

STATES OF DELIBERATION

29th April, 2015

Billet d'État No. VII

Article 6

Policy Council

Review of Public Sector Pension Schemes

AMENDMENT

Proposed by: Deputy A. H. Langlois

Seconded by: Deputy H. J. R. Soulsby

1. To delete Proposition 2 and substitute it with the following:

“To instruct the Policy Council to continue mediation with the Association of States Employees’ Organisations to seek agreement approved by scheme members whom they represent over the pension arrangements for current members; but to agree that if no such agreement can be reached on or before the 31st July 2015 then an application be made to the Royal Court of Guernsey for a declaration to determine the following issues:

- (a) whether the States of Guernsey as employer (or former employer) of members of the public sector pension schemes has the implied right to vary the terms of the schemes in a manner which adversely affects members’ rights without the members’ consent;
 - (b) if the Court declares such a right to exist, what (if any) constraints apply to the exercise of that right.”
2. In Proposition 3, to delete “subject to the terms of any declaration” and substitute “subject to proposition 2 and the terms of any declaration”.
 3. In Proposition 8, to delete “to authorise” and substitute “subject to proposition 2, to authorise”.

Explanatory Note

The purpose of this amendment is to provide the Association of States Employees’ Organisations the one final, time-limited opportunity they have requested to resolve the perceived minor differences between the parties. This opportunity would be in the knowledge that should an agreement not be reached by the end of July the recommendations in the Policy Council report, in respect of existing members, will be implemented.