Conder	1	1					
C. J. Green	1	1					
D. de G. De Lisle	1	1					

STATES REVIEW COMMITTEE							
P. A. Harwood	5	5					
M. J. Fallaize	5	4	1				
G. A. St Pier	5	5					
R. Conder	5	4	1				
M. H. Dorey	5	5					

PART II - REPORT BY MEMBER/ELECTORAL DISTRICT**Summary of Attendances at Meetings of the Policy Council, Departments and Committees**

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	States business	Personal/business/holiday	Other
ST PETER PORT SOUTH							
P. A. Harwood	20	20					
J. Kuttelwascher	28	27				1	
B. L. Brehaut	35	31				4	
R. Domaille	31	29	1			1	
A. H. Langlois	33	29	2		2		
R. A. Jones	24	23	1				
ST PETER PORT NORTH							
M. K. Le Clerc	38	37	1				
J. A. B. Gollop	25	23	2				
P. A. Sherbourne	28	24	1		2	1	
R. Conder	30	26	4				
M. J. Storey	14	14					
E. G. Bebb	30	24			4	2	
L. C. Queripel	0						
ST. SAMPSON							
G. A. St. Pier	45	35	2		1	7	
K. A. Stewart	32	28	2		1	1	
P. L. Gillson	14	14					
P. R. Le Pelley	30	27	2			1	
S. J. Ogier	18	14	1	3			
L. S. Trott	0						
VALE							
M. J. Fallaize	19	18	1				
D. B. Jones	29	25				4	
L. B. Queripel	23	22		1			
M. M. Lowe	1	1					
A. R. Le Lièvre	21	16	2	2		1	
A. Spruce	42	33	2			7	
G. M. Collins	25	23			1	1	
CASTEL							
D. J. Duquemin	24	23				1	
C. J. Green	34	30	2		1	1	
M. H. Dorey	39	38			1		
B. J. E. Paint	30	28				2	
J. P. Le Tocq	27	18	1		3	5	
S. A. James MBE	27	23		2	1	1	
A. H. Adam	30	25		2		3	

NAME OF MEMBER	TOTAL NUMBER OF MEETINGS	MEMBER PRESENT		MEMBER ABSENT			
		Whole Meeting	Part of Meeting	Indisposed	States business	Personal/business/holiday	Other
WEST							
R. A. Perrot	0						
A. H. Brouard	18	17				1	
A. M. Wilkie	27	19			2	6	
D. de G. De Lisle	18	16		1	1		
Y. Burford	29	28	1				
D. A. Inglis	29	28				1	
SOUTH-EAST							
H. J. R. Soulsby	13	13					
R. W. Sillars	30	28				1	1 delayed flight
P. A. Luxon	28	27	1				
M. G. O'Hara	26	21	1		4		
F. W. Quin	29	29					
M. P. J. Hadley	32	32					
ALDERNEY REPRESENTATIVES							
B. N. Kelly	18	12	1	2			3 unable to travel from Alderney
E. P. Arditti	13	8	1	1	2	1	
TOTAL							
Number of meetings	1,156	1,026	32	14	26	54	4*
		89%	3%	1%	2%	5%	<1%
AVERAGE PER MEMBER							
	25	22	<1	<1	<1	1	<1

*3 unable to travel from Alderney
1 delayed flight

PART III – REPORT OF ATTENDANCE AND VOTING IN THE STATES OF DELIBERATION

NAME OF MEMBER	TOTAL NUMBER OF DAYS (or part)	DAYS ATTENDED (or part)	TOTAL NUMBER OF RECORDED VOTES	RECORDED VOTES ATTENDED
ST PETER PORT SOUTH				
P. A. Harwood	9	9	14	14
J. Kuttelwascher	9	9	14	14
B. L. Brehaut	9	9	14	14
R. Domaille	9	9	14	14
A. H. Langlois	9	9	14	14
R. A. Jones	9	9	14	14
ST PETER PORT NORTH				
M. K. Le Clerc	9	9	14	14
J. A. B. Gollop	9	9	14	14
P. A. Sherbourne	9	9	14	14
R. Conder	9	9	14	14
M. J. Storey	9	9	14	14
E. G. Bebb	9	9	14	14
L. C. Queripel	9	9	14	14
ST SAMPSON				
G. A. St. Pier	9	9	14	14
K. A. Stewart	9	9	14	14
P. L. Gillson	9	9	14	14
P. R. Le Pelley	9	9	14	14
S. J. Ogier	9	9	14	14
L. S. Trott	9	9	14	14
VALE				
M. J. Fallaize	9	9	14	14
D. B. Jones	9	9	14	14
L. B. Queripel	9	9	14	14
M. M. Lowe	9	9	14	14
A. R. Le Lièvre	9	9	14	14
A. Spruce	9	7	14	12
G. M. Collins	9	8	14	13
CASTEL				
D. J. Duquemin	9	9	14	14
C. J. Green	9	9	14	14
M. H. Dorey	9	9	14	14
B. J. E. Paint	9	9	14	13
J. P. Le Tocq	9	9	14	14
S. A. James MBE	9	9	14	14
A. H. Adam	9	8	14	12

