

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 29th DAY OF SEPTEMBER, 2015**

**The States resolved as follows concerning Billet d'État No XVI
dated 21st August 2015**

**PROJET DE LOI
entitled
THE PAROCHIAL COLLECTION OF WASTE (GUERNSEY) LAW, 2015**

I.- To approve the draft Projet de Loi entitled “The Parochial Collection of Waste (Guernsey) Law, 2015”, 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 ENVIRONMENTAL POLLUTION (GUERNSEY) (AMENDMENT) LAW,
2015**

II.- To approve the draft Projet de Loi entitled “The Environmental Pollution (Guernsey) (Amendment) Law, 2015”, 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 STATES (REFORM) (GUERNSEY) LAW, 2015**

III.- To approve the draft Projet de Loi entitled “The States (Reform) (Guernsey) Law, 2015”, and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE INCOME TAX (PENSION AMENDMENTS) (GUERNSEY) ORDINANCE,
2015**

IV.- To approve the draft Ordinance entitled “The Income Tax (Pension Amendments) (Guernsey) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE CHILDREN (CHILD MINDERS AND DAY CARE PROVIDERS)
(GUERNSEY AND ALDERNEY) ORDINANCE, 2015**

V.- To approve the draft Ordinance entitled “The Children (Child Minders and Day Care Providers) (Guernsey and Alderney) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

THE NOISE ABATEMENT (AMENDMENT) ORDINANCE, 2015

VI.- To approve the draft Ordinance entitled “The Noise Abatement (Amendment) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE CRIMINAL JUSTICE (SEX OFFENDERS AND MISCELLANEOUS
PROVISIONS) (BAILIWICK OF GUERNSEY) LAW, 2013 (AMENDMENT)
ORDINANCE, 2015**

VII.- To approve the draft Ordinance entitled “The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013 (Amendment) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE FINANCIAL SERVICES OMBUDSMAN (BAILIWICK OF GUERNSEY)
LAW, 2014 (COMMENCEMENT) (NO. 2) ORDINANCE, 2015**

VIII.- To approve the draft Ordinance entitled “The Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 (Commencement) (No. 2) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT
WITH GIBRALTAR) ORDINANCE, 2015**

IX.- To approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreement with Gibraltar) Ordinance, 2015”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT WITH
BULGARIA) ORDINANCE, 2015**

X.- To withdraw the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreement with Bulgaria) Ordinance, 2015”.

ORDINANCE LAID BEFORE THE STATES

**THE SARK GENERAL PURPOSES AND FINANCE COMMITTEE
(TRANSFER OF FUNCTIONS) (GUERNSEY) ORDINANCE, 2015**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, “The Sark General Purposes and Finance Committee (Transfer of Functions) (Guernsey) Ordinance, 2015”, made by the Legislation Select Committee on the 25th June 2015, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE SEX OFFENDERS (PRESCRIBED INFORMATION) (BAILIWICK OF
GUERNSEY) REGULATIONS, 2015**

In pursuance of section 55 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013, “The Sex Offenders (Prescribed Information) (Bailiwick of Guernsey) Regulations, 2015” made by the Home Department on 1st July 2015, were laid before the States.

**THE SEX OFFENDERS (PRESCRIBED JURISDICTIONS) (BAILIWICK OF
GUERNSEY) REGULATIONS, 2015**

In pursuance of section 55 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013, “The Sex Offenders (Prescribed Jurisdictions) (Bailiwick of Guernsey) Regulations, 2015” made by the Home Department on 1st July 2015, were laid before the States.

**THE SEX OFFENDERS (TRAVEL NOTIFICATION REQUIREMENTS)
(BAILIWICK OF GUERNSEY) REGULATIONS, 2015**

In pursuance of section 55 of the Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013, “The Sex Offenders (Travel Notification Requirements) (Bailiwick of Guernsey) Regulations, 2015” made by the Home Department on 1st July 2015, were laid before the States.

THE LIQUOR LICENCE (FEES) (AMENDMENT) REGULATIONS, 2015

In pursuance of Section 99 (3) of the Liquor Licensing Ordinance, 2006, the Liquor Licence (Fees) (Amendment) Regulations, 2015, made by the Home Department on 15th June 2015, were laid before the States.

THE PAROCHIAL ADMINISTRATION ORDINANCE, 2013 (COMMENCEMENT) ORDER, 2015

In pursuance of Article 2 of the Parochial Administration Ordinance, 2013, The Parochial Administration Ordinance, 2013 (Commencement) Order, 2015, made by the Policy Council on 9th July 2015, was laid before the States.

THE FINANCIAL SERVICES OMBUDSMAN (CASE FEE AND LEVIES) (BAILIWICK OF GUERNSEY) ORDER, 2015

In pursuance of section 27(3) of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, the Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) Order, 2015, made by the Commerce and Employment Department on 21st May, 2015, was laid before the States.

