

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 16<sup>th</sup> DAY OF FEBRUARY, 2016**

**The States resolved as follows concerning Billet d'État No III  
dated 8<sup>th</sup> January 2016.**

**THE MILK (CONTROL) (GUERNSEY) ORDINANCE, 2016**

I.- To approve the draft Ordinance entitled "The Milk (Control) (Guernsey) Ordinance, 2016", and to direct that the same shall have effect as an Ordinance of the States.

Amendment

To insert the following clause –

- in clause 23 of the Ordinance, for the words "Schedule 2" substitute "the Schedule".

**THE STATES REFORM LAW, 2015 (COMMENCEMENT) ORDINANCE, 2016**

II.- To approve the draft Ordinance entitled "The States Reform Law, 2015 (Commencement) Ordinance, 2016", and to direct that the same shall have effect as an Ordinance of the States.

**THE ORGANISATION OF STATES' AFFAIRS (TRANSFER OF FUNCTIONS)  
ORDINANCE, 2016**

III.- To approve the draft Ordinance entitled "The Organisation of States' Affairs (Transfer of Functions) Ordinance, 2015", and to direct that the same shall have effect as an Ordinance of the States.

Amendment

To insert the following clauses –

- (a) in clause 5(1) of the Ordinance, for the words "subsection (2)" substitute "subsections (2) and (4)";
- (b) immediately after clause 5(3) insert the following subclause –

"(4) Where subsection (1) has effect in relation to a relevant enactment or subordinate legislation enacted or made in the French language, substituted terms under subsection (1) shall have effect in the French language as follows –

- (a) "the Committee" as "le Comité",

(b) "the Authority" as "le Conseil", and

(c) "the Board" as "le Conseil".";

(c) immediately after clause 6(2) insert the following subclause –

"(3) For the avoidance of any doubt, it is hereby declared that a reference in writing to a named committee made in a form that is not consistent with the form of typography in which the name of that committee appears in this Ordinance, shall not affect the validity of that reference."

**THE ENVIRONMENTAL POLLUTION (DESIGNATION OF WASTE DISPOSAL AUTHORITY) ORDINANCE, 2016**

IV.- To approve the draft Ordinance entitled “The Environmental Pollution (Designation of Waste Disposal Authority) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE LAND PLANNING AND DEVELOPMENT (STRATEGIC LAND PLANNING) (AMENDMENT) ORDINANCE, 2016**

V.- To approve the draft Ordinance entitled “The Land Planning and Development (Strategic Land Planning) (Amendment) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE COMPULSORY ACQUISITION OF LAND (GUERNSEY) (FEES AND AMENDMENT) ORDINANCE, 2016**

VI.- To approve the draft Ordinance entitled “The Compulsory Acquisition of Land (Guernsey) (Fees and Amendment) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MOTOR TAXATION (FIRST REGISTRATION DUTY) ORDINANCE, 2016**

VII.- To approve the draft Ordinance entitled “The Motor Taxation (First Registration Duty) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MENTAL HEALTH (TRANSFER OF PATIENTS) (GUERNSEY AND ALDERNEY) ORDINANCE, 2016**

VIII.- To approve the draft Ordinance entitled “The Mental Health (Transfer of Patients) (Guernsey and Alderney) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENTS WITH BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, SOUTH KOREA AND SPAIN) ORDINANCE, 2016**

IX.- To approve the draft Ordinance entitled “The Income Tax (Guernsey) (Approval of Agreements with British Virgin Islands, Cayman Islands, South Korea and Spain) Ordinance, 2016”, and to direct that the same shall have effect as an Ordinance of the States.

