Members of the States of Deliberation and their Committees

The Rules of Procedure of the States of Deliberation and their Committees

Code of Conduct for States’ Members

Rules for Payments to States’ Members, etc.

The Reform (Guernsey) Law, 1948, as amended

The States Committees (Constitution and Amendment) (Guernsey) Law, 1991, as amended

The States Reform (Guernsey) Law, 2015
MEMBERS

of the

STATES OF DELIBERATION

and the Membership of

States’ Committees, Authorities, Boards and Commissions

As at 1st October, 2019
States of Deliberation
Alphabetical List of Members and Officers

Brehaut, Barry L. 7
Brouard, Alvord (Al) H. 16
Collas, Sir Richard 5
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Foster, Christine 21
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Green, Christopher J. 14
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Lowe, Mary M. 12
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<td>Roberts, S</td>
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<td>Roffey, Peter J.</td>
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<td>Ross, Simon M. D.</td>
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<td>Smithies, Jeremy C. S. F.</td>
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<td>Snowdon, E. A. J.</td>
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<td>Soulsby, Heidi J. R.</td>
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<td>St Pier, Gavin A.</td>
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<td>Stephens, T. Jane</td>
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<td>Tindall, Dawn A.</td>
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<td>Titterington, Robert M.</td>
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<td>Tooley, Rhian H.</td>
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<td>Trott, Lyndon S.</td>
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# States of Deliberation

## Committees, Authorities, Boards and Commissions

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</tbody>
</table>
MEMBERS OF THE STATES OF DELIBERATION

PRESIDING OFFICER

Sir Richard COLLAS, Kt

The Bailiff’s Chambers, Royal Court House, St. Peter Port, GY1 2NZ

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HER MAJESTY’S COMPTROLLER

Robert Mark Titterington, Q.C.

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ACTING PRESIDING OFFICERS

1. Deputy Mary M. Lowe (see p. 12)
2. Deputy John A. B. Gollop (see p. 8)
3. Deputy Peter J. Roffey (see p. 18)

ST. PETER PORT SOUTH

Peter Terence Richard FERBRACHE
Les Granges de Beauvoir Manor, Ivy Gates, St Peter Port, GY1 1QT

📞 722246
✉️ Peter.Ferbrache@deputies.gov.gg

*Offices held:*
President: States’ Trading Supervisory Board
Member: States’ Assembly & Constitution Committee

*First elected:*
1st May, 2016
[also 1.5.94-30.4.00]

Jan KUTTELWASCHER
L’Hyvreuse House, L’Hyvreuse, St Peter Port, GY1 1UY

📞 726312
✉️ Jan.Kuttelwascher@deputies.gov.gg

*Offices held:*
Member: States’ Trading Supervisory Board

*First elected:*
1st May, 2008
Dawn Angela TINDALL
2. Clos de Bas, Green Lanes, St Peter Port, GY1 1TS

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☎ 07781 432424
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🔗 www.dawntindall.gg

Offices held:
President: Development & Planning Authority
Member: Committee for Health & Social Care

First elected: 1st May, 2016

Barry Leslie BREHAUT
Le Fond du Val, Le Foulon, St Peter Port, GY1 1YT

📞 714580
✉ Barry.Brehaut@deputies.gov.gg

Offices held:
President: Committee for Environment & Infrastructure
Member: Civil Contingencies Authority

First elected: 1st May, 2004

Rhian Helen TOOLEY
Rougemont, Rue de Putron, St Peter Port, GY1 2TE

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✉ Rhian.Tooley@deputies.gov.gg
🔗 www.rhiantooley.com
🔗 @RhianGsy

Offices held:
Vice-President: Committee for Health & Social Care
Member: Committee for Education, Sport & Culture

First elected: 1st May, 2016
ST. PETER PORT NORTH

John Alfred Bannerman GOLLOP
28. Rosaire Court, Rosaire Apartments, St Peter Port, GY1 1XW

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Offices held:
Acting Presiding Officer: States of Deliberation
Member: Committee for Employment & Social Security
        Transport Licensing Authority

First elected: 1st May, 1997

Charles Nigel Kennedy PARKINSON
Lone Pine, La Route de la Mare de Carteret, Castel, GY5 7FW

📞 255958
✉️ charles.parkinson@cwgsy.net
＠armoricana

Offices held:
President: Committee for Economic Development

First elected: 2nd December, 2015
[also 1.5.04-30.4.12]

Lester Carlson QUERIPEL
Tourrettes, Rue des Tamaris, La Rocquette, Castel, GY5 7BA

📞 256334
✉️ Lester.Queripel@deputies.gov.gg

Offices held:
Member: Development & Planning Authority

First elected: 1st May, 2012
Michelle Karen LE CLERC
Dulwich, Upper St Jacques, St Peter Port, GY1 1SR

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'email: Michelle.LeClerc@deputies.gov.gg

Offices held:
President: Committee for Employment & Social Security

First elected: 1st May, 2012

Marc Paul LEADBEATER
1. Maison Priaulx, Mon Plaisir, Green Lanes, St Peter Port, GY1 1TF

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'email: Marc.Leadbeater@deputies.gov.gg
'website: www.marcleadbeater.gg
'facebook: /votemarcleadbeater

Offices held:
Vice-President: Committee for Home Affairs

First elected: 1st May, 2016

Joseph Ignatius MOONEY
Dualla House, Le Rohais, St Peter Port, GY1 1FE

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'email: Joe.Mooney@deputies.gov.gg

Offices held:
Member: Committee for Economic Development

First elected: 1st May, 2016
## ST. SAMPSON

### Lyndon Sean Trott

**Quelques Fleurs, Camp de l'Église, St Saviour, GY7 9FE**

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- 📧 Lyndon.Trott@deputies.gov.gg
- 🌐 www.trott.gg

**Offices held:**
- **Vice-President:** Policy & Resources Committee
- **Chairman:** CPA, Guernsey branch Executive Committee
- **Member:** Elizabeth College Board of Directors

*First elected: 1st May, 2000*

### Paul Raymond Le Pelley

**Courtil Fleuri, Route Militaire, St Sampson, GY2 4EB**

- 📞 246499
- 📧 Paul.LePelley@deputies.gov.gg

**Offices held:**
- **Member:** Committee for Home Affairs, Transport Licensing Authority, Guille-Allès Library Council, Priaulx Library Council

*First elected: 1st May, 2012*

### Jennifer Sue Merrett

**Villa Barton, Church Road, St Sampson, GY2 4LN**

- ☎️ 07781 167121
- 📧 Jennifer.Merrett@deputies.gov.gg
- 🌐 www.jennifermerrett.wordpress.com

**Offices held:**
- **Vice-President:** States’ Assembly & Constitution Committee
- **Member:** Scrutiny Management Committee

*First elected: 1st May, 2016*
Gavin Anthony ST PIER
Les Quartiers Farm, Route des Quartiers, St Sampson, GY2 4GB

📞 07839 240167
📧 Gavin.StPier@deputies.gov.gg
🌐 www.gavinstpier.gg
🐦 @gavinstpier
👋 /gavinstpier

Offices held:
President: Policy & Resources Committee
Civil Contingencies Authority

First elected:
1st May, 2012

Tania Jane STEPHENS
La Porte au Nord, Les Portes, St Sampson, GY2 4GD

📞 713143
📧 Jane.Stephens@deputies.gov.gg
🐦 @jstephensgsy
👋 /JaneStephensGsy

Offices held:
Member: Policy & Resources Committee

First elected:
1st May, 2016
[also 1.5.08-30.4.12]

Carl Peter MEERVELD
Charleston, Route Carré, L’Islet, St Sampson, GY2 4RE

📞 248439
📧 Carl.Meerveld@deputies.gov.gg

Offices held:
Vice-President: Transport Licensing Authority

First elected:
1st May, 2016
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
<th>Website</th>
<th>Offices held</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Matthew James FALLAIZE</strong></td>
<td>Au-dessous du Moulin, Hougue du Moulin, Vale, GY3 5NG</td>
<td>241333</td>
<td><a href="mailto:mattfallaize@cwgsy.net">mattfallaize@cwgsy.net</a></td>
<td><a href="http://www.mattfallaize.com">www.mattfallaize.com</a></td>
<td>President: Committee for Education, Sport &amp; Culture</td>
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<td>First elected: 1st May, 2008</td>
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<tr>
<td><strong>Neil Richard INDER</strong></td>
<td>L’Epine, Rue du Chardronnet, Vale, GY3 5BN</td>
<td>243429</td>
<td><a href="mailto:neilinder@live.com">neilinder@live.com</a></td>
<td><a href="http://www.neilinder.gg">www.neilinder.gg</a></td>
<td>President: States’ Assembly &amp; Constitution Committee</td>
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<td>Member: Committee for Economic Development</td>
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<td>First elected: 19th October, 2016</td>
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<tr>
<td><strong>Mary May LOWE</strong></td>
<td>Silvercoombe, Rue des Marais, Vale, GY6 8AX</td>
<td>255984</td>
<td><a href="mailto:marylowe@cwgsy.net">marylowe@cwgsy.net</a></td>
<td><a href="http://www.marylowe.gg">www.marylowe.gg</a></td>
<td>Acting Presiding Officer: States of Deliberation</td>
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<td>First elected: 1st May, 1994</td>
</tr>
</tbody>
</table>
Laurie Bryn QUERIPEL  
Tourrettes, Rue des Tamaris, La Rocquette, Castel, GY5 7BA  
☎ 251949  
✉ laurie.queripel@gmail.com  

Offices held:  
Vice-President: Scrutiny Management Committee  

First elected:  
1st May, 2012

Jeremy Charles Stewart Fulford SMITHIES  
La Haize, Rue des Haizes, Vale, GY3 5HB  
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✉ Jeremy.Smithies@deputies.gov.gg  
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Offices held:  
Vice-President: States' Trading Supervisory Board  
Member: Committee for Home Affairs  

First elected:  
1st May, 2016

Sarah Taryn HANSMANN ROUXEL  
Homeland, Braye Road, Vale, GY3 5PP  
☎ 07911 765863  
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@SarahHRouzel  
@SarahHansmannRouzel

Offices held:  
Member: Committee for the Environment & Infrastructure  
CPA, Guernsey branch Executive Committee  

First elected:  
1st May, 2016
Richard Harold GRAHAM, LVO, MBE
Veue du Guet, Rue de la Lande, Castel, GY5 7EH

📞 07781 101277
✉ Richard.Graham@deputies.gov.gg

**Offices held:**
Vice-President: Committee for Education, Sport & Culture

*First elected: 1st May, 2016*

Christopher James GREEN
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📞 252174
✉ Christopher.Green@deputies.gov.gg
✈ www.chrisgreen.gg
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**Offices held:**
President: Scrutiny Management Committee
Chairman: Panel of Members [*The Administrative Decisions (Review) (Guernsey) Law, 1986]*
Member: CPA, Guernsey branch Executive Committee

*First elected: 1st May, 2012*

Barry John Edward PAINT
Houmet Lodge, Route de Cobo, Castel, GY5 7UN

📞 07781 154502
✉ Barry.Paint@deputies.gov.gg

**Offices held:**
President: Transport Licensing Authority
Member: Development & Planning Authority
Member: CPA, Guernsey branch Executive Committee

*First elected: 1st May, 2008*
Mark Hirzel DOREY
La Bernauderie, Les Landelles, Castel, GY5 7DH

📞 252743
✉ Mark.Dorey@deputies.gov.gg

Offices held:
Vice-President: Committee for the Environment & Infrastructure
Member: Committee for Education, Sport & Culture
CPA, Guernsey branch Executive Committee

First elected: 1st May, 2002

Jonathan Paul LE TOCQ
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📞 07781 152810
✉ Jonathan.LeTocq@deputies.gov.gg
@letocq

Offices held:
Member: Policy & Resources Committee
(Lead Member, External Relations and Constitutional Affairs)
States’ Assembly & Constitution Committee

First elected: 1st May, 2012
[also 1.5.00-30.4.08]
Alvord Henry (Al) BROUARD
La Collette, Rue des Brehauts, St Pierre du Bois, GY7 9TN

📞 263618
📞 Al.Brouard@deputies.gov.gg

**Offices held:**
Member: Policy & Resources Committee

*First elected: 1st May, 2004*

Andrea Catherine DUDLEY-OWEN
The Old Rocquaine Chapel, Route du Coudre, St Pierre du Bois, GY7 9HX

📞 266281
📞 Andrea.Dudley-Owen@deputies.gov.gg
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**Offices held:**
Vice-President: Committee for Economic Development

*First elected: 1st May, 2016*

Emilie Anna MCSWIGGAN
6 Kings Court, Ville au Roi, St Peter Port, GY1 1NZ

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💌 Emilie McSwiggan

**Offices held:**
President: Overseas Aid & Development Commission
Member: Committee for Employment & Social Security
Committee for Health & Social Care
States’ Assembly & Constitution Committee
Transport Licensing Authority

*First elected: 1st May, 2016*
David de Garis DE LISLE
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*Offices held:*
**Member:** Committee for Economic Development

*First elected:*
1st May, 2004

Shane Lenfestey LANGLOIS
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*Offices held:*
**Vice-President:** Committee for Employment & Social Security
**Member:** Committee for the Environment & Infrastructure

*First elected:*
1st May, 2016
[also 1.5.08-30.4.12]
THE SOUTH-EAST

Heidi Jean Renée SOULSBY
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Offices held:
President: Committee for Health & Social Care
Vice-Chairman: CPA, Gsy branch Executive Committee
Member: Civil Contingencies Authority

First elected: 1st May, 2012

Helen Lindsay DE SAUSMAREZ
Evelyn Cottage, Les Camps, St Martin, GY4 6AB

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④ @lindsay_gsy

Offices held:
Member: Committee for the Environment & Infrastructure
Guille-Allès Library Council

First elected: 1st May, 2016

Peter John ROFFEY
Herat, Rue de St André, St Andrew, GY6 8UN

① 238435
② rufusroffey@yahoo.co.uk

Offices held:
Acting Presiding Officer: States of Deliberation
Member: Committee for Education, Sport & Culture
Member: Committee for Employment & Social Security

First elected: 1st May, 2016
[also 1.4.82-31.3.91 & 1.5.00-30.4.08]
Robert George PROW  
La Jonquiere, Steam Mill Lane, St Martin, GY4 6NJ  

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📧 Robert.Prow@deputies.gov.gg  
🌐 www.robprow.com

**Offices held:**  
Member: Committee for Health & Social Care

*First elected: 1st May, 2016*

Victoria Sarah OLIVER  
Alma Cottage, Rue des Croutes, St Martin, GY4 6RE  

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📧 Victoria.Oliver@deputies.gov.gg  
📧 victoria1.oliver@icloud.com  
🌐 www.victoria-oliver.com

**Offices held:**  
Vice-President: Development & Planning Authority  
Member: Committee for Home Affairs

*First elected: 1st May, 2016*
ALDERNEY REPRESENTATIVES

Stephen ROBERTS
Beaupre, La Trigale, ALDERNEY, GY9 3TZ

📞 823605  
Ⓥ 07781 401170
/exec Steve.Roberts@deputies.gov.gg
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Offices held:
Member:  Transport Licensing Authority

First elected:  
9th January, 2019

Earl Alexander Joseph SNOWDON
Fort House, Braye Road, ALDERNEY, GY9 3XJ

Ⓥ 07911 747919
/exec alexander.snowdon@deputies.gov.gg

Offices held:
Member:  Development & Planning Authority

First elected:  
9th January, 2019
CLERKS TO THE STATES OF DELIBERATION

CLERK

Jonathan TORODE
Her Majesty’s Greffier

The Greffe, Royal Court House, St. Peter Port, GY1 2PB

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CLERK ASSISTANT

Simon Michael Davidson ROSS
Her Majesty’s Senior Deputy Greffier

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CLERK ASSISTANT

Christine FOSTER
Her Majesty’s Deputy Greffier

The Greffe, Royal Court House, St. Peter Port, GY1 2PB

📞 725277   💌 christine.foster@gov.gg
Membership and Contact Details

The States of Guernsey official website is www.gov.gg

If no e-mail address is listed, the Committee concerned can be contacted through the above website’s ‘Contact Us’ page. When using this facility it would assist if the Committee or Service Area to whom the question is addressed is specified.

POLICY & RESOURCES COMMITTEE

Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH

☎ 717000  📧 policyandresources@gov.gg

President: Deputy Gavin A. St. Pier
Vice-President: Deputy Lyndon S. Trott
Members: Deputy Al H. Brouard
          Deputy Jonathan P. Le Tocq
          (Lead Member, External Relations and Constitutional Affairs)
          Deputy T. Jane Stephens
COMMITTEE FOR ECONOMIC DEVELOPMENT

Market Building Fountain Street, St Peter Port, GY1 3GX

☎ 743800  📧 economicdevelopment@gov.gg

President: Deputy Charles. N. K. Parkinson
Vice-President: Deputy Andrea C. Dudley-Owen
Members: Deputy Joseph I. Mooney
         Deputy David de G. De Lisle
         Deputy Neil R. Inder

COMMITTEE FOR EDUCATION, SPORT & CULTURE

Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH

☎ 733000  📧 education@gov.gg

President: Deputy Matthew. J. Fallaize
Vice-President: Deputy Richard H. Graham
Members: Deputy Rhian. H. Tooley
         Deputy Peter. J. Roffey
         Deputy Mark. H. Dorey

Non-voting Members: Mr Richard Conder

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

Edward T. Wheadon House, Le Truchot, St Peter Port, GY1 3WH

☎ 732500  📧 employmentandsocialsecurity@gov.gg

President: Deputy Michelle K. Le Clerc
Vice-President: Deputy Shane L. Langlois
Members: Deputy John A. B. Gollop
         Deputy Peter J. Roffey
         Deputy Emilie A. McSwiggan

Non-voting Members: Mr Michael J. Brown
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COMMITTEE FOR HOME AFFAIRS

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Vice-President: Deputy Marc P. Leadbeater
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Deputy Jeremy C. S. F. Smithies
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President, Committee for the
Environment & Infrastructure (+): Deputy Barry L. Brehaut
President, Committee for Health & Social Care (+): Deputy Heidi J. R. Soulsby
President, Committee for Home Affairs (+): Deputy Mary M. Lowe

(* In the absence of both the President and the Vice-President such other member of the Policy and Resources Committee as the President may nominate)
(+ In the absence of the President, the Vice-President of that Committee and in the absence of the Vice-President a member of that Committee nominated by that President)

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Vice-President: Miss Judith E. Moore
Members: Mr Philip M. Bodman
         Advocate Teresa M. de Nobrega
         Dr Nicholas A. F. Paluch
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**Vice-President:** Deputy Laurie B. Queripel  
**Member:** Deputy Jennifer S. Merrett  
**Non-States members:** Mrs Gill Morris, Advocate Peter A. Harwood

### STATES’ ASSEMBLY & CONSTITUTION COMMITTEE

Royal Court House, St. Peter Port, GY1 2NZ

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- **Email:** assemblycom@gov.gg

**President:** Deputy Neil R. Inder  
**Vice-President:** Deputy Jennifer S. Merrett  
**Members:** Deputy Emilie A. McSwiggan, Deputy Jonathan T. Le Tocq, Deputy Peter T. R. Ferbrache

### STATES’ TRADING SUPERVISORY BOARD

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- **Email:** tradingassets@gov.gg

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**Vice-President:** Deputy Jeremy C. S. F. Smithies  
**Member:** Deputy Jan Kuttelwascher  
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Vice-President: Deputy Carl P. Meerveld

Members: Deputy John A. B. Gollop
          Deputy Paul. R. Le Pelley
          Alderney Representative Stephen Roberts

Non-voting members: Mr John Curran
                      Mr Martyn E. Langlois

PANEL OF MEMBERS

Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH

☎ 717000

Chairman: Deputy Christopher J. Green
           (a sitting Member of the States who has held a seat for three years or more)

Vice-Chairman: Douzenier Richard L. Heaume, M.B.E.
               (a Dean of a Douzaine who does not have a seat in the States)

Other Members: All the Deans of the Douzaines
               All States’ Members who have held a seat in the States for three years or more
ELIZABETH COLLEGE BOARD OF DIRECTORS

Elizabeth College, The Grange, St. Peter Port, GY1 2PY

📞 726544  📡 714176  💌 office@elizabethcollege.gg

Chairman: The Dean of Guernsey (ex officio)
The Very Rev’d Timothy R. Barker

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Mr Steve Sharman

Directors appointed by the States:
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(2021) Mr Stephen Falla
(2022) Mr Mark Thompson
(2023) Deputy Lyndon S. Trott
(2024) Mr Andreas Tautscher
(2025) Mrs Michelle Galpin

* date indicates year in which term expires

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(2022) Mrs Catherine Walker

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(2021) Ms Cathryn L. Perkins

* date indicates year in which term expires
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Other ex-officio: The Deputy Bailiff
H.M. Procureur

Chairman,
Board of Management: Mr Richard Hamilton

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Mr Ian P. Bloese (also Board of Management)

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Deputy R. H. Tooley

Readers’ Representatives: Mrs C. Lane
Mr R. Carter
Miss E. Queripel

Staff: Laura Milligan, Chief Librarian
Jodie Knight, Deputy Chief Librarian
Elizabeth Hutchinson, Head of Schools’ Library Service
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Priaulx Library, Candie Road, St Peter Port, GY1 1UG

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The senior descendant of
Osmond de Beauvoir Priaulx: Major Osmond Priaulx

Ordinary Members:
Ex-officio:  The Dean of Guernsey:
                  The Very Rev’d Timothy R. Barker
                  The Principal of Elizabeth College:
                  Mrs Jennifer Palmer

Appointed by the
Lieutenant-Governor:  Advocate Michael J. S. Eades
                      Mr A. Hunter Adam

Appointed by the States:  Deputy Paul R. Le Pelley
                          Mr Allister H. Langlois

COMMONWEALTH PARLIAMENTARY ASSOCIATION
Guernsey Branch – Executive Committee

The Greffe, Royal Court House, St. Peter Port, GY1 2PB

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Chairman:  Deputy Lyndon S. Trott

Vice-Chairman:  Deputy Heidi J. R. Soulsby

Other Members:  Deputy Mark H. Dorey
                 Deputy Barry J. E. Paint
                 Deputy Christopher J. Green
                 Deputy Jeremy C. S. F. Smithies
THE RULES OF PROCEDURE
OF THE STATES OF DELIBERATION
AND THEIR COMMITTEES

As prescribed by Resolutions of the States of the 27th of November, 2015,
the 17th of March, 2016, the 7th September, 2016, the 7th June, 2017,
6th June 2018, 20th July 2018, 26th October 2018, 12th June 2019, 27th June 2019 and 26th
September 2019

Made under
The Reform (Guernsey) Law, 1948, as amended,
and
The States Committees
(Constitution and Amendment) (Guernsey) Law, 1991,
and
The States Reform (Guernsey) Law, 2015.
THE STATES OF DELIBERATION AND THEIR COMMITTEES

RULES

THE STATES, in pursuance of their Resolutions of 27 November, 2015\(^1\), and in exercise of the powers conferred on them by Article 7 of the Reform (Guernsey) Law, 1948\(^2\), the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and the States Reform (Guernsey) Law, 2015\(^3\), hereby resolve that the following shall be the Rules of Procedure in and in relation to assemblies of the States of Deliberation.

Preamble

These States' Rules contain two sections:
Section 1 – Rules of Procedure (procedures to be followed before and during States' Meetings generally)
Section 2 – Committee Rules (which govern the operation of Committees of the States)
Appendix A – The mandates of all the Committees of the States and several non-governmental bodies.

These Rules should also be read in conjunction with the following pieces of legislation:
- The Reform (Guernsey) Law, 1948, as amended
- The States (Reform) (Guernsey) Law, 2015
- The States Committees (Constitution and Amendment) (Guernsey) Law, 1991

In particular:

The Reform (Guernsey) Law, 1948, as amended, sets out:
That there shall be 40 Members of the States – 38 People’s Deputies in Guernsey and two Alderney Representatives;
The functions of the Legislation Review Panel and the Policy & Resources Committee when the latter is making urgent Ordinances.

The States (Reform) (Guernsey) Law, 2015 sets out:
The rules for a Committee delegating its functions to a member(s) of the Committee;
The rules for a Committee assigning functions to another Committee.

General Principles

In Guernsey, parliamentary and governing functions are fused in one body, the States of Deliberation. Guernsey is governed not just through its parliament but by its parliament.

In practice, most day-to-day functions are carried out by Committees of the States, each of which is independently responsible to the States of Deliberation. Committees of the States – individually or collectively – are in no way analogous to an executive or government. A Committee is in effect an agent of the States of Guernsey exercising functions conferred on it by resolution of, or legislation approved by, the States of Deliberation.

\(^1\) on Article 1 of Billet d’État No. XXII of 2015
\(^2\) Ordres en Conseil Vol. XII, p. 288
\(^3\) on Article 3 of Billet d’État No. XVI of 2015
The States of Deliberation:

- allocate the functions of government;
- carry out the functions of government which they have retained – for example, policy determination;
- debate and vote upon proposals to enact, amend or repeal legislation;
- debate and vote upon proposals for taxation and expenditure;
- scrutinise and hold to account the policies, decisions and administration of those functions of government which they have allocated to their Committees.

It is conducive to effective and efficient governance that matters should be dealt with at their appropriate level.

The States should concern themselves with debating legislation, broad policies and priorities, items of significant expenditure and matters of major public interest, and setting the framework in which the rest of the administration should operate.

The Policy & Resources Committee is the senior Committee of the States. It should concentrate on leadership and co-ordination of the work of the States, fiscal policy and economic affairs, and representing the Island in external relations.

Most policy-making, regulatory and public service functions are delegated to one of six Principal Committees. They should focus on developing policy, advising the States on policy, reviewing performance and budgets, and delivering, or overseeing the delivery of, services with a view to securing improved outcomes for the community.

There are other Committees of the States, which may be designated Authority, Board, Commission or Committee, with responsibilities, inter alia, for scrutinising policy, financial affairs and legislation, for specific regulatory functions, for the procedures of the States and their Committees, and for the commercial and trading interests of the States.

The civil service should run public services in accordance with policies set down by the States and their Committees.

Generally the principle of subsidiarity should apply: as far as possible matters ought to be handled by the smallest, lowest or least centralised competent authority.
# SECTION 1 – THE RULES OF PROCEDURE OF THE STATES OF DELIBERATION

## RULES OF PROCEDURE

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**Dates of Meetings**

1. (1) The States’ Assembly & Constitution Committee shall submit, in the six months prior to a General Election, a policy letter setting out the dates on which it proposes that States’ Meetings should be convened during the States’ term immediately following that General Election, having first taken into account the dates of school terms and any other information which it considers relevant. The policy letter referred to above shall also include proposals setting out the Committee or Committees whose President or Presidents will be obliged to make statements, and for the States of Alderney statement to be made by one of the Alderney Representatives, under the provisions of Rules 10(4) and (5) at each ordinary Meeting during the said period.

(2) Ordinarily the first day of a Meeting shall be a Wednesday, except for the Meetings held to consider the annual Budget of the States and the policy letter of the Committee for Employment & Social Security on the uprating of non-contributory benefits which shall begin on the first Tuesday in November, and the Policy & Resource Plan and States’ Accounts which shall be considered at the same dedicated Meeting in June which shall begin on a Tuesday except in general election years when they will be considered at a later date in that year.

(3) The dates on which States’ Meetings shall be convened, in respect of the relevant period set out in paragraph 1, subject to the other provisions of these Rules, shall be as set out in Schedule 1 to these Rules.