THE FINANCIAL SERVICES OMBUDSMAN (EXEMPT BUSINESS) (BAILIWICK OF GUERNSEY) ORDER, 2015

In pursuance of section 27(3) of the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, the Financial Services Ombudsman (Exempt Business) (Bailiwick of Guernsey) Order, 2015, made by the Commerce and Employment Department on 21st May, 2015, was laid before the States.

THE EXPORT CONTROL (MISCELLANEOUS GOODS) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDER, 2015

In pursuance of section 12 of The Export Control (Bailiwick of Guernsey) Law, 2006, "The Export Control (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment) Order, 2015" made by the Home Department on 27th July, 2015, was laid before the States.

POLICY COUNCIL

PUBLIC SERVICE REFORM

XI.- After consideration of the Report dated 27th July, 2015 of the Policy Council:-

1. To endorse the document entitled "A Framework for Public Service Reform 2015-2025".
2. To demonstrate their commitment to public service reform by endorsing the principles set out in Section 13 of that report.
3. To note that the resource implications associated with delivery of the actions identified within the document entitled "A Framework for Public Service Reform 2015-2025" will be developed as set out in section 10 of that report and applications for funding from the £25m to be allocated from the Transformation & Transition Fund will be made at the appropriate time.
4. To note that those reform activities involving major costs or policy considerations will be referred to the States by the Policy Council or the appropriate Department for a decision.
5. To direct the Policy Council to submit annual reports to the States on the progress being made together with other relevant information in connection with the delivery of public service reform.

POLICY COUNCIL

PUBLIC FUNCTIONS LAW

XII.- After consideration of the Report dated 27th July, 2015 of the Policy Council:-

1. To approve the proposals set out in the letter from H.M. Procureur reproduced at paragraph 2 of that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

TREASURY & RESOURCES DEPARTMENT

INTERNATIONAL PENSIONS BUSINESS

XIII.- After consideration of the Policy Letter dated 30th June 2015 of the Treasury and Resources Department:-

1. To approve that Section 157A of the Law is amended to allow pension funds that consist of an inwards transfer from an overseas scheme the same flexibility of benefits as is allowed by legislation of the jurisdiction from where the funds or benefits entitlement originate, provided that those funds can be separately identified, and pension funds that include an inwards transfer from an unapproved occupational scheme established in Guernsey the same flexibility of benefits in relation to the transferred in funds, as is allowed by the originating scheme rules.
2. To approve that Section 157A of the Law is amended to clarify that any inward transferred funds from an overseas scheme would not be required to be used to provide a pension for life where the legislation of the originating overseas jurisdiction permits flexibility of benefits, which would enable the outward transfer of such funds to other overseas pension schemes that also offered such flexibility, if the member requested this.
3. To approve that Section 40 of the Law is amended to exempt from tax lump sum payments up to 30% of the accumulated fund value, or such other percentage as the Department may prescribe by regulation, where the lump sum, or part of the lump sum, arises from the commutation of any part of an interest in an overseas pension scheme, which otherwise would be taxable under section 17 of the Law.
4. To approve the draft Ordinance entitled the Income Tax (Pensions Amendments) (Guernsey) Ordinance, 2015, which gives effect to the legislative amendments in respect of 5.1-5.3, and to direct that the same shall have effect as an Ordinance of the States.
5. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

J. TORODE
HER MAJESTY'S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 30th DAY OF SEPTEMBER, 2015**

Adjourned from 29th September 2015

**The States resolved as follows concerning Billet d'État No XVI
dated 21st August 2015**

HOUSING DEPARTMENT

REVIEW OF THE STRATEGIC HOUSING TARGET

XIV.- After consideration of the Policy Letter dated 13th July 2015 of the Housing Department:-

1. To note the findings of the 2011 Housing Needs Study.
2. TO NEGATIVE THE PROPOSITION that the strategic housing target remains 300 new dwellings per year.
3. TO NEGATIVE THE PROPOSITION that the strategic housing target be subdivided into affordable housing and private housing targets of 171 and 129 dwellings per year respectively.
4. To direct the Housing Department (and its successors) to undertake an objective Housing Needs Survey not later than 30th June 2016.
- 4A. To direct the Housing Department (and its successors) to develop priority based banded waiting lists that take account of applicants' needs, such waiting lists to be published quarterly.
5. To note that the next review of the strategic housing target will take place before the Environment Department carries out its five-year review of the Housing Land Supply element of the new Island Development Plan.

