

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 26TH DAY OF MARCH, 2014**

**The States resolved as follows concerning Billet d'État No V  
dated 14<sup>th</sup> February 2014**

**THE ALDERNEY (APPLICATION OF LEGISLATION) (FOOD AND DRUGS)  
ORDINANCE, 2014**

- I.- To approve the draft Ordinance entitled “The Alderney (Application of Legislation) (Food and Drugs) Ordinance, 2014”, and to direct that the same shall have effect as an Ordinance of the States.

***ORDINANCES LAID BEFORE THE STATES***

**THE PROTECTION OF INVESTORS (LIMITATION OF LIABILITY)  
(BAILIWICK OF GUERNSEY) ORDINANCE, 2014**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Protection of Investors (Limitation of Liability) (Bailiwick of Guernsey) Ordinance, 2014 made by the Legislation Select Committee on the 20<sup>th</sup> January, 2014, was laid before the States.

**THE AVIATION REGISTRY (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 Aviation Registry (Guernsey) (Amendment) Ordinance, 2014 made by the Legislation Select Committee on the 22<sup>nd</sup> January, 2014, was laid before the States.

***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

**THE FINANCIAL SERVICES COMMISSION (FEES) (AMENDMENT)  
REGULATIONS, 2013**

In pursuance of Section 25(3) of The Financial Services Commission (Bailiwick of Guernsey) Law, 1987, as amended, The Financial Services Commission (Fees) (Amendment) Regulations, 2013 made by the Guernsey Financial Services Commission on 23<sup>rd</sup> December 2013, were laid before the States.

**THE INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND)  
(AMENDMENT) REGULATIONS, 2013**

In pursuance of Section 203 of the Income Tax (Guernsey) Law, 1975, as amended, The Income Tax (Guernsey) (Valuation of Benefits in Kind) (Amendment) Regulations, 2013, made by the Treasury and Resources Department on 17<sup>th</sup> December 2013, were laid before the States

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL  
BENEFIT) (AMENDMENT) (No.7) REGULATIONS, 2013**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No.7) Regulations, 2013 made by the Social Security Department on 17<sup>th</sup> December 2013, were laid before the States.

**THE TEMPORARY PROHIBITION OF THE IMPORTATION OF ANIMALS  
FROM ALDERNEY (NO 2) ORDER, 2013**

In pursuance of section 13 of the Animals and Animal Products (Import and Export) Ordinance, 1952, as amended, the Temporary Prohibition of the Importation of Animals from Alderney (No 2) Order, 2013, made by the Commerce and Employment Department on 29<sup>th</sup> November, 2013 was laid before the States.

**THE PIGS (IDENTIFICATION AND NOTIFICATION) ORDER, 2013**

In pursuance of section 33(1)(c) of the Animal Health Ordinance, 1996, the Pigs (Identification and Notification) Order, 2013, made by the Commerce and Employment Department on 3<sup>rd</sup> December, 2013, was laid before the States.

**THE SHEEP AND GOATS (IDENTIFICATION AND NOTIFICATION)  
ORDER, 2013**

In pursuance of section 33(1)(c) of the Animal Health Ordinance, 1996, the Sheep and Goats (Identification and Notification) Order, 2013, made by the Commerce and Employment Department on 3<sup>rd</sup> December 2013, was laid before the States.

**THE LIQUOR LICENCE (FEES) (AMENDMENT) REGULATIONS, 2013**

In pursuance of Section 99(3) of the Liquor Licensing Ordinance, 2006, the Liquor Licence (Fees) (Amendment) Regulations, 2013, made by the Home Department on 11<sup>th</sup> November 2013, were laid before the States.

### **THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2013**

In pursuance of Section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, the Mooring Charges (Guernsey) Regulations, 2013, made by the Public Services Department on 19<sup>th</sup> December, 2013, were laid before the States.

### **THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2013**

In pursuance of Section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, the Harbour Dues and Facilities Charges (Guernsey) Regulations, 2013, made by the Public Services Department on 19<sup>th</sup> December, 2013, were laid before the States.

### **THE FEES, CHARGES AND PENALTIES (AIRPORT FEES) (GUERNSEY) REGULATIONS, 2014**

In pursuance of section 5 (2) (c) of the Fees, Charges and Penalties (Guernsey) Law, 2007, the Fees, Charges and Penalties (Airport Fees) (Guernsey) Regulations, 2014, made by the Public Services Department on 24<sup>th</sup> January, 2014, were laid before the States.