**Convening of Meetings**

2. (1) A Meeting of the States shall be convened by the Presiding Officer for each of the dates agreed by the States after consideration of a policy letter submitted under the terms of Rule 1. Each Meeting shall be convened by means of a Billet d’État containing, as determined by the provisions of Rule 3, the titles of original propositions designed to enable the States to make resolutions thereon after being debated at the Meeting.

(2) Subject to paragraph (3) below, a Billet d’État shall be issued by the Greffier on behalf of the Presiding Officer as soon as possible after the States’ Meeting at which its contents were decided.

(3) The Billet d’État for a special Meeting shall be issued by the Greffier on behalf of the Presiding Officer as soon as possible after the original propositions which it will contain have been published.

(4) Notwithstanding the provisions of Rule 1 and the other provisions of this Rule the Presiding Officer may, if in his or her opinion circumstances so require, instruct the Greffier to issue an additional Billet d’État in respect of a Meeting for which a Billet d’État has already been issued and any such additional Billet d’État shall contain the titles of original propositions designed to enable the States to make resolutions thereon after being debated at the Meeting.

(5) Notwithstanding the provisions of Rule 1 and the foregoing provisions of this Rule the Presiding Officer may, if in his or her opinion circumstances so require, convene a Meeting in such manner and at such notice for such date as he or she shall decide. Before convening a Meeting under the provisions of this paragraph, the Presiding Officer shall inform His Excellency the Lieutenant Governor and Commander-in-Chief of the date proposed for the Meeting.
Submission of items to the States

3. (1) Any supporting policy letter or requête or motion must be attached to the original proposition at the time of submission.

(2) Any proposition in respect of an election to a vacant office shall be submitted by the Presiding Officer who alone shall have the right to determine the Billet d’État in which the proposition shall appear.

(3) A Committee of the States may submit a report for inclusion as an appendix to a Billet d’État which Committee alone shall have the right to determine the Billet d’État in which the appendix shall appear. The Greffier shall circulate and publish it as set out in paragraph (5) as if it were an original proposition.

(4) The submission of secondary propositions shall be subject to the provisions of Rule 24(1).

(5) On receipt of an original proposition submitted for consideration by the States the Greffier shall cause it to be published within one working day on the States’ website, or as soon as possible thereafter, and in such other form as he or she may determine. The Greffier shall also notify all Members that the item is on the website and send it to them by the method which the Member has chosen. The Greffier shall simultaneously transmit the item to the Presiding Officer and the Policy & Resources Committee and shall also cause a notice of its title to be posted on the noticeboard in the Royal Court building.

(6) On receipt of an original proposition or set of original propositions the Greffier shall allocate it an identification number which shall be used in all official references to it. This shall be in the form “P. year / serial number of proposition” (e.g. P. 2016/1). Any matter relating to the original proposition or set of original propositions, that is to say an amendment, sursis, letter of comment or other motion on it, shall have the same identification number as the principal item with a distinguishing code (e.g. P. 2016/1 Amdt 1).

(7) On receipt of a new matter for consideration by the States, the Policy & Resources Committee shall determine the future States’ Meeting at which it proposes that the item should be debated and the order of the debate, having taken into account the nature and significance of the item, the volume of the other business already arranged for future Meetings, and any referred date which might have been expressed by the Committee or group of Members, as the case may be, under the provisions of Rule 4(2).

(8) The Policy & Resources Committee shall have the right to propose the Meeting and the order of debate within each Meeting in respect of the following categories of business only as listed in Rule 9: Rule 9(1)(g). Amendments under the provisions of paragraph (16) are permitted only in respect of those categories of business or items within them. Those categories of business shall be marked in the Schedule with an asterisk (“*”).

(9) The Policy & Resources Committee shall propose at an ordinary Meeting only of the States the future Meeting at which it proposes that an item be considered, by means of the inclusion of the item (that is to say the title only of the original propositions concerned) in a Schedule for future States’ business.
Any original proposition which has been submitted to the Greffier before 15.00 on the working day preceding the eleventh clear day (excluding Saturdays, Sundays and public holidays) before an ordinary Meeting shall be included in the Schedule for future States’ business considered at that Meeting.

Any original proposition which proposes the approval of any of:

(a) a Projet de Loi or draft Ordinance; or

(b) a Policy & Resource Plan; or

(c) a draft Strategic Land Use Plan, or any amendment to such a Plan, which is laid before the States pursuant to section 5(3) of the Land Planning and Development (Guernsey) Law, 2005; or

(d) any proposals for a Development Plan, Subject Plan or Local Planning Brief or any amendment to such a Plan or Brief, which is laid before the States pursuant to section 9(4) of the Land Planning and Development (Plans) Ordinance, 2007; or

(e) any proposals in the annual policy letter of the Committee for Employment & Social Security concerning contributory benefit and contribution rates,

shall be published not later than five weeks before the States’ Meeting at which they are debated.

Original propositions in respect of the States’ Accounts shall be published not later than three weeks before the States’ Meeting at which they are debated.

Original propositions in respect of the annual Budget of the States and the policy letter of the Committee for Employment & Social Security on the uprating of non-contributory benefits shall be published not later than four weeks before the States’ Meeting at which they are debated.

A Schedule for future States’ business shall be provided by the Policy & Resources Committee to the Greffier before 15.00 on the day before the second clear day (excluding Saturdays, Sundays and public holidays) before the ordinary Meeting at which its contents will be debated as an item under Rule 9(1)(i) and shall be issued by the Greffier as soon as it is received.

Any item which was listed for consideration at the Meeting but consideration of which, either in part or in whole, was adjourned or deferred to the next Meeting under the provisions of Rule 6(3)(c) shall be treated as automatically included in the part of the Schedule for future States’ business in respect of the next Meeting as an item under Rule 9(1)(f).

Subject to the provisions of paragraph (8), when the proposal in paragraph (9) is considered, any Member may propose by means of an amendment an alternative Meeting or a different order of business within a Meeting at which the item will be listed for consideration.

The provisions of Rule 24(2) shall not apply in respect of an amendment laid under the provisions of paragraph (16).
(18) In respect of an amendment laid under the provisions of paragraph (16), speeches shall be permitted only by the proposer of the amendment, the President of the Committee concerned, or the lead requérant in the case of a requête or the lead Member of the seven Members who have brought a motion under the terms of Rules 21 or 22, and the President of the Policy & Resources Committee and shall be restricted to a maximum of two minutes each and no other debate shall be permitted on the amendment.

(19) The Policy & Resources Committee shall have the right to submit letters of comment on items submitted for consideration by the States. The Scrutiny Management Committee shall also have the right to submit letters of comment on items submitted for consideration by the States. Any letter of comment shall be submitted to the Greffier for publication and he or she shall cause it to be circulated as if it was an original proposition under the terms of paragraph (5) and it shall be given the same identification number as the principal item with a distinguishing code (e.g. P. 2016/1 PRC Lett Com or P. 2016/1 SMC Lett Com).

(20) The dates and purpose of special Meetings of the States shall be listed in Schedules for future States’ business as soon as the dates on which they will be held have been determined by the States in accordance with the provisions of Rule 1(1). No amendment to their proposed place in the Schedules shall be permitted except by the President of the Policy & Resources Committee.

(21) Every original proposition for the approval of a Projet de Loi or a draft Ordinance, and every Ordinance or Statutory Instrument laid before the States, shall be accompanied by a brief explanatory memorandum approved by H.M. Procureur.

(22) Any States’ Member of a Committee who dissents from all or some of the original propositions submitted by that Committee may deliver to the Committee a minority report which shall be published as an annex to the policy letter.

(23) The Greffier, in consultation with the Presiding Officer, shall issue directives setting out the conditions with which the submission of a proposition and any accompanying policy letter or requête or motion must comply, including, but not restricted to, template, font, font size, margins, layout, etc.

(24) Any proposition the effect of which is to note the contents of an accompanying policy letter shall be construed as a neutral motion, neither implying assent for, nor disapproval of, the contents of the policy letter concerned.

(25) Any proposition which contains the words “the States” shall be construed (unless defined to the contrary) as meaning the States of Deliberation of the Island of Guernsey.

Information to include in motions laid before the States

4. (1) Every original proposition laid before the States shall have appended to it a statement that it has been submitted to Her Majesty’s Procureur for advice on any legal or constitutional implications.

(2) Every original proposition laid before the States may be accompanied by a statement from the Committee or group of Members, as the case may be, expressing its or their preferred date and an explanation, if required, when the item should be considered by the States.
(3) Every proposition laid before the States which has financial implications to the States shall include or have appended to it in a policy letter or requête or otherwise an estimate of the financial implications to the States of carrying the proposal into effect;

Provided that:

the proposer(s) of such a proposition may request from any Committee any information required to enable such an estimate to be included or appended and the Committee shall thereupon provide complete and accurate information to enable the proposer(s) to set out the estimate.

(4) A policy letter accompanying an original proposition shall include a statement clarifying whether each of the propositions is supported unanimously or by a majority of the Committee and, if the latter, which member or members are not in support of which propositions should be identified.

(5) A policy letter accompanying an original proposition shall include a statement setting out how the propositions contained therein relate to the Committee’s purpose and policy responsibilities (in the case of a Principal Committee) or to the Committee’s duties and powers (in the case of any other Committee), how they contribute to the States’ objectives and policy plans, and what joint working or consultation has taken place with other Committees in the preparation of the propositions.

Seating arrangements

5. The Presiding Officer shall determine the seating arrangements in the States’ Chamber. Before doing so he or she shall consult the States’ Assembly & Constitution Committee on the matter.

Hours of sittings, extensions and adjournments

6. (1) Unless the convening notice specifies otherwise, a Meeting shall ordinarily commence at 09.30.

(2) Unless the business of a Meeting is previously concluded ordinarily the Meeting shall on each day thereof:

(a) be adjourned by the Presiding Officer as near as may be to 12.30;

(b) resume at 14.30;

(c) be adjourned by the Presiding Officer, in accordance with paragraph (3) or (4), as near as may be to 17.30;

Provided that:
the Presiding Officer may propose at any time that the Meeting continues outside those times or is adjourned to another day.

(3) When a meeting falls to be adjourned under sub-paragraph (2) (c) (or the proviso thereto) the adjournment shall normally be:

(a) from the first day of the Meeting, until 09.30 on the following day;
from the second day of the Meeting, until 09.30 on the next following day;

(c) from the third day of the Meeting, until 09.30 on the next scheduled date of a Meeting.

(4) If, when an adjournment to a subsequent day is announced, a Member proposes a different date or time for the adjourned Meeting, that proposition may at the discretion of the Presiding Officer be briefly debated, and, if approved, the Meeting shall be adjourned accordingly.

Opening of Meetings, etc.

7. (1) If His Excellency the Lieutenant Governor decides to attend a Meeting, the Sheriff shall escort him into the States’ Chamber and announce him.

(2) The Greffier shall recite the Lord’s Prayer in French at the commencement of each day of a Meeting, and shall pronounce the Grace in French at its close.

(3) The Greffier shall, immediately after the opening prayer, call the roll of Members; and Members present when their names are called shall reply: “Présent(e)“.

(4) The Greffier shall then read the convening notice contained in the Billet d’État.

(5) A Member who is absent when his or her name is called shall not be entitled to speak or vote until he or she has been relevé(e) by the Presiding Officer and his or her presence has been recorded.

Order

8. (1) The Presiding Officer shall be responsible for maintaining order at a Meeting and, subject to the provisions of these Rules, shall regulate the conduct of business therein.

(2) While the States are in session Members shall not have any communication with a person in the public gallery.

(3) The Presiding Officer may issue directives relating to the presentation and conduct of Members during meetings.

(4) The Presiding Officer shall be assisted in the preservation of order by the Sheriff and the Sergeant.

(5) It shall be the duty of every Member to observe due decorum in a Meeting and, in particular, to observe the rulings of the Presiding Officer.

(6) The Presiding Officer, after having called the attention of the States to the conduct of a Member who persists in irrelevance or tedious repetition of his or her own or other Members’ arguments in the debate, shall direct the said Member to discontinue his or her speech.

(7) If on any occasion the Presiding Officer considers that the conduct of a Member is grossly disorderly or offensive he or she shall forthwith put the following proposition in relation to the said Member, namely – “That ……………………………………… (naming the said Member) be suspended from the service of the States”, and no debate on or amendment to any such proposition shall be
permitted. If the proposition is carried, the Member suspended shall be directed forthwith by
the Presiding Officer to withdraw from the Meeting and leave the precincts of the States’
Chamber, and any such suspension shall continue to have effect until the close of the business
of the Meeting on the day on which such suspension was imposed.

(8) Where a case of grave disorder arises in a Meeting the Presiding Officer may, if he or she
thinks it necessary, adjourn the Meeting without putting a proposition.

The Business of the Meeting

9. (1) Unless the States resolve otherwise, the business at an ordinary Meeting shall be taken in the
following order:

(a) communications by the Presiding Officer including in memoriam tributes;
(b) statements;
(c) questions;
(d) elections and appointments;
(e) motions to debate an appendix report (1st stage);
(f) items adjourned or deferred from previous Meetings of the States;
(g) all other types of business not otherwise named;
(h) motions to debate an appendix report (2nd stage);
(i) Schedule for future States’ business.

(2) An ordinary Meeting shall not be closed until any matters to be considered under Rule 9(1)(i)
have been resolved.

(3) The only business at a special Meeting shall be:

a) the Annual Budget of the States and the policy letter of the Committee for Employment &
Social Security on the uprating of non-contributory benefits; or
b) the States’ Accounts and the Policy & Resource Plan,
as the case may be.

(4) In the case of a proposition to which Rule 18 applies, the Presiding Officer may, in his or her
discretion, permit such proposition to be submitted to the States at any convenient time.

Statements

10. (1) Any Member who has obtained permission from the Presiding Officer to make a statement on
a matter of a personal nature, or to correct information previously provided by that Member,
which, in the opinion of the Presiding Officer, should be made may make that statement:

(a) at the time prescribed in Rule 9; or
(b) at such other time as the Presiding Officer may direct;

Provided that the Member has supplied the Presiding Officer with the text of the statement in advance and that the statement shall not exceed 15 minutes in duration.

(2) Any Member holding the office of President or member of a Committee who has tendered a resignation from that office who wishes to make a statement regarding that resignation may do so at the next Meeting after tendering the resignation or during the meeting at which a successor to the vacated office is to be elected:

a) at the time prescribed in Rule 9; or

b) at such other time as the Presiding Officer may direct.

Provided that the statement shall not exceed 15 minutes in duration.

(3) Any Member who has obtained permission from the Presiding Officer to make a statement on behalf of, and approved by, a Committee or otherwise relating to States’ business which, in the opinion of the Presiding Officer, should be made may make that statement:

a) at the time prescribed in Rule 9; or

b) at such other time as the Presiding Officer may direct.

Provided that the statement shall not exceed 15 minutes in duration (which may be extended at the discretion of the Presiding Officer in exceptional circumstances).

In respect of (3) only,

a) after the Member has made the statement, the Presiding Officer shall allow a period not exceeding 15 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked within the context of the statement;

(4) In addition to the right to make a statement set out in paragraph (3) above, the President of the Policy & Resources Committee and the President of each Principal Committee shall be obliged twice every twelve months and the President of the following other Committees of the States, namely the Development & Planning Authority, Overseas Aid & Development Commission, Scrutiny Management Committee, States’ Assembly & Constitution Committee, States’ Trading Supervisory Board, and Transport Licensing Authority, and the nominated Alderney Representative on behalf of the States of Alderney, shall be obliged once every twelve months (or in the case of the absence of a Committee President, the Vice President of the Committee or in the case of the absence of the nominated Alderney Representative, the other Alderney Representative) to make a statement setting out his or her Committee’s, or in the case of any statement made on behalf of the States of Alderney’s, recent activities, forthcoming work and the like at an ordinary Meeting.

(5) Any statement made under the provisions of paragraph (4) shall not exceed 10 minutes in duration and shall be approved by the Committee. In respect of statements made under the provisions of paragraph (4) only, after the statement has been made, the Presiding Officer shall allow a period not exceeding 20 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked on any matter within the mandate of the Committee, or in the case of any statement made on behalf of the States of Alderney any matter for which the States of Alderney has responsibility, except any topic which is part of another item of business at the Meeting in question.
Provided that:

after any question asked further to a statement made under Rule 10, the Member to whom questions are addressed may decline to answer a question if, in his or her opinion, any answer given might be inaccurate or misleading. Each individual question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration.

(6) For the purpose of paragraph (4) above the "nominated Alderney Representative" means the Alderney Representative nominated for the purpose of Rule 10 by the States of Alderney.

Question time

11. (1) At the time prescribed in Rule 9, unless the Presiding Officer otherwise directs, and subject to Rule 15 and the conditions set out in paragraph (2), a question may be addressed to the President of a Committee of the States.

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

(a) shall not seek information which is readily accessible in the public domain;
(b) shall be on a matter which falls within the mandate of that Committee;
(c) shall not relate to the business of the day;
(d) shall not relate to more than one topic and shall not exceed one minute in duration; and
(e) shall be furnished, either in writing or electronic format, to the person to whom it is addressed, the Presiding Officer, Her Majesty’s Procureur, the Greffier and to the official postal or e-mail address of the relevant Committee not later than 15.00 on the day preceding the fifth clear day before the day of the Meeting, excluding Saturdays, Sundays and Public Holidays;

Provided that:
the time limit prescribed in sub-paragraph (e) 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, the proposed answer approved by the Committee to the Presiding Officer, to Her Majesty’s Procureur and the Greffier not later than noon on the day (excluding Saturdays, Sundays and Public Holidays) preceding the Meeting of the States and by 17.00 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) a Member answering a supplementary question may decline to answer the question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the Meeting;

Provided also that:
the period of five clear days referred to in sub paragraph (d) may be extended to a period not exceeding ten clear days if in any particular case the Presiding Officer, on application of the President of the Committee, in the interests of good government so directs, and the President of the Committee 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 26(4);

Provided that:
any Member who asks a question which is on the same topic as one asked by a Member earlier in the order shall immediately follow the earlier Member. It shall be for the Presiding Officer to determine whether the questions are on the same topic.

(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 or her discretion, postpone dealing with questions not then disposed of to no later than the conclusion of the meeting.

(7) A Member asking or replying to a question or a supplementary question who:

(a) has a direct or special interest in the subject matter of the question; or

(b) is aware that his or her spouse, co-habiting partner, infant child or any company in which he or she has a controlling interest on his or her, or their, behalf has such an interest

shall, without prejudice to the requirements of Rule 29, before he or she asks or replies to the question declare the said interest by disclosing it to the Meeting.

Urgent questions

12. (1) A Member may, not less than half an hour before a meeting commences, seek the leave of the Presiding Officer, subject to Rule 15 and to the conditions set out in paragraph (2), to address a question to the President of a Committee of the States.

(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 not seek information which is readily accessible in the public domain;
shall be on a matter which falls within the mandate of that Committee;

shall relate to a matter of public importance and shall be of an urgent character or relate to a matter which has become known or been announced only in the preceding seven days;

shall not relate to the business of the day;

shall not relate to more than one topic and shall not exceed one minute in duration; and

shall be supplied in writing to the Presiding Officer, Her Majesty's Procureur and the Member to whom it is addressed.

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.

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.

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) a Member answering a supplementary question may decline to answer the question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the meeting;

Provided also that:

the period of five clear days referred to in sub paragraph (d) may be extended to a period not exceeding ten clear days if in any particular case the Presiding Officer, on application of the President of the Committee, in the interests of good government so directs, and the President of the Committee advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.

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.
Paragraph (7) of Rule 11 shall apply to questions asked pursuant to this Rule.

Questions where information sought is in the public domain

13. (1) When, pursuant to Rule 11(2) or Rule 12(2), the President of the Committee 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 or she shall forthwith advise the Member asking the question and the President of the Committee that the question is inadmissible on that ground.

(3) The President of the Committee shall reply to the questioner, in writing, advising where the information sought may be obtained.

Questions for written reply

14. (1) A Member may at any time place a question on any subject in accordance with this Rule for written reply by addressing the same to the President of a Committee and by furnishing a copy thereof to the Presiding Officer, Her Majesty's Procureur and to the official postal or email address of the relevant Committee. The recipient of the question shall acknowledge receipt in writing to the questioner by letter or e-mail within three clear days (excluding Saturdays, Sundays and public holidays) of receipt. The subject matter of the question must relate to the mandate of the Committee to which it is addressed.

(2) Where a question is placed in accordance with this Rule the President of the Committee shall, subject to Rule 15, furnish a written reply approved by the Committee thereto to the Member who placed the question within 15 clear days of the receipt of the question; and the President of the Committee shall furnish a copy of the reply to the Presiding Officer and the Greffier;

Provided that:
the President of the Committee shall furnish 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 day on which it is proposed to reply to the Member who placed the question;

Provided also that:
the period of 15 clear days referred to in this paragraph may be extended to a period not exceeding 30 clear days if in any particular case the Presiding Officer, on application of the President of the Committee, determines that it would be unreasonable to expect the question to be answered within 15 clear days, and the President of the Committee advises the questioner of the Presiding Officer's direction as soon as reasonably practicable.

(3) A copy of every question and of the reply thereto deposited in accordance with this Rule shall be available at the Greffe for public inspection whenever the Greffe is open for normal business.

(4) The Greffier shall, subject to Rule 15, cause a copy of every question placed in accordance with this Rule and of the reply thereto to be sent as soon as reasonably practicable in electronic format to every Member who has furnished the Greffier with an e-mail address or, when no such address has been furnished, by such other means as shall be determined by the Greffier.
(5) The placing of a question in accordance with this Rule or the receipt of a reply thereto shall not preclude the Member who placed the question or any other Member from addressing a question on the same subject at any Meeting in accordance with Rules 11 and 12.

Questions not in the public interest

15. The Presiding Officer may, on the ground of public interest, decline to allow a question to be put, or rule that a question need not be answered.

Elections

16. (1) When at any time there are vacancies in two or more of the following offices, the elections to fill those vacancies shall be held in the following order:

(a) President, Policy & Resources Committee;
(b) Members of the Policy & Resources Committee;
(c) Presidents of the Principal Committees;
(d) President, Scrutiny Management Committee;
(e) Presidents of other Committees;
(f) Members of the Scrutiny Management Committee;
(g) Members of Principal Committees;
(h) Members of other Committees;
(i) Chairmen and Members of Non-Governmental Bodies.

(2) Where the Presidents and/or members of more than one Committee are elected at the same Meeting then the elections shall be held in the order in paragraph (1) and within each category in alphabetical order by the name of the Committee.

(3) Where, in any election by the States, the number of candidates exceeds the number of vacancies:

(a) voting shall be carried out by secret ballot;

(b) if two or more candidates secure an equal number of votes and the addition of one vote to his or her poll would have entitled any such candidate to be declared elected, a second ballot shall be held in respect of such candidates only; and where in such a second ballot the addition of one vote to his or her poll would have entitled a candidate to be declared elected, the Presiding Officer shall allow Members to question the candidates for a period of not more than fifteen minutes. Following conclusion of the period of questions, a further ballot shall be held, and, where in such a third ballot the addition of one vote to his or her poll would have entitled a candidate to be declared elected, the Presiding Officer shall either rule that a further ballot, shall be held, or direct that the candidates shall draw lots to determine the matter;
(c) if there are more than two candidates for the office of President of a Committee and the candidate receiving the most votes does not receive a majority of the votes cast (disregarding any abstentions or spoilt papers), a further ballot, or ballots as required, shall be held, excluding every candidate who received fewer than six votes in the previous ballot or, when there are no such candidates, the candidate who received the fewest votes in the previous ballot;

(d) if two or more candidates having secured six votes or more are tied in polling the fewest votes, or if the process set out in sub-paragraph (c) would result in the elimination of all but one of the candidates, a further ballot shall be held in respect of such candidates only to determine which of them shall be eliminated from further ballots.

(4) On a proposition to elect a President of a Committee the Presiding Officer shall:

(a) first invite Members to propose eligible candidates; provided that where the proposition is to elect a President of the States’ Trading Supervisory Board, he shall first invite the President of the Policy & Resources Committee to propose an eligible candidate, and thereafter other Members to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage;

(b) invite, in respect of each candidate in turn (or the candidate if there is only one), first the proposer to speak for not more than five minutes and then the candidate to speak for not more than ten minutes and thereafter, if there are two or more candidates, allow Members to question the candidates;

Provided that:

i. the question shall relate to areas of policy included in the mandate of the Committee;

ii. no Member may ask more than one question, save that if before the expiration of the period prescribed in sub-paragraph vi there are no further questions, Members who have already asked a question may be permitted to ask further questions;

iii. the questioner may not speak for more than 30 seconds;

iv. each candidate shall be entitled to respond to each question, but no response shall exceed 1 minute;

v. candidates shall answer the first question in the order in which they are nominated and thereafter the order of answering the questions shall, after each question has been answered by the candidates, be rotated by moving the name of the candidate at the top of the list to the bottom of that list;

vi. the session shall conclude at the expiration of the period calculated by multiplying 15 minutes by the number of candidates; and

vii. no Member shall be entitled to speak other than in accordance with the provisions of this sub-paragraph.
(5) On a proposition to elect members of the Policy & Resources Committee the Presiding Officer shall first invite the President of the Committee, and thereafter other Members, to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak for not more than five minutes in respect of each candidate proposed by that person and then each candidate to speak for not more than ten minutes, before voting takes place.

(6) On a proposition to elect members of a Committee, other than members of the States’ Trading Supervisory Board who are not sitting members of the States, the Presiding Officer shall first invite the President of the Committee concerned, and thereafter other Members, to propose eligible candidates. On a proposition to elect members of the States’ Trading Supervisory Board who are not sitting members of the States, the President of the Policy & Resources Committee shall have the exclusive right to propose eligible candidates and the Presiding Officer shall invite the President of the Policy & Resources Committee and no other Member to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak, for not more than three minutes in respect of each candidate proposed by that person; and each candidate to speak, for not more than three minutes, before voting takes place. No other member shall be entitled to speak.

(7) On a proposition to elect a Chairman or members of a non-governmental body, the Presiding Officer shall invite Members to propose eligible candidates. Candidates must be proposed and seconded. Nobody shall speak about a candidate at that stage; and if no more candidates are proposed and seconded than there are vacancies the Presiding Officer shall put the election of the candidate(s) to the vote without speeches. If there are more candidates than vacancies the Presiding Officer shall invite each proposer to speak, for not more than five minutes in respect of each candidate proposed by that person, before voting takes place; and neither the candidates nor any other member shall be entitled to speak.

Rules of debate

17. (1) When speaking in the States a Member shall always address the Presiding Officer and must not address another Member.

(2) A debate on any matter before a Meeting (including any requête, amendment or sursis) shall be opened by a representative of the Committee or of those Members from whom the matter originated and that or some other representative of the Committee or of those Members shall be entitled to reply on the debate. The Member who replies on the debate may also have spoken during the course of ordinary debate. If the same Member opens and replies to the debate, he or she shall not be permitted to speak again during the course of ordinary debate.
Immediately before opening or replying on a debate, the representative referred to in paragraph (2) may propose an adjournment of not more than 15 minutes. Such a proposal shall be put to the States by the Presiding Officer without debate.

The Member who replies on the debate shall respond to the points made during the debate only and shall not rehearse any new or further arguments.

When a Member wishes to be called to speak in the course of ordinary debate the Member shall stand in his or her place and wait to be called to speak by the Presiding Officer. A Member who is not standing shall not be called to speak, except in the circumstances described in paragraph (7).

Debate must be relevant to the matter before a Meeting.

Before calling the next Member to speak the Presiding Officer may ask if any Member wishes to express a contrary view to the generality of the views expressed up to that point in the debate. If such a wish is expressed then the Presiding Officer may call the Member to speak at that point.

