

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 29TH DAY OF MAY, 2013**

**The States resolved as follows concerning Billet d'État No VIII
dated 19th April 2013**

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENTS WITH
BRAZIL, ISLE OF MAN, JERSEY, MAURITIUS AND SINGAPORE)
ORDINANCE, 2013**

- I.- To approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreements with Brazil, Isle of Man, Jersey, Mauritius and Singapore) Ordinance, 2013”, and to direct that the same shall have effect as an Ordinance of the States.

ADMINISTRATIVE DECISIONS (REVIEW) (GUERNSEY) LAW, 1986

NEW CHAIRMAN AND DEPUTY CHAIRMAN OF PANEL OF MEMBERS

- II.- To re-elect, in accordance with the provisions of section 4 (2) of the Administrative Decisions (Review) (Guernsey) Law, 1986:-
1. Deputy R A Perrot as Chairman of the Panel of Members, to fill the vacancy from 1st June, 2013, by reason of the expiry of the term of office of Deputy R A Perrot, who was eligible for re-election.
 2. Douzenier R L Heaume MBE as Deputy Chairman of that Panel, to fill the vacancy from 1st June, 2013, by reason of the expiry of the term of office of Douzenier R L Heaume, MBE who was eligible for re-election.

LADIES' COLLEGE BOARD OF GOVERNORS

NEW CHAIRMAN AND MEMBERS

- III.- To amend, with immediate and general effect, Rule 20(2)(a)(ii) of the Rules of Procedure of the States of Deliberation by inserting immediately after “Chairman” “(including the Chairman of the Ladies College Board of Governors)”; and thereafter to elect:-
1. Deputy P L Gillson as Chairman of the Ladies' College Board of Governors to fill the vacancy from 1st June, 2013, by reason of the expiration of the term of office of Deputy P L Gillson, who was eligible for re-election.

To re-elect:-

2. Dame Mary L Perkins as a member of that Board of Governors to fill the vacancy from 1st June, 2013, by reason of the expiration of the term of office of Dame Mary L Perkins, who was eligible for re-election.
3. Mr Jack Honeybill as a member of that Board of Governors to fill the vacancy from 1st June, 2013, by reason of the expiration of the term of office of Mr Jack Honeybill, who was eligible for re-election and had been nominated in that behalf by the Education Department for re-election.

POLICY COUNCIL

APPOINTMENT OF AN ORDINARY MEMBER OF THE GUERNSEY FINANCIAL SERVICES COMMISSION

- IV.- After consideration of the Report dated 11th March 2013, of the Policy Council, to re-elect Advocate Simon William Francis Howitt as an ordinary member of the Guernsey Financial Services Commission for the period from 3rd June 2013 until 1st February 2015.

TREASURY AND RESOURCES DEPARTMENT

APPOINTMENT OF NON-EXECUTIVE DIRECTORS GUERNSEY ELECTRICITY LIMITED

- V.- After consideration of the Report dated 19th March, 2013, of the Treasury and Resources Department:-
1. To appoint Mr Robert James Dutnall as a non-executive director of Guernsey Electricity Ltd with effect from 6th August, 2013.
 2. To appoint Mrs Christine Marie Holmes as non-executive director of Guernsey Electricity Ltd with effect from 6th August, 2013.

ORDINANCE LAID BEFORE THE STATES

THE MENTAL HEALTH (MISCELLANEOUS PROVISIONS) (GUERNSEY AND ALDERNEY) ORDINANCE, 2013

In pursuance to the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, The Mental Health (Miscellaneous Provisions) (Guernsey and Alderney) Ordinance, 2013, made by the Legislation Select Committee on the 25th March, 2013, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE FOUNDATIONS (GUERNSEY) LAW, 2012 (COMMENCEMENT)
REGULATIONS, 2013**

In pursuance of 51(4) of the Foundations (Guernsey) Law, 2012, The Foundations (Guernsey) Law, 2012 (Commencement) Regulations, 2013 made by the Commerce and Employment Department on 8th January 2013 were laid before the States.