***ORDINANCE LAID BEFORE THE STATES***

**THE INCOME TAX (ZERO 10) (COMPANY INTERMEDIATE RATE) (AMENDMENT) (GUERNSEY) (NO. 2) ORDINANCE, 2015**

In pursuance of the provisions of the proviso to Article 66 (3) of The Reform (Guernsey) Law, 1948, as amended, “The Income Tax (Zero 10) (Company Intermediate Rate) (Amendment) (Guernsey) (No. 2) Ordinance, 2015”, made by the Legislation Select Committee on the 14<sup>th</sup> December, 2015, was laid before the States.

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

**THE WASTE DISPOSAL AND RECOVERY CHARGES REGULATIONS, 2015**

In pursuance of 72(3) of The Environmental Pollution (Guernsey) Law, 2004, “The Waste Disposal and Recovery Charges Regulations, 2015”, made on 17<sup>th</sup> December 2015 by the Waste Disposal Authority, designated by Ordinance under The Environmental Pollution (Guernsey) Law, 2004 as the Public Services Department, were laid before the States.

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT NO.3) REGULATIONS, 2015**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, “The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.3) Regulations, 2015”, made by the Social Security Department on 15<sup>th</sup> December 2015, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT) REGULATIONS, 2015**

In pursuance of Section 35 of The Health Service (Benefit) (Guernsey) Law, 1990, “The Health Service (Medical Appliances) (Amendment) Regulations, 2015”, made by the Social Security Department on 15<sup>th</sup> December, 2015, were laid before the States.

**THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS, 2015**

In pursuance of Section 117 of The Social Insurance (Guernsey) Law, 1978, “The Social Insurance (Benefits) (Amendment) Regulations, 2015”, made by the Social Security Department on 15<sup>th</sup> December, 2015, were laid before the States.

**THE STATES HOUSING (RENT AND REBATE SCHEME) (GUERNSEY) (AMENDMENT) REGULATIONS, 2015**

In pursuance of section 5 (3) of The States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, “The States Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2015”, made by the Housing Department on 3<sup>rd</sup> December, 2015, were laid before the States.

**THE HOUSING (CONTROL OF OCCUPATION) (FEES) (GUERNSEY) REGULATIONS, 2015**

In pursuance of section 66A (3) of The Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, “The Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2015”, made by the Housing Department on 3<sup>rd</sup> December, 2015, were laid before the States.

**THE PILOTAGE DUES (GUERNSEY) REGULATIONS, 2015**

In pursuance of sections 1, 2, 3 and 8 of The Pilotage Dues and Fees Ordinance, 1987 and sections 1 and 5 of The Fees, Charges and Penalties (Guernsey) Law, 2007, and all

other powers enabling it in that behalf, “The Pilotage Dues (Guernsey) Regulations, 2015”, made on 17<sup>th</sup> December 2015 by the Public Services Department, were laid before the States.

#### **THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2015**

In pursuance of section 2 of The Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972, sections 1 and 5 of The Fees, Charges and Penalties (Guernsey) Law, 2007, and all other powers enabling it in that behalf, “The Mooring Charges (Guernsey) Regulations, 2015”, made on 17<sup>th</sup> December, 2015, by the Public Services Department, were laid before the States.

#### **THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2015**

In pursuance of sections 2 and 3 of The Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957, section 33 of The Harbours Ordinance, 1988, sections 1 and 5 of The Fees, Charges and Penalties (Guernsey) Law, 2007, and all other powers enabling it in that behalf, “The Harbour Dues and Facilities Charges (Guernsey) Regulations, 2015”, made on 17<sup>th</sup> December 2015 by the Public Services Department, were laid before the States.

#### **THE DATA PROTECTION (PUBLIC INFORMATION DESIGNATION) (REVOCATION) ORDER, 2015**

In pursuance of Sections 34 and 66 of The Data Protection (Bailiwick of Guernsey) Law, 2001, “The Data Protection (Public Information Designation) (Revocation) Order, 2015”, made by the Home Department on 27<sup>th</sup> November, 2015, was laid before the States.