Other than in the specific circumstances prescribed elsewhere in these Rules, no Member may speak more than once on the same motion without the leave of the Presiding Officer; Provided that: when a particular matter is to be or is being debated the States may suspend the operation of this paragraph as regards that matter if it appears that the matter can be more effectively dealt with by reason of such suspension.

Where a Committee originating a matter for debate before the States is of the opinion that the proposals it is submitting to the States are of general policy, and where it is desirable that the principles of that policy should be considered, the Committee may have its propositions considered by the States without amendment on the understanding that if the propositions are accepted the Committee would return with detailed proposals which could be accepted or rejected with or without amendments. Where a Committee invokes the provisions of this paragraph it shall make express reference to it in its propositions.

A point of order may be raised only for the purpose of drawing attention to a breach of a Rule of Procedure.

A Member may interrupt another Member who is addressing a Meeting only:

(a) on a point of order; or
(b) on a point of correction, in respect of an inaccurate or misleading statement made by that other Member;

and shall do so by standing and calling “Point of Order” or “Point of Correction”, as the case may be, and waiting to be invited to speak further by the Presiding Officer.

A Member who wishes to make an interjection relevant to the point being made by the Member speaking may do so if the Member speaking agrees to give way. The Member speaking should at all times be aware that another Member may wish to interject. The
Member speaking may, in his or her discretion, refuse to give way. A Member wishing to make the interjection shall so signify by standing and remaining silent until the Member speaking either gives way or refuses to give way. When a request to give way has been refused the Member standing shall resume his or her seat immediately.

(13) An interruption or interjection in accordance with paragraphs (11) or (12) shall be permissible notwithstanding that the Member concerned has already spoken on the matter then under debate, and shall not prejudice the right of a Member who has not exhausted his or her right to speak in that debate to speak therein.

(14) Where a Member is speaking in accordance with paragraphs (11) or (12), the Member who had been speaking until the interruption or interjection shall resume his seat and shall not stand again until the Member making the interruption or interjection has resumed his seat.

(15) A Member who has a direct or special interest in the subject matter of a proposition submitted to a Meeting at which he or she is present, or who is aware that his or her spouse, co-habiting partner, infant child or any company in which he or she has a controlling interest on his or her, or their, behalf has such an interest, shall, without prejudice to the requirements of Rule 29:

(a) before he or she speaks on the proposition; or

(b) if he or she does not speak, before a vote is taken on the proposition declare the said interest by disclosing it to the Meeting.

(16) Where a Member declares an interest in accordance with paragraph (15), he or she may declare the extent of the interest.

(17) A Member shall not, by reason only of declaring an interest in accordance with paragraph (15), be precluded from voting on the proposition.

**Urgent propositions**

18. A proposition as regards which an immediate decision is necessary or desirable may, with the permission of the Presiding Officer, be submitted to the States on behalf of a Committee or by the Presiding Officer in his or her own right at any Meeting, and may be debated and decided upon, with or without amendment, at that Meeting. Such proposition shall be in writing and shall be headed “Proposition in pursuance of Rule 18 submitted by the [President of the ... Committee / Presiding Officer]”, and copies thereof shall be delivered beforehand to the Presiding Officer, Her Majesty’s Procureur and the President of the Policy & Resources Committee;

Provided that:

(a) if the postponement of the debate, or of the taking of a decision, on the proposition be moved and be supported by not less than one third of the Members voting on the motion, the debate, or the taking of a decision, on the proposition, as the case may be, shall be postponed until a date to be fixed by the Presiding Officer; and
(b) on any such postponement, a motion for the immediate publication or circulation, in such manner as the Presiding Officer shall decide, of all relevant material shall have effect if supported by not less than one third of the Members voting on the motion.

Motion to annul a Statutory Instrument, Ordinance or appointment

19. (1) This rule applies to any Statutory Instrument or appointment laid before the States pursuant to a Law or Ordinance providing that it may be annulled and to any Ordinance laid before States pursuant to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended.

(2) Every motion to annul a Statutory Instrument, Ordinance or appointment must be in writing and must state the names of its proposer and seconder.

(3) A Member who proposes to move a motion of annulment must furnish the proposed motion to the Presiding Officer and copies thereof:

   (a) to the President, Policy & Resources Committee;

   (b) to the President of the Committee concerned with the Statutory Instrument, Ordinance or appointment to which the proposed motion relates;

   (c) to H. M. Procureur; and

   (d) to the Greffier

not later than five clear days (excluding Saturdays, Sundays and Public Holidays) before the Meeting of the States at which the motion is proposed to be moved. Immediately after the closing date for the receipt of such motions the Greffier shall cause a copy thereof to be delivered to every Member.

(4) Unless the enactment governing the instrument otherwise provides, a motion to annul may be proposed either at the Meeting at which the Statutory Instrument, Ordinance or appointment is laid before the States or at the next subsequent Meeting.

(5) When notice of a proposed motion of annulment has been given in accordance with paragraph (3), the Presiding Officer shall invite the President of the Committee which made the Statutory Instrument or proposed the enactment of the Ordinance or agreed the appointment to speak on the matter:

   (a) if the motion is to be proposed at the Meeting when the Statutory Instrument, Ordinance or appointment is laid before the States, immediately after it has been so laid by the Greffier; or

   (b) if the motion is to be proposed at the next subsequent Meeting of the States following the Meeting at which the Statutory Instrument, Ordinance or appointment is laid before the States, immediately before consideration of any business which would be debated in category 9(1)(g).

(6) The motion of annulment shall then be proposed and seconded, following which general debate shall be permitted. After general debate, if any, the President of the Committee
concerned shall be entitled to respond to the debate, following which the proposer of the motion shall be entitled to respond to the debate.

**Motion to debate an appendix report**

20. (1) This rule applies to any report of a Committee published as an appendix to a Billet d’État.

(2) Every motion to debate an appendix report must be in writing and must state the name of its proposer and seconder.

(3) A Member who proposes to move a motion to debate an appendix report must furnish the proposed motion to the Presiding Officer and copies thereof to:

(a) the President, Policy & Resources Committee;

(b) the President of the Committee concerned with the appendix report to which the motion relates;

(c) H. M. Procureur; and

(d) the Greffier

not later than five clear days (excluding Saturdays, Sundays and Public Holidays) before the Meeting of the States at which the motion is proposed to be moved. Immediately after the closing date for the receipt of such a motion the Greffier shall cause a copy thereof to be delivered to every Member.

(4) When notice of a motion to debate an appendix report has been given in accordance with paragraph (3), the Presiding Officer shall, at the meeting convened to consider the business listed in the Billet d’État containing the appendix report to which the motion relates and at the time prescribed in Rule 9, invite:

(a) the proposer of the motion to speak thereon;

(b) the seconder to second the motion, but not speak thereon;

(c) the President of the Committee concerned to speak on the matter

following which, without further debate, the Presiding Officer shall immediately put the said motion to the vote.

(5) If the motion to debate an appendix report is carried the matter shall stand adjourned to the time prescribed in Rule 9, at which time:

(a) the President of the Committee concerned shall open the debate on the appendix report and he or she shall reply to the debate;

(b) the proposer and seconder of the motion to debate an appendix report shall not speak more than once in the debate;

(c) the proposition shall be “To take note of the Report”; and
no Member shall propose a sursis of the debate or amendment of the proposition.

Motions of no confidence

21. (1) If any seven Members (but not more than seven) address a request in writing to the Presiding Officer that a motion of no confidence in a Committee be laid before the States, the Presiding Officer shall include that request in a Billet d'État as soon as reasonably practicable.

(2) For the purposes of this Rule a “motion of no confidence” is one that, if carried, requires the immediate resignation in accordance with this Rule of all the members of a particular Committee, including the President of that Committee.

(3) Before submitting the request to the Presiding Officer the seven Members shall invite in writing all the Members of the particular Committee, including the President thereof, to tender their resignations, which invitation shall have attached to it the full text of the proposed request.

(4) A motion of no confidence shall include within its petition:

(a) a statement that it is a motion of no confidence for the purposes of this Rule, and shall set out the full details of the basis on which the petitioners propose the motion of no confidence; and

(b) a statement that all the members of the Committee, including the President thereof, were invited in writing to tender their resignations and that all or some of them had not done so within five days (excluding Saturdays, Sundays and Public Holidays) of that invitation.

(5) Where a motion of no confidence in respect of a Committee is approved by the States:

(a) all the members of that Committee, including the President thereof, shall thereupon be deemed to have tendered their resignations and those resignations shall be deemed to have been accepted by the States; and

(b) the motion shall be deemed to include such propositions to the States as may be appropriate for the election at that Meeting of new members of the Committee, and a President thereof, to complete the respective unexpired portions of the terms of office of the previous members and President.

Motions of censure

22. (1) If any seven Members (but not more than seven) address a request in writing to the Presiding Officer that a motion of censure of a Committee be laid before the States, the Presiding Officer shall include that request in a Billet d'État as soon as reasonably practicable.

(2) A motion of censure shall include within its petition a statement that it is a motion of censure for the purposes of this Rule, and shall set out full details of the basis on which the petitioners propose the motion of censure.
Policy & Resource Plan

23. (1) Committees of the States must contribute to the formulation and, once agreed by the States, the application of the States’ Policy & Resource Plan.

(2) The Policy & Resource Plan should be reasonably straightforward, flexible and un-bureaucratic. It should focus on significant policy matters and lay down a framework of overall policy assumptions in order to assist Principal Committees in the setting of their policies and priorities. The Policy & Resource Plan should be seen as a means of strengthening leadership, co-ordination and accountability and not as an end in itself.

(3) The Policy & Resource Plan shall be formulated according to the following timetable from 2020 and in every States’ term thereafter:

(a) When setting the schedule for future States Meetings, the States’ Assembly and Constitution Committee shall include a Special Meeting not more than 3 months prior to the General Election, the sole business at which shall be to consider an 'End of Term' policy letter as described in sub-paragraphs (b) and (c).

(b) In the final year of the States’ term, all Committees (which includes Authorities, Boards and other States’ bodies) shall produce a handover document to apprise their successors of what are considered to be the main policy and operational challenges facing the Committee in the next term. This may include policy issues and extant Resolutions which the Committee either did not complete or could not prioritise during the term, but which they believe should be considered in the forthcoming term by their successor Committees. These reports must be transmitted to the Policy & Resources Committee in time to be published as appendices to its 'End of Term' policy letter;

(c) At the Special Meeting convened in accordance with Rule 23(3)(a), the Policy & Resources Committee shall lay an 'End of Term' policy letter including:

i. Its commentary on progress against the Policy & Resource Plan during this States term;

ii. Identification of States Resolutions which remain outstanding;

iii. A proposed order of priority for the drafting of significant items of legislation for the year ahead; and

iv. The handover reports transmitted to it under the preceding sub-paragraph.

(4) Policy & Resource Plan Phase 1 (Overall Objectives):

(a) In the first 4 months following the General Election – the Policy & Resources Committee develops a statement of overall policy objectives for the long term (say, 20 years) and medium term (say, three to five years) in connection with issues of strategic importance to the Island, e.g. fiscal and economic affairs, social affairs, the environment, population and external relations, for recommendation to the States;
(b) **No later than 6 months after the General Election** – the States debate the recommendations of the Policy & Resources Committee and make resolutions on their overall policy objectives.

(5) **Policy & Resource Plan Phase 2 (Committee Objectives):**

(a) **6-12 months after the General Election** – each Committee (including Authorities, Boards and other States' bodies) develops a policy plan setting out its policies and priorities for the current States' term to contribute to the agreed States' objectives in Phase 1 of the Policy & Resource Plan, to fulfil its purpose and policy responsibilities which are set out in its mandate, and to address outstanding States Resolutions;

(b) The Policy & Resources Committee develops a Medium Term Financial Plan for the States which sets out a fiscal plan covering the medium term, designed to ensure the finances of the States can support the delivery of the outcomes set out in the Policy & Resource Plan and provide a framework for budget-setting over the period;

(c) The Policy & Resources Committee also works with Committees to ensure that, so far as possible, their policy plans are co-ordinated and consistent with the States' objectives and with each other; any conflicts and areas where prioritisation is necessary are identified; and the Policy & Resources Committee facilitates cross-committee working where policy areas span more than one Principal Committee;

(d) The Committee policy plans are submitted to the States by the Policy & Resources Committee, if necessary with Committees' differences of opinion highlighted in order for the States to resolve the points at issue, together with the Medium Term Financial Plan and appendices including the Prioritisation of Legislative Drafting and the Annual Report of the Chief Executive of the States, as Phase 2 of the Policy & Resource Plan;

(e) **No later than 12 months after the General Election** – the States debate and make resolutions on Phase 2 of the Policy & Resource Plan;

(6) **Policy & Resource Plan – Annual Reporting:**

(a) **Every 12 months thereafter (i.e. at the end of the second and third years of the States' term)** – the Policy & Resources Committee submits an update on the Policy & Resource Plan to the States, which shall include:

   i. commentary on overall progress (including progress against outstanding States' resolutions) from the Policy & Resources Committee;

   ii. annual performance reports from States' Committees (which must be submitted by all Principal Committees, and may be submitted by any other Committee of the States on their own initiative or at the request of the Policy & Resources Committee);
iii. any proposals to amend the objectives in Phase 1 or Phase 2 of the Policy & Resource Plan, including the Medium Term Financial Plan, which are considered necessary;

iv. an update on progress and prioritization of Legislative Drafting for the year ahead; and

v. the Annual Report of the Chief Executive of the States.

(b) In the final year of the States’ term, Rule 23(3) applies.

(7) Policy & Resource Plan – Submissions:

(a) The policy letters constituting Phase 1 and Phase 2 of the Policy & Resource Plan, and the 'End of Term' report, shall not exceed 24 sides of A4 apiece in length;

(b) The Committee submissions to Phase 2 of the Policy & Resource Plan shall not exceed 12 sides of A4 apiece in length;

(c) The policy letters constituting the Policy & Resources Committee's summary of the annual update to the States in Years 2 and 3 of the term shall not exceed 12 sides of A4 apiece in length; and

(d) The Committees' annual updates to the States in Years 2 and 3 of the term, and in the 'End of Term' report, shall not exceed 8 sides of A4 apiece in length.

Secondary propositions - amendments, sursis, etc.

24. (1) Any Member who intends to lay before the States a secondary proposition shall submit it to the Greffier and it must state the names of the proposer and seconder, and it can include a brief explanatory note. A supporting report may be attached to the secondary proposition at the time of submission. As soon as possible thereafter, the Greffier shall cause it to be published on the States’ website and in such other form as he or she shall determine and shall circulate it simultaneously to the Presiding Officer and all Members of the States. If the secondary proposition was submitted to the Greffier by 15.00 on the day preceding the seventh clear day before the Meeting (excluding Saturdays, Sundays and public holidays), the Greffier shall circulate it in the way the Member has requested. If the secondary proposition was submitted between that time and the day of the Meeting the Greffier shall circulate it by electronic means. The Greffier shall provide a paper copy of each secondary proposition, whenever it may have been submitted to him or her, at the start of each Meeting or as soon as practicable if he or she receives it during the Meeting.

(2) A Member who proposes to move an amendment or sursis (other than one proposed on behalf of the Committee submitting the original proposal or one proposed on behalf of requérants in the case of a requête) to a proposition:

(a) to approve a Projet de Loi or draft Ordinance; or

(b) which may have the effect of increasing expenditure; or substituting another contractor; or altering the timing of any works; or
(c) relating to the Annual Budget; or

d) relating to taxation, fees or other charges bearing on the revenues of the States; or

(e) relating to a Policy & Resource Plan; or

(f) relating to a draft Strategic Land Use Plan, or any amendment to such a Plan, which is laid before the States pursuant to section 5(3) of the Land Planning and Development (Guernsey) Law, 2005; or

(g) relating to any proposals for a Development Plan, Subject Plan or Local Planning Brief or any amendment to such a Plan or Brief, which is laid before the States pursuant to section 9(4) of the Land Planning and Development (Plans) Ordinance, 2007; or

(h) to set or approve social insurance and other related benefit and contribution rates or otherwise relating to the annual policy letter concerning those benefit and contribution rates,

must furnish the proposed amendment or sursis to the Greffier not later than 15.00 on the day preceding the fifth clear day before the meeting (excluding Saturdays, Sundays and Public Holidays) or, in respect of an amendment to propositions which have financial implications and which is proposed to be moved by the President or another representative of the Policy & Resources Committee, not later than 15.00 on the day preceding the second clear day before the meeting (excluding Saturdays, Sundays and Public Holidays).

(3) A Member who wishes to lay an amendment, sursis or motion to withdraw shall state the name of the proposed seconder and the proposition to which it relates. The Member may then read out the text of the amendment, sursis or motion to withdraw; or that Member or any other Member may ask that the text be read out by the Greffier. After it has been read out, if that right has been exercised, the proposer shall formally propose it and make any speech supporting it.

(4) Immediately after an amendment or sursis has been proposed and formally seconded (i.e. before any speech by its seconder or further debate) any Member may request the Presiding Officer to invite Members who support debate on the amendment or sursis to stand in their places; neither the Member making that request nor any other may address the Meeting about it; and if fewer than seven Members stand when so invited the amendment or sursis shall not be debated, and no vote thereon shall be taken.

(5) Subject to paragraph (4), when a sursis of a matter has been proposed and seconded debate shall be limited strictly to the sursis, and no other issues relating to that matter (including proposed amendments) shall be debated until the sursis has been voted upon.

(6) An amendment which goes further than the original proposition shall not, on that account, be ruled out of order, but a motion that the amendment be not debated and no vote be taken thereon may be laid only immediately after the amendment has been proposed and formally seconded (i.e. before any speech by its seconder or further debate) and shall have effect if supported by a majority of the Members voting on the motion.
(7) Where an amendment or sursis is debated the President (or a representative) of the Committee from which, or in the case of a requête a representative of those Members from whom, the matter originated shall have the right to speak on the amendment or sursis immediately after its proposer has proposed the amendment or sursis or immediately before its proposer replies to the debate under Rule 17(2) or at any other time during the debate but at one of those points in the debate only.

(8) If a sursis is carried, which was proposed and seconded after the commencement of general debate on a matter, the person who would otherwise have been entitled to reply on that debate under Rule 17(2) shall be so entitled notwithstanding that sursis.

(9) If several amendments relating to the same matter are proposed the Presiding Officer shall decide the order in which they are debated and voted upon.

(10) An amendment within sub-paragraph (2)(g) shall (unless the States, with the agreement of the Development & Planning Authority (“the Authority”), otherwise resolve) be treated as an amendment to defer adoption (but not debate) of the Plan or Brief or amendment thereto, until:

(a) the Authority has been given the opportunity to withdraw the proposals to consider any implications of such amendment within paragraph (2)(g) in accordance with section 10(2) of the Land Planning and Development (Plans) Ordinance, 2007;

(b) where relevant, the inspector has reported on the amendment within paragraph (2)(g) pursuant to section 10(3) of that Ordinance; and

(c) the Authority has caused to be submitted to the States any alterations or additions to the documentation laid before the States pursuant to section 9(4) of that Ordinance as a result of the consideration of the implications of the amendment.

(11) Where the procedure envisaged by paragraph (10) has been followed, and alterations or additions are accordingly laid before the States:

(a) that paragraph shall not then apply as respects any matter referred to in any amendment dealt with in those alterations or additions; but

(b) no other matter may then be the subject of any further amendment or debate.

(12) Where a Committee (or in the case of a requête, the requérants) has resolved to request that an article or proposition be withdrawn, a motion to withdraw the said article or proposition shall be in writing and must state the names of its proposer and seconder. Debate on such a motion shall be limited strictly thereto and no other issues relating to the article or proposition shall be debated until the motion to withdraw has been voted upon.

Sittings in committee

25. (1) Before a debate commences or during the debate, the Presiding Officer or any Member may propose a motion that the States sit “in committee” on the grounds that the matter being debated would be better considered subject to the specific provisions of this Rule.
For the duration of when the States are sitting in committee the following provisions will apply notwithstanding that they may be contrary to specific other provisions of these Rules.

A Member may be called to speak more than once in the same debate.

A person who is not a Member may be called to speak. That person shall have no other rights held by Members other than to speak while the States are sitting in committee.

The Presiding Officer shall determine the rules of debate.

No vote shall be taken while the States are sitting in committee.

**Closure and voting**

26. (1) A Member who has not already spoken in the debate, otherwise than in pursuance of Rule 17(3), (11) or (12), may at any time (but without interrupting another Member who is addressing the Meeting) request the Presiding Officer to close a debate on any matter (including an amendment or a sursis). Neither the Member making that request nor any other may address the Meeting about it. Members who would be entitled to speak and who would intend to speak should the debate continue shall be invited by the Presiding Officer to stand in their places, and thereafter the Presiding Officer shall ask the Member making the request to close the debate whether he or she still so requests, and if he or she does still so request the Presiding Officer shall put the said request to the vote and if the majority of the Members voting support it then (except that the President, Policy & Resources Committee shall be entitled to comment on any financial implications, if he or she has not already done so, and subject to Rules 17(2), 24(7) or 28(3)), the debate shall be closed, and (subject to Rule 27) the matter shall be put to the vote.

(2) A Member may vote only from his or her seat in the States’ Chamber. In presidential elections where there are two or more candidates, a Member may vote only from a seat in the States’ Chamber. Immediately before announcing his or her vote in a division (appel nominal), a Member must switch on his or her microphone and switch it off again immediately after he or she has voted.

(3) Where voting on any matter is carried out otherwise than by a division or by ballot, any Member may, before the Presiding Officer rules that the matter was carried or was lost, or immediately after such a ruling, claim a division.

(4) The order of voting on a division at any Meeting of the States shall be the same for each division taken at that Meeting (including a Meeting adjourned in accordance with Rule 6, and including a division on a matter adjourned from a previous meeting) but shall be rotated by moving the entry for the time being at the top of the following list, to the bottom of that list, between each Meeting and the next:
   St. Peter Port South
   St. Peter Port North
   St. Sampson
   The Vale
   The Castel
   West
   South East
   Alderney Representatives.
(5) On the announcement of the result of a division, any Member may challenge the accuracy thereof and thereupon a fresh division shall take place. Such further division cannot be challenged.

(6) Unless otherwise stated, in order for a proposition to be carried it needs to be supported by the nearest whole number above one-half of the Members present and voting on the proposition.

(7) Where a Proposition is rejected which had proposed that a particular action not be taken, such rejection is not a positive instruction for the action to be undertaken.

(8) A vote recorded by electronic equipment authorised for that purpose by the States of Deliberation shall have the same status as a vote by appel nominal.

Proposals relating to taxation and the financial implications of proposals

27. Where, in relation to taxation, any alteration is moved and is opposed or is not assented to by the Policy & Resources Committee, the Presiding Officer, if he or she considers that more mature consideration should be given to the advisability of passing or rejecting the proposed alteration, shall rule that a vote thereon shall be postponed until the views of the Policy & Resources Committee have been laid before a Meeting.

Requêtes

28. (1) If any seven Members (but not more than seven) desire that a requête be laid before a Meeting they shall submit it to the Greffier who shall treat it as an item to be put to the States for consideration in accordance with the provisions of Rule 3. The Greffier shall also provide a copy to the Policy & Resources Committee, for that Committee’s opinion on the matters referred to therein.

(2) Upon notification of a requête the Policy & Resources Committee shall:

(a) consult any Committees appearing to that Committee to have a particular interest in the subject matter of the requête; and

(b) if considered necessary, set out its opinion in a letter of comment, appending thereto the views of all Committees so consulted.

(3) When a requête is laid before the States, the President, Policy & Resources Committee and the President of each of the Committees referred to in the preceding paragraph shall be entitled to speak

(a) immediately after a representative of the requérants has opened the debate; and

(b) immediately before a representative of the requérants replies to the debate.
Register of Members’ Interests and Register of Members’ Unspent Convictions

29. (1) The Greffier shall maintain (whether electronically or otherwise) a Register to be known as the Register of Members’ Interests in which shall be kept all Declarations of Interest lodged in accordance with paragraph (3).

(2) The Register of Members’ Interests shall be available at the Greffe for public inspection whenever the Greffe is open for normal business. Current entries in the Register of Members’ Interests shall also be published on the States’ website.

(3) All persons elected shall within seven days of being elected or re-elected and subsequently during the month of May annually make and lodge with the Greffier a Declaration of Interest.

(4) All Declarations of Interest required to be lodged with the Greffier under paragraph (3) shall be in the form set out in Schedule 2 to these Rules.

(5) The Greffier shall maintain (in paper form only) a Register to be known as the Register of Members’ Unspent Convictions in which shall be kept all Declarations of Unspent Convictions lodged in accordance with paragraph (7).

(6) The Register of Members’ Unspent Convictions shall be available at the Greffe for public inspection whenever the Greffe is open for normal business.

(7) All persons elected shall within seven days of being elected or re-elected and subsequently during the month of May annually make and lodge with the Greffier a Declaration of Unspent Convictions.

(8) All Declarations of Unspent Convictions required to be lodged with the Greffier under paragraph (7) shall be in the form set out in Schedule 3 to these Rules.

(9) The unspent convictions which must be declared are any criminal convictions in a court in any jurisdiction which resulted in sentences of imprisonment which are not to be treated as spent pursuant to the provisions of the Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002, unless they were in respect of conduct which would not constitute an offence if committed in Guernsey at the time the declaration is made.

(10) A Member in whose case a conviction becomes spent may immediately provide a revised Declaration to the Greffier. The Greffier shall remove from the Register and immediately destroy any Declaration which has been superseded by another.

(11) The Greffier shall remove from the Register and immediately destroy any Declaration which relates to a person who is no longer a Member.

Interpretation

30. (1) In this section:

“clear days” means the number of consecutive whole days referred to, regardless (unless otherwise indicated) of whether or not any such day falls on a weekend or public holiday;

“Her Majesty’s Procureur” includes Her Majesty’s Comptroller;
“Meeting” means a meeting of the States convened in accordance with these Rules;

“Member” means any Member of the States other than (except in Rule 10) Her Majesty’s Procureur;

“ordinary Meeting” means any Meeting of the States which is not a special Meeting;

“original proposition” means any of the following: propositions from the Presiding Officer; propositions from a Committee of the States; propositions arising from a requête; propositions proposing the approval or adoption of legislation; motions of no confidence; motions of censure; urgent propositions; and propositions in relation to the adoption of the Schedule for future States’ business;

“Presiding Officer” means the Presiding Officer of the States, and includes the Deputy Presiding Officer of the States and any Acting Presiding Officer of the States;

“requête” means a request to the Presiding Officer, made in writing and signed by any seven Members (but not more than seven), that a matter other than a motion of no confidence be laid before a Meeting;

“secondary proposition” means any of the following: amendments; sursis; motions to withdraw; motions to annul an Ordinance or Statutory Instrument; motions to debate an appendix report;

“special Meeting” means any Meeting of the States convened to consider the Annual Budget of the States and the policy letter of the Committee for Employment & Social Security on the uprating of non-contributory benefits or the States’ Accounts and the Policy & Resource Plan;

“sursis” means a motion the effect of which is to defer debate on an article or proposition and includes a “sursis motivé” which has the same effect but which also directs a course of action during the period of deferral;

“the Greffier” means Her Majesty’s Greffier, and includes any Deputy Greffier;

“the Sergeant” means Her Majesty’s Sergeant, and includes any Deputy Sergeant;

“the Sheriff” means Her Majesty’s Sheriff, and includes any Deputy Sheriff;

“the States” means the States of Deliberation.