THE FOUNDATIONS (GUERNSEY) (FEES) REGULATIONS, 2013

In pursuance of 51(4) of the Foundations (Guernsey) Law, 2012, The Foundations (Guernsey) (Fees) Regulations, 2013, made by the Commerce and Employment Department on 8th January 2013 were laid before the States.

THE LIQUOR LICENCE (FEES) REGULATIONS, 2013

In pursuance of Section 99(3) of the Liquor Licensing Ordinance, 2006, the Liquor Licence (Fees) Regulations, 2013, made by the Home Department on 4th March 2013, were laid before the States.

**MOTOR VEHICLES, LICENSING, TRAFFIC AND PUBLIC TRANSPORT
(FEES) (GUERNSEY) REGULATIONS, 2013**

In pursuance of section 2B of the Motor Taxation and Licensing (Guernsey) Law, 1987, section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, section 16 of the Registration Marks (Sale and Retention) Ordinance, 1997, section 8A of the Motor Vehicles (International Circulation) Ordinance, 1974, the Motor Vehicles, Licensing, Traffic and Public Transport (Fees) (Guernsey) Regulations, 2013, made by the Environment Department on 19th March 2013, were laid before the States.

**THE CIVIL CONTINGENCIES (CONTINGENCIES PLANNING) (BAILIWICK
OF GUERNSEY) REGULATIONS, 2013**

In pursuance of Section 11 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, the Civil Contingencies (Contingency Planning) (Bailiwick of Guernsey) Regulations, 2013, made by the Civil Contingencies Authority on 15th March 2013, were laid before the States.

D J ROBILLIARD
HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 30TH DAY OF MAY, 2013**

(Adjourned from 29th May, 2013)

**The States resolved as follows concerning Billet d'État No VIII
dated 19th April 2013**

TREASURY & RESOURCES DEPARTMENT

**DOUBLE TAXATION ARRANGEMENTS
WITH THE GOVERNMENTS OF THE ISLE OF MAN AND JERSEY**

- VI.- After consideration of the Report dated 26th February, 2013, of the Treasury and Resources Department:-
1. To ratify the Agreements made with the Governments of the Isle of Man and Jersey, as appended to the Report, so that they have effect in accordance with section 172(1) of the Income Tax Law.
 2. In relation to the Agreement with the Government of Jersey, signed in 1955, to revoke its Resolution made on 22 June 1955, under section 23(1) of the Income Tax (Guernsey) Law, 1950, as amended, in accordance with section 172(2) of the Income Tax Law.

COMMERCE AND EMPLOYMENT DEPARTMENT

LIMITED LIABILITY PARTNERSHIPS – SUPPLEMENTARY STATES REPORT

- VII.- After consideration of the Report dated 26th February, 2013, of the Commerce and Employment Department:-
1. To approve the proposals set out sections two through six in the States Report.
 2. To direct the preparation of such legislation as may be necessary to give effect to those proposals.

PUBLIC SERVICES DEPARTMENT

PORTS MASTER PLAN

- VIII.- After consideration of the Report dated 8th March, 2013, of the Public Services Department, to note the contents of the report in accordance with Rule 12 (4) of the Rules of Procedure.

**S M D ROSS
HER MAJESTY'S DEPUTY GREFFIER**

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 31ST DAY OF MAY, 2013**

(Adjourned from 30th May, 2013)