### **THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2012**

In pursuance of Section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, the Mooring Charges (Guernsey) Regulations, 2012, made by the Public Services Department on 24<sup>th</sup> December, 2012, were laid before the States.

### **THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2012**

In pursuance of Section 5(2)(c) of The Fees, Charges and Penalties (Guernsey) Law, 2007, the Harbour Dues and Facilities Charges (Guernsey) Regulations, 2012, made by the Public Services Department on 24<sup>th</sup> December, 2012, were laid before the States.

## **POLICY COUNCIL**

### **CHANNEL ISLANDS SECURITIES EXCHANGE AUTHORITY LIMITED – LIMITATION OF LIABILITY IN RESPECT OF REGULATORY FUNCTIONS**

- II.- After consideration of the Report dated 13<sup>th</sup> January, 2014, of the Policy Council, to grant a statutory limitation of liability to Channel Islands Securities Exchange Authority Limited in respect of the regulatory functions set out in that Report.

## POLICY COUNCIL

### MISCELLANEOUS CHANGES TO DEPARTMENT AND COMMITTEE MANDATES

III.- After consideration of the Report dated 27<sup>th</sup> January, 2014, of the Policy Council:-

1. That the Mandate of the Culture and Leisure Department be amended as follows:
  - i) The first bullet point under paragraph (a) be amended to read "*The promotion of the arts in Guernsey*";
  - ii) The third bullet point under paragraph (a) be amended to read "*The States' museums, galleries, objects of cultural or historical importance and historical and archaeological sites*"
  - iii) The fourth bullet point under paragraph (a) be amended to read "*Matters relating to civic celebrations and commemorations such as the Islands' Liberation and other such events pursuant to the Department's mandate;*"
  - iv) An additional bullet point in paragraph (a) be included, reading "*The protection and improvement of the Island's unique heritage and cultural identity, including the provision of financial assistance*";
  - v) An additional bullet point in paragraph (a) be included, reading "*The preservation and promotion of Guernésiais*";
  - vi) Section a(ii) be amended to read "*Liaison with, and oversight of, the various Commissions that are constituted by the States or the Department to assist in the discharge of its mandate;*"
  - vii) An additional section a(vi) be included, stating "*the 'on island' products necessary to support the visitor experience.*"
  
2. That the Mandate of the Home Department be amended as follows:
  - i) Section (a)(iii), reference to the Financial Intelligence Service be removed and replaced with the Financial Intelligence Unit;
  - ii) Section a(vii) be repealed and replaced with "*The provisions of community based sentencing options including the Community Service Scheme*";
  - iii) Section a(xiii) be amended to read "*The provision of administrative services to the Department's panels and committees including the Parole Review Committee, Police Complaints Commission, Independent Custody Visitors, Independent Monitoring Panel and Appropriate Adult Scheme*"
  - iv) An additional section be included, Section (a)(xv), stating "*The Safeguarder Service and the provision of effective and efficient services to the Courts and others*";

- v) The inclusion of an additional section, Section (a)(xvi), stating “*The provision of an effective and efficient criminal records check service for employers.*”
3. To approve the proposal that when Le Grand Courtil and La Nouvelle Maritaine become operational that section (a) (ix) of the Mandate of the Housing Department be repealed and that *The provision of care and support services to the occupants of ‘extra care’ housing at Le Grand Courtil and La Nouvelle Maritaine*” be inserted in its place.
  4. That the Mandate of the Public Services Department be amended as follows:
    - i) Section a(xvi) “*The provision of corporate engineering and architectural services*” be repealed;
    - ii) Section a(xviii) be amended to read “*The provision and administration of a direct labour organisation and emergency works response team (States Works)*”;
    - iii) The second point under paragraph (b) shall be renumbered as (ii).
  5. That the Mandate of the Treasury and Resources Department be amended as follows
    - i) Section a(x) be amended to read “*Insurance of States activities and resources*”;
    - ii) An additional section be included, Section (a)(xvi), stating “*The provision of corporate engineering and architectural services.*”
  6. That in paragraph (a) of the Mandate of the Policy Council, after subparagraph (ix) “(x) *Internal audit and risk management;*” be inserted and that the existing sub-paragraphs (x) to (xvii) be renumbered as (xi) to (xviii).