#### **THE DATA PROTECTION (SUBJECT ACCESS EXEMPTIONS) (GUERNSEY) ORDER, 2015**

In pursuance of Sections 38 and 66 of The Data Protection (Bailiwick of Guernsey) Law, 2001, “The Data Protection (Subject Access Exemptions) (Guernsey) Order, 2015”, made by the Home Department on 27<sup>th</sup> November, 2015, was laid before the States.

## **POLICY COUNCIL**

### **THE REVIEW OF THE FINANCIAL RELATIONSHIP BETWEEN GUERNSEY AND ALDERNEY**

X.- After consideration of the Policy Letter dated 30<sup>th</sup> November, 2015, of the Policy Council:-

1. To endorse the contents of that Policy Letter.
2. To agree, subject to Proposition 3 below, that the current implementation of the 1948 Agreement between Guernsey and Alderney should continue to be the basis for the financial and political relationships between Guernsey and Alderney.
3. To approve the changes to the current financial procedures in regard to the financial relationship between Guernsey and Alderney, as set out in that Policy Letter, such that with effect from the financial year 2016 separate figures are kept for memorandum purposes by Committees and Departments for income and expenditure in relation to public services provided by Guernsey for Alderney; but to direct the Treasury and Resources Department (and its successors) to continue to present the formal accounts of the States of Deliberation in consolidated form.
4. To direct the Treasury and Resources Department (and its successors) (in liaison with Departments and Committees) to produce and publish annually best estimate figures for the income derived from sources based in Alderney, and expenditure incurred from the Guernsey Budget on public services provided for Alderney in the same manner as provided in the Taylor Report included as Appendix B to that Policy Letter.
5. Consequent to Proposition 4 above, to further direct the Treasury and Resources Department (and its successors) to work with the Alderney Policy and Finance Committee to establish a simple formulaic method to estimate annually in arrears with effect from December 2016 the contributions to both islands of the e-Gaming sector in Alderney.
6. To agree in principle, subject to the necessary further detailed work, that the current implementation of the 1948 Agreement between Guernsey and Alderney be modified such that:
  - a) Guernsey retains responsibility to fund all Transferred Services, and the Social Security Funds, through the pooled income sources of Income Tax and Social Security Contributions;
  - b) the States of Alderney is responsible for funding all other public services in Alderney (including the harbour, drainage (foul and surface water), roads,

coastal defence, water and electricity), from all other levies, rates, taxes, fees, rents, duties and other income collected from sources based in Alderney (such as tax on real property, occupiers' rates, import duties and excise duties, fees in lieu of Congé, document duty, numismatic and philatelic profits, and company registration fees).

7. To direct the Treasury and Resources Department (and its successors) to work with the Alderney Policy and Finance Committee to progress the further work resulting from Proposition 6 above, and to report back to the States of Deliberation in the budget report for 2017 (i.e. October 2016) with proposals to implement any changes, including (at least in principle) recommendations on how each of the large cost items (including the deficit on operating Alderney Airport, the (public service) subsidy to the airline operating the Alderney – Guernsey and Alderney-Southampton routes, the breakwater, the Alderney Housing Association loan facility, legal aid and Law Officers' costs) are to be treated in the financial relationship and how future capital provision is to be made for Alderney.
8. To direct the Education Department, Health and Social Services Department, Home Department, Public Services Department and Social Security Department (and their successors) in Guernsey, which provide Transferred Services for Alderney, to review the services provided (including how they are provided) in line with Section 4 of Appendix A to that Policy Letter, and to reach outcome focused agreements with the appropriate authorities in Alderney, having due regard to cost effectiveness and efficiency for such services, and on a timescale to be agreed between the Policy Council (and its successors) and the Alderney Policy and Finance Committee.
9. To direct the Treasury and Resources Department (and its successors) to continue to work with the Alderney Policy and Finance Committee to progress the appropriate recommendations in the Taylor Report (Appendix B to that Policy Letter), which fall within its mandate, and to implement the agreed changes as soon as practicable, referring only such matters as may need States Resolutions back to the States of Deliberation for further debate.
10. To note the Alderney Policy and Finance Committee's intention to progress a political governance review and to align any conclusions and recommendations, with the changes recommended in that Policy Letter in regard to the implementation of the 1948 Agreement between Guernsey and Alderney.
11. To direct the Commerce and Employment Department (and its successors) in Guernsey to continue to work as progressively and proactively as possible with the authorities in Alderney to help stimulate and develop economic activity in Alderney.