(2) In these Rules, unless the context otherwise requires:

(a) a reference to a provision by number or letter is to the provision of that number or letter in these Rules;

(b) a reference within a provision to a subdivision by a number or letter is to the subdivision of that number or letter within that provision;

(c) a reference to an enactment is to that enactment as amended, extended, applied or replaced from time to time by or under any other enactment.
Revocations in respect of this section

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Definitions

32. List of Committees of the States with effect from the 1st of May, 2016 –

Senior Committee of the States –
Policy & Resources Committee

Principal Committees of the States –
Committee for Economic Development
Committee for Education, Sport & Culture
Committee for Employment & Social Security
Committee for the Environment & Infrastructure
Committee for Health & Social Care
Committee for Home Affairs

Other Committees of the States –
Civil Contingencies Authority
Development & Planning Authority
Overseas Aid & Development Commission
Scrutiny Management Committee
States’ Assembly & Constitution Committee
States’ Trading Supervisory Board
Transport Licensing Authority

From time to time the States may by Resolution establish any number of States’ Investigation & Advisory Committees to enquire into particular but temporary pieces of work. At present there are no such Committees of the States.

Non-Governmental Bodies –
Elizabeth College Board of Directors
Guille-Allès Library Council
Ladies’ College Board of Governors
Priaulx Library Council

Interpretation

33. In this section the expression:

“Committee”, unless the context otherwise requires, means any Committee of the States as named in Rule 32;

“Her Majesty’s Procureur” includes Her Majesty’s Comptroller;

“Member”, in relation to a Committee, includes its President, unless the context otherwise requires;

“Non-Governmental Body” means any such bodies named in Rule 32;

“office holder” means a person elected by the States to the office of President or member of a Committee;
“Principal Committee” means any of the following Committees: Committee for Economic Development; Committee for Education, Sport & Culture; Committee for Employment & Social Security; Committee for the Environment & Infrastructure; Committee for Heath & Social Care; and Committee for Home Affairs;

“Sitting Member of the States” means any person with a seat in the States of Deliberation;

“States’ Investigation & Advisory Committee” means any temporary States’ Committee charged with the execution or investigation of a particular matter;

“the Greffier” means Her Majesty’s Greffier, and includes any Deputy Greffier.

**Rules relating to committees of the States**

34. The procedure and operation of all Committees of the States shall be determined in accordance with the following provisions, except where contrary provision is made.

**Eligibility for membership of a Committee**

35. (1) To be eligible for appointment or election to membership of a Committee of the States as a non-sitting Member of the States a person must be a person described in article 8 of the Reform (Guernsey) Law, 1948, as amended.

(2) Jurats shall not be eligible to serve on Committees which administer legislation which includes the provision of a right of appeal to the Royal Court against a decision of such Committees.

(3) States’ employees shall not be eligible to serve on Committees.

**Nomination of candidates for election by the States**

36. Subject to any specific provisions regarding nomination rights which are set out in the constitution of any particular Committee, persons shall be eligible for nomination by any Member of the States from the floor of the Assembly on the day of election, but where a person nominated is not a sitting Member of the States the proposer shall provide to Members of the States, no later than the start of the Meeting at which the election is to be held, a full report in writing containing background information about the candidate, including a statement that the proposer had seen a Declaration of Interest from the candidate and was satisfied that there would be no conflict of interest if the candidate were appointed, or if there was potentially one it could be managed, the candidate’s willingness to seek election and the reasons for his or her name having been put forward. The Declaration in respect of the successful candidate shall be lodged with the Greffier and published by him as if the person concerned was subject to the provisions of Rule 29.

**Term of office**

37. (1) The term of office of all Presidents and all the members of all Committees shall expire at the end of a States’ term. Where an office is required to be filled by a sitting Member of the States the said office shall be deemed to have been vacated upon the office holder ceasing to be a sitting Member of the States.
(2) Elections for Presidents and Members of Committees shall be held in the first month of a new States' term.

(3) If a member elected or appointed by the States to a Committee ceases to be a member of that Committee before the expiration of the term for which he or she was elected or appointed, a successor shall be elected or appointed by the States to complete the unexpired portion of that term of office.

(4) If the President or a member of a Committee resigns from that office in a letter to the Presiding Officer, the resignation shall take effect automatically on a proposition being laid before the States for the election by the States of a successor to the office vacated. No debate shall be held on the matter of the resignation.

(5) A person elected as President or member of a Committee by reason of the fact that he or she is a sitting Member of the States shall, if that person ceases to be a sitting Member of the States, be deemed to have placed his or her resignation in the hands of the Presiding Officer on such cessation and that resignation shall be deemed to have been accepted by the States.

(6) Persons referred to in the preceding paragraph shall remain eligible for appointment or election to fill any vacancy on that or on any other Committee which is not restricted to sitting Members of the States.

(7) If a majority of the voting members of a Committee believe that the continued membership of that Committee by one member is unreasonably hindering the ability of the Committee to fulfil its mandate then the majority may bring a proposition to the States that the period of office of the said one member should be terminated with immediate effect, and the States may, notwithstanding the other provisions of this rule, by resolution so terminate that period of office.

**Officeholders eligible for re-election**

38. No limit shall be set on the number of times that a person may be elected by the States to the same office, whether consecutively or otherwise.

**Membership of more than one Committee**

39. A Member shall be deemed to have resigned with immediate effect, and his or her resignation deemed to have been accepted from his or her position, as the President or a member of a Committee, immediately upon election to the Presidency or membership of a Committee whose constitution precludes membership of the former office.

**Quorum**

40. (1) The quorum of any Committee (subject to paragraphs (3) and (4)) shall be the nearest whole number above one-half of the number of voting members specified in that Committee's constitution.

(2) When calculating a quorum the number of voting members shall include the person presiding.
The quorum of the Policy & Resources Committee when exercising its function under article 66(3) of the Reform (Guernsey) Law, 1948 as amended (immediate or early enactment of Ordinances in the public interest) shall be any two members.

The members forming the quorum of the States' Trading Supervisory Board shall include at least 2 members who are Members of the States.

During May, 2016, when a Committee is not yet constituted or is inquorate and an urgent decision is required, the insufficiency of members shall be replaced as follows.

From 00.01 on the 1st of May, 2016 until the election of the President, Policy & Resources Committee, a number of former members of the Policy Council (as it was constituted on the 30th of April, 2016) who have been re-elected as Members of the States shall act as if they were members of the Committee in question. The number of them required is one half of those re-elected plus one. If fewer than three have been re-elected then the insufficiency of members shall be replaced by the senior Members by length of service. While the only elected post holder is the President, Policy & Resources Committee that person shall be able to make an urgent decision as if he or she is a quorate meeting of the Committee concerned. Once the other members of the Policy & Resources Committee have been elected then a quorate meeting of that Committee shall be able to make an urgent decision as if it is the Committee concerned. Once the Presidents of the Principal and other Committees have been elected then each President shall be able to make an urgent decision as if he or she is a quorate meeting of his or her Committee.

At all other times, when a Committee is inquorate and an urgent decision is required, the insufficiency of members shall be replaced by Member(s) of the States chosen in the following order: members of the Policy & Resources Committee according to their length of service in the States, Presidents of Principal Committees according to their length of service in the States, Presidents of other Committees according to their length of service in the States, other Members according to their length of service in the States.

**Person who shall preside at meetings**

41. The President shall preside at all meetings of a Committee or, if he or she is absent, indisposed or otherwise unable to preside, the Vice-President shall preside. If both are absent, indisposed or otherwise unable to preside then the remaining voting members of the Committee present at the meeting shall appoint one of their number to preside.

**Casting votes**

42. The person who presides at a meeting of a Committee shall have an original vote and no casting vote. In the event that the voting members of that Committee are equally divided on any issue, the person presiding shall declare the proposition lost.

**Vice-Presidents**

43. (1) All Committees shall elect a Vice-President from amongst those persons on that Committee who are sitting Members of the States.
(2) The requirement that the Vice-President of a Committee be a member who is a sitting Member of the States shall not apply to the Overseas Aid & Development Commission or the non-governmental bodies.

(3) The Vice-President shall be elected at the first meeting of the Committee following the election of a President by the States, save that if following the election of the President there remains any vacancy in the voting membership of the Committee the election of a Vice-President shall be deferred until the first meeting following the filling of that vacancy by the States.

(4) In any Committee, if the President ceases to hold office before the expiration of the period for which he or she was elected and a new President is elected by the States, the term of office of the Vice-President shall be deemed to have terminated and a new election of a Vice-President shall take place in accordance with paragraph (3).

(5) In any Committee, if the Vice-President ceases to be a sitting Member of the States, or ceases to be a member of that Committee before his or her term of office as Vice-President has been completed, a new Vice-President shall be elected from amongst those persons on that Committee who are sitting Members of the States to serve the unexpired portion of the Vice-President’s term of office, but such an election shall not be held until the vacancy in the membership of the Committee caused by the departure of the member who held the office of Vice-President has been filled by the States. The election of a Vice-President shall be held at the first meeting following the filling of that vacancy by the States.

Method of election of Vice-Presidents

44. (1) Subject to the provisions of Rule 43, the person presiding shall ask eligible members to declare their candidature. No proposers or seconders will be required.

(2) Where there is only one candidate the person presiding shall declare that candidate elected.

(3) Where the number of candidates exceeds one, voting shall be carried out by ballot.

(4) Where there are more than two candidates and the candidate receiving the greatest number of votes does not receive a majority of the votes cast, a second ballot shall be held to determine which of the two candidates who received the greatest number of votes in the first ballot shall be elected.

(5) The person presiding shall have an original vote but no casting vote. In the event of an equality of votes he or she shall cause a further ballot to be held and, if, after such further ballot, there continues to be an equality of votes the two candidates shall draw lots to determine the matter.

(6) Where a ballot is necessary the votes shall be counted by the person presiding and an officer of the Committee.

(7) At the conclusion of the voting the person presiding shall declare the successful candidate elected and a record of that declaration shall be made in the minutes of the meeting.

(8) The person presiding shall communicate the result of the election to the Presiding Officer within 48 hours of the declaration (excluding Saturdays, Sundays and public holidays).
**Lead Members**

45. (1) The Policy & Resources Committee shall designate its President or one of its members as the States' lead member for external relations and constitutional affairs.

(1A) The Policy & Resources Committee shall designate its President or one of its members as the States' lead member for Corporate Services, with responsibility for the services that are provided by the Office of the Policy & Resources Committee to or on behalf of the Principal Committees and other Committees of the States.

(2) Any committee of the States may designate its President or one of its members as the lead member for a specific responsibility of the committee.

**Non-voting members of Committees**

46. (1) If permitted by the terms of its constitution, any Committee may elect non-voting members, who shall not be sitting Members of the States, and whose appointments, subject to the provisions below, shall expire at the same time as the terms of office of the sitting Members of the States. Such members shall have the same rights and duties as ordinary members (other than the right to vote, unless specifically provided with the right to vote in that Committee's constitution).

(2) Before electing any such non-voting members the Committee concerned shall be provided by each candidate with a completed Declaration of Interest as set out in Schedule 2 and a completed Declaration of Unspent Convictions as set out in Schedule 3.

(3) Any such non-voting member may resign from the office at a date earlier than that on which it would otherwise terminate, by a letter addressed to the President, and such resignation will take effect immediately. Notwithstanding Rule 37(3), a replacement need not be elected.

(4) By decision of the voting members the term of office of any such non-voting member may be terminated with immediate effect. A replacement need not be elected.

(5) Immediately after the election the Committee shall submit a letter to the Presiding Officer for publication as an appendix to a Billet d'État setting out the full name of the person or persons so elected, the date of the election and a statement that the Principal Committee had seen a completed Declaration of Interest in respect of that person before the election and was satisfied that the appointment of the person would not lead to a conflict of interest, or if there was potentially one it could be managed, and had also seen a Declaration of Unspent Convictions and was satisfied that any declared unspent criminal convictions of the person elected were compatible with his or her holding that office. The Declarations in respect of the person appointed shall be lodged with the Greffier and published by him as if the person concerned was subject to the provisions of Rule 29.

(6) Immediately after a resignation or any termination of office the Committee shall submit a letter to the Presiding Officer for publication as an appendix to a Billet d'État stating the name of the person who has ceased to be a non-voting member of the Committee.
Meetings, etc. with third parties

47. (1) When a Member of the States meets with a third party, and the circumstances are such that it is unclear as to the capacity in which the Member is attending the meeting, the Member shall make it clear to the third party that the Member is attending, either as the representative of a Committee or as an individual Member of the States or in a private capacity.

(2) When a President or member of a Committee represents that Committee at a meeting with a third party, the President or member shall make a record of the meeting stating the date and time of the meeting, the reason for the meeting, the participants therein and the key points discussed, following which he or she shall send a copy of the record for filing to the senior-most officer in the service of that Committee.

(3) In this rule reference to “the meeting” shall include telephone conversations and meetings in person.

Committee correspondence

48. (1) All correspondence, howsoever received, between a Committee and a Member of the States shall be treated as confidential under the Code of Practice for Access to Public Information unless expressed otherwise and shall not be disclosed to any third party, whether within the States or outside, in whole or in part, by any means, without the express consent of the author of that correspondence.

(2) Any Member of the States while he or she continues to be a Member of the States may request from a Committee of which the said Member was formerly a member a copy of any document which he or she was given when a member of that Committee, except any material which he or she was allowed to see but not retain.

Declaration of interest at Committee meetings

49. (1) A Member of a Committee who (or whose spouse, or any of whose infant children or any company in which the Member has a controlling interest on the Member’s own or their behalf) has a direct or special interest in the business under consideration by the Committee must not participate in either discussion or voting thereon and must immediately declare the interest and withdraw from the meeting during the discussion and voting on the matter concerned.

(2) In the preceding paragraph ‘spouse’ includes any co-habiting partner.

(3) Every declaration made in pursuance of paragraph (1) and the member’s subsequent withdrawal from the meeting shall be recorded in the minutes of the meeting.

(4) (a) when an interest has been declared pursuant to paragraph (1) of this Rule, the officer of the Committee concerned responsible for the despatch of agenda papers shall not send to the said member any paper relevant to the matter concerned;

(b) when an interest has not been declared but the said officer has reason to believe that a member may have an interest in a matter to be discussed, he or she shall request the President to make enquiries of the person concerned, following which the President
shall direct whether agenda papers relating to the matter should be withheld from the member;

(c) when the member referred to in the preceding paragraph is the President, the officer shall refer the matter to the Vice-President;

(d) notwithstanding the foregoing, it shall be the duty of any member who receives agenda papers which should not have been sent to him or her by virtue of the provisions of this Rule to return such papers to the Committee and he or she shall not disclose the content or existence of the papers to any person nor shall he or she use the information contained therein in his or her own personal interest or that of his or her family, friends, business associates or any voluntary or charitable organisation with which he or she is involved;

(e) in this Rule the expression “agenda papers” shall include the relevant section of the minutes of the Committee relating to the matter concerned and any electronic communication relating to the matter concerned.

Register of appointments

50. Any Committee of the States which appoints one of its members to a position on the board of an extra-governmental body which is not a Committee of the States, or which has a member who has been appointed to such a position by the board of an extra-governmental body which is not a States’ committee, shall notify the Greffier of that appointment. The cessation of any such appointment shall also be notified to the Greffier. The Greffier shall keep a record of that appointment in a document known as the ‘Register of Appointments’ and shall cause that document to be posted on the appropriate part of the States’ website.

Performance of functions by members of Committees

51. In accordance with the provisions of article 2 of the States (Reform) (Guernsey) Law, 2015, a Committee may arrange for any of its functions to be performed in its name by any one or more members of the Committee.

Performance of functions by other Committees

52. In accordance with the provisions of article 3 of the States (Reform) (Guernsey) Law, 2015, a Committee may arrange for any of its functions to be performed in its name by another Committee.

States’ Investigation & Advisory Committees

53. (1) Except for those rules which refer specifically to the Policy & Resources Committee or Principal Committees, the principles set out above shall be followed in the constitution and operation of all States’ Investigation & Advisory Committees.

(2) Such States’ Investigation & Advisory Committees (i.e. the members thereof) shall continue in office until they have fulfilled their mandate and any legislation designed to give effect to such propositions of the Committee as the States may have resolved to adopt has been presented to the States, approved, and where necessary registered.
Establishment of other Committees

54. (1) The States may, by resolution, at any time dissolve any Committee of the States or constitute any Committee of the States.

(2) The constitutions and mandates of all Committees of the States as at the 1st of May, 2016 are set out in Appendix A to these Rules.

(3) A Committee of the States may at any time it chooses convene a sub-committee or working party to consider any matter which falls within the mandate of the Committee. The constitution, mandate and working practices of the sub-committee or working party shall be at the discretion of the Committee;

Provided that:
any authority delegated to the sub-committee or working party shall be in accordance with the provisions of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and the States Reform (Guernsey) Law, 2015 relating to delegation of a Committee’s functions;

Provided also that:
the Rules relating to the declaring of interests in Committee meetings shall apply in full to the members and proceedings of sub-committees and working parties;

Provided also that:
the Committee shall at all times remain responsible for anything done by a sub-committee or working party which it has established.

Presence of officers, etc. at Committee meetings

55. (1) A member of the established staff of the Civil Service shall be present at all Committee meetings and shall keep an independent record of the decisions made at the meetings.

(2) (a) the notes taken pursuant to paragraph (1) of this rule shall be kept in a paper notebook or electronic data file reserved exclusively for that purpose and shall include the name of the person making the contemporaneous record and the date when the minutes are actually written;

(b) each such paper notebook or electronic data file shall be retained for a period of six years counting from the date of the last meeting recorded therein;

(c) an audio recording may be made in addition to, but not in place of, the written record. The medium used to store such recording shall be retained for a period of six years from the date of the meeting.

(3) Where the President is of opinion that, in view of the nature of the business to be discussed, it would be inappropriate for any of the Committee’s officers to be in attendance at a Committee meeting, he or she shall request the Chief Executive of the States to arrange for an appropriate alternative officer to attend the meeting in question.

(4) The provisions of this rule shall not apply to the Non-Governmental Bodies.
One of the Law Officers or a Crown Advocate shall be present at all meetings of the Legislation Review Panel and, when it is exercising its function under article 66 (3) of the Reform (Guernsey) Law, 1948 as amended (immediate or early enactment of Ordinances in the public interest), the Policy & Resources Committee.

The Presiding Officer and the Greffier shall be entitled to attend meetings of the States’ Assembly & Constitution Committee for the purpose of advising that Committee on matters relating to the Rules of Procedure and on matters relating to the functioning of the States.

**Accountability of officers**

(1) The States resolved on Billet d’État XII of 2015 that the President of a Principal Committee has the right to inform the Chief Executive that the Committee is losing confidence in a senior officer or in the level of support it receives. If, after the exhaustion of reasonable procedures, the Principal Committee still has no confidence in a senior officer there will be an expectation that the officer will be transferred out of the service of that Principal Committee.

(2) The States resolved on Billet d’État XII of 2015 that the Chief Executive and other senior officers must take into account the views of the President of a Principal Committee, and through them the members thereof, when appointing and appraising senior staff in the service of that Principal Committee.

(3) The States resolved on Billet d’État XII of 2015 that the senior officers of a Committee are accountable to that Committee in respect of policy direction.

**Support provided to committees**

The States resolved on Billet d’État XII of 2015 that the senior officers of a Committee should ensure that: performance data are freely available; Committee papers are clear and concise, showing options and making recommendations for action; members receive their papers for Committee meetings a reasonable period in advance; minutes and decisions lists are concise and circulated within a few days of meetings; and the quality of policy letters is high.

**Amendments to mandates**

The Policy & Resources Committee has the power to allocate operational functions to Committees, and to transfer them between Committees, as set out in Annex Two to the mandates of Committees of the States, without requiring the approval of the States;

Provided that:
the allocation or transfer has the agreement of all Committees concerned and also provided that neither mandates of Committees of the States nor Annex One attached thereto may be amended without resolution of the States;

Provided also that:
this power to allocate or transfer operational functions shall not have effect until such time as the Committee has approved a comprehensive schedule of Committees’ operational functions.
Revocations in respect of this section


Commencement

60. These Rules shall come into operation on the 1st of May, 2016.
APPENDIX A

MANDATES OF COMMITTEES OF THE STATES
WITH EFFECT FROM THE 1ST OF MAY, 2016

Order of Committees

Policy & Resources Committee
Committee for Economic Development
Committee for Education, Sport & Culture
Committee for Employment & Social Security
Committee for the Environment & Infrastructure
Committee for Health & Social Care
Committee for Home Affairs
Civil Contingencies Authority
Development & Planning Authority
Overseas Aid & Development Commission
Scrutiny Management Committee
States’ Assembly & Constitution Committee
States’ Trading Supervisory Board
Transport Licensing Authority
Elizabeth College Board of Directors (non-governmental body)
Guille – Allès Library Council (non-governmental body)
Ladies’ College Board of Governors (non-governmental body)
Priaulx Library Council (non-governmental body)

Annex One to the Mandates of Committees of the States

Annex Two to the Mandates of Committees of the States – Schedule of Committees’ Operational Functions
Title – Policy & Resources Committee

Constituted as the Senior Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

Constitution

A President and four members who shall be members of the States: provided that neither the President nor any member of the Policy & Resources Committee shall be the President or a member of any of the six Principal Committees or the President or a member of the Scrutiny Management Committee or the President or a member of the Development & Planning Authority or the President or a member of the Transport Licensing Authority.

The Policy & Resources Committee shall designate its President or one of its members to be the States’ lead member for external relations.

Duties & Powers

To advise the States and to develop and implement policies and programmes relating to:

(a) leadership and co-ordination of the work of the States, which includes:

1. developing and promoting the States’ overall policy objectives;
2. leading the policy planning process as set out in the States’ Rules of Procedure;
3. promoting and facilitating cross-committee policy development;
4. advising, when necessary, on the implications of other committees’ proposals, policies and activities and in particular whether they accord with States’ objectives and policy plans;
5. advising other committees on the implications of policies which it is itself developing;
6. examining issues which expressly do not fall within the mandates of other committees;
7. requiring any committee to examine any issue whether within or extraneous to its mandate;
8. requiring, and monitoring, the implementation of extant States’ resolutions;
9. submitting to the States annually a report on progress on outstanding States’ resolutions;
10. initiating reviews in areas where it appears that performance could be improved;
11. recommending to the States the agenda items for future meetings of the States;
12. prioritising the States’ legislative programme and submitting to the States annually an order of priority for the drafting of significant items of legislation for the year ahead;
13. enacting urgent legislation in accordance with Article 66 of the Reform Law;
14. advising on the allocation of policy responsibilities to committees;
15. allocating operational functions to committees, or transferring them between committees, as set out in Annex Two to the mandates of committees of the States, without requiring the approval of the States provided that the allocation or transfer has the agreement of all committees concerned and also provided that neither mandates of committees of the States nor Annex One attached thereto may be amended without resolution of the States and further provided that this power to allocate or transfer operational functions shall not have
effect until such time as the Committee has approved a comprehensive schedule of committees' operational functions.

(b) fiscal policy, economic affairs and the financial and other resources of the States, which includes:

1. setting the framework for the planning, approval and control of public expenditure;
2. preparing the States' budget and submitting it to the States annually;
3. preparing the States' accounts and submitting them to the States annually;
4. monitoring financial performance against budgets;
5. advising, when necessary, on the financial implications of other committees' proposals, policies and activities;
6. raising and collecting taxes and revenues;
7. the States' Treasury functions, including authorising committees' borrowings and loans;
8. the role of the States as an employer;
9. policies on financial management, assets and corporate services, including information and communication technology, internal audit, risk management, the corporate identity and communications of the States, procurement, property, and statistics and research;
10. annually recommending the appointment of external auditors to the States.

(c) external relations and international and constitutional affairs, which includes:

1. the Island's constitutional position and the relationship with the Crown;
2. relations with the United Kingdom and other jurisdictions;
3. relations with the European Union and other supranational organisations;
4. relations with the other islands of the Bailiwick and the Island's parishes;
5. representing, or overseeing the representation of, and negotiating for, the Island;
6. executing and requesting the extension of international agreements to which the Island is invited to acquiesce;
7. the policy framework regarding overseas aid and development;
8. authorising for external relations purposes only the adaptation of titles and offices held within the States;
9. studying and reporting on schemes for the application of certain General Synod measures.

(d) other matters which have been delegated to the Committee, which include:

1. the policy framework for the regulation of financial services;
2. non-operational matters in an emergency to preserve life, wellbeing and law and order.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Policy & Resources Committee and which conferred functions on the former Policy Council and Treasury and Resources Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.
• Operational Functions

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
Title – Committee for Economic Development

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

Constitution

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for Economic Development shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee or the President or a member of the Transport Licensing Authority; and up to two non-voting members appointed by the Committee who shall not be members of the States.

Purpose

To secure prosperity through the generation of wealth and the creation of the greatest number and widest range of employment opportunities possible by promoting and developing business, commerce and industry in all sectors of the economy.

Responsibilities – Policy, Advisory & General

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. the promotion and development of all sectors of business, including construction, creative industries, digital, financial services, horticulture, intellectual property, manufacturing, media, retail and tourism;
2. the reputation of the Island as a centre for commerce and industry;
3. securing the provision of, and promoting, air and sea links to and from the Bailiwick;
4. inward investment at the corporate and individual level;
5. the labour skills necessary to sustain economic prosperity;
6. competition, innovation, diversification and regulation in the economy;
7. broadcasting and the media;
8. safeguarding living marine resources and the sustainable exploitation of those resources.

To exercise powers and perform duties conferred on the Committee by extant States' resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for Economic Development and which conferred functions on the former Commerce and Employment Department, Culture and Leisure Department and Home Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.
• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Committee for Education, Sport & Culture**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for Education, Sport & Culture shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Purpose**

To encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life.

• **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. pre-school, primary, secondary, further and higher education;
2. apprenticeships;
3. skills;
4. lifelong learning;
5. sport, leisure and recreation;
6. youth affairs;
7. the arts;
8. libraries, museums, galleries and heritage;
9. Island Archives;
10. civic celebrations and commemorations, including Liberation celebrations.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for Education, Sport & Culture and which conferred functions on the former Commerce and Employment Department, Culture and Leisure Department, Education Department, Health and Social Services Department and Policy Council.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.
• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Committee for Employment & Social Security**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for Employment & Social Security shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Purpose**

To foster a compassionate, cohesive and aspirational society in which responsibility is encouraged and individuals and families are supported through schemes of social protection relating to pensions, other contributory and non-contributory benefits, social housing, employment, re-employment and labour market legislation.

• **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. financial and social hardship;
2. social housing, including States’ housing and the States’ relationship with housing associations;
3. supplementary benefit and housing benefit;
4. social insurance;
5. pensions;
6. health insurance;
7. long-term care insurance;
8. equality and social inclusion, including in relation to disability;
9. the unemployed and the various initiatives to encourage employment and re-employment;
10. labour market legislation and practices;
11. health and safety in the workplace;
12. industrial relations;
13. legal aid.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for Employment & Social Security and which conferred functions on the former Commerce and Employment Department, Housing Department, Policy Council and Social Security Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.
• Operational Functions

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
Title – Committee for the Environment & Infrastructure

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

Constitution

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for the Environment & Infrastructure shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee or the President or a member of the Development & Planning Authority or the President or a member of the Transport Licensing Authority; and up to two non-voting members appointed by the Committee who shall not be members of the States.

Purpose

To protect and enhance the natural and physical environment and develop infrastructure in ways which are balanced and sustainable in order that present and future generations can live in a community which is clean, vibrant and prosperous.