## **HOUSING DEPARTMENT**

### **PROVISION OF ‘EXTRA CARE’ HOUSING AT ‘LE GRAND COURTIL’ AND ‘LA NOUVELLE MARITAINE’ – PHASE 2**

IV.- After consideration of the Report dated 24<sup>th</sup> December, 2014, of the Housing Department:-

1. To agree that a second phase of extra care housing be developed at Le Grand Courtil and La Nouvelle Maritaine.
2. To agree that a sum not to exceed £3.25 million be paid from the Corporate Housing Programme Fund to the Guernsey Housing Association to undertake the developments.
3. To note the anticipated estimated increase in formula-led expenditure to be incurred by the Social Security Department from 2015/6, in respect of assisting

tenants of Le Grand Courtil and La Nouvelle Maritaine with the payment of rent and service charges, and their day-to-day living expenses.

4. To direct the Treasury and Resources Department to take account of the financial implications of the second phase of extra care housing at Le Grand Courtil and La Nouvelle Maritaine when recommending Cash Limits for the Health and Social Services Department for 2015 and subsequent years.

S M D ROSS  
HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 27TH DAY OF MARCH, 2014**

(Adjourned from 26<sup>th</sup> March, 2014)

**The States resolved as follows concerning Billet d'État No V  
dated 14<sup>th</sup> February 2014**

**STATES ASSEMBLY AND CONSTITUTION COMMITTEE**

REMOTE ATTENDANCE AT MEETINGS OF COMMITTEES OF THE STATES

V. After consideration of the Report dated 17<sup>th</sup> January, 2014 of the States Assembly and Constitution Committee:-

1. TO NEGATIVE THE PROPOSITION that "The Rules relating to the Constitution and Operation of States Departments and Committees" be amended with immediate effect as follows:

a) After Rule 12, a new Rule 12A be inserted as follows:

"Convening of Meetings

12A A meeting of the Policy Council, a Department or a Committee, or a Sub-Committee of any of the aforementioned, as the case may be, shall be convened for a specific time, date and place. The person chairing the meeting shall be present at that place."

b) In Rule 13, after paragraph (5) be inserted:

"(6) Excepting the Policy Council, if a member of a Department or a Committee of the States, as the case may be, who has obtained the prior permission of the person who will preside at the meeting, is, by telephone, live television link or any other means of telecommunications, in communication with the other members so that each member can hear or read what is said or communicated by each of the others, each member so participating is deemed (subject to paragraph (9) below) to be present at the meeting with the other members who are present or so participating for all purposes including the quorum and voting.

(7) It shall be at the absolute discretion of the person who will preside at the meeting to decide whether or not to agree to the request and in so deciding the person presiding may take into account any factors whatsoever which are considered relevant.

- (8) A member shall not be permitted to attend from a remote location by telephone if another member has been given permission to attend that same meeting by an audiovisual link or vice versa.
  - (9) In the event that the link fails or is corrupted or confidentiality is compromised, the person presiding at the meeting shall have discretion at any point during the meeting to determine that a member who is in a remote location can no longer be regarded as in attendance.
  - (10) Paragraphs 13(6) to (9) of this Rule apply to meetings of Sub-Committees of any Department or Committee of the States constituted under the terms of Rules 16 or 16A.”
2. TO NEGATIVE THE PROPOSITION that States’ Departments and Committees be required to distinguish in their bi-annual returns of Members’ attendance at meetings not only between attendance at all or part of a meeting but also to indicate whether such attendance was “physical” or from a remote location.
3. TO NEGATIVE THE PROPOSITION that any costs incurred in setting up and making the communications required for remote attendance at meetings of States’ Departments and Committees under the terms of Rule 13(6) be treated as General Revenue expenditure.

A J NICOLLE  
HER MAJESTY’S DEPUTY GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 28TH DAY OF MARCH, 2014**

(Adjourned from 27<sup>th</sup> March, 2014)

**The States resolved as follows concerning Billet d'État No V  
dated 14<sup>th</sup> February 2014**

**REQUÊTE**

**ISLAND WIDE VOTING**

VI:- After consideration of the undated Requête signed by Deputy M. P. J. Hadley and six other Members of the States, to sursis the Article to the meeting of the States of Deliberation to be held on 30<sup>th</sup> July 2014.

**A J NICOLLE  
HER MAJESTY'S DEPUTY GREFFIER**