**TREASURY AND RESOURCES DEPARTMENT
AND
HOUSING DEPARTMENT**

JOINT REPORT ON FIRST TIME BUYERS SCHEMES

XV.- After consideration of the Policy Letter dated 22nd July 2015 of the Housing Department and the Treasury and Resources Department:-

1. To note that the Guernsey Housing Association's Partial Ownership Scheme is the preferred means by which the States assists first time buyers.
2. To note that the Housing Department and the Treasury and Resources Department will continue to work together to expand the Partial Ownership Scheme by facilitating the release of appropriate sites, either by releasing suitable States owned sites or by using the Corporate Housing Programme Fund to purchase privately-owned sites.
3. To note that, with a view to further assisting first time buyers, the Treasury and Resources Department will continue to progress work in relation to a review of document duty and will consider, with the Commerce and Employment Department, ways of encouraging new mortgage lenders to operate on the Island.
4. To direct the Housing Department and the Treasury and Resources Department (and their successors) to carry out a broad-based review of the operation of the Local Housing Market in Guernsey and to identify and assess measures that can be taken to mitigate house price inflation and influence supply and demand within the market.

Such a review to be by way of an independent report, of which the terms of reference shall include, but not be restricted to:

- a) A broad based review of the operation of the Local Housing Market in Guernsey including:
 - Identification and assessment of the factors which drive supply and demand, including the influence of population change and household size;
 - Identification and analysis of the factors influencing the prices of houses, including external influences (if any) and the first time buyer market;
 - A review of private sector rental costs and their relationship to other sectors of the housing market.
- b) A review of current housing finance mechanisms, including:
 - An assessment of how house purchases are financed by the "average" household;
 - Mortgage lending policies;
 - An examination of ratios of house prices, in relation to borrowing capability;
 - The impact of the Guernsey Housing Association partial ownership scheme.
- c) An assessment of the role of property prices and of the costs associated with property ownership on inflation

- d) An appraisal of the various options available for Government intervention in the Housing Market including what effect the various measures may have on housing affordability and housing availability
5. To direct the Housing Department and Treasury and Resources Department (and their successors) to report back to the States with their findings and recommendations in respect of Proposition 4, annexed to which is a copy of the independent report, referred to in that Proposition, no later than the end of July 2016.

J. TORODE
HER MAJESTY'S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 1st DAY OF OCTOBER, 2015**

Adjourned from 30th September 2015

**The States resolved as follows concerning Billet d'État No XVI
dated 21st August 2015**

COMMERCE AND EMPLOYMENT DEPARTMENT

REGULATION OF SUNDAY TRADING

XVI.- After consideration of the Policy Letter dated 2nd July, 2015, of the Commerce and Employment Department:-

1. To approve the removal of restrictions on the opening of shops on Sundays as set out in section 9 of that Policy Letter.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision, with an intended implementation date of 11th December 2015.

PUBLIC SERVICES DEPARTMENT

**RECOVERING ADDITIONAL COST CAUSED BY WORKS IN THE PUBLIC
HIGHWAY**

XVII.- After consideration of the Policy Letter dated 8th July, 2015, of the Public Services Department:-

1. To note the contents of that Policy Letter.
2. To note the intention of the Environment Department (in close co-operation with the Public Services Department) to make one or more Orders under section 3 of the Public Highways (Co-ordination of Temporary Road Closures etc.) (Guernsey) Law, 2003 which include provision for the introduction of charges to recover maintenance, repair, administration and inspection costs associated with loss of service life of the public highway due to excavation works and as further detailed in that policy letter.

COMMERCE AND EMPLOYMENT DEPARTMENT

PURCHASE OF A REPLACEMENT FISHERIES PATROL VESSEL

XVIII.- To SURSIS the Article until the March 2016 meeting of the States of Deliberation, and, in the meantime, to direct Commerce and Employment:

- A. As part of the SCIP process, to commission an independent survey report of the Leopardess by a suitably qualified marine surveyor as to her present condition and as to her likely future maintenance costs, in order to establish whether she needs replacing now or whether it would be economically more sensible for her to remain in commission and be the subject of appropriate maintenance.
- B. To seek appropriate authority to release funding for the above independent survey from the Capital Reserve.
- C. If, as a result of the survey, it is concluded by the Department that the Leopardess requires replacement, to re-open the tender process so as to include any local boatbuilders who can demonstrate the ability to build commercial vessels, and to widen the specification so as not to exclude glassfibre composite for the hull, and to amend the Outline Business Case accordingly.
- D. To report back to the States by the March 2016 meeting of the States of Deliberation, such report to include the independent survey noted above.