Responsibilities – Policy, Advisory & General

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. infrastructure, including but not limited to water, wastewater, the ports and the airports;
2. spatial planning, including the Strategic Land Use Plan;
3. climate change;
4. protection and conservation of the natural environment;
5. waste, water and stone reserves;
6. energy, including renewable energy;
7. solid waste;
8. general housing policy in relation to land use, spatial planning and infrastructure;
9. the coast and coastal defences and the breakwater in Alderney;
10. traffic and transport;
11. the road network;
12. biodiversity;
13. agriculture, animal health and welfare and the sustainability of food and farming;
14. maritime affairs;
15. public parks;
16. security of supply of essential commodities.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for the Environment & Infrastructure and which conferred functions on the
former Commerce and Employment Department, Culture and Leisure Department, Environment Department, Policy Council and Public Services Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Committee for Health & Social Care**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for Health & Social Care shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Purpose**

To protect, promote and improve the health and well-being of individuals and the community.

• **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. adult social care;
2. the welfare and protection of children, young people and their families;
3. the prevention, diagnosis and treatment of acute and chronic diseases, illnesses and conditions;
4. mental health;
5. care of the elderly;
6. health promotion;
7. environmental health;
8. public health.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for Health & Social Care and which conferred functions on the former Health and Social Services Department and Housing Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Committee for Home Affairs**

Constituted as a Principal Committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Committee for Home Affairs shall be the President or a member of the Policy & Resources Committee or the President of the Scrutiny Management Committee; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Purpose**

To support a high standard of living and quality of life by maintaining and promoting a safe, stable and equitable society which values public protection and justice and respects the rights, responsibilities and potential of every person.

• **Responsibilities – Policy, Advisory & General**

To advise the States and to develop and implement policies on matters relating to its purpose, including:

1. crime prevention;
2. law enforcement, including policing and customs;
3. justice policy;
4. the association between justice and social policy, for example domestic abuse and the misuse of drugs and alcohol;
5. the Population Management Regime;
6. immigration regime;
7. imprisonment, parole, probation and rehabilitation;
8. fire, rescue and salvage;
9. consumer protection and advice;
10. trading standards;
11. data protection;
12. emergency planning;
13. civil defence;
14. lotteries and gambling;
15. the electoral roll.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Committee for Home Affairs and which conferred functions on the former Commerce and Employment Department, Home Department and Housing Department.
To fulfill the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Civil Contingencies Authority**

Constituted with effect from the 4\(^{th}\) of February, 2013 by the Civil Contingencies Law, 2012 (Commencement) (Bailiwick of Guernsey) Ordinance, 2013; and constituted as a committee of the States with effect from the 1\(^{st}\) of May, 2016 by resolutions of the States of the 9\(^{th}\) of July, 2015 and the 27\(^{th}\) of November, 2015.

• **Constitution**

The permanent members of the Authority are the holders of the following offices:

President of the Policy & Resources Committee, who is the Chairman of the Authority\(^4\);  
President of the Committee for the Environment & Infrastructure;  
President of the Committee for Health & Social Care;  
President of the Committee for Home Affairs\(^5\).

• **Duties & Powers**

To carry out the functions set out in the Civil Contingencies Law, 2012.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Authority in Annex Two to the mandates of committees of the States.

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\(^4\) In the absence of the President of the Policy & Resources Committee, the Vice-President of the Policy & Resources Committee is the Chairman of the Authority; and in the absence of the President and Vice-President of the Policy & Resources Committee, a member of the Policy & Resources Committee nominated by the President is the Chairman of the Authority.

\(^5\) In the absence of the President of a Principal Committee, the Vice-President of that Principal Committee is a member of the Authority; and in the absence of the President and Vice-President of a Principal Committee, a member of that Principal Committee nominated by the President is a member of the Authority.

See paragraph 1 of Schedule 1 to the Civil Contingencies (Bailiwick of Guernsey) Law, 2012.
• **Title – Development & Planning Authority**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be sitting members of the States: provided that neither the President nor any member of the Development & Planning Authority shall be the President or a member of the Policy & Resources Committee or the President or a member of the Committee for the Environment & Infrastructure; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Duties & Powers**

To advise the States on land use policy and to develop and implement land use policies through development plans and any other relevant instruments.

To determine development applications of all kinds, including planning, building control, protected buildings and scheduled sites.

To maintain and keep under review schemes of delegation in order that only the most contentious or high profile or atypical development control applications are referred to the elected members of the Authority, and when they are so referred to ensure that they are heard at open planning meetings held in public.

To exercise powers and perform duties conferred on the Authority by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Development & Planning Authority and which conferred functions on the former Environment Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Overseas Aid & Development Commission**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President who shall be a member of the States and six members who need not be members of the States, all elected on the nomination of the Policy & Resources Committee.

• **Duties & Powers**

To distribute funds voted by the States for aid and development overseas by making contributions to ongoing programmes and to emergency and disaster relief.

To develop programmes relating to the collection and distribution of funds involving the private sector.

To carry out the duties and powers above in accordance with policies set out by the Policy & Resources Committee.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Commission by way of extant legislation or resolutions of the States or which may be allocated to the Commission in Annex Two to the mandates of committees of the States.
Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

**Constitution**

A President who shall be a member of the States: provided that the President of the Scrutiny Management Committee shall not be the President or a member of the Policy & Resources Committee or the President or a member of any of the six Principal Committees; and two members who shall be members of the States: provided that a member of the Scrutiny Management Committee shall not be the President or a member of the Policy & Resources Committee or the President or a member of more than one of the six Principal Committees; and two voting members who shall not be members of the States and who shall be elected by the States.

**Duties & Powers**

To lead and co-ordinate the scrutiny of committees of the States and those organisations which are in receipt of public funds, or which have been established by legislation, by reviewing and examining legislation, policies, services and the use of monies and other resources.

As far as is reasonably practicable, to appoint scrutiny panels (whether task and finish or standing panels) to carry out the work of reviewing and scrutinising committees’ policies and services and their management of monies and other resources entrusted to them: provided that neither the President nor the members of the Policy & Resources Committee shall serve on such scrutiny panels and also provided that the Committee retains the power, if it so wishes, to carry out any review itself rather than through an appointed panel and also provided that the Committee shall at all times be responsible, and accountable to the States, for everything done by the Committee and any panels it has appointed, including the content of any report issued under its name.

To appoint a Legislation Review Panel to carry out the functions of legislative scrutiny in Article 66 of the Reform Law and also to recommend any changes to legislation from which it believes the Island may benefit: provided that the Committee shall at all times be responsible, and accountable to the States, for everything done by the Legislation Review Panel; and to constitute the Legislation Review Panel as follows: a President who shall be a member of the Scrutiny Management Committee and also a member of the States, a minimum of four other States’ members, a minimum of two non-voting members who shall not be members of the States, and any number of additional and occasional non-voting members as the Scrutiny Management Committee sees fit for the purposes of review of any item of legislation or any other matter: provided that such additional and occasional non-voting members may or may not be members of the States and also provided that neither the President nor the members of the Policy & Resources Committee shall serve on the Legislation Review Panel.

To scrutinise any matter contained in a policy letter which has been referred to the Committee by resolution of the States in accordance with any terms set out in the resolution and to submit to the States
its findings thereon within a period of time set out in the resolution, which findings, together with the original matter, shall be laid before the States.

To promote and facilitate the participation in scrutiny of the widest possible range of States’ members and persons independent of the States.

When determining the subject of its reviews and examinations, to pay particular attention to the performance of committees in contributing to States’ objectives and policy plans and to matters which are of substantial importance or of significant public interest.

To recognise that the carrying out of scrutiny in public where possible is likely to contribute positively to public perceptions of scrutiny.

To submit a report to the States annually which reviews the work of the Committee and its panels over the previous 12 months and which sets out the Committee’s objectives and, to the extent that it is possible while retaining a flexible and responsive approach to scrutiny, an indicative programme of work over the next 12 months.

To represent the work of scrutiny in the States, and publicly to promote and champion the value of scrutiny.

To advise the States if and when in its opinion circumstances justify the establishment of a Tribunal of Inquiry in accordance with the Tribunals of Inquiry (Evidence) (Guernsey) Law, 1949, as amended.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Scrutiny Management Committee and which conferred functions on the former Legislation Select Committee, Public Accounts Committee and Scrutiny Committee.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – States' Assembly & Constitution Committee**

Constituted as a committee of the States with effect from the 1\textsuperscript{st} of May, 2016 by resolutions of the States of the 9\textsuperscript{th} of July, 2015 and the 27\textsuperscript{th} of November, 2015.

• **Constitution**

A President and four members who shall be members of the States.

• **Duties & Powers**

To advise the States and to develop and implement policies in relation to:

1. the constitutions of the States of Deliberation and the States of Election;
2. the procedures and practices of the States of Deliberation and committees of the States;
3. the practical functioning of the States of Deliberation and the States of Election;
4. the induction, on-going support and provision of facilities and equipment for States’ members;
5. the broadcasting of proceedings of the States of Deliberation and States of Election;
6. elections to the office of People’s Deputy;
7. matters concerning the propriety and conduct of States’ members.

To exercise powers and perform duties conferred on the Committee by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the States’ Assembly & Constitution Committee and which conferred functions on the former States’ Assembly & Constitution Committee which existed until the 30\textsuperscript{th} of April, 2016.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Committee by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
**Title – States’ Trading Supervisory Board**

Constituted as a committee of the States with effect from the 1\textsuperscript{st} of May, 2016 by resolutions of the States of the 9\textsuperscript{th} of July, 2015 and the 27\textsuperscript{th} of November, 2015. Constitution amended by resolutions of the States of the 20\textsuperscript{th} of July, 2018.

**Constitution**

A President and two members who shall be sitting members of the States; and up to two voting members who shall not be sitting members of the States; provided that neither the President nor any member of the Board shall be the President or a member of the Transport Licensing Authority.

**Duties & Powers**

Within a framework of policies, guidance and instructions of the States and any of their relevant committees, to:

(a) carry out the States’ role as shareholder of any incorporated companies which are owned by the States and which the States have resolved to include in the mandate of the Board, which for the time being is the following:
   1. Cabernet Group;
   2. Guernsey Electricity;
   3. Guernsey Post;
   4. Jamesco 750.

(b) ensure the efficient management, operation and maintenance of any States’ unincorporated trading concerns and commercial interests which the States have resolved to include in the mandate of the Board, which for the time being is the following:
   1. Channel Islands’ lottery;
   2. Guernsey Airport, which includes Alderney Airport;
   3. Guernsey Dairy;
   4. Guernsey Harbours;
   5. Guernsey Water;
   6. Property and real estate owned or leased by the States;
   7. States’ Works;
   8. States’ corporate engineering and architectural services.

(c) be the Waste Disposal Authority.

To exercise powers and perform duties conferred on the Board by extant States’ resolutions, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the States’ Trading Supervisory Board and which conferred functions on the former Commerce and Employment Department, Culture and Leisure Department, Public Services Department and Treasury and Resources Department.
To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

- **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Board by way of extant legislation or resolutions of the States or which may be allocated to the Committee in Annex Two to the mandates of committees of the States.
• **Title – Transport Licensing Authority**

Constituted as a committee of the States with effect from the 1st of May, 2016 by resolutions of the States of the 9th of July, 2015 and the 27th of November, 2015.

• **Constitution**

A President and four members who shall be members of the States: provided that neither the President nor any member of the Transport Licensing Authority shall be the President or a member of the Policy & Resources Committee or the President or a member of the Committee for Economic Development or the President or a member of the Committee for the Environment & Infrastructure or the President or a member of the States’ Trading Supervisory Board; and up to two non-voting members appointed by the Committee who shall not be members of the States.

• **Duties & Powers**

To determine applications for air route licences and to carry out any other transport licensing and regulatory functions which the States may confer on it from time to time.

To exercise powers and perform duties conferred on the Authority by extant States’ resolution, including those resolutions or parts of resolutions which relate to matters for the time being within the mandate of the Transport Licensing Authority and which conferred functions on the former Commerce and Employment Department.

To fulfil the responsibilities set out in Annex One to the mandates of committees of the States.

• **Operational Functions**

To deliver or oversee the delivery of, and to be accountable to the States for, any operational functions conferred on the Authority by way of extant legislation or resolutions of the States or which may be allocated to the Authority in Annex Two to the mandates of committees of the States.
• **Title – Elizabeth College Board of Directors**

Constituted by Order in Council registered on the 11th of January, 1853 and subsequently amended.

• **Constitution**

Nine Directors, including the Dean of Guernsey (ex-officio).

Two Directors shall be appointed by the Lieutenant-Governor to serve for six years.

Six Directors shall be appointed by the States, one every year; and each of them shall serve for six years from the 6th of January of the year of appointment.

Any person having served the office of Director shall not be qualified for re-appointment until after the expiration of twelve months from the time of going out of office.

Any new Director appointed by the States upon a casual vacancy shall serve only for the unexpired term of the Director's predecessor.

• **Duties & Powers**

General superintendence and management of the affairs of the College.

The duties and powers of the Directors are detailed in the above Order in Council.
• **Title – Guille-Allès Library Council**


• **Constitution**

The Council shall include, *inter alia*:

One member of the States who is a member of the Committee for Education, Sport & Culture; and one other member of the States.

The terms of office of these members shall be coterminous with those of ordinary members of committees of the States.

• **Duties & Powers**

The administration of the Guille-Allès Library.
• Title – Ladies' College Board of Governors

Constituted by the Ladies' College (Guernsey) Law, 1962, as amended, and by resolutions of the States of the 28th of November, 1990.

• Constitution

A Chairman who shall be nominated by the Board of Governors and appointed by the States.

Two governors who shall be appointed by the States.

Two governors who need not be members of the States who shall be nominated by the Committee for Education, Sport & Culture.

Two governors who need not be members of the States who shall be nominated by the Chairman and the four aforementioned governors for election by the States:

Provided that at least one of the seven aforementioned governors shall be a member of the States.

• Duties & Powers

The conduct of the College in accordance with the provisions of the Law.
• **Title – Priaulx Library Council**

Constituted by Article II of Billet d’État V of 1880.

• **Constitution**

Nine members, including two trustees appointed for life by the States, and two ordinary members appointed by the States.

One of the ordinary States-appointed members shall retire annually according to seniority.

Vacancies resulting from death or resignation shall be filled by the Council.

• **Duties & Powers**

The administration of the Priaulx Library.
Annex One to the Mandates of Committees of the States

A. General Responsibilities of the Policy & Resources Committee and all Principal Committees

1. to contribute to fulfilling the States’ objectives and policy plans, including by supporting and participating in cross-committee work;

2. to monitor and report on policy outcomes in areas relating to its mandate;

3. to ensure that public funds and other resources are used to best advantage, including through co-operative and flexible working practices.

B. General Responsibilities of all Committees of the States

1. to exercise powers and perform duties conferred on the committee by extant legislation and by extant States’ resolutions;

2. to be accountable to the States for all policies developed, actions taken and services delivered or overseen by the committee;

3. to be accountable to the States for the management and safeguarding of public funds and other resources entrusted to the committee;

4. in any policy letter submitted to the States to set out clearly how the proposals contained therein relate to the duties and powers or the purpose and policy responsibilities of the committee, how the proposals contribute to the States’ objectives and policy plans and what joint working or consultation has taken place with other committees;

5. to act in accordance with the Rules of Procedure of the States and their committees;

6. to be aware of the powers, duties and limits of the committee’s mandate and to respect and not to undermine the mandates of other committees of the States;

7. to be aware that a committee of the States is in effect an agent of the States of Guernsey exercising functions conferred on it by resolution of, or legislation approved by, the States of Deliberation; and as such to respect that, save in specific circumstances where legislation provides otherwise, the States may at any time they consider it desirable issue directions to a committee and that committee shall be expected to carry into effect any such directions irrespective of whether that committee or any of its individual members agree or disagree with such directions: provided that the rejection by the States of recommendations or advice of a committee shall not *ipso facto* require the resignation of that committee.

8. when researching, considering and reporting on obligations and duties and other issues arising or potentially arising under International Instruments, to act in accordance with the "International Instruments Policy Directive" as published from time to time by the Policy & Resources Committee.
C. Reference to Enactments

1. unless otherwise provided, or the context requires otherwise, a reference to an enactment in the mandate of a committee is to be interpreted as a reference to the enactment as from time to time amended, re-enacted with or without modification, extended or applied.
Annex Two to the Mandates of Committees of the States

Schedule of Committees’ Operational Functions

- **Policy & Resources Committee – Operational Functions**

The Policy & Resources Committee shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the Policy Council, with the exception that the following operational functions will transfer:

  - to the Committee for Education, Sport & Culture
    - Island Archives
  - to the Committee for Employment & Social Security
    - Legal Aid

  - to the Committee for the Environment & Infrastructure
    - Operational matters relating to the preparation of the States' Strategic Land Use Plan
    - Regulatory, advisory, administrative and appeals functions relating to land planning other than those relating to certifying the States’ Strategic Land Use Plan

  - to H M Greffier
    - Administrative functions relating to the preparation and publication of the Agenda, Billets d'État and other accompanying papers for meetings of the States of Deliberation and the States of Election

(b) the Treasury and Resources Department, with the exception that the following operational functions will transfer:

  - to the States’ Trading Supervisory Board
    - Shareholder’s functions and duties in respect of the States’ trading companies
    - Management of all States-owned and leased property and real estate including the provision of advice to the organisation on property matters and the provision of corporate engineering and architectural services

(c) the Legislation Select Committee, in relation to the following operational functions only:

  - Advice and support in relation to legislative functions
  - Studying and reporting on schemes for the application of certain General Synod measures

(d) the Public Accounts Committee, in relation to the following operational functions only:

  - Advice and support in relation to the appointment of external auditors and their remuneration
Committee for Economic Development – Operational Functions

The Committee for Economic Development shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the Commerce and Employment Department, with the exception that the following operational functions will transfer:

- to the Committee for Education, Sport and Culture
  - The Guernsey Training Agency

- to the Committee for Employment & Social Security
  - The offices of Health and Safety
  - Employment Relations Service

- to the Committee for the Environment & Infrastructure
  - Agriculture, the rural environment, biodiversity and countryside management advisory services
  - Farm loans scheme and farm management including dairy farm manure management plans
  - Guernsey global breeding plan
  - Animal communicable disease monitoring, animal health and welfare including import and export of live animals, vet licencing, the pet passport scheme and veterinary medicines
  - Certification of meat imports and exports
  - Provision of the slaughterhouse and incinerator
  - Liaison with relevant regulatory and advisory bodies on environmental matters
  - Security of supply of essential commodities including food, fuel and energy
  - Energy advisory services, including in relation to renewable energy
  - States’ Vet

- to the Committee for Home Affairs
  - The offices of trading standards, and consumer protection advice

- to the Transport Licensing Authority
  - Issuing air route licences

- to the States’ Trading Supervisory Board
  - Management of the Guernsey Dairy, including liaison with its stakeholders

(b) the Culture and Leisure Department, in relation to the following operational functions only:

- The Information Centre

(c) the Home Department, in relation to the following operational functions only:

- Broadcasting services
Committee for Education, Sport & Culture – Operational Functions

The Committee for Education, Sport & Culture shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the Education Department

(b) the Culture and Leisure Department, with the exception that the following operational functions will transfer:
   
   to the Committee for Economic Development
   o The Information Centre

   to the Committee for the Environment & Infrastructure
   o La Vallette Bathing Pools
   o Management of public parks

   to the States’ Trading Supervisory Board
   o Administration and promotion of the Channel Islands’ lottery

(c) the Commerce and Employment Department, in relation to the following operational functions only:
   o The Guernsey Training Agency

(d) the Health and Social Services Department, in relation to the following operational functions only:
   o The Institute for Health and Social Care Studies

(e) the Policy Council, in relation to the following operational functions only:
   o Island Archives
Committee for Employment & Social Security – Operational Functions

The Committee for Employment & Social Security shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the Social Security Department

(b) the Housing Department, with the exception that the following operational functions will transfer:

- to the Committee for Health & Social Care
  - Provision of domiciliary care services at Le Grand Courtil and La Nouvelle Maraitaine

- to the Committee for Home Affairs
  - Administration of the Housing Control and Right to Work Laws
  - Administration of the Open Market Housing Register

(c) the Commerce and Employment Department, in relation to the following operational functions only:

- The offices of Health and Safety
- Employment Relations Service

(d) the Policy Council, in relation to the following operational functions only:

- Legal Aid
Committee for the Environment & Infrastructure – Operational Functions

The Committee for the Environment & Infrastructure shall deliver or oversee the delivery of those operational functions which immediately before the 1st May, 2016 were delivered by:

(a) the Environment Department, with the exception that the following operational functions will transfer:

- to the Development & Planning Authority
  - Operational functions arising out of planning legislation (except those that relate to planning inquiry administration), including –
    - Enforcing planning legislation
    - Operational functions relating to preparing development plans, subject plans, local planning briefs, guidance notes, development briefs and frameworks
    - Administering planning applications and pre-application advice requests
    - Making building regulations and Guernsey technical standards
    - Administering building regulation applications and pre-application advice requests
    - Conservation and design advice
    - Administering statutory registers of protected buildings and protected monuments
    - Administering tree protection orders and functions in relation to sites of special significance and conservation areas
    - Immunity certificates and property searches
  - Salles Publique, public building and public entertainment inspection and licencing
  - Clearance of ruins

(b) the Public Services Department, with the exception that the following operational functions will transfer:

- to the States’ Trading Supervisory Board
  - Management of Guernsey and Alderney airports
  - Management of St Peter Port and St Sampson’s Harbours including:
    - Coast guard services
    - Guernsey register of British ships
    - Maritime safety including the investigation of marine accidents, provision of navigational aids, safety information and liaison with search and rescue services
    - Monitoring the compliance with international and local laws of all vessels in Bailiwick waters and control of shipping in Bailiwick waters, excluding receiver of wreck and responding to pollution at sea
    - Pilotage services
  - Management of the collection, disposal and recovery of solid waste
  - The Waste Disposal Authority
  - Management of the public water supply and waste water disposal including:
    - Monitoring water catchment area for pollution and nutrient levels
    - Management of controlled streams
    - Collection and treatment of rainfall
    - Water pollution
  - Management of a direct labour organisation and emergency works response team (States’ Works)
(c) the Commerce and Employment Department, in relation to the following operational functions only:
   o Agriculture, the rural environment, biodiversity and countryside management advisory services
   o Farm loans scheme and farm management including the dairy farm manure management plans
   o Guernsey global breeding plan
   o Animal communicable disease monitoring, animal health and welfare including import and export of live animals, vet licencing, the pet passport scheme and veterinary medicines
   o Certification of meat imports and exports
   o Provision of the slaughterhouse and incinerator
   o Liaison with relevant regulatory and advisory bodies on environmental matters
   o Security of supply of essential commodities including food, fuel and energy
   o Energy advisory services, including in relation to renewable energy
   o States' Vet

(d) the Culture and Leisure Department, in relation to the following operational functions only:
   o La Vallette Bathing Pools
   o Management of public parks

(e) the Policy Council, in relation to the following operational functions only:
   o Operational matters relating to the preparation of the States' Strategic Land Use Plan
   o Regulatory, advisory, administrative and appeals functions relating to land planning other than those relating to certifying the States' Strategic Land Use Plan
• **Committee for Health & Social Care – Operational Functions**

The **Committee for Health & Social Care** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Health and Social Services Department**, with the *exception* that the following operational functions will transfer:

   to the **Committee for Education, Sport and Culture**
   
   o The Institute for Health and Social Care Studies

(b) the **Housing Department**, in relation to the following operational functions *only*:

   o Provision of domiciliary care services at Le Grand Courtil and La Nouvelle Maraitaine.
• **Committee for Home Affairs – Operational Functions**

The **Committee for Home Affairs** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Home Department**, with the *exception* that the following operational functions will transfer:
   - to the **Committee for Economic Development**
     - Broadcasting services

(b) the **Housing Department**, in relation to the following operational functions *only*:
   - Administration of the Housing Control and Right to Work Laws
   - Administration of the Open Market Housing Register

(c) the **Commerce and Employment Department**, in relation to the following operational functions *only*:
   - The offices of trading standards, and consumer protection advice.
The Civil Contingencies Authority shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the Civil Contingencies Authority.
Development & Planning Authority – Operational Functions

The Development & Planning Authority shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the Environment Department in relation to the following operational functions only:

- Operational functions arising out of planning legislation (except those that relate to planning inquiry administration), including:
  - Enforcing planning legislation
  - Operational functions relating to preparing development plans, subject plans, local planning briefs, guidance notes development briefs and frameworks
  - Administering planning applications and pre-application advice requests
  - Making building regulations and Guernsey technical standards
  - Administering building regulation applications and pre-application advice requests
  - Conservation and design advice
  - Administering statutory registers of protected buildings and protected monuments
  - Administering tree protection orders and functions in relation to sites of special significance and conservation areas
  - Immunity certificates and property searches
- Salles Publiques, public building and public entertainment inspection and licensing
- Clearance of ruins
• **Overseas Aid & Development Commission – Operational Functions**

The **Overseas Aid & Development Commission** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the **Overseas Aid Commission**.
The Scrutiny Management Committee shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the Public Accounts Committee, except that the following operational functions will transfer:
   to the Policy & Resources Committee
   o Advice and support in relation to the appointment of external auditors and their remuneration

(b) the Scrutiny Committee,

(c) the Legislation Select Committee, except that the following operational functions will transfer:
    to the Policy & Resources Committee
    o Advice and support in relation to legislative functions
    o Studying and reporting on schemes for the application of certain General Synod measures
• **States’ Assembly & Constitution Committee – Operational Functions**

The States’ Assembly & Constitution Committee shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the States’ Assembly and Constitution Committee.
• **States’ Trading Supervisory Board – Operational Functions**

The **States’ Trading Supervisory Board** shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by:

(a) the **Public Services Department**, in relation to the following operational functions only:
   - Management of Guernsey and Alderney airports
   - Management of St Peter Port and St Sampson’s Harbours including:
     - Coast guard services
     - Guernsey register of British ships.
     - Maritime safety including the investigation of marine accidents, provision of navigational aids, safety information and liaison with search and rescue services
     - Monitoring the compliance with international and local laws of all vessels in Bailiwick waters and control of shipping in Bailiwick waters, excluding receiver of wreck and responding to pollution at sea
     - Pilotage services
   - Management of the collection, disposal and recovery of solid waste
   - The Waste Disposal Authority
   - Management of the public water supply and waste water disposal including:
     - Monitoring water catchment area for pollution & nutrient levels
     - Management of controlled streams
     - Collection and treatment of rainfall
     - Water pollution
   - Management of a direct labour organisation and emergency works response team (States’ Works)

(b) the **Commerce and Employment Department**, in relation to the following operational functions only:
   - Management of the Guernsey Dairy including liaison with its stakeholders

(c) the **Culture and Leisure Department**, in relation to the following operational functions only:
   - Administration and promotion of the Channel Islands’ lottery

(d) the **Treasury and Resources Department**, in relation to the following operational functions only:
   - Shareholder’s functions and duties in respect of the States’ trading companies
   - Management and administration of all States-owned and leased property and real estate including the provision of advice to the organisation on property matters and the provision of corporate engineering and architectural services
- **Transport Licensing Authority – Operational Functions**

The Transport Licensing Authority shall deliver or oversee the delivery of those operational functions which immediately before the 1st of May, 2016 were delivered by the Commerce & Employment Department in relation to the regulation and licensing of transport services under the Air Transport Licensing (Guernsey) Law, 1995, including the issuing of air route licences.
**Schedule 1**

**Dates for the first day of States’ Meetings**  
(all Wednesday, except where indicated)

### 2019

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>16&lt;sup&gt;th&lt;/sup&gt; October</td>
<td></td>
</tr>
</tbody>
</table>
| 5<sup>th</sup> November  | Budget and uprating of non-contributory benefits  
Meeting only                                |
| 6<sup>th</sup> November |                                                                                 |
| 27<sup>th</sup> November |                                                                                 |
| 11<sup>th</sup> December |                                                                                 |

### 2020

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>15&lt;sup&gt;th&lt;/sup&gt; January</td>
<td></td>
</tr>
<tr>
<td>5&lt;sup&gt;th&lt;/sup&gt; February</td>
<td></td>
</tr>
<tr>
<td>26&lt;sup&gt;th&lt;/sup&gt; February</td>
<td></td>
</tr>
<tr>
<td>18&lt;sup&gt;th&lt;/sup&gt; March</td>
<td></td>
</tr>
<tr>
<td>21&lt;sup&gt;st&lt;/sup&gt; April</td>
<td>Policy &amp; Resource Plan (End of Term)</td>
</tr>
<tr>
<td>22&lt;sup&gt;nd&lt;/sup&gt; April</td>
<td></td>
</tr>
<tr>
<td>5&lt;sup&gt;th&lt;/sup&gt; May</td>
<td>May (Tuesday)</td>
</tr>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; July</td>
<td>Election of President of the Policy &amp; Resources Committee</td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; July</td>
<td>Election of Members of the Policy &amp; Resources Committee</td>
</tr>
<tr>
<td>7&lt;sup&gt;th&lt;/sup&gt; July</td>
<td>Election of Presidents</td>
</tr>
<tr>
<td>13&lt;sup&gt;th&lt;/sup&gt; July</td>
<td>Election of Committees</td>
</tr>
<tr>
<td>21&lt;sup&gt;st&lt;/sup&gt; July</td>
<td>Accounts</td>
</tr>
<tr>
<td>22&lt;sup&gt;nd&lt;/sup&gt; July</td>
<td></td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; September</td>
<td></td>
</tr>
<tr>
<td>30&lt;sup&gt;th&lt;/sup&gt; September</td>
<td></td>
</tr>
<tr>
<td>21&lt;sup&gt;st&lt;/sup&gt; October</td>
<td></td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; November</td>
<td>Budget Meeting &amp; Policy Letter of the Committee for Employment &amp; Social Security on uprating of non-</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>25\textsuperscript{th} November</td>
<td>contributory benefits</td>
</tr>
<tr>
<td>15\textsuperscript{th} December</td>
<td>Policy &amp; Resource Plan Meeting</td>
</tr>
<tr>
<td>16\textsuperscript{th} December</td>
<td></td>
</tr>
<tr>
<td>27\textsuperscript{th} January</td>
<td></td>
</tr>
<tr>
<td>24\textsuperscript{th} February</td>
<td></td>
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<tr>
<td>24\textsuperscript{th} March</td>
<td></td>
</tr>
<tr>
<td>28\textsuperscript{th} April</td>
<td></td>
</tr>
<tr>
<td>26\textsuperscript{th} May</td>
<td></td>
</tr>
<tr>
<td>15\textsuperscript{th} June</td>
<td>Policy &amp; Resource (Phase 2) &amp; Accounts</td>
</tr>
<tr>
<td>7\textsuperscript{th} July</td>
<td></td>
</tr>
</tbody>
</table>
Schedule 1a

Rota of statements
by Presidents of Committees of the States and the nominated Alderney Representative.