12. To direct the Treasury and Resources Department (and its successors) to consider further tax measures (including targeted tax relief schemes), and other relocation incentives, which could be useful tools in increasing economic activity in Alderney and encouraging population growth, particularly in the younger age groups, and to report back to the States of Deliberation on any such measures in the Budget Report for 2017 (i.e. October 2016).

## **POLICY COUNCIL**

### REVIEW OF PUBLIC SECTOR PENSION SCHEMES

XI.- After consideration of the Policy Letter dated 14<sup>th</sup> December, 2015, of the Policy Council, to approve the States of Guernsey (Public Servants) (New Pensions and Other Benefits) Rules 2016, as set out in the Appendix to that Policy Letter.

## **POLICY COUNCIL**

### ESTABLISHING A CENTRAL REGISTER OF CONTACT DETAILS FOR INDIVIDUALS AND ORGANISATIONS

XII.- After consideration of the Policy Letter dated 14<sup>th</sup> December, 2015, of the Policy Council:-

1. To support the principle of the establishment of a register of core data and contact details as outlined in Section 5 of that Policy Letter.
2. To direct the preparation of such legislation as may be necessary to facilitate the establishment of such a register.
3. To direct the Policy Council (and its successors) to research further the resource implications of the practical establishment of such a register, prepare a business case and report back to the States of Deliberation once these details are known.

S. M. D. ROSS

HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 17<sup>th</sup> DAY OF FEBRUARY, 2016**

**(adjourned from the 16<sup>th</sup> February 2016)**

**The States resolved as follows concerning Billet d'État No III  
dated 8<sup>th</sup> January 2016.**

**HEALTH AND SOCIAL SERVICES DEPARTMENT**

**CHILDREN AND YOUNG PEOPLE'S PLAN 2016-2022**

XIII.- After consideration of the Policy Letter dated 18<sup>th</sup> November, 2015, of the Health and Social Services Department:-

1. To approve the Children and Young People's Plan 2016-2022, as set out in Appendix 1 of that Policy Letter.
2. To note that, to deliver the Children and Young People's Plan's Priority Outcomes, where actions cannot be taken forward using existing resources, the resource requirements of the Plan will need to be considered as part of the development of the programmes of transformational change referred to in Section 10 of that Policy Letter.
3. To direct the Policy and Resources Committee, working with the Committee *for* Health and Social Care and other relevant committees, to oversee and coordinate an investigation into the use of pooled budgets and alternative sources of social finance and to report back to the States of Deliberation as soon as possible with its findings.
4. To direct the Committee *for* Health and Social Care, working with the Policy and Resources Committee, to have regard to the suggested governance arrangements in Section 7 of that Policy Letter when determining how the Children and Young People's Plan should be implemented and funded.
5. To direct all relevant committees, as part of the Children and Young People's Plan, to identify the need for early intervention and early years' services for children under the age of three, the consequential resource implications and the links between any such new services with those provided by the Committee *for* Education, Sport and Culture, including States-funded Pre-School Education.
6. To direct the Committee *for* Health and Social Care to report back to the States of Deliberation on the results of those investigations in due course.