HOME DEPARTMENT

INDEPENDENT MONITORING PANEL

XIX.- After consideration of the Policy Letter dated 13th July, 2015, of the Home Department:--

- 1. To approve the appointment of Mrs. Shona Sarre as a member of the Independent Monitoring Panel for a period of four years with effect from October 2015.
- 2. To approve the appointment of Mrs. Gillian Lindsey Darling as a member of the Independent Monitoring Panel for a period of four years with effect from October 2015.
- 3. To approve the appointment of Ms. Glen Ford as a member of the Independent Monitoring Panel for a period of four years with effect from October 2015.
- 4. To approve the appointment of Mrs. Heather Mauger as a member of the Independent Monitoring Panel for a period of four years with effect from October 2015.
- 5. To approve the appointment of Mr. James Edward Duncan as a member of the Independent Monitoring Panel for a period of four years with effect from October 2015.
- 6. To amend the Prison (Guernsey) Ordinance, 2013 to remove the restriction on States' employees serving on the Independent Monitoring Panel.
- 7. To amend the Prison (Guernsey) Ordinance, 2013 to enable the Home Department to make appointments to the Independent Monitoring Panel in the first instance

with the requirement that such appointments would require reappointment by the States of Deliberation as soon as possible at the end of the calendar year.

8. To note the 2014 Annual Report of the Independent Monitoring Panel.
9. To note the 2014 Annual Report of the Prison Governor.

S M D ROSS
HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 2ND DAY OF OCTOBER, 2015**

Adjourned from 1st October 2015

**The States resolved as follows concerning Billet d'État No XVI
dated 21st August 2015**

COMMERCE AND EMPLOYMENT DEPARTMENT

**DAIRY INDUSTRY – OPTIMUM ARRANGEMENTS FOR THE DISTRIBUTION
AND RETAILING OF MILK AND MILK PRODUCTS**

XX.- After consideration of the Policy Letter dated 2nd July, 2015, of the Commerce and Employment Department:-

1. To agree that the optimum distribution and retailing arrangements for the long-term sustainability and success of the island's dairy industry are as proposed by the Commerce & Employment Department in Option C of that Policy Letter, which Option is described by the Department as 'Dairy sells to any commercial customer'; and to direct the Commerce & Employment Department to report to the States at or before their meeting in March, 2016 setting out financial measures to mitigate the likely adverse consequences upon existing milk distributors of moving to Option C; and it is understood that assessing such financial measures can be undertaken only with full openness and transparency of all distributors with regard to their accounting records.
2. TO RESCIND their Resolutions of 30th October 2008 in relation to Article IV of Billet d'État No. XIII (concerning exclusive rights to the distribution of Guernsey Dairy milk and milk products).
3. TO RESCIND their Resolutions in relation to paragraphs 1(j) and 3 of 25th September 2014 in relation to Article IX of Billet d'État No. XX (Review of the Dairy Industry) to the extent to which they provide for the statutory licensing of milk distributors.
4. To agree that a new milk Ordinance should reflect the matters set out in paragraphs 8.7 (registered milk distributors) and 9.1 (collection of milk, producer prices, supply of milk and appeals, procedural matters and penalties) of that report.
5. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

ENVIRONMENT DEPARTMENT

STATES CAPITAL INVESTMENT PORTFOLIO – BUS FLEET REPLACEMENT

XXI.- After consideration of the Policy Letter dated 13th July, 2015, of the Environment Department:-

1. To resolve that tenders be sought for Phase One of the Bus Fleet Replacement Project and direct the subsequent preparation of the Full Business Case.
2. To delegate authority to the Treasury and Resources Department to approve the Full Business Case at a cost not exceeding £1.84 million to be funded by a capital vote charged to the Capital Reserve.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

FACILITATING ELECTRONIC DISTRIBUTION OF CANDIDATES' ELECTION MATERIAL

XXII.- After consideration of the Policy Letter dated 4th August, 2015, of the States' Assembly & Constitution Committee, to approve that responsibility for fulfilling the terms of Resolution 4A on Article X of Billet d'État XI of 2015 should be transferred from the States' Assembly & Constitution Committee to the Home Department.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

DISTRIBUTION OF DEPUTIES' SEATS AMONG THE ELECTORAL DISTRICTS

XXIII.- After consideration of the Policy Letter dated 5th August, 2015, of the States' Assembly & Constitution Committee, to approve that the present electoral districts continue with the same boundaries and that the number of seats in each district for the purpose of elections to the office of Deputy shall, with effect from the 2016 General Election, be as follows:

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| 1. St. Peter Port South (and Herm and Jethou) | 5 |
| 2. St. Peter Port North | 6 |
| 3. St. Sampson | 6 |
| 4. The Vale | 6 |
| 5. The Castel | 5 |
| 6. West (comprising the parishes of St. Saviour,
St. Pierre du Bois, Torteval and The Forest) | 5 |
| 7. South-East (comprising the parishes of St. Martin and
St. Andrew) | 5 |

8. To direct the States Assembly and Constitution Committee to report back to the States on measures that would be effective in encouraging a more diverse range of candidates to stand for election. The report will include consideration of obstacles to standing as a candidate by under-represented sections of society and the possible means of overcoming them; and will give details of the establishment of a fund to facilitate this objective.

D A KNIGHT
HER MAJESTY'S DEPUTY GREFFIER