<table>
<thead>
<tr>
<th>States Meeting 2019</th>
<th>Committee/s/States of Alderney to make Statement</th>
</tr>
</thead>
</table>
| 16th October        | • Committee for Home Affairs
<pre><code>                 | • Overseas Aid &amp; Development Commission          |
</code></pre>
<p>| 5th November        | N/A (Budget)                                     |
| 6th November        | • Committee for the Environment &amp; Infrastructure |
| • Committee for Health &amp; Social Care             |
| 27th November       | • Committee for Employment &amp; Social Security     |
| • The States of Alderney                        |
| 11th December       | • Scrutiny Management Committee                  |
| • States’ Assembly &amp; Constitution Committee      |
| States’ Meeting 2020| Committee/s/States of Alderney to make Statement |
| 15th January        | • Policy &amp; Resources Committee                   |
| 5th February        | • Committee for Economic Development             |
| • Committee for Education, Sport &amp; Culture       |
| 26th February       | • Committee for the Environment &amp; Infrastructure |
| • States’ Trading Supervisory Board              |
| 18th March          | • Committee for Employment &amp; Social Security     |
| • Transport Licensing Authority                  |
| 22nd April          | • Committee for Health &amp; Social Care             |
| • Committee for Home Affairs                     |
| 6th May             | N/A                                              |
| 22nd July           | • Policy &amp; Resources Committee                   |
| 2nd September       | • Committee for Economic Development             |
| 30th September      | • Development &amp; Planning Authority               |
| • Committee for Education Sport &amp; Culture        |
| 21st October        | • Committee for Home Affairs                     |</p>
<table>
<thead>
<tr>
<th>Date</th>
<th>Committee/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>3rd November</td>
<td>Overseas Aid &amp; Development Commission</td>
</tr>
<tr>
<td>25th November</td>
<td>Committee for the Environment &amp; Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Committee for Health &amp; Social Care</td>
</tr>
<tr>
<td>15th December</td>
<td>N/A Policy &amp; Resource Plan Meeting</td>
</tr>
<tr>
<td>16th December</td>
<td>Committee for Employment &amp; Social Security</td>
</tr>
<tr>
<td></td>
<td>The States of Alderney</td>
</tr>
<tr>
<td>States’ Meeting</td>
<td>Committee/s/States of Alderney to make Statement</td>
</tr>
<tr>
<td>2021</td>
<td>States’ Meeting</td>
</tr>
<tr>
<td>27th January</td>
<td>Scrutiny Management Committee</td>
</tr>
<tr>
<td></td>
<td>States’ Assembly &amp; Constitution Committee</td>
</tr>
<tr>
<td>24th February</td>
<td>Policy &amp; Resources Committee</td>
</tr>
<tr>
<td>24th March</td>
<td>Committee for Economic Development</td>
</tr>
<tr>
<td></td>
<td>Committee for Education, Sport &amp; Culture</td>
</tr>
<tr>
<td>28th April</td>
<td>Committee for the Environment &amp; Infrastructure</td>
</tr>
<tr>
<td></td>
<td>States’ Trading Supervisory Board</td>
</tr>
<tr>
<td>26th May</td>
<td>Committee for Employment &amp; Social Security</td>
</tr>
<tr>
<td></td>
<td>Transport Licensing Authority</td>
</tr>
<tr>
<td>15th June</td>
<td>N/A Policy &amp; Resource (Phase 2) &amp; Accounts</td>
</tr>
<tr>
<td>7th July</td>
<td>Committee for Health &amp; Social Care</td>
</tr>
<tr>
<td></td>
<td>Committee for Home Affairs</td>
</tr>
</tbody>
</table>
DECLARATION OF INTERESTS
MADE PURSUANT TO RULES 29 AND 36 OF THE RULES OF PROCEDURE
OF THE STATES OF DELIBERATION AND THEIR COMMITTEES

Surname:  Forenames in full:

I hereby certify that, to the best of my knowledge and belief, this Declaration of Interests gives full and complete particulars, as at the date of this declaration, of all matters which I am required to declare, as a Member of the States of Deliberation, pursuant to Rules 29 and 36 of the Rules of Procedure of the States of Deliberation and their Committees or as a person who is a non-States member of a States’ Committee pursuant to Rule 46.

I understand that I am required to declare interests or benefits of which I am aware received by my spouse, co-habiting partner or infant children.

I further understand that this form is a public document and will be published on the States’ website.

Signature:  Date:

This form must be returned to Her Majesty’s Greffier not later than the 31st May 20**.

For use by H. M. Greffier:

Date return received:
### PART 1
**Employment**

<table>
<thead>
<tr>
<th>Name and address of each Employer</th>
<th>Brief description of the business/work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enter ‘none’ in box if there is no interest to declare

### PART 2
**Directorships**

<table>
<thead>
<tr>
<th>Name and address of each Company</th>
<th>Brief description of the business/work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enter ‘none’ in box if there is no interest to declare

### PART 3
**Partnerships**

<table>
<thead>
<tr>
<th>Name and address of each Partnership</th>
<th>Brief description of the business/work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enter ‘none’ in box if there is no interest to declare
**PART 4**
Offices Held

<table>
<thead>
<tr>
<th>Name and address of each Office held</th>
<th>Brief description of the business/work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enter ‘none’ in box if there is no interest to declare

**PART 5**
Self-Employment and any other Consultancy, Profession, Trade, Vocation or other work not declared in Parts 1-4

<table>
<thead>
<tr>
<th>Brief description of the business/work</th>
<th>Name and address of any person or entity from whom you receive payment or benefit which forms a significant portion of either your income from this work or your total income</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enter ‘none’ in box if there is no interest to declare

**PART 6**
Real Property situated in the Bailiwick

<table>
<thead>
<tr>
<th>Address of each Property</th>
<th>State whether owned, leased, rented or held in trust</th>
<th>Purpose for which Property is held</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**PART 7**
Company Shareholdings

<table>
<thead>
<tr>
<th>Name and address of each Company</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

*In respect of companies listed above where the holding is over 10% of the issued share capital, give a brief description of their business/work and state what real property, if any, they hold (either directly or indirectly) in the Bailiwick.*

<table>
<thead>
<tr>
<th>Enter ‘none’ in box if there is no interest to declare</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**PART 8**
Trusts (excluding Professional Trusteeships)

<table>
<thead>
<tr>
<th>Name and address of each Trust</th>
<th>State whether as beneficiary or trustee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Enter ‘none’ in box if there is no interest to declare</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
**PART 9**

**Payments received for Public Speaking**

Enter ‘none’ in box if there is no interest to declare

<table>
<thead>
<tr>
<th>Name and address of each organisation from which a payment was received in the period from 1\textsuperscript{st} May 20** to 30\textsuperscript{th} April 20** §</th>
<th>Brief description of the function at which the speech was made</th>
</tr>
</thead>
</table>

§ This section does not apply to Members who were not in office during the relevant period.

**PART 10**

**Other Gifts, Benefits and Hospitality Received**

Enter ‘none’ in box if there is no interest to declare

Declare all gifts and material benefits received by you, a close family member or associate in the period from 1\textsuperscript{st} May 20** to 30\textsuperscript{th} April 20** § which are of a value greater than 1% of basic allowance payable to States Members

<table>
<thead>
<tr>
<th>Nature of gift or benefit:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>By whom received:</td>
<td></td>
</tr>
<tr>
<td>Name of donor or benefactor:</td>
<td></td>
</tr>
<tr>
<td>Value of gift or benefit:</td>
<td></td>
</tr>
<tr>
<td>If gift was money or a tangible item state date that money or item was transferred or delivered to the States</td>
<td></td>
</tr>
</tbody>
</table>

§ This section does not apply to Members who were not in office during the relevant period.
**PART 11**
Any Other Interests

*Enter ‘none’ in box if there is no interest to declare*

Declare here any other interest or benefit received which, whilst not required to be registered under Parts 1-10 might reasonably be perceived by other persons to influence actions as an elected Member of the States.

**Part 12**
Employment by the States of close Family Members

*Enter ‘none’ in box if there is no interest to declare*

Declare here the name, familial relationship, job title and usual place of work of any of the following who is an employee of the States, that is to say parent, spouse, cohabiting partner, child, grandchild or sibling.

**CONTINUATION SHEETS**

If there was insufficient space provided in any Part of this form please add a continuation sheet.

<table>
<thead>
<tr>
<th>Are any continuation sheets attached?</th>
<th>YES / NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, specify number of sheets ...........</td>
<td></td>
</tr>
</tbody>
</table>
EXPLANATORY NOTES

Applicability of Declaration to Interests of the Member’s spouse, co-habiting partner and infant children

Throughout this form, in addition to those matters which relate directly to you, you are also required to declare any interests of which you are aware which relate to your spouse, co-habiting partner and infant children. An infant child is one who has not yet attained the age of 18 years.

PART 1
Employment

If you are currently employed, whether or not you are in receipt of remuneration, state the name and address of every employer and give a brief description of the main business activities of each of those employers.

Do not include your position as a Member of the States of Deliberation.

You are not required to declare the amount of any remuneration or benefit received.

PART 2
Directorships

State the name and address of every company of which you are a director, whether or not you are in receipt of remuneration, and give a brief description of the main business activities of each of those companies.

You are not required to declare the amount of any remuneration or benefit received.

PART 3
Partnerships

State the name and address of every partnership or firm of which you are a partner, whether or not you are in receipt of remuneration, and give a brief description of the main business activities of each of those partnerships or firms.

You are not required to declare the amount of any remuneration or benefit received.

PART 4
Offices Held

State the name and address of every organisation in which you are the holder of any office, whether or not you are in receipt of remuneration, and give a brief description of the main activities of each of those organisations.

An office-holder is someone who by virtue of that office is able to take part in the making of executive decisions on behalf of the organisation.
You are not required to declare the amount of any remuneration or benefit received. Similarly you are not required to declare any general membership or similar relationship with those organisations. The following two examples are offered as illustrations:

- X is an ordinary member of a natural history society – this is not declarable but if X were a member of the Society’s Council it would be declarable.
- Y is member of a church congregation – this is not declarable but if Y were a Churchwarden it would be declarable.

**PART 5**
Self-Employment and any other Consultancy, Profession, Trade, Vocation or other work not declared in Parts 1-4

Give a brief description of the main business activities relating to any business in which you are self-employed, consultancies, professions, trades or vocations or other work not otherwise declared.

If you receive a payment or other benefit from any person or entity which forms either a significant portion of your total income or your income from that particular work, then you must also declare the name and address of such person or entity.

“Significant” in this regard means more than one-third.

You are not required to declare the amount of any payment or benefit received.

**PART 6**
Real Property situated in the Bailiwick

List all real property – including your principal place of residence – which you own either in your own name or jointly with others, or lease, or rent, or which is held in trust on your behalf.

A brief statement declaring the purpose for which the property is held is also required, for example – “principal residence”; investment property for letting”; agricultural land let to farmer”; etc.

**PART 7**
Company Shareholdings

List the name and registered office of every limited liability company in which you own shares which exceed 1% of the issued share capital. A declaration must also be made when the aggregate of the shareholdings of one or more of yourself, your spouse, co-habiting partner and infant children exceeds 1% of the issued share capital.

In addition, if the shareholding, or aggregate shareholding, exceeds 10% of the issued share capital you must also give a brief description of the main business activities of each of those companies and state what real property, if any, situated in the Bailiwick is held, either directly or indirectly, by the company.
PART 8
Trusts (excluding Professional Trusteeships)

List any trust of which you are either a trustee or a beneficiary. This includes family trusts but excludes any trust of which you are trustee in a professional capacity. In such cases an appropriate declaration should be made in Part 5.

You are not required to declare the value of the trust or the value or nature of any beneficial interest which you may have therein.

PART 9
Payments received for Public Speaking

Give the name and address of each organisation from which you received for your personal benefit a payment for public speaking during the year ending 30th April 20**, together with a brief description of the function at which the speech was made. You are not required to declare public speeches where the payment received was wholly for the benefit of a charitable organisation.

You are not required to declare the amount of any remuneration or other benefit received.

PART 10
Other Gifts, Benefits and Hospitality Received

1. Any gift or material benefit received by a Member, or to the Member’s knowledge by his or her spouse, co-habiting partner or infant children, must be declared if it:
   (a) in any way relates to membership of the States; and
   (b) is of a value greater than 1% of the basic remuneration for the time being payable to ordinary States Members (i.e. the rate payable to Members who are not the President, Policy & Resources Committee, Committee Presidents or Vice-Presidents) – hereafter referred to as the "qualifying value".

2. Gifts of money or tangible items (e.g. jewellery, glassware), or other benefits (e.g. hospitality, tickets to sporting and cultural events, relief from indebtedness, loan concessions, provision of services, etc.) must be declared if they exceed the qualifying value. The Code of Conduct for States’ Members requires that any such money or tangible gifts received by a Member must not be retained but must be transferred or delivered into the ownership of the States.

3. This means that any gift, or other benefit, which in any way relates to membership of the States and which is given gratis, or at a cost below that generally available to members of the public, shall be declared whenever the value of the gift or benefit is greater than the qualifying value. Any similar gift or benefit which is received by any company or organisation in which the Member, his or her spouse, co-habiting partner or infant children have a controlling interest must also be declared.

4. Gifts and other benefits from the same or associated sources in the course of the relevant 12 months which cumulatively are of greater value that the qualifying value must be registered, even if each single gift or benefit is of lesser value.
5. Benefits, such as tickets to sporting or cultural events, received by another person together with or on behalf of a Member must be declared as if they had been received by the Member.

6. Gifts or other benefits from another Member of the States are to be declared in the same way as those received from other persons.

7. Excepted from declaration:
   a. are gifts and benefits known to be available to all Members of the States;
   b. is attendance at a conference or a site visit within the Bailiwick, the United Kingdom, Jersey and the Isle of Man in the context of legitimate States’ business where the organiser meets reasonable travel and subsistence costs only;
   c. is hospitality provided in the context of legitimate States’ business by the States of Guernsey, States of Alderney, Chief Pleas of Sark or the governments the United Kingdom, Jersey or the Isle of Man or the devolved institutions in Scotland, Wales or Northern Ireland.

8. Gifts and material benefits are exempt from declaration if they do not relate in any way to membership of the States. Whether this exemption applies in any particular case is necessarily a matter of judgment. Both the possible motive of the giver and the use to which the gift is put have to be considered: if it is clear on both counts that the gift or benefit is entirely unrelated to membership of the States, and would not reasonably be thought by others to be so related, it need not be declared. If a Member has any doubt the gift or benefit must be declared.

**PART 11**

**Any Other Interests**

List any other interest or benefit received which you have not been required to declare in other parts of this form but which might reasonably be perceived by other persons to influence your actions as an elected Member of the States.

You are **not** required to declare the value of any interest or benefit received.

You may also use this section to record any interests or other matters that are not required to be registered but which, in your opinion, should be disclosed to the public.

**WHAT HAPPENS TO THIS RETURN?**

Declarations must be made annually between the 1st and the 31st May.

The information required in Parts 9 and 10 is in respect of the 12 months ending on the previous 30th April.

The declarations are available for public inspection at the Greffe during normal opening hours and are published on the States’ website.
Schedule 3

Declaration of Unspent Convictions

Enter ‘none’ in the box if there are no unspent convictions to declare

<table>
<thead>
<tr>
<th>Declare here any unspent convictions which resulted in a sentence of imprisonment imposed by a court in any jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Explanatory note:
Rule 29 requires disclosure of any criminal convictions resulting in sentences of imprisonment which are not to be treated as spent pursuant to the Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002 ("unspent convictions"). In broad terms, such a conviction is “unspent” until the end of the following periods, according to the length of prison sentence imposed in respect of it:

<table>
<thead>
<tr>
<th>Imprisonment (including a suspended sentence of imprisonment) for a term exceeding 6 months but not exceeding 30 months</th>
<th>10 years after the date of conviction, or 5 years if the person was under 18 when convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imprisonment (including a suspended sentence of imprisonment) for a term not exceeding 6 months</td>
<td>7 years after the date of conviction, or 3 ½ years if the person was under 18 when convicted</td>
</tr>
</tbody>
</table>

It is important to note that convictions recorded outside the Bailiwick are equally subject to rehabilitation, and are “unspent” for the same periods. The only exception is that these Rules do NOT require the unspent conviction to be declared if the conduct concerned would not be an offence if committed in Guernsey at the time the declaration is made. A conviction resulting in a sentence in excess of 30 months’ imprisonment is never spent, and must be declared irrespective of its date.
CODE OF CONDUCT
for
MEMBERS OF THE STATES OF DELIBERATION

Approved by Resolution of the States on the 28th September 2006
amended 30th September 2009, 27th May 2011,
30th May 2012, 24th September 2013,
## CODE OF CONDUCT
for
MEMBERS OF THE
STATES OF DELIBERATION

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</table>
Code of Conduct for Members of the States of Deliberation

approved by Resolution of the States on the 28th September, 2006, 30th September 2009 and 27th May 2011, pursuant to article 20F(1) of The Reform (Guernsey) Law, 1948, as amended.¹

PART I

Purpose of the Code

1. The purpose of the Code of Conduct is to assist elected Members of the States of Deliberation [hereinafter referred to as "Members"] in the discharge of their obligations to the States, their constituents and the public. All Members are required to comply with the provisions of this code in all aspects of their public life. Whilst it does not seek to regulate what Members do in their purely private and personal lives they must, however, be aware that some private and personal matters may impinge on their public rôles.

Public Duty

2. Members, before entering office², take an oath or affirm allegiance to be faithful and bear true allegiance to Her Majesty the Queen, her heirs and successors, according to law. They also take an oath of office or make an affirmation in which they promise that "well and faithfully" they will perform the duties attaching to membership of the States of Deliberation.

3. The primary duty of Members is to act in the public interest. In so doing Members have a duty on all occasions to act in accordance with their oaths, and in accordance with the public trust placed in them.

4. Members have a duty to respect the rule of law and the administration of justice. In this context “law” includes such international law and treaty obligations as are for the time being applicable.

5. Whilst Members have a general duty to act in the best interests of the public as a whole they have a special duty to be accessible to the people of the electoral district for which they have been elected to serve and to represent their interests conscientiously.

Personal Conduct

6. Members shall observe the following general principles of conduct for holders of public office –

- **Selflessness**
  Members shall take decisions solely in terms of the public interest. They shall not do so in order to gain financial or other material benefits for themselves, their family or friends, their business associates or any voluntary or charitable organisation with which they are involved.

- **Integrity**
  Members shall not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

- **Objectivity**
  In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Members shall make choices on merit, and at no time improperly discriminate against or afford undue preferential treatment to any group or individual.

- **Accountability**
  Members are accountable for their decisions and actions to the States and the public and must submit themselves to whatever scrutiny is appropriate to their office.

- **Openness**
  Members shall be as open as possible about all decisions and actions that they take and must not knowingly deceive or mislead. They shall give reasons for their decisions and restrict information only when the wider public interest, or statutory provision, clearly demand.

¹ Article 20F(1) inserted by The Reform (Guernsey) (Amendment) Law, 2006
² Article 19 of The Reform (Guernsey) Law, 1948, as amended
- **Honesty**
  Members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

- **Leadership**
  Members shall promote and support these principles by leadership and example.

### The Principles in Practice

#### Conflict between public and private interest

7. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest. After leaving their official positions, they will not take improper advantage of their previous office.

#### Members’ Conduct

8. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public’s trust and confidence in the integrity of the States of Deliberation and never undertake any action which would bring the States, or its Members generally, into disrepute.

9. Members shall at all times treat other Members, civil servants and members of the public with respect and courtesy and without malice, notwithstanding the disagreements on issues and policy which are a normal part of the political process.

#### Relationship with the Civil Service

10. Members shall uphold the political impartiality of the Civil Service and shall not ask civil servants to act in a manner which would conflict with the Civil Service Code. Members should familiarize themselves with the contents of that Code. In reaching decisions they shall give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice from other persons.

#### Possible inducements, including gifts and hospitality

11. The acceptance by a Member of a bribe, including any fee, compensation or reward, to influence his or her conduct as a Member, in connection with the promotion of, or opposition to, any matter submitted or intended to be submitted to the States of Deliberation, or any Department or Committee of the States, and any trading in influence to secure undue advantage is contrary to law.³

12. The acceptance of hospitality may be acceptable in appropriate circumstances as a means of effecting States’ business. However, Members shall not accept gifts, hospitality or services that might appear to place the recipient under any form of obligation to the giver. In receiving any gift or hospitality Members should consider subjectively whether they would be prepared to justify acceptance to the public.

13. Members must comply with the requirements of the Rules of Procedure of the States of Deliberation concerning declarations of interests in respect of gifts and hospitality. Any money or tangible gifts received by a Member which are required to be declared must not be retained but must be transferred or delivered into the ownership of the States.

#### Use of States facilities

14. To avoid misrepresentation of the States and to avoid the improper use of States’ assets, Members must not use any goods, services or facilities provided for the functioning of government
   (a) for private purposes; nor
   (b) except where generally available in accordance with published arrangements to all Members, for electoral district purposes.

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³ The Prevention of Corruption (Bailiwick of Guernsey) Law, 2003
Register and Declaration of Members’ Interests

15. Members must fulfil conscientiously the requirements of the Rules of Procedure of the States of Deliberation in respect of the registration of interests in the Register of Members’ Interests and must always draw attention to any relevant and material interest in any proceedings of the States of Deliberation, its Departments or Committees.

15A. A Member shall not knowingly or recklessly make a false statement in a Declaration of Unspent Convictions.

16. In any activities with, or on behalf of, any organisation with which a Member has a financial relationship, including activities which may not be a matter of public record such as informal meetings and functions, he or she must always bear in mind the need to be open and frank with the Presiding Officer, Law Officers, Ministers, Members and officials.

Payments from Third Parties

17. Members must not accept, from a third party, any payment or gift in respect of their participation in any proceedings of the States, its Departments or Committees.

Confidential Information

18. Members must bear in mind that confidential information which they receive in the course of their duties may only be used in connection with those duties, and that such information must never be used for the purpose of financial gain or otherwise in their own personal interest or that of their families, friends, business associates or any voluntary or charitable organisation with which they are involved.

18A. For the avoidance of doubt the ‘confidential information’ referred to in the previous paragraph includes, but is not limited to, Department and Committee minutes and other papers circulated to members thereof. The content of such minutes and other papers is not to be disclosed to any third party other than by resolution of the Department or Committee concerned.

19. In addition, Members shall not disclose publicly, or to any third party, personal information about named individuals which they receive in the course of their duties, unless it is both lawful and clearly in the wider public interest to do so. Members must, at all times, have regard to all relevant data protection, human rights and other legislation when dealing with confidential information and must be aware of the consequences of breaching confidentiality.

19A. For the avoidance of doubt, all correspondence, howsoever received, between a Department or Committee and a Member of the States shall be treated as confidential under the Code of Practice for Access to Public Information unless expressed otherwise and shall not be disclosed to any third party, whether within the States or outside, in whole or in part, by any means, without the express consent of the author of that correspondence.

19B. The obligations under section 19 not to disclose personal information publicly or to any third party, and under section 19A to treat correspondence as confidential and not to disclose correspondence to any third party, shall be treated as not having been breached or disregarded where the disclosure or treating takes place in accordance with arrangements approved for the operation and management of a private office or administrative scheme under section 19C.

19C. The Chief Executive may from time to time approve arrangements for the operation and management of any private office or administrative scheme that are proposed by any Member and are intended for the purpose of enabling that Member to deal with correspondence and information relating to the affairs or business of the States of Deliberation or any committee of the States. An approval under this section shall be made upon and subject to the current application process requirements being met and such terms and conditions as the Chief Executive and the States’ Assembly & Constitution Committee thinks fit, including for the purpose of ensuring that –

(a) information relating to the affairs of the States of Deliberation or any committee of the States, and

(b) information relating to any third party (including personal data relating to any individual),
are given suitable protection including, in the case of personal data relating to a living individual, protection in accordance with the provisions of the current Data Protection Law.

19D. Where the Chief Executive is of opinion that -

(a) the terms or conditions of an approval given under section 19C
   (i) have been breached, or
   (ii) are inadequate for the purpose referred to in section 19C, or

(b) there is other good reason,

he may at any time by written notice given to the Member concerned revoke, suspend or vary an approval under section 19C.
PART II

States Members’ Conduct Panel

20. There shall be established a States Members’ Conduct Panel [hereinafter referred to as “the Panel’] the purpose of which shall be to investigate complaints referred to it in accordance with procedures set out in Part III of this Code.