**The States resolved as follows concerning Billet d'État No VIII
dated 19th April 2013**

HEALTH AND SOCIAL SERVICES DEPARTMENT

113th MEDICAL OFFICER OF HEALTH ANNUAL REPORT

- IX.-
1. After consideration of the Report dated 8th March, 2013, of the Health and Social Services Department, to note the Report.
 2. To direct that by no later than July, 2014, and after consultation with the relevant States Departments and the Medical Officer of Health, the Policy Council, in accordance with that part of its mandate which makes it responsible for "...the co-ordination of action to enable the implementation of the States Strategic Plan..." and in order to contribute towards fulfilling the Social Policy Plan general objective of "equality of opportunity, social inclusion and social justice" (Resolution 3 on Billet d'État VI of 2013), shall report to the States of Deliberation setting out its considered response to Recommendation 2 of the Medical Officer of Health's 113th Annual Report, which considered response shall include an assessment of whether to establish as expeditiously as possible the size and profile of that part of the population whose income falls below a recognised minimum level of income.
 3. To direct that in recognition of the aim of Recommendation 5 of the Medical Officer of Health's 113th Annual Report any Propositions laid before the States of Deliberation by States Departments in connection with the comprehensive review of personal taxes, pensions and benefits will, subject to existing resources available to the States, take into account the potential impact on health, well being and health equity among the population.
 4. To direct that by no later than July, 2014, and after consultation with the relevant States Departments and the Medical Officer of Health, the Policy Council, in accordance with that part of its mandate which makes it responsible for "...the co-ordination of action to enable the implementation of the States Strategic Plan..." and in order to contribute towards fulfilling the Social Policy Plan general objective of "equality of opportunity, social inclusion and social justice" (Resolution 3 on Billet d'État VI of 2013), shall report to the States of Deliberation setting out its considered response to Recommendation 7 of the Medical Officer of Health's 113th Annual Report, which considered response shall include an assessment of whether to adopt as expeditiously as possible a measurement of income inequality.

5. To direct that by no later than December 2014, and after consultation with the Medical Officer of Health and other relevant parties, the Health and Social Services Department, working in conjunction with the other Departments where appropriate, shall report to the States setting out proposals designed to improve the rates of breastfeeding in Guernsey as informed by, but not limited to, recommendations 17, 18, 20 and 21 of the 113th Annual Medical Officer of Health Report.

STATES ASSEMBLY AND CONSTITUTION COMMITTEE

QUESTIONS

X.- After consideration of the Report dated 18th March 2013, of the States Assembly and Constitution Committee:-

1. To agree that Rule 5 be deleted and the following substituted therefor:

"5. (1) At the time prescribed in Rule 9, unless the Presiding Officer otherwise directs, and subject to Rule 7 and the conditions set out in paragraph (2), questions may be addressed to:

- (a) the Chief Minister;
- (b) the Minister of a Department;
- (c) the Chairman of a Committee.

(2) The conditions referred to in paragraph (1) are that the question:

- (a) shall not relate to the business of the day;
- (b) shall not seek information which is readily accessible in the public domain;
- (c) shall not relate to more than one topic and shall not exceed one minute in duration;

(d) shall be furnished either in writing or electronic format to the person to whom it is addressed, the Presiding Officer and Her Majesty's Procureur not less than 5 clear days before the day of the Meeting, excluding Saturdays, Sundays and Public Holidays;

PROVIDED THAT

the time limit prescribed in sub-paragraph (d) may be shortened with the consent of the person to whom the question is addressed;

(3) The Member replying to the question shall furnish, either in writing or electronic format, a copy of the proposed answer to the Presiding Officer and to Her Majesty's Procureur not later than noon on the day (excluding Saturdays, Sundays and Public Holidays) preceding the meeting of the States and by 5.00 p.m. of that same day to the Member asking the question. The answer, when given in the Assembly, shall not exceed one and a half minutes in duration.

(4) Supplementary questions arising out of the reply to a question may be addressed to the Member answering the question, by any Member, as may be allowed by the Presiding Officer:

PROVIDED THAT –

- (a) no Member may ask more than two supplementary questions in respect of each principal question;
- (b) each supplementary question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration;
- (c) such supplementary questions are put before the next question of which notice has been given, or the business of the day is proceeded with, as the case may be; and
- (d) Members answering a supplementary question may decline to answer the question if, in their opinion, any answer given thereto might be inaccurate or misleading but shall provide the answer to the said question in writing not later than 5 clear days excluding Saturdays, Sundays and Public Holidays following the date of the meeting.