## POLICY COUNCIL

### THE SUPPORTED LIVING AND AGEING WELL STRATEGY

XIV.- After consideration of the Policy Letter dated 7<sup>th</sup> December, 2015, of the Policy Council:-

1. To endorse all of the recommendations to progress the Supported Living and Ageing Well Strategy, as set out in the Working Party's research report and reproduced in Appendix III of that Policy Letter, with the exception of those reproduced under "*7. Address strategic funding issues (Section 7 of the research report)*"; and:
  - a) To direct the Committee for Employment and Social Security to increase contribution rates to the Long-term Care Insurance Fund for employed, self-employed and non-employed persons by no less than 0.5% from 1<sup>st</sup> January 2017;
  - b) To agree, in principle, that wherever care and support is received, for accounting and charging purposes, the costs associated with the provision of long-term care services should be separated into three distinct areas: accommodation; day- to-day living expenses; and care and support;
  - c) To agree, in principle, that the Long-term Care Insurance Fund should be used to meet the costs of care and support only, with payments for accommodation costs and living expenses being the responsibility of the individual receiving care and support.
  - d) To agree, in principle, that where an individual receiving long-term care was unable to meet their accommodation and living costs in full, they would be eligible for means-tested assistance via Supplementary Benefit.
  - e) To direct the Committee for Employment and Social Security, in conjunction with the Policy and Resources Committee, to investigate in detail the implications for contributors, individuals and for the States of the application of the principle that the Long-term Care Insurance Fund should cover care and support costs only, and to report to the States with its findings and recommendations no later than October 2017.
  - f) To agree that investigation of this principle shall be limited, in the first stage, to the implications related to care and support provided to individuals in public and private sector residential and nursing homes.
  - g) To note that any costs associated with the investigation of this principle will be met from the Long-term Care Insurance Fund.
  - h) To agree, in principle, that the Long-term Care Insurance Scheme should be extended to cover care and support costs for people living in their own homes

(including those accommodated in their own homes in sheltered and extra care housing).

- i) To direct the Committee for Employment and Social Security, in conjunction with the Policy and Resources Committee, to investigate in detail the implications for contributors, individuals and for the States of the application of the principle that the Long-term Care Insurance Scheme should be extended to cover the cost of care and support at home, and to report to the States with its findings and recommendations no later than October 2018.
  - j) To agree that the investigation of this principle should include:
    - o a review of the role of related benefits such as Severe Disability Benefit and Carer's Allowance; and
    - o detailed investigation into the possibility of introducing personal budgets, including, if appropriate, the establishment of a pilot project to inform the research.
  - k) To note that any costs associated with the investigation of this principle will be met from the Long-term Care Insurance Fund.
  - l) To direct the Committee for Employment and Social Security to keep under review whether there is a strategic, long-term financial need to introduce: (i) the inclusion of capital assets in any means-testing of benefits associated with the provision of long-term care; and (ii) the capping of care costs to set out the respective funding liabilities for individuals and for the States.”.
2. To direct that, until alternative arrangements are agreed, the Policy Council, and thereafter the Policy and Resources Committee, shall be responsible for ensuring that the Supported Living and Ageing Well Strategy continues to be taken forward.
  3. To direct the Policy and Resources Committee, as part of its finalisation of the Policy and Resource Plan, to report to the States of Deliberation, no later than June 2017, on the arrangements by which political direction and oversight will be provided to enable the Working Party's recommendations to be progressed and implemented, having first consulted with the Committees for Health and Social Care, Employment and Social Security, and Environment and Infrastructure, together with the States of Alderney and appropriate third sector groups.
  4. To approve, in principle, the implementation plan and timescales associated with taking forward the various elements of the Supported Living and Ageing Well Strategy, as shown in Appendix II of that Policy Letter, but to ask the Policy and Resources Committee to bring forward firm proposals as part of the aforementioned Policy and Resource Plan, including identification of the resources required.