21. The Panel shall comprise a Chairman, a Deputy Chairman and eight ordinary members appointed in writing by the Presiding Officer for a period of five years. Members of the States and their spouses shall not be eligible to serve on the Panel. A person so appointed may at any time resign his appointment by notice in writing delivered to the Presiding Officer.

22. Members whose term of office comes to an end by effluxion of time shall be eligible, if otherwise qualified, for re-appointment.

23. If it appears to the Presiding Officer that a Member of the Panel
   (a) has been absent from the Island for a period longer than six consecutive months; or
   (b) is incapacitated by physical or mental illness; or
   (c) is otherwise unable or unfit to discharge the functions of a member of the Panel
the Presiding Officer may declare his office to be vacant and thereupon shall appoint a person to fill the position vacated.

24. A member of the Panel who has any direct or indirect personal interest in a matter referred to the Panel
    shall forthwith declare that interest to the Chairman of the Panel and shall take no further part in the investigation of the matter concerned. In the case of the Chairman he shall declare any such interest to the Deputy Chairman of the Panel.

PART III

Procedure for Complaints relating to Part I matters

26. Complaints, whether from Members or from members of the public, alleging that the conduct of a Member is in breach of the Code of Conduct set out in Part I must be addressed in writing to the Chairman of the Panel.

27. Unsubstantiated allegations will not be considered by the Chairman of the Panel. Complainants are required to supply the Chairman of the Panel with supporting evidence and a complaint founded only upon a media report will not normally be treated as a substantiated allegation. Anonymous complaints will only be considered in exceptional circumstances.

27A. Immediately upon receipt of a complaint the secretary to the Panel shall notify the Member concerned that a complaint has been made.

28. If the Chairman of the Panel is satisfied that there is prima facie evidence to support the complaint he will ask the Member concerned to respond to the complaint and will then conduct an investigation. The Investigation Panel will comprise the Chairman and two other members of the Conduct Panel, one of whom shall be nominated by the Chairman, and the other being nominated by the Member under investigation. If the Member declines to so nominate, or fails to do so within such period as shall be determined by the Chairman, he shall forfeit his right and the Chairman shall make the appointment. The Member concerned will at every stage be given full details of the nature of the complaint and will be invited to address the Investigation Panel.

29. All Members are required to co-operate fully and promptly with the Investigation Panel during any investigation, even if the Member concerned considers that the alleged breach is unsubstantiated. Failure to co-operate in any investigation will, in itself, be regarded as a breach of the Code.
30. The Investigation Panel may request the production of papers and records and may request the attendance of any person before it, and may request that specific documents in the possession of a Member relating to its inquiries be laid before it.

31. If the Chairman when considering the prima facie evidence or the Investigation Panel in the course of the investigation has cause to believe that a criminal offence may have been committed, he or it (as the case may be) shall immediately suspend the proceedings and forthwith refer the matter to the Chief Officer of Police. The investigation shall not be resumed until either judicial proceedings have been concluded or the Chief Officer of Police has certified to the Chairman that he has no further interest in the matter.

32. Where the Investigation Panel finds that a complaint has been substantiated but is of the view that the breach of conduct was of a minor nature it will normally dispose of the matter by cautioning the Member concerned. A report of the Investigation Panel’s decision in such cases shall be forwarded to the Presiding Officer and to Her Majesty’s Greffier who shall make the said report available for public inspection whenever the Greffe is open for normal business.

33. Where the Panel finds that a complaint has been substantiated and it is of the opinion that the Member should be formally reprimanded, suspended, removed from a particular office or expelled, or, where a Member refuses to accept a caution in the circumstances set out in the previous paragraph, it shall report its findings to the States Assembly and Constitution Committee which, in turn, shall submit that report to the Presiding Officer for inclusion in a Billet d’État with the recommendations of the Panel. Notwithstanding a Member's refusal to accept a caution, the States may resolve that the Member be cautioned.

34. Where the complaint concerns the Chairman or a Member of the States Assembly and Constitution Committee, and where the Panel finds that the complaint has been substantiated and is of the opinion that the Member should be formally reprimanded, suspended, removed from a particular office or expelled, it shall report its findings to a panel comprising the five most senior Members of the States by length of service who do not have a seat on the States Assembly and Constitution Committee who, in turn, shall submit that report to the Presiding Officer for inclusion in a Billet d’État with the recommendations of the Panel.

34A. For the avoidance of doubt mediation between the complainant and the accused Member is not permitted in the processing of complaints made pursuant to this Code of Conduct.

PART IV

Absolute Privilege for States Proceedings

35. The Law⁴ confers absolute privilege on Members in respect of any words spoken in, or in any report to, the States or any Department or Committee thereof. This includes requêtes, amendments, sursis, questions, reports and other written documents. Absolute privilege is a complete defence to any legal proceedings arising as a result of what is said or published. It confers protection even when the words complained of are spoken or published maliciously, or when their being spoken or published would otherwise amount to a criminal offence.

36. Members are afforded this immunity to enable them to air any matter, regardless of the power, wealth or status of those criticised.

37. The counter-balance to privilege, however, is responsibility; and Part V of this Code sets out the mechanism for the investigation of allegations of abuse of privilege and, where such an allegation is found to be substantiated, the penalties which may be imposed on the Member concerned.

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⁴ Article 20A of The Reform (Guernsey) Law, 1948, as amended
PART V

Investigation of Allegations of Abuse of Privilege

38. A Privileges Panel convened for the purpose of investigating an alleged abuse of privilege shall comprise five of the ten most senior Members, by length of service, appointed by the Presiding Officer, save that
(a) If the Presiding Officer deems it inappropriate for some or all of the ten most senior Members to sit on the Privileges Panel he may appoint some or all of the next ten most senior Members as Members of the Panel;
(b) The two Members appointed to sit on the First Instance Panel shall not be eligible to sit on the Privileges Panel.

39. A Member alleging that another Member has abused privilege shall request the Presiding Officer to direct that the alleged abuse be referred to a Privileges Panel for consideration.

40. A request that an alleged abuse of privilege be referred to a Privileges Panel shall include a statement that it is a motion laid pursuant to this paragraph and shall set out the full details of the basis on which the Member making the request alleges abuse of privilege. In particular, the said Member shall provide sufficient information to show that there is a prima facie case for the matter to be referred to a Privileges Panel.

41. A request made pursuant to the previous paragraph shall be referred by the Presiding Officer to a First Instance Panel selected by him and comprising two of the ten most senior Members, by length of service and one of the Law Officers.

42. The alleged abuse shall only be so referred to a Privileges Panel if the First Instance Panel has resolved that a prima facie case has been made by the Member alleging the abuse of privilege.

43. The Member concerned will be invited to address the Privileges Panel. All Members are required to co-operate fully with the Privileges Panel during any investigation, even if the Member concerned considers that the alleged abuse is unsubstantiated. Failure to co-operate in an investigation will be regarded as a breach of the Code.

44. The Privileges Panel may request the production of papers and records and may request the attendance of any person before it, and may request that specific documents in the possession of a Member relating to its inquiries be laid before it.

45. When the Privileges Panel has concluded its investigations it shall report its findings directly to the States, and, if the allegation is upheld, the Privileges Panel shall advise the States as to whether they should reprimand, suspend or expel the offending Member. When a suspension is proposed the terms of the proposed suspension shall be set out in the report of the Privileges Panel. Members of either the First Instance Panel or Privileges Panel shall not be precluded from taking part in the States proceedings.

PART VI

Suspension of a Member

46. The States may, in dealing with breaches of conduct or abuse of privilege, suspend a Member either from all States service or from a particular office or function, e.g. from the membership of a particular Department or Committee.

47. A Member suspended from a particular office or function may not, during the period of his suspension, take any part in meetings or other matters relating to that office or function but may, in all other matters, continue to serve as a Member of the States.
48. A Member suspended from all States service shall not, during the period of his suspension:
   • enter the States Chamber or its precincts when the States are meeting;
   • take part in any meeting or other matter relating to the States or a Department or Committee of
     the States;
   • sign any report, requête or other document relating to the business of the States;
   • ask any question pursuant to Rule 6 of the Rules of Procedure.

49. The States shall, when resolving that a Member be suspended, specify in each case whether any or all of
    the allowances payable to the Member pursuant to the Rules for Payments to States Members should
    cease during the period of suspension.

PART VII

General

Applicability to Former Members of the States of Deliberation and Non-States Members of States Departments
and Committees

50. This Code shall, where the context so permits, apply in relation to paragraphs 18, 18A and 19 (Confidential
    Information), to former Members of the States of Deliberation and Non-States Members of States
    Departments and Committees.

Definitions

51. In this Code
   • “absolute privilege” has the meaning assigned to it in Article 20A of the Reform (Guernsey) Law, 1948, as amended;
   • “abuse of privilege” means abuse of absolute privilege;
   • “Members of the States of Deliberation” and “Members” means People’s Deputies and Alderney
     Representatives;
   • the disciplines and standards of behaviour prescribed are also applicable in the context of
     electronic communications.

52. In Part III reference to “the Chairman” includes “the Deputy Chairman” where the context so permits.

Commencement

53. This Code of Conduct shall come into force on the day following the registration in the Royal Court of The
    Reform (Guernsey) (Amendment) Law, 2006.
Appendix 1

STATES MEMBERS’ CONDUCT PANEL
[appointed by the Presiding Officer pursuant Part II of The Code]

The appointments shown below became effective on 1st March, 2017 and will continue until 28th February, 2022, subject to the operation of the relevant sections of Part II of The Code relating to the extension and termination of appointments.

Chairman:          Mrs. Judith M. Beaugeard
Deputy Chairman:   Mr. Allister H. Langlois
Other Members:     Advocate Russell Clark
                    Mr. Peter L. Gillson
                    Mrs. Sandra A. James, MBE
                    The Very Reverend John A. Guille
                    Mr. Scott J. Ogier
                    Dame Mary Perkins, DBE
                    Mrs. Barbara E. Steer
                    Mrs. Jennifer D. Strachan
1. The Civil Service forms an integral and key part of government. It supports the States of Deliberation, Departments and Committees in formulating and implementing their policies, and in the delivery of public services. Civil servants are recruited on merit through fair and open competition. You can take pride in carrying out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality.

   > **Integrity** is about putting the public good above your own personal interests in whatever you do as a civil servant.
   
   > **Honesty** involves being truthful and transparent.
   
   > **Objectivity** means that you base your advice and decisions on rigorous analysis of the evidence.
   
   > **Impartiality** requires you to act solely according to the merits of the case and without bias. In a politically impartial Civil Service, you must not let your own political views influence your work.

2. These core values support good government and ensure the achievement of the highest possible standards in all that the Civil Service does. This in turn helps the Civil Service to gain and retain the respect of States Members¹, the public, other organisations it works with, and its many customers, and to fulfil its role in Island life.

3. This Code sets out the standards of behaviour expected of you and all other civil servants and the duties that civil servants owe to States Members², the public, other organisations the Civil Service works with, and its many customers. These standards and duties flow from the core values. Individual Departments and Committees may also have their own separate mission and values statements based on the core values including the standards of behaviour expected of you in your dealings with your colleagues.

   ¹*States Members include non-States Members of States Departments or Committees.*
   
   ²*Similar standards are set out in the Code of Conduct for Members of the States of Guernsey.*

**STANDARDS OF BEHAVIOUR**

**INTEGRITY**

4. You must:

   > conscientiously fulfil your duties and obligations
   
   > always act in a way that is professional and that deserves and retains the confidence of those with whom you have dealings, whether they be States Members, members of the public or other civil servants
   
   > ensure the proper and efficient use of public money
   
   > deal with the public and their affairs fairly, efficiently, promptly and effectively
   
   > comply with the law.
5. You must not:
   - misuse your official position or information acquired in the course of your official duties to further your private interests or those of others
   - accept gifts or hospitality or receive other benefits from a third party which might reasonably be seen to compromise your personal judgement or integrity
   - disclose confidential information without authority. This duty continues to apply after you leave the Civil Service.

HONESTY

6. You must:
   - set out facts and issues truthfully
   - use resources only for the authorised public purposes for which they are provided.

7. You must not:
   - be influenced by pressures from others or the prospect of personal gain
   - deceive or knowingly mislead States Members, other civil servants or members of the public.

OBJECTIVITY

8. You must:
   - provide information and advice, including advice to States Members, on the basis of the evidence, and accurately present the options
   - take decisions on the merits of the case
   - take due account of expert and professional advice.

9. You must not:
   - ignore inconvenient facts or relevant considerations when providing advice or taking decisions
   - frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from decisions.

IMPARTIALITY

10. You must:
    - carry out your responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity.

11. You must not:
    - act in a way that unjustifiably favours or discriminates against particular individuals or interests.

POLITICAL IMPARTIALITY

12. Civil servants must maintain political impartiality: you must serve the States of Guernsey to the best of your ability in a way which is consistent with the requirements of this Code and irrespective of your own political beliefs.
13. You must:
   > implement decisions conscientiously
   > act in a way which deserves and retains the confidence of States Members, while at the same time ensuring that you will be able to establish the same relationship with those whom you may be required to serve in the future
   > comply with any restrictions that have been laid down on your political activities.

14. You must not:
   > allow your personal political views to determine any advice you give or your actions.

**RIGHTS & RESPONSIBILITIES**

15. Your Chief Officer has a duty to make you aware of this Code and its values. If you believe you are being required to act in a way which conflicts with this Code, your Chief Officer has a duty to consider your concern, and to ensure that you are not penalised for raising such a concern.

16. If you have such a concern\(^1\), you should in the first instance raise it with your line manager or someone else in your line management chain. If for any reason you would find this difficult, you should raise the matter with your Chief Officer or equivalent.

17. If you become aware of actions by others which you believe conflict with this Code you should report this to your line manager or someone else in your line management chain; alternatively you may wish to seek advice from your Chief Officer or equivalent.

18. This Code is part of the contractual relationship between you and the States of Guernsey as your employer. It lays down the high standards of behaviour expected of you which follow from your position in public and Island life as a civil servant. You can take pride in living up to these values.

\(^1\) The Disclosure of Malpractice section in the Established Staff Directive “Conduct” may also apply in some circumstances, and is available on the States Intranet [http://bridge/hr/empinfo/Established%20Staff%20Information/Conduct.aspx](http://bridge/hr/empinfo/Established%20Staff%20Information/Conduct.aspx)

Evidence of criminal or unlawful activity should be reported to the Police or other appropriate authorities.

November 2007
RULES FOR PAYMENTS TO STATES MEMBERS
RULES FOR PAYMENTS TO STATES MEMBERS, NON-STATES MEMBERS
AND FORMER STATES MEMBERS

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SECTION I

RULES FOR PAYMENTS TO STATES MEMBERS

Definition of States Members

1. For the purpose of this section of the Rules a States Member means any People’s Deputy or Alderney Representative in the States of Deliberation (but not an alternative Representative elected or appointed under the States of Guernsey (Representation) Law, 1978).

Remuneration

2. Subject to the conditions set out in paragraph 3 below the following remuneration, which shall be subject to tax, is available to States Members:

<table>
<thead>
<tr>
<th>People’s Deputies</th>
<th>Basic Remuneration</th>
<th>* Uplift for Social Security</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>President of the Policy &amp; Resources Committee</td>
<td>£63,315</td>
<td>£2,849</td>
<td>£66,164</td>
</tr>
<tr>
<td>Presidents of the Principal Committees, President of the Scrutiny Management Committee, President of the States’ Assembly &amp; Constitution Committee and members of the Policy &amp; Resources Committee</td>
<td>£48,648</td>
<td>£2,189</td>
<td>£50,837</td>
</tr>
<tr>
<td>All other Deputies</td>
<td>£36,009</td>
<td>£1,620</td>
<td>£37,629</td>
</tr>
</tbody>
</table>

* The uplift for Social Security (i.e. the difference between the contribution rates of employed and self-employed persons) is not payable to Members aged 65 and over
### Alderney Representatives

<table>
<thead>
<tr>
<th>Position</th>
<th>Basic Remuneration</th>
<th>* Uplift for Social Security</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>President of the Policy &amp; Resources Committee</td>
<td>£41,523</td>
<td>£1,869</td>
<td>£43,392</td>
</tr>
<tr>
<td>Presidents of the Principal Committees, President of the Scrutiny Management Committee, President of the States’ Assembly &amp; Constitution Committee and members of the Policy &amp; Resources Committee</td>
<td>£26,857</td>
<td>£1,209</td>
<td>£28,066</td>
</tr>
<tr>
<td>With a seat on a Committee, the Transport Licensing Authority, the Development &amp; Planning Authority or the States’ Trading Supervisory Board</td>
<td>£19,875</td>
<td>£894</td>
<td>£20,769</td>
</tr>
<tr>
<td>All other Alderney Representatives</td>
<td>£11,759</td>
<td>£529</td>
<td>£12,288</td>
</tr>
</tbody>
</table>

* The uplift for Social Security (i.e. the difference between the contribution rates of employed and self-employed persons) is not payable to Members aged 65 and over

### Conditions

3. (i) The Remuneration and Allowances specified in paragraph 2 above shall be payable by monthly instalments in arrears.

(ii) For the avoidance of doubt, following a General Election, Members elected to the position of President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee or an Alderney Representative elected to a seat on a Committee / Authority / Board shall be entitled to claim the additional allowance for that position with effect from the first day of the month following the General Election.

(iii) The Remuneration shall terminate on the last day of the month in which a Member ceases to hold a seat in the States of Deliberation.
(iv) The higher level of remuneration payable to the President of the Policy & Resources Committee; President of the Principal Committees, Scrutiny Management Committee and States Assembly & Constitution Committee; Members of the Policy & Resources Committee and Alderney Representative who holds a seat on a Committee / Authority / Board shall terminate on the last day of the month in which a member ceases to hold the position in respect of which the higher level of remuneration is payable.

(v) In the event that a President of a Principal Committee, the Scrutiny Management Committee or the States Assembly & Constitution Committee is unable to fulfil his or her duties for a period in excess of four weeks and the Vice-President takes on the full responsibilities of the post, his or her remuneration will temporarily increase to the level of a President.
SECTION II

RULES FOR PAYMENTS TO NON-STATES MEMBERS and to ALTERNATIVE ALDERNEY REPRESENTATIVES

Definition of Non-States Members

1. For the purpose of this section of the Rules a Non-States Member means any Member of the six Principal Committees, the Scrutiny Management Committee (including the Legislation Review Panel), the Transport Licensing Authority, the Development & Planning Authority and the States’ Trading Supervisory Board.

Remuneration

2. Subject to the conditions set out in paragraph 3 below the following remuneration, which shall be subject to tax, is available to Non-States Members:

   Non-States Member with a seat on the States’ Trading Supervisory Board: £8,000
   Any Other Non-States Member: £2,000

Alternative Alderney Representative

3. Any Alternative Alderney Representative shall be entitled upon application to the President of the Policy & Resources Committee to be awarded in respect of his attendance at a properly convened meeting of the States of Deliberation which he has been appointed to attend, pursuant to section 4 of the States of Guernsey (Representation of Alderney) Law, 1978 an attendance allowance not exceeding £70 per half-day or part thereof (rate applicable from 1 May 2017), which sum shall be subject to tax.

4. Applications for an allowance payable under the provisions of paragraph 3 above should be made to the President of the Policy & Resources Committee in respect of meetings attended in the three month periods ending on the last day of March, the last day of June, the last day of September and the last day of December. Applications should be received by the President not later than the last day of the month next following the period in respect of which the application is made. Alternatively, claims may be made in respect of meetings attended in each calendar month, in which case applications should be received not later than the last day of the month next following the above three month period in which the month falls. Applications received after the time limits specified above shall not be granted.
SECTION III

RULES FOR PAYMENT OF PENSIONS TO FORMER STATES MEMBERS, THEIR SURVIVING SPOUSES AND DEPENDANT CHILDREN

Definition of Former States Members

1. For the purpose of this Scheme a Former States Member means any Conseiller, any Deputy (excluding representatives of the States of Alderney) and any Douzaine Representative in the States of Deliberation, who:

   (i) no longer has a seat in the States of Deliberation, and

   (ii) has in the aggregate held a seat in the States of Deliberation for a period of four years or more, and

   (iii) (a) has attained the age of 65 years, or

       (b) has died before attaining the age of 65 years.

Pension

2. Subject to the conditions set out in rule 5 and in accordance with the rates of payment set out in Schedule 1 to these Rules:

(A) Former States Members who ceased to hold office on or before 31st December, 1989 (Non-contributory Scheme)

   (a) Former States Members who ceased to be Members of the States on or before the 31st December, 1989, shall be entitled to claim a pension of up to Rate D per week for each year of service in the States of Deliberation;

   (b) where sub-paragraph 1 (iii) (a) applies, the surviving spouse of a Former States Member shall be entitled to claim a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent remarriage;

   (c) where sub-paragraph 1 (iii) (b) applies, the surviving spouse of a Former States Member shall be entitled to claim a pension amounting to Rate E per week for each year of service of the Former States Member, subject to such pension ceasing in the event of a subsequent remarriage;

   (d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).
(B) Former States Members who ceased to hold office on or before 30th April, 2004 (1st January, 1990 up to and including 30th April, 2004 Contributory Scheme)

(a) Former States Members who ceased to be Members of the States on or before 30th April, 2004, shall be entitled:

(i) in respect of service up to and including the 31st December, 1989, to a pension of Rate D per week for each year of service in the States of Deliberation; and

(ii) in respect of service from 1st January, 1990, unless they opt out in accordance with the rules of the Scheme, to a pension of Rate B per week for each year of service in the States of Deliberation;

(b) where sub-paragraph 1(iii)(a) applies, the surviving spouse of a Former States Member shall be entitled to a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent re-marriage;

(c) where sub-paragraph 1 (iii)(b) applies, the surviving spouse of a Former States Member shall be entitled to a pension amounting to Rate E per week for each year of service of the Former States Member prior to 31st December, 1989, and Rate D per week for each year of service of the Former States Member after 1st January, 1990, subject to such pension ceasing in the event of a subsequent re-marriage;

(d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).
(C) Other Members (1st May 2004 up to and including 30th April, 2012 Contributory Scheme)

(a) Members of the States who become Former States Members on or after 1st May, 2004, shall be entitled

(i) in respect of service up to and including the 31st December, 1989, to a pension of Rate D per week for each year of service in the States of Deliberation;

(ii) in respect of service from 1st January, 1990 up to and including 30th April, 2004, unless they opt out in accordance with the rules of the Scheme, to a pension of Rate B per week for each year of service in the States of Deliberation; and

(iii) in respect of service from 1st May, 2004 up to and including 30th April 2012, unless they opted out in accordance with the rules of the Scheme, to a pension of Rate A per week for each year of service in the States of Deliberation;

(b) where sub-paragraph 1(iii)(a) applies, the surviving spouse of a Former States Member shall be entitled to a pension equal to fifty per centum of the sum which would have been payable to the Former States Member, subject to such pension ceasing in the event of a subsequent re-marriage;

(c) where sub-paragraph 1 (iii)(b) applies, the surviving spouse of a Former States Member shall be entitled to a pension amounting to Rate E per week for each year of service of the Former States Member prior to 31st December, 1989, Rate D per week for each year of service of the Former States Member from 1st January, 1990 up to and including 30th April, 2004 and Rate C per week for each year of service of the Former States Member from 1st May, 2004 up to and including 30th April 2012, subject to such pension ceasing in the event of a subsequent re-marriage;

(d) where there is no surviving spouse but there is a dependant child the pension referred to in sub-paragraphs (b) and (c) of this rule shall be payable to such person as the Committee may determine on behalf of that dependant child (and, if more than one, in equal shares).
Pension Fund

3. There shall be a fund entitled the "States Members Pension Fund".

   (a) There shall be paid into the Fund -

      (i) contributions from the States Members up to and including 30\textsuperscript{th} April 2012;

      (ii) contributions from the States of Guernsey, of such amounts as the Committee may from time to time resolve.

   (b) There shall be paid out of the Fund -

      (i) pensions in accordance with these Rules;

      (ii) refunds of contributions in accordance with these Rules;

      (ii) transfers of accrued benefits in accordance with these Rules;

      (iv) investment and professional fees and other expenses of investment.

   (c) The Fund shall be invested by the Committee in a similar manner to the assets of the fund authorised under the States of Guernsey (Public Servants) (Pensions and other Benefits) Rules, 1972 as amended.

   (d) The Committee shall appoint an actuary and arrange for actuarial reviews to be effected from time to time.

Repayments and transfers of benefits

4. (a) Any Member who has contributed to the Fund but who does not qualify for a Pension in accordance with these rules or who opts out in accordance with the rules of the Scheme shall be entitled to repayment of the aforementioned contributions together with compound interest thereon at the rate of three per centum per annum with yearly rests at the 31\textsuperscript{st} December in each year.

   (b) Any Member who has contributed to the Fund shall be entitled to transfer accrued benefits in respect of all service into alternative pension arrangements, on terms to be advised by the States Actuary.
Conditions

5 (a) Pensions to Former States Members who ceased to be Members of the States on or before the 31st December, 1989, shall be payable following application in writing to the President of the Committee and claims will be back-dated only to the first day of the month in which the application is made. No retrospective payments shall otherwise be made.

(b) Pensions to Members of the States who become Former States Members on or after the 1st January, 1990, shall be paid without application.

(c) The pension specified in paragraph 2 above shall be payable by monthly instalments in arrears.

(d) Any amount specified in rule 2 may be varied by resolution of the Committee in accordance with section IV.

(e) A Member of the States may opt out of the 1st January, 1990 to 30th April, 2004 Contributory Scheme by notifying the Committee in writing accordingly, and if he does so then:

(i) no pension shall be payable under rule 2(B) in respect of his service from 1st January 1990 up to and including 30th April, 2004; and

(ii) rule 4(a) shall cease to apply in his case; and

(iii) he shall be entitled to repayment of his contributions together with compound interest at three per centum per annum with yearly rests at each 31st December; and

(iv) it is declared for the avoidance of doubt that he may not thereafter seek to gain entitlement to such a pension by paying contributions.

(f) A Member of the States may opt out of the 1st May, 2004 to 30th April, 2012 Contributory Scheme by notifying the Committee in writing accordingly, and if he does so then:

(i) No pension shall be payable under rule 2(C) in respect of his service from 1st May, 2004; and

(ii) rule 4(a) shall cease to apply in his case; and
(iii) he shall be entitled to repayment of his contributions together with compound interest at three per centum per annum with yearly rests at each 31st December; and

(iv) it is declared for the avoidance of doubt that he may not thereafter seek to gain entitlement to such a pension by paying contributions.

**General Interpretation**

6 In these rules:

(a) the masculine includes the feminine, the singular includes the plural, and vice versa;

(b) a child is "dependant" if -

(i) he is under eighteen or is in full time education; and

(ii) he was, in the opinion of the Committee, wholly or mainly dependant on the former States Member concerned at the date of the latter's death;

(c) "the Committee" means the States of Guernsey Policy & Resources Committee;

(d) "Compensation Payment" means the payment available to States Members prior to 1st May, 2004;

(e) “Basic Allowance” means the payment available to States Members from 1st May 2004 to 30th April 2012;

(f) "the Fund" means the States Members pension fund created pursuant to rule 3 of these rules.
SECTION IV

GENERAL RULES

1. The remuneration of States Members, Non-States Members and attendance allowance for Alternative Alderney Representatives shall be automatically adjusted annually on 1st May, based on any percentage change in median earnings for the previous year. In the event of a negative change, no adjustment shall be made. Should a percentage increase occur in the year following a negative change, the adjustment shall reflect the percentage change from the year preceding the negative change.

2. At the beginning of a political term, any States Member or Non-States Member who chose to accept remuneration would be required to decide either to accept or reject any changes in such remuneration that might result from any changes in median earnings during the relevant political term.

