

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 29TH DAY OF APRIL, 2015**

**The States resolved as follows concerning Billet d'État No VII
dated 20th March 2015**

THE PILOTAGE (AMENDMENT) ORDINANCE, 2015

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

**THE MACHINERY OF GOVERNMENT (TRANSFER OF FUNCTIONS)
(GUERNSEY) (AMENDMENT) ORDINANCE, 2015**

- II.- To approve the draft Ordinance entitled “The Machinery of Government (Transfer of Functions) (Guernsey) (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
(COMMENCEMENT) ORDINANCE, 2015**

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

**THE GUERNSEY FINANCIAL SERVICES COMMISSION (TRANSFER OF
FUNCTIONS) (FEES) (BAILIWICK OF GUERNSEY) ORDINANCE, 2015**

- IV.- To approve the draft Ordinance entitled “The Guernsey Financial Services Commission (Transfer of Functions) (Fees) (Bailiwick of Guernsey) 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
THE BRITISH VIRGIN ISLANDS) ORDINANCE, 2015**

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

ORDINANCES LAID BEFORE THE STATES

THE YEMEN (RESTRICTIVE MEASURES) (GUERNSEY) ORDINANCE, 2014

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Yemen (Restrictive Measures) (Guernsey) Ordinance, 2014 made by the Legislation Select Committee on the 22nd December, 2014, was laid before the States.

THE CRIMEA AND SEVASTOPOL (RESTRICTIVE MEASURES) (GUERNSEY) (AMENDMENT) ORDINANCE, 2014

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Crimea and Sevastopol (Restrictive Measures) (Guernsey) (Amendment) Ordinance, 2014 made by the Legislation Select Committee on the 22nd December, 2014, was laid before the States.

THE CREMATION (LONGUE HOUGUE FACILITY) ORDINANCE, 2015

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Cremation (Longue Hougue Facility) Ordinance, 2015, made by the Legislation Select Committee on the 29th January, 2015, was laid before the States.

THE FINANCIAL SERVICES OMBUDSMAN (BAILIWICK OF GUERNSEY) LAW, 2014 (COMMENCEMENT AND AMENDMENT) ORDINANCE, 2015

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014 (Commencement and Amendment) Ordinance, 2015, made by the Legislation Select Committee on the 29th January, 2015, was laid before the States.

THE AVIATION REGISTRY (INTERESTS IN AIRCRAFT) (GUERNSEY) ORDINANCE, 2015

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Aviation Registry (Interests in Aircraft) (Guernsey) Ordinance, 2015”, made by the Legislation Select Committee on the 23rd February, 2015, was laid before the States.

**THE CÔTE D'IVOIRE (RESTRICTIVE MEASURES) (GUERNSEY)
ORDINANCE, 2015**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Côte d'Ivoire (Restrictive Measures) (Guernsey) Ordinance, 2015, made by the Legislation Select Committee on the 23rd February, 2015, was laid before the States.

**THE SARK GENERAL PURPOSES AND ADVISORY AND FINANCE AND
COMMERCE COMMITTEES (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 Advisory and Finance and Commerce Committees (Transfer of Functions) (Guernsey) Ordinance, 2015, made by the Legislation Select Committee on the 26th February, 2015, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE FEES, CHARGES AND PENALTIES (AIRPORT FEES) (GUERNSEY
AND ALDERNEY) REGULATIONS, 2015**

In pursuance of Section 1 (1)(d) of the Fees, Charges and Penalties (Guernsey) Law, 2007, The Fees, Charges and Penalties (Airport Fees) (Guernsey and Alderney) Regulations, 2015, made by the Public Services Department on 30th January, 2015, were laid before the States.

**THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY)
REGULATIONS, 2014**

In pursuance of Sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, The Harbour Dues and Facilities Charges (Guernsey) Regulations, 2014, made by the Public Services Department on 18th December, 2014, were laid before the States.

THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2014

In pursuance of Sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, "The Mooring Charges (Guernsey) Regulations, 2014", made by the Public Services Department on 18th December 2014, were laid before the States.

THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT) REGULATIONS, 2015

In pursuance of Section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) Regulations, 2015, made by the Social Security Department on 27th January, 2015, were laid before the States.

THE LAND PLANNING AND DEVELOPMENT (PLANS INQUIRY) (AMENDMENT) REGULATIONS, 2014

In pursuance of Sections 12(3) and 89 of the Land Planning and Development (Guernsey) Law, 2005, The Land Planning and Development (Plans Inquiry) (Amendment) Regulations, 2014, made by the Environment Department on 7th October, 2014, were laid before the States.

THE PUBLIC HIGHWAYS (AL FRESCO LICENCES) (FEES) REGULATIONS, 2014

In pursuance of Sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, The Public Highways (Al Fresco Licences) (Fees) Regulations, 2014, made by the Environment Department on 7th October, 2014, were laid before the States.

THE LIQUOR LICENSING (FEES) REGULATIONS, 2015

In pursuance of Section 99(3) of the Liquor Licensing Ordinance, 2006, The Liquor Licensing (Fees) Regulations, 2015, made by the Home Department on 2nd March, 2015, were laid before the States.

THE BOARDING PERMIT FEES ORDER, 2015

In pursuance of Section 17 of the Tourist Law, 1948, The Boarding Permit Fees Order, 2015, made by the Commerce and Employment Department on 5th February, 2015, was laid before the States.