5. To acknowledge that to bring about the level of transformational change identified by the investigations undertaken to date will require significant further research and other implementation activities, which can only be undertaken successfully by applying to them programme and project management disciplines, and by assigning to them the right level of appropriately skilled resources.
6. To make the nine strategic commitments required to bring about the significant transformational change necessary to deliver the Supported Living and Ageing Well Strategy.
7. To direct that progress on implementing the actions in the Supported Living and Ageing Well Strategy form part of the annual reporting on the Policy and Resource Plan that will commence in June 2018.

## **SOCIAL SECURITY DEPARTMENT**

### **PROPOSED DEVELOPMENT OF A SECONDARY PENSIONS SYSTEM FOR GUERNSEY AND ALDERNEY**

The States are asked to decide:-

XV.- After consideration of the Policy Letter dated 30<sup>th</sup> November, 2015, of the Social Security Department:-

1. To approve in principle the introduction of automatic enrolment into private pension saving and the development of a Secondary Pension scheme based on the principles outlined in paragraph 161 of that Policy Letter, but subject to further research being carried out by the Committee for Employment and Social Security as to whether any distinction should be drawn between employer businesses of varying sizes.
2. To direct the Committee *for* Employment and Social Security to report back to the States of Deliberation no later than 31<sup>st</sup> December 2017 with detailed proposals for the implementation of automatic enrolment into private pension saving and a Secondary Pension scheme, such report to include consideration of the possibility of temporary exemptions for business start-ups.
3. To direct the Committee *for* Employment and Social Security, in reporting back to the States, to provide an economic impact assessment of the proposals.

S. M. D. ROSS

HER MAJESTY'S DEPUTY GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 18<sup>th</sup> DAY OF FEBRUARY, 2016**

**(adjourned from the 16<sup>th</sup> February 2016)**

**The States resolved as follows concerning Billet d'État No III  
dated 8<sup>th</sup> January 2016**

**HEALTH AND SOCIAL SERVICES DEPARTMENT**

**PROPOSALS REGARDING GUERNSEY'S FUTURE AMBULANCE SERVICE**

XVI.- After consideration of the Policy Letter dated 30<sup>th</sup> November, 2015, of the Health and Social Services Department:-

1. To agree the transfer of the budgetary and non-clinical oversight role for the Emergency Ambulance Service from the Health and Social Services Department (and its successor) to the Home Department (and its successor), at a future date to be determined but not before January 2017, thereby providing the Home Department (and its successor) with the combined oversight role for all "blue light" emergency services as they work increasingly jointly to their 'best practice interoperability' agenda.
2. To note that the Health and Social Services Department (and its successor) will return to the States of Deliberation during 2016 with Policy Letters proposing the more detailed arrangements to implement the strategy outlined in that Policy Letter and the Report of the Guernsey's Future Ambulance Service Steering Group, once those plans and Business Cases have been finalised between all parties.

**COMMERCE AND EMPLOYMENT DEPARTMENT**

**LEGISLATIVE CHANGES RELATING TO THE FUTURE OVERSIGHT OF  
GUERNSEY ELECTRICITY LIMITED AND GUERNSEY POST LIMITED**

XVII.- After consideration of the Policy Letter dated 3<sup>rd</sup> December, 2015, of the Commerce and Employment Department:-

1. To direct that the Regulation of Utilities (Bailiwick of Guernsey) Law, 2001 is amended by removing postal and electricity services from the definition of "utility services" (as indicated at section 3.3 of that Policy Letter), in order that the regulation of those sectors is no longer a responsibility of the Guernsey Competition and Regulatory Authority.
2. To direct that the Electricity (Guernsey) Law, 2001 and the Post Office (Bailiwick of Guernsey) Law, 2001, are amended, with the intention that the Commerce and

Employment Department (or the committee of the States which has responsibility for utility regulation as successor to the Department) may discharge the regulatory functions under the Electricity (Guernsey) Law, 2001 and the Post Office (Bailiwick of Guernsey) Law, 2001, as indicated in sections to 3.15 of that Policy Letter.