NAME OF MEMBER	TOTAL NUMBER OF DAYS (or part)	DAYS ATTENDED (or part)	TOTAL NUMBER OF RECORDED VOTES	RECORDED VOTES ATTENDED
WEST				
R. A. Perrot	9	9	14	14
A. H. Brouard	9	9	14	14
A. M. Wilkie	9	9	14	14
D. de G. De Lisle	9	9	14	14
Y. Burford	9	9	14	14
D. A. Inglis	9	8	14	12
SOUTH-EAST				
H. J. R. Soulsby	9	9	14	14
R. W. Sillars	9	9	14	14
P. A. Luxon	9	9	14	14
M. G. O'Hara	9	9	14	14
F. W. Quin	9	9	14	14
M. P. J. Hadley	9	9	14	14
ALDERNEY REPRESENTATIVES				
B. N. Kelly	9	9	14	14
E. P. Arditti	9	8	14	13

Note:

The only inference which can be drawn from the attendance statistics in this part of the report is that a Member was present for the roll call or was subsequently *relévé(e)*.

Some Members recorded as absent will have been absent for reasons such as illness.

The details of all recorded votes can be found on the States' website – <http://www.gov.gg/article/80939/States-Members-Voting-Records>

The States are asked to decide:-

IV.- Whether, after consideration of the Report dated 7th January, 2013, of the States Assembly and Constitution Committee, they are of the opinion to note the Report.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES**IMAGE RIGHTS (BAILIWICK OF GUERNSEY) REGULATIONS, 2012**

In pursuance of section 111 (3) of the Image Rights (Bailiwick of Guernsey) Ordinance, 2012, the Image Rights (Bailiwick of Guernsey) Regulations, 2012, made by the Commerce and Employment Department on 28th November, 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations make provision for a variety of purposes of the Image Rights (Bailiwick of Guernsey) Ordinance, 2012, including the registration of image rights agents.

Regulation 2 amends section 96 of the Ordinance so that an agent authorised by the principal to carry out any procedure relating to a registered personality, the images associated with or registered against a registered personality, or a registered personality's image rights must be done by a registered image rights agent.

Regulation 3 requires that an application for the registration of a personality or image by an agent under sections 11(2)(c) or 11(3)(e) of the Ordinance must be undertaken by a registered image rights agent.

Regulation 4 requires that an application for the registration of a personality by the *personnage*, the personal representative of the *personnage*, or the prospective proprietor, under sections 11(2)(a) or 11(2)(b) of the Ordinance must be made at the Registry in person.

Regulations 5 to 8 provide for the keeping of a register of Guernsey image rights agents.

Regulation 9 prohibits the registration of any personality or image which consists of or contains a representation of any grant of arms by the Crown or insignia as described in section 7(3) of the Ordinance, unless the Registrar is satisfied that the consent of the person entitled to the arms has been obtained.

Regulation 10 clarifies that the use of the "IR" symbol as set out in the Schedule to these Regulations in relation to an image or personality shall be deemed to be a representation as to registration under the Ordinance.

These Regulations came into force on the 3rd day of December, 2012.

**THE HOUSING (CONTROL OF OCCUPATION) (FEES) (GUERNSEY)
REGULATIONS, 2012**

In pursuance of section 66A (3) of the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, The Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2012, made by the Housing Department on 6th December 2012, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees charged for certain applications made under the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, the current fees having been in place since 2009.

The fee increase took effect on 1 January 2013.