THE HEALTH AND SAFETY (FEES) ORDER, 2015

In pursuance of section 3(1)(c) of the Health and Safety (Fees) (Guernsey) Law, 1993, The Health and Safety (Fees) Order, 2015, made by the Commerce and Employment Department on 8th January, 2015, was laid before the States.

THE OFFENCES (FIXED PENALTIES) (GUERNSEY) ORDER, 2015

In pursuance of section 7(5) of The Offences (Fixed Penalties) (Guernsey) Law, 2009, The Offences (Fixed Penalties) (Guernsey) Order, 2015, made by the Home Department on 26th February, 2015, was laid before the States.

POLICY COUNCIL

REVIEW OF PUBLIC SECTOR PENSION SCHEMES

- VI.- After consideration of the Report dated 2th March, 2015, of the Policy Council:-
1. To endorse the proposed new pension arrangements detailed in Appendix 5 of that Report and, as explained in that Report, in so far as they apply to members joining from 1st May 2015.
 2. 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."
 3. To endorse, subject to proposition 2 and the terms of any declaration made by the Court in respect of the issues set out at proposition 2 above, the application of the proposed new pension arrangements detailed in Appendix 5 of that Report and, as explained in that Report, in respect of current members within six months of such declaration being received.
 4. To direct the preparation of revised Rules for approval by the States to give effect to propositions 1 and 3 above.
 5. To direct that the necessary work be undertaken to implement the revised arrangements for new members with effect from 1st May 2015.

6. To note that the Treasury and Resources Department will, following consideration of a suitably detailed business case, approve a capital vote to extend the pension administration system, to be charged to the Superannuation Fund.
7. To note that the Superannuation Fund Administration Budget, which is submitted for approval as part of the annual Budget Report, will, if required, include provision for increasing the pensions administration team by one person.
8. Subject to proposition 2, to authorise the Treasury and Resources Department to make transfer(s) from the Budget Reserve or General Revenue Account Reserve to the revenue expenditure budget of the Policy Council to fund the States costs and the reasonable costs of other parties in respect of the application to the Royal Court detailed at proposition 2 above and currently estimated at £500,000.

A J NICOLLE
HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 30TH DAY OF APRIL, 2015**

Adjourned from 29th April, 2015

**The States resolved as follows concerning Billet d'État No VII
dated 20th March 2015**

HEALTH AND SOCIAL SERVICES DEPARTMENT

GUERNSEY AND ALDERNEY TOBACCO CONTROL STRATEGY 2015-2020

VII.- After consideration of the Report dated 9th February, 2015, of the Health and Social Services Department:-

1. To agree to work towards the vision of Guernsey and Alderney becoming jurisdictions where smoke-free lifestyles are the norm (prevalence of adult smoking 5% or less).
2. To increase the rate of excise duty on cigarettes at a minimum of the Retail Price Index(X) plus 5% annually for the five years 2016 to 2020.
3. To increase the rate of excise duty on other tobacco products at a minimum of Retail Price Index (X) plus 7.5% annually for the five years 2016 – 2020, subject to the rate of excise duty on each tobacco product not exceeding the rate of excise duty on cigarettes.
4. To direct the preparation of such legislation as may be necessary to give effect to their above decisions in regard to propositions 2 and 3.
5. To instruct the Health and Social Services Department to develop a work programme to move towards the regulation and control of electronic cigarettes.
6. To instruct the Health and Social Services Department to develop a specific proposal to submit to the States to seek approval to prepare legislation to prevent smoking in vehicles carrying children, in consultation with relevant departments and agencies.
7. To instruct the Health and Social Services Department to develop specific proposals to submit to the States to seek approval to prepare legislation to prevent smoking in children's playgrounds and designated outside eating areas, in consultation with relevant departments and agencies.
8. To agree to work towards plain packaging of cigarettes; and if the Health and Social Services Department considers it appropriate, for the Health and Social Services Department to develop specific proposals to submit to the States to seek

approval to prepare legislation to require plain packaging of cigarettes, in consultation with relevant departments and agencies.

9. To agree to work towards smoke-free grounds in States properties; and if the Health and Social Services Department considers it appropriate, for the Health and Social Services Department to develop specific proposals to submit to the States to seek approval to prepare legislation to achieve this objective, in consultation with relevant departments and agencies.
10. To approve the Guernsey and Alderney Tobacco Control Strategy 2015-2020 and affirm the States' commitment to minimising the harm caused by tobacco to Guernsey and Alderney residents of all ages.

HEALTH AND SOCIAL SERVICES DEPARTMENT

115TH MEDICAL OFFICER OF HEALTH ANNUAL REPORT

VIII:- After consideration of the Report dated 9th February, 2015, of the Health and Social Services Department to note the report.

HOUSING DEPARTMENT

HOUSING (CONTROL OF OCCUPATION) (GUERNSEY) LAW, 1994 VARIATION TO THE HOUSING REGISTER

- IX.- After consideration of the Report dated 27th January, 2015, of the Housing Department:-
1. To agree that the Forest Park Hotel, Forest Road, St. Martin, should be inscribed in Part B of the Housing Register.
 2. To agree that an Ordinance be prepared, in accordance with section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994, to permit the Department to inscribe the Forest Park Hotel, Forest Road, St. Martin, in Part B of the Housing Register subject to application being made by the owners within 6 months from the commencement date of the Ordinance.

D A KNIGHT
HER MAJESTY'S DEPUTY GREFFIER