PROVIDED FURTHER THAT the period of 5 clear days referred to in sub paragraph (b) may be extended to a period not exceeding 10 clear days if in any particular case –

- (a) the Presiding Officer, on application of the Chief Minister, Minister or Chairman, as the case may be, in the interests of good government so directs, and
 - (b) the Chief Minister, Minister or Chairman, as the case may be, advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.
- (5) When more than one question is asked at any meeting the order in which questions are put shall be determined in accordance with the order of voting prescribed in Rule 14 (2A).
 - (6) If, at the conclusion of one hour after the commencement of question time, all the questions have not been disposed of, the Presiding Officer may, in his discretion, postpone dealing with questions not then disposed of to no later than the conclusion of the meeting.”

2. To agree that the following new Rules be added after Rule 5:

“Urgent Questions

5A.(1) A Member may, not less than half an hour before a meeting commences, seek the leave of the Presiding Officer, subject Rule 7 and to the conditions set out in paragraph (2), to address a question to:

- (a) the Chief Minister;
 - (b) the Minister of a Department;
 - (c) the Chairman of a Committee.
- (2) The conditions referred to in paragraph (1) are that no Member may ask more than one question pursuant to this Rule at any meeting and that the question:
 - (a) shall be of an urgent character and which relates to a matter of public importance;
 - (b) shall not relate to the business of the day;
 - (c) shall not seek information which is readily accessible in the public domain;
 - (d) shall not relate to more than one topic and shall not exceed one minute in duration;

- (e) shall be supplied in writing to the Presiding Officer, Her Majesty's Procureur and the Member to whom it is addressed.
- (3) If the Presiding Officer considers that the proposed question complies with the conditions set out in paragraph (2) he or she shall determine when the question shall be put.
- (4) The Member replying to the question shall furnish, in writing a copy of the proposed answer to the Presiding Officer and to Her Majesty's Procureur as soon as possible before the time determined by the Presiding Officer in accordance with paragraph (3). The answer, when given in the Assembly, shall not exceed one and a half minutes in duration.
- (5) Supplementary questions arising out of the reply to a question may be addressed to the Member answering the question, by any Member, as may be allowed by the Presiding Officer:
PROVIDED THAT –
- (a) no Member may ask more than two supplementary questions in respect of each principal question;
- (b) each supplementary question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration;
- (c) such supplementary questions are put before the business of the day is resumed; and
- (d) Members answering supplementary questions may decline to answer them if, in their opinion, any answer given thereto might be inaccurate or misleading but shall provide the answers in writing not later than 5 clear days excluding Saturdays, Sundays and Public Holidays following the date of the meeting.
PROVIDED FURTHER THAT the period of 5 clear days referred to in sub paragraph (b) may be extended to a period not exceeding 10 clear days if in any particular case –
- (a) the Presiding Officer, on application of the Chief Minister, Minister or Chairman, as the case may be, in the interests of good government so directs, and
- (b) the Chief Minister, Minister or Chairman, as the case may be, advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.
- (6) If, at the conclusion of one half hour after the question is asked, any supplementary questions have not been disposed of, the Presiding Officer may, in his or her discretion, postpone dealing with questions not then disposed of to no later than the conclusion of ordinary business that day.;

Questions where information sought is in Public Domain

- 5B.(1) When, pursuant to Rule 5(2)(b) or Rule 5A(2)(c) the Chief Minister, the Minister or Chairman, as the case may be, is of the opinion that the answer is publicly and easily accessible he or she shall request the Presiding Officer to determine that the question is inadmissible on that ground.
- (2) If the Presiding Officer so determines he shall forthwith advise the Member asking the question and the Chief Minister, the Minister or

Chairman, as the case may be, that the question is inadmissible on that ground.

- (3) The Chief Minister, the Minister or Chairman, as the case may be shall reply to the questioner, in writing, advising where the information sought may be obtained.”
3. To agree that in Rule 8, after the words “not exceeding 15 minutes” insert “(which period may be extended at the discretion of the Presiding Officer)”.

D A KNIGHT
HER MAJESTY’S DEPUTY GREFFIER