3. To direct preparation of such legislation as may be necessary to give effect to the above decisions.

## **SOCIAL SECURITY DEPARTMENT**

### **INTRODUCTION OF PARENTAL BENEFITS**

XVIII.- After consideration of the Policy Letter dated 30<sup>th</sup> November, 2015, of the Social Security Department:-

1. To agree that the Social Insurance (Guernsey) Law, 1978, be amended to:
  - a) replace maternity allowance with a maternal health allowance and a newborn care allowance, as set out in paragraphs 12 to 19 of that Policy Letter;
  - b) create a new benefit to be known as adoption grant, as set out in paragraphs 22 to 25 of that Policy Letter;
  - c) create a new benefit to be known as parental allowance, as set out in paragraph 26 of that Policy Letter.
2. To agree that a woman who is entitled to a maternal health allowance or a newborn care allowance under the revised Social Insurance (Guernsey) Law, 1978, should also be entitled to a maternity grant in relation to the same pregnancy or confinement.
3. To agree that the Social Security Department (and its successor) be given the power to make regulations to provide for the application of the provisions relating to parental benefits (subject to any modifications specified in the regulations) to the intended parents of a baby being born pursuant to a surrogacy arrangement or to a woman who gives birth pursuant to a surrogacy arrangement.
4. To agree that the current regulation making powers in the Social Insurance (Guernsey) Law, 1978, in respect of the current maternity benefits, be amended to apply in respect of the new parental benefits, where appropriate, as set out in Appendix 3 of that Policy Letter.
5. To agree that the Social Security Department (and its successor) be given the power to make regulations prescribing a maximum number of switches permissible between parents in respect of newborn care allowance and parental allowance and the timing of those switches and generally to ensure consistency and fairness as between all claimants for parental benefits under the Social Insurance (Guernsey) Law, 1978.

6. To agree that the transitional arrangements set out in paragraphs 69 to 81 of that Policy Letter apply with effect from 1st January 2017, except in the case of women who are claiming maternity allowance on 31st December 2016, whose expected date of confinement and whose actual date of confinement are both in 2016, whose rate of maternity allowance will increase in line with the rates of newborn care allowance, maternal health allowance and parental allowance on 2nd January 2017, provided that maternity allowance is still payable on that date.
7. To agree that Paragraph 11 of the First Schedule to the Supplementary Benefit (Implementation) Ordinance, 1971 be amended in order that maternity grant and adoption grant payable under the provisions of the Social Insurance (Guernsey) Law, 1978 are disregarded for the purposes of establishing eligibility for a supplementary benefit.
8. To direct preparation of such legislation as may be necessary to give effect to the above decisions.

## **COMMERCE AND EMPLOYMENT DEPARTMENT**

### **TRADING STANDARDS LEGISLATION**

XIX.- After consideration of the Policy Letter dated 3<sup>rd</sup> December, 2015, of the Commerce and Employment Department:-

1. To agree the introduction of a wide framework of statutory consumer protection powers as described in that Policy Letter. Specifically it is proposed that legislation is introduced that will provide:
  - a) civil rights and associated remedies as described in paragraph 7.4 of that Policy Letter;
  - b) protection from unfair commercial practices as set out in paragraph 7.5 of that Policy Letter;
  - c) for specific information to be provided to consumers before they enter into a contract as described in paragraph 7.6 of that Policy Letter;
  - d) cancellation rights to consumers as described in paragraph 7.7 of that Policy Letter;
  - e) protection from unfair contract terms as described in paragraph 7.8 of that Policy Letter;
  - f) for a General Safety Requirement for consumer products as described in paragraph 7.9 of that Policy Letter;
  - g) a price marking requirement as described in paragraph 7.10 of that Policy Letter;

- h) for enforcement powers as described in paragraph 7.11 of that Policy Letter; and
  - i) for the creation of offences as described in paragraph 7.12 of that Policy Letter.
- 1A. To direct the Department to consider proposals for the introduction of legislation concerning offers, sales and price comparisons, in order to give further statutory protection to the consumer, and to report back to the States by May 2017.
2. To direct preparation of such legislation as may be necessary to give effect to the above decisions.

## **ENVIRONMENT DEPARTMENT**

### **COASTAL DEFENCE FLOOD PREVENTION MEASURES**

- XX.- After consideration of the Policy Letter dated 1<sup>st</sup> December, 2015, of the Environment Department:-
- 1. To approve the requested exception, in relation to The Bridge/St Sampson's Harbour, to Resolution XI.1 of Billet d'État No XV of 2013, which approved the use of the 1:100 year return period as the risk assessment base.
  - 2. To note that the requested exception will enable interim flood protection measures, with a view to securing flood protection for the current epoch (approximately twenty to twenty five years), to be included as part of the forthcoming Outline Business Case, together with a re-profiling of the wider programme to address the second priority area, Belle Greve Bay, on a revised timetable as part of its proposal.

## **COMMERCE AND EMPLOYMENT DEPARTMENT**

### **PROPOSAL FOR A NEW ARBITRATION LAW**

- XXI.- After consideration of the Policy Letter dated 3<sup>rd</sup> December, 2015, of the Commerce and Employment Department:-
- 1. To confirm the States Resolution VIII of 25<sup>th</sup> February 2004 (Billet d'État II of 2004).
  - 2. To agree that a single track Arbitration Law should be introduced, based primarily on the principles of the English Arbitration Act, 1996, updated where appropriate to provide a modern and comprehensive Arbitration Law.

J. TORODE

HER MAJESTY'S GREFFIER

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 19<sup>th</sup> DAY OF FEBRUARY, 2016**

**(adjourned from the 16<sup>th</sup> February 2016)**

**The States resolved as follows concerning Billet d'État No III  
dated 8<sup>th</sup> January 2016**

**REQUÊTE**

**ISLAND WIDE VOTING REFERENDUM**

XXII.- After consideration of the Requête dated 17<sup>th</sup> November, 2015, signed by Deputy A M Wilkie and six other Members of the States:-

1. That for the 2020 General Election and thereafter all deputies shall be elected on an island-wide basis and all voters shall have the same number of votes as there are deputies' seats provided that such a system shall first have been approved in an island wide referendum.
2. To direct the States Assembly and Constitution Committee to report to the States as expeditiously as possible detailing the proposals to give effect to Proposition 1 including the methodology of the election and the holding of a referendum.
3. To rescind Resolution 38 of the 9<sup>th</sup> July 2015 on Billet d'État XII of 2015.

**REQUÊTE**

**HOLOCAUST MEMORIAL**

XXIII.- After consideration of the Requête dated 17<sup>th</sup> November, 2015, signed by Deputy E G Bebb and six other Members of the States:-

1. To officially recognise the 27<sup>th</sup> January as Holocaust Remembrance Day in Guernsey.
2. To agree that the Chief Minister shall write a letter to the United Kingdom Envoy on Post Holocaust Issues on behalf of the States of Guernsey seeking to join the United Kingdom delegation to the International Holocaust Remembrance Alliance.
3. To agree that, for the avoidance of doubt, the Holocaust is recognised in Guernsey as the persecution and murder of all by the hands and policies of the Nazi forces of the Second World War, including the Guernsey Eight, the three Jewish women deported to Auschwitz Birkenau and those who died in building the Atlantic Wall.
4. To direct the Education Department (and its successors) to engage with Her Majesty's Department for Education in relation to the curriculum on the Holocaust.

5. To direct the Education Department (and its successors) to undertake, as part of its teaching of the Holocaust, how the Holocaust relates to Guernsey.
6. To direct the Culture and Leisure Department (and its successors) to mark Holocaust Memorial Day annually in collaboration with the Holocaust Memorial Day Trust.

J. TORODE

HER MAJESTY'S GREFFIER