3. The Policy & Resources Committee shall publish as soon as practicable in an Appendix to a Billet d’État the total remuneration received during the previous calendar year by each States Member in respect of his or her performance of States business.

4. In each year prior to 1st May, the Policy & Resources Committee shall review the amounts payable under Section III hereof, having regard to the change in the Guernsey Index of Retail Prices (RPIX) since those amounts were last determined and shall amend the said amounts accordingly.

COMMENCEMENT

These Rules shall take effect on 1st May 2016.

SCHEDULE 1

The Rates of Payment specified in Section III paragraph 2 of these Rules shall, with effect from the 1st May 2016, be as follows:

<table>
<thead>
<tr>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate A</td>
<td>£11.68</td>
</tr>
<tr>
<td>Rate B</td>
<td>£8.53</td>
</tr>
<tr>
<td>Rate C</td>
<td>£5.84</td>
</tr>
<tr>
<td>Rate D</td>
<td>£4.26</td>
</tr>
<tr>
<td>Rate E</td>
<td>£2.14</td>
</tr>
</tbody>
</table>
THE REFORM (GUERNSEY) LAW, 1948, as amended

LOI RELATIVE AU SCRUTIN SECRET, 1899, as amended

extract from The Deputy Bailiff (Guernsey) Law, 1969, as amended

Loi relative à la Réforme des États de Délibération of 1899, as amended
On the 28th September, 1989 the States resolved (inter alia) that the various provisions and pieces of legislation which together make up [the Reform (Guernsey) Law, 1948, as amended] and the provisions of the Law relating to Secret Ballots shall be consolidated into one new Law as soon as it may be practical to do so, and in the meanwhile [the Constitution of the States Review Committee] shall prepare a statement incorporating the text of the current Law of 1948, as amended, and publish the text as soon as possible.

This document is published by the States Procedures and Constitution Committee* in conformity with the aforementioned resolution of the States.

* On 6th May, 2004 the functions of the States Procedures and Constitution Committee were transferred to the House Committee and on the 1st August, 2008 that Committee was renamed the States Assembly and Constitution Committee. On the 1st May, 2016 that Committee was renamed the States’ Assembly & Constitution Committee.

Whilst every care has been taken to ensure accuracy, this publication of the Reform (Guernsey) Law, 1948, as amended and the Loi relative au Scrutin Secret of 1899, as amended, is not authoritative. In any case of doubt reference should be made to the authoritative text of the Laws. These may be obtained from Her Majesty’s Greffier, Royal Court House, Guernsey.

[Issued: 17th January 2012]
[Amended: 8th April 2016]
ARRANGEMENT OF ARTICLES

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3. Quorum.

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Article.

5. Functions of the States of Election.
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11. [repealed]
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13. [repealed]
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THE REFORM (GUERNSEY) LAW, 1948, as amended

THE STATES have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou:

PART 1.

The States of Deliberation.

Constitution

1. (1) The States of Deliberation shall be composed as follows:

   (a) The Bailiff.
   (b) (i) His Majesty's Procureur.
        (ii) His Majesty's Comptroller.
   (c) Thirty-eight People's Deputies.
   (d) [repealed]
   (e) Two Alderney Representatives.

   (2) The Bailiff shall be ex-officio Presiding Officer of the States of Deliberation and shall from time to time nominate in writing one or more Members to perform the duties of Acting Presiding Officer in the absence or incapacity of both the Bailiff and the Deputy Bailiff or in the absence of the Deputy Bailiff during a vacancy in the office of Bailiff, and may at any time in writing revoke such nominations or any of them. The Member who is at the time senior in order of appointment shall perform the duties of Acting Presiding Officer, unless such senior Member shall for any reason decline to act, whether generally or in relation to any particular matter, in which case the Member next senior in order of appointment shall act either generally or in the particular matter, as the case may be, and with the like power of declining to act, and so in turn until the Member junior in order of appointment shall have been reached, who shall be bound to act.

   (3) In case of a vacancy in the office of Bailiff, the nominations of the former holder of that office shall remain in force under the conditions set out in the last preceding paragraph until such time as the next succeeding holder of that office shall have made his nominations, whereupon the former nominations shall cease to be valid.

   (4) The Acting Presiding Officer shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the Presiding Officer.

   (5)(a) The Presiding Officer, or the Acting Presiding Officer, as the case may be, shall have no original vote and no casting vote, and in the event of an equality of votes he shall (except in the case of an election) declare the proposition lost.

   (b) The Members, other than the Presiding Officer or the Acting Presiding Officer, as the case may be, His Majesty's Procureur and His Majesty's Comptroller, shall each have one vote.

Jurat may not be People's Deputy or Douzenier

2. A Jurat shall vacate his office on being elected as People’s Deputy or Douzenier and a People’s Deputy or Douzenier shall vacate his office on being elected as Jurat.

Quorum

3. (1) Subject to the provisions of paragraphs (4) and (5) of this Article the Presiding Officer or acting Presiding Officer, as the case may be, and a number of voting Members equal to the nearest whole number above one half of the number of voting Members for the time being specified in Article 1 shall form a Quorum of the States of Deliberation.

   (2) [repealed]

   (3) [repealed]

   (4) Without prejudice to paragraph (1) of this Article any resolution of the States of Deliberation directing the preparation of legislation to repeal or vary any of the provisions of this Law which is carried by a majority of less than two-thirds of the members present and voting shall not be deemed to have been carried before the expiration of seven days from the date of the resolution:
Provided that where before the expiration of the aforesaid seven days an application in writing signed by not less than seven members of the States of Deliberation is made in that behalf to the Presiding Officer such resolution shall be brought back before the States of Deliberation by the Presiding Officer as soon as may be after the expiration of three months from the date of the resolution whereupon such resolution shall be declared lost unless confirmed by a simple majority.

(5) Without prejudice to paragraph (1) of this Article any resolution of the States of Deliberation approving a Projet de Loi intended to repeal or vary any of the provisions of this Law and authorising the Bailiff to present a most Humble Petition to Her Majesty in Council praying for her Royal Sanction therefor which is carried by a majority of less than two-thirds of the members present and voting shall not be deemed to have been carried before the expiration of seven days from the date of the resolution.

Provided -

(i) that where before the expiration of the aforesaid seven days an application in writing signed by not less than seven members of the States of Deliberation is made in that behalf to the Presiding Officer such resolution shall be brought back before the States of Deliberation by the Presiding Officer as soon as may be after the expiration of three months from the date of the resolution whereupon such resolution shall be declared lost unless confirmed by a simple majority;

and

(ii) that the provisions of this paragraph shall not apply to a resolution approving a Projet de Loi in respect of which the resolution directing the preparation of the necessary legislation was confirmed in accordance with the provisions of the proviso to paragraph (4) of this Article.

PART II

The States of Election.

Constitution.

4. (1) During the period from the 1st day of October, 1948, to the 31st day of December, 1948, both dates inclusive, the States of Election shall be composed as follows:-

(a) The Bailiff.
(b) The 12 Jurats (Jurés-Justiciers).
(c) The ten Rectors.
(d) (i) His Majesty's Procureur
    (ii) His Majesty's Comptroller.
(e) Thirty-four Douzaine Representatives.
(f) The eighteen People's Deputies.

(2) On and after the 1st day of January, 1949, the States of Election shall be composed as follows:-

(a) The Bailiff.
(b) The 16 Jurats (Jurés-Justiciers).
(c) [repealed]
(d) The ten Rectors.
(e) (i) His Majesty's Procureur.
    (ii) His Majesty's Comptroller.
(f) Thirty-eight People's Deputies.
(g) Thirty-four Douzaine Representatives.

Provided that a Rector shall not, by reason only of being a Rector, be eligible to exercise any of the functions appertaining to the office of Rector as a member of the States of Election under this Law unless he shall have had his ordinary place of residence in this Island for the twelve months immediately prior to the date of the exercise of such functions.

(3) The Bailiff shall be ex-officio Presiding Officer of the States of Election and his powers and duties as such in relation to the nominations of Acting Presiding Officers, and the duration of the validity of such nominations shall be in all respects similar to his powers and duties in relation to such nominations in respect of the States of Deliberation as provided in paragraphs (2) and (3) of Article I of this Law.

(4) The Acting Presiding Officer shall have in relation to the performance of the duties of his office all the powers and be subject to all the duties of the Presiding Officer.
(5)(a) The Presiding Officer, or the Acting Presiding Officer, as the case may be, shall have no original vote, but in the event of an equality of votes he shall have a casting vote, which shall be exercisable by private intimation to the Scrutineers appointed by the assembly.

(b) The other Members may each vote in one capacity only.

Functions of the States of Election.

5. (1) The function of the States of Election shall be to elect persons to the office of Jurat.

(2) Election to the office of Jurat shall be conducted in accordance with the provisions of the law from time to time regulating the procedure for secret ballot, save that the following special provisions shall apply to an election for the office of Jurat-

(a) no candidate shall be declared elected unless he has polled a number of votes greater than one half of the number of members of the States of Election present at the meeting at which the election is held;

(b) voting shall be by secret ballot irrespective of the number of candidates offering themselves for election;

(c) where more than one ballot becomes necessary, the ballots shall be held at the same meeting of the States of Election and the candidate with the lesser or least number of votes, as the case may be, in any ballot in which no candidate is declared elected shall be eliminated from the next ballot; and

(d) not more than one vacancy shall be filled at any one meeting of the States of Election.

Quorum.

6. (1) A quorum of the States of Election shall be the Presiding Officer or Acting Presiding Officer, as the case may be, and at least sixty other members.

(2) In case at any meeting there shall not be a Quorum present, the Presiding Officer or Acting Presiding Officer, as the case may be, may convene a fresh meeting by publishing in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, a notice stating that at the meeting previously convened there was not a Quorum of Members present, and fixing a date for a fresh meeting, which meeting shall thereupon be lawfully convened for that date.

PART III

GENERAL

States of Deliberation and of Election.

Procedure.

7. (1) The States of Deliberation may by Resolution decide the Rules of Procedure to be applicable from time to time in and in relation to assemblies of the States of Deliberation or of the States of Election, and may likewise at any time vary, revoke or suspend such Rules or any of them.

(2) Subject as aforesaid, the Rules of Procedure, not being inconsistent with any of the provisions of this Law, which are applicable in or in relation to either assembly on the 31st day of December, 1948, whether by Law or Custom or by Resolution of the States of Deliberation, shall continue to be applicable thereafter.

(3) The States of Deliberation are hereby empowered, after the date last mentioned, to repeal by Resolution with effect on such date or dates as shall be provided therein the provisions as to procedure in or in relation to either assembly of any Law, other than this Law, in force on the 31st day of December, 1948.

Eligibility as People's Deputy.

8. Any person of full age shall be eligible to hold the office of People's Deputy provided that-

(a) [repealed]

(b) [repealed]

(c) he is ordinarily resident in this Island on the date of his nomination as a candidate for that office, and
he has been ordinarily resident in this Island—

(i) for a period of two years immediately before that date, or

(ii) for a period or periods of at least five years in the aggregate at any time before that date,

(e) he has not at any time during the five years immediately preceding the date of the election been sentenced for an offence by a court in the United Kingdom, any of the Channel Islands, or the Isle of Man, to imprisonment for a period of six months or more (whether suspended or not) without the option of a fine, unless that sentence was quashed or reduced to less than six months on appeal.

Nomination of Jurat

9. (1) Every candidate for the office of Jurat shall be nominated in writing by a Member of the States of Election or by a Douzenier and such nominations shall be seconded in writing by another such Member or Douzenier. Such nomination, duly seconded, shall be delivered to the Presiding Officer of the States of Election not later than such time on such day, being a day before the fifteen days next preceding the day fixed for the election, as the Presiding Officer may appoint and shall be accompanied by a certificate in writing, signed by the candidate, stating his willingness to serve in the office if elected.

[Articles 10, 11, 12, 13 and 14 repealed]

Douzaine Representatives in the States of Election.

15. (1) The Douzaine Representatives in the States of Election shall consist of thirty-four Douzaine Representatives elected for each meeting of the States of Election by their respective Douzaine, as follows:-

(a) from the Parish of Saint Peter Port, nine Douzeniers;
(b) from the Parish of Saint Sampson, five Douzeniers;
(c) from the Parish of the Vale, five Douzeniers;
(d) from the Parish of the Castel, five Douzeniers;
(e) from the Parish of Saint Saviour, two Douzeniers;
(f) from the Parish of Saint-Peter-in-the-Wood, one Douzenier;
(g) from the Parish of Torteval, one Douzenier;
(h) from the Parish of the Forest, one Douzenier;
(i) from the Parish of Saint Martin, four Douzeniers; and
(j) from the Parish of Saint Andrew, one Douzenier;

[* amended by Resolution of the States 12 December, 1996]

Provided that the States may at any time by resolution vary, in accordance with the numbers of the respective populations of the Electoral Districts concerned, the allocation of the numbers of Douzaine Representatives as between the aforesaid Parishes so, however, that the total number of Douzaine Representatives shall remain at thirty-four.

(2) [repealed]

(3) On the issue of a Billet d'Etat convening a meeting of the States of Election, the Constables of each Parish in which it shall be requisite so to do for the purposes of this Article shall cause the Douzaine of that Parish to elect Douzaine Representatives, in accordance with the provisions of paragraph (1) thereof, and shall deliver a certificate to His Majesty's Greffier in writing under their hands not later than three o'clock in the afternoon of the working day next preceding the date of the meeting of the States of Election, as to the Douzaine Representatives so elected.

Duty of a Douzaine Representative.

16. A Douzaine Representative shall not be bound in the States of Election to vote in accordance with any direction or instruction given him by the Douzaine which he represents, and he shall be free on all occasions to cast his vote in accordance with his conscience.

Resignation of a People's Deputy

17. (1) A People's Deputy may at any time resign his office, provided that-

(a) he shall inform the Presiding Officer of the States in writing under his hand of his desire so to do; and

(b) his resignation shall not take effect until it has been accepted by the States of Deliberation.
(2) If it shall appear to the Royal Court on petition brought by the Law Officers of the Crown or either of them that a People's Deputy-

(a) did not at the time of his election possess the qualifications required by the provisions of Article 8 of this Law, or

(b) has subsequently to such election been sentenced for an offence by a court in the United Kingdom, any of the Channel Islands, or the Isle of Man, to imprisonment for a period of six months or more (whether suspended or not) without the option of a fine, unless that sentence has been quashed or reduced to less than six months on appeal; or

(c) has not, whether by reason of illness, absence or otherwise, for twelve consecutive months, fulfilled the duties of his office;

the Court shall so declare, and thereupon the office of such People's Deputy shall be vacated.

(3) A copy of any such petition shall be served by His Majesty's Sergeant at the residence in this Island of such People's Deputy, with a written notice stating the date of the hearing, unless such People's Deputy has no residence in this Island, in which case the Law Officers of the Crown or either of them shall, in lieu of causing such service to be effected, cause to be inserted in the "Gazette Officielle" appearing in the week preceding the date of the hearing a notice stating that the petition will be brought, the date of the hearing thereof and the reasons for its being brought.

Membership of States Committees.

18. Save as may hereafter be specifically provided by Resolution of the States, in all cases in which the President or any Member of any Committee (however described) of the States is required by enactment or by resolution of the States to be a Member of the States, Jurats, Rectors and Douzeniers who at the commencement of this Law are serving on any such Committee may continue in office on that committee and may be re-elected thereto, and Jurats, Rectors or Douzeniers may be elected to any such committee notwithstanding that they are not Members of the States.

Oath of Office and Allegiance.

19. Every Member of the States of Deliberation shall before entering office take before the Royal Court an oath of office in the form appropriate to such office, and the oath of allegiance.

Validity of acts done by unqualified persons.

20. The acts and proceedings of any person elected to the States of Deliberation or of Election and having acted as a Member thereof shall, notwithstanding his disqualification or want of qualification, be deemed to have been as valid and effectual as if he had been qualified to be a Member thereof.

Absolute privilege for Members in the course of States proceedings

20A. (1) No civil or criminal proceedings may be instituted against a Member of the States of Deliberation for or in respect of –

(a) any words spoken before, or written in any report to, the States of Deliberation or any department, or

(b) any matter or thing brought by him in or before the States of Deliberation or any department by requête, amendment, sursis, question, report or other written document.

(2) No civil or criminal proceedings may be instituted against a Member of the States of Election for or in respect of -

(a) any words spoken before, or written in any report to, the States of Election, or

(b) any matter or thing brought by him in or before the States of Election by written document.

Protection of persons responsible for States publications

20B. (1) No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent of any document by order or under the authority of the States or any department.
(2) For the purposes of paragraph (1), a certificate under the hand of the Chief Executive of the States stating that a document was published by order or under the authority of the States or any department is conclusive evidence of that fact.

**Protection of persons who publish extracts, etc, of States documents**

20C. No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent, in good faith and without malice, of any account, summary or abstract of, or any extract from, any document published by order or under the authority of the States or any department.

**Protection of persons who publish reports of States proceedings**

20D. No civil or criminal proceedings may be instituted against any person for or in respect of the publication by him or his servant or agent of a fair and accurate report of any proceedings in public of the States of Deliberation or the States of Election unless the publication is shown to be made with malice, but –

(a) this article does not apply to the publication to the public, or a section of the public, of matter which is not of public concern and the publication of which is not for the public benefit, and

(b) nothing in this article shall be construed –

   (i) as protecting the publication of matter the publication of which is prohibited by law, or

   (ii) as limiting or abridging any privilege subsisting apart from this section.

**Protection of persons appearing before Committees**

20E. A person attending to give evidence to or to produce any document before –

(a) the States Public Accounts Committee or the States Scrutiny Committee, or

(b) a panel established pursuant to article 20F to investigate an allegation or complaint that there has been a failure to comply with a code of conduct or a breach or abuse of privilege,

is entitled, in respect of any evidence given or document produced by him, to the same immunities and privileges as if he were a witness before the Royal Court.

**Code of conduct**

20F. (1) The States of Deliberation may by resolution adopt (and subsequently amend, revoke or replace) a code of conduct –

(a) prescribing or, as may be appropriate, regulating the duties, standards, propriety and conduct, in public life, of People’s Deputies, and

(b) containing such other provision in relation to those matters as the States of Deliberation think fit.

(2) A code of conduct may, without limitation, make provision -

(a) for the investigation and disposal of allegations and complaints that a People’s Deputy –

   (i) has failed to comply with the code, or

   (ii) has been guilty of any breach or abuse of privilege,

(b) for the establishment of a panel or panels to investigate such allegations and complaints, and the constitution, powers and proceedings of any such panel,

(c) requiring any People’s Deputy under investigation by a panel to co-operate fully with it,

(d) without prejudice to subparagraph (b), empowering the panel to request the production of documents from any person (including the People’s Deputy under investigation) and to request any person to appear before it,

(e) for the sanctions to be available against an offending People’s Deputy, which may include –

   (i) a reprimand or caution, or

   (ii) suspension or expulsion (for example, by debarring him from proceedings of, or terminating his membership of, the States of Deliberation or any department, or by removing any of his functions in relation to such proceedings).
(3) People’s Deputies must comply with a code of conduct in all aspects of their public life and are bound by any decision made under it; and the code and any decision shall have effect for the purposes of:

(a) this Law,
(b) the States Committees (Constitution and Amendment) (Guernsey) Law, 1991¹ and any resolution of the States of Deliberation thereunder, and
(c) the Rules of Procedure of the States of Deliberation, the provisions of which shall apply accordingly.

(4) This article applies in relation to:

(a) an Alderney Representative, and
(b) a member of a department who is not also a Member of the States of Deliberation as set out in article 1(1),
(c) a person who has at any time been a member of the States of Deliberation,
as it applies in relation to a People’s Deputy; and references in this article to a People’s Deputy shall be construed accordingly.

Interpretation of articles 20A to 20F

20G. In articles 20A to 20F –

“code of conduct” means a code of conduct adopted under article 20F(1),
“department” means any department, council, committee or authority, however called, of the States, including for the avoidance of doubt –
(a) the Board of Governors of the Ladies’ College and the Board of Directors of Elizabeth College, and
(b) the Priaulx Library Council,
“document” includes an enactment,
“to publish” includes
(a) to make known, distribute or transmit to any person,
(b) to publish in any electronic or other non-visible or non-legible form from which the content may, by any means, be reproduced in visible or legible form,
(c) to broadcast by means of wireless telegraphy within the meaning of section 19 of the Wireless Telegraphy Act 1949², and
(d) to include in a programme service within the meaning of section 201 of the Broadcasting Act 1990³,
and related expressions shall be construed accordingly,

“States” means the States of Guernsey.

Power to amend by Ordinance

20H. (1) The States of Deliberation may by Ordinance amend –

(a) articles 20A to 20G, and
(b) any other provision of this Law for the purpose of giving effect to –
   (i) those articles, as from time to time amended, and
   (ii) any code of conduct.

(2) An Ordinance under paragraph (1) -

(a) may be amended or repealed by a subsequent Ordinance, and
(b) may contain such consequential, incidental, supplementary and transitional provision as may appear to be necessary or expedient, including (without limitation) provision as to the creation and punishment of offences.

(3) The provisions of article 3(5) (including, for the avoidance of doubt, the proviso thereto) apply in relation to an Ordinance under this article as those provisions apply in relation to a Projet de Loi intended to repeal or vary any provisions of this Law.

Review in ten years.

21. [Repealed]
**Duties of H.M. Greffier, H.M. Sheriff and H.M. Sergeant.**

22. (1) His Majesty's Greffier shall be Clerk and Registrar to the States of Deliberation and of Election and shall when so directed by the States of Deliberation act in the like capacity to any Committee of that assembly.

(2) His Majesty's Sheriff and His Majesty's Sergeant shall be officers of the States of Deliberation and of Election and shall obey the directions of the Presiding Officer of either assembly in the fulfilment of any ministerial functions required to be exercised by them for or on behalf of either assembly.

**Abolition of Cantonal Douzaines.**

23. On and after the 30th day of September, 1948, the members of the four Cantonal Douzaines of the Parish of Saint Peter Port shall cease to be eligible as Members of the States of Election, and on and after the 31st day of December, 1948, those Douzaines shall cease to exist.

**Interpretation.**

24. In Parts I and II and in this Part of this Law the expressions "Douzenier" and "Douzaine Representative" shall include a Constable of a Parish and "Alderney Representative" has the meaning assigned by the States of Guernsey (Representation of Alderney) Law, 1978.

**PART IV**

**Election of People's Deputies.**

**Compilation of Electoral Roll by Registrar-General.**

25. (1) The Electoral Roll of this Island shall be compiled by the Registrar-General in accordance with the provisions of this Law.

(2) There shall be shown on the Electoral Roll in respect of every voter his surname, Christian names and full postal address, and such distinguishing number as shall be assigned to him for the purpose by the Registrar-General and also, in the case of a person inscribed on that Electoral Roll when his age is 15 years, that person's date of birth.

(3) The Electoral Roll shall remain valid until such date as the States may determine by Ordinance; and when, pursuant to an Ordinance under this paragraph, the Electoral Roll ceases to be valid, it shall be replaced by a new Electoral Roll which shall be compiled by the Registrar-General in accordance with the provisions of this Law and to which the provisions of this paragraph shall apply in all respects.

**Division of the Electoral Roll, and definition of the Electoral Districts.**

26. (1) The Electoral Roll shall be divided into 10 sections whereof each shall represent one Parish; but where for the purpose of any election an Electoral District (hereinafter referred to as a "District") is an area other than one entire Parish, the section or sections of the Electoral Roll representing the Parish or Parishes concerned shall be subdivided and/or amalgamated to produce the section of the Electoral Roll for that District at that election.

(2) For the purpose of elections to the office of People’s Deputy Guernsey shall be divided into such number of Districts, each being identified by such boundaries, and each returning such number of the People’s Deputies provided for in this Law, as may from time to time be prescribed by resolution of the States.

PROVIDED THAT

(i) everywhere in Guernsey shall be represented by at least one Deputy;

(ii) the allocation of numbers of Deputies shall be in accordance with the respective populations of the Districts; and

(iii) no such Resolution shall take effect before the next General Election of Deputies.

(2A) Where by virtue of any Resolution of the States under paragraph (2) of this Article a District includes the whole or part of more than one Parish the references to Parishes in paragraph (3) of this Article and in Articles 34(5) and 38 of this Law are to be construed as references to each of the Parishes concerned.
(3) In each of the Districts, polling stations shall be established by the Constables of the Parishes concerned in accordance with any Resolution of the States for the time being in force in that behalf and the Constables of a Parish may provide for the establishment of such additional polling stations therein as they may deem convenient to the electorate.

**Persons entitled to vote.**

27. (1) A person shall be entitled to be inscribed on the Electoral Roll if he-

(a) is of the age of 15 years or over: PROVIDED that a person shall not vote at any election before he attains the age of 16 years; and

(b) [repealed]

(c) is ordinarily resident in this Island on the date of his application to be inscribed; and

(d) has been ordinarily resident in this Island on the date referred to in sub-paragraph (c) either -
   (i) for a period of at least two years immediately preceding that date, or
   (ii) at any time before that date for a period or periods of at least five years in total; and

(e) has delivered to the Registrar-General, in respect of himself, in such form as the Registrar-General shall prescribe, an application for inclusion in the Electoral Roll:

(1AA) Notwithstanding paragraph (1), a person who on the date of his application to be inscribed on the Electoral Roll has not been ordinarily resident in this Island for the period or periods specified in item (i) or (ii) of paragraph (1)(d) –

(a) is, subject to compliance with the other subparagraphs of paragraph (1), entitled to be inscribed on the Electoral Roll, but

(b) may not vote at any election before he has been ordinarily resident in this Island for the period or periods specified in the said item (i) or (ii).

(1A) A person making an application for inclusion on the Electoral Roll in pursuance of this Article shall declare on the application form that he, and any other person included on the form, was ordinarily resident in this Island on the date of application, and, in the case of a person whose age is 15 years on that date, that person’s date of birth.

(1B) [repealed]

(2) Subject to paragraph (4) of this Article and to Article 27A of this Law, any person whose name is inscribed on the section of the Electoral Roll for a District may vote at any polling station in that District.

(3) At an election the Returning Officer of each District shall cause to be kept at each polling station in that District a list (hereinafter referred to as “a list of voters”) which shall, in respect of every person who voted at that polling station, specify his surname, the initials of his Christian names and the number assigned to him in pursuance of the provisions of paragraph (2) of Article 25 of this Law and in any District where there is more than one polling station the Returning Officer shall cause the lists from each polling station in that District to be compared and shall report to the Law Officers of the Crown the name and address of any person appearing to have voted more than once at that election.

(3A) The list of voters to be kept by the Returning Officer of each District at each polling station under paragraph (3) may be kept in such form as the Returning Officer thinks fit, including, without limitation, in electronic form.

(4) It is hereby declared for the avoidance of doubt that a person shall not vote at any election at a time when he is under the age of 16.

**Prisoners**

27A (1) [repealed]

(2) A person who is detained in prison on the day of an election whether or not under a sentence of imprisonment may vote at that election only if

(a) his name is entered in the register of absent voters and he votes by post in accordance with Part II of the Reform (Amendment) (Guernsey) Law, 1972 or any Ordinance thereunder; or

(b) the Prison Governor (who has absolute discretion in the matter) permits him to vote in person.
Abolition of mental incapacity to vote.

27B. Any rule of law which provides that a person is subject to a legal incapacity to vote by reason of his or her mental state is abolished.

Persons not to vote unless inscribed on the Electoral Roll. Penalties for plural voting.

28. (1) A person shall not vote at any election unless he is of the age of 16 years or over and his name is inscribed on the Electoral Roll and a person shall vote only in the District in respect of which his name appears on the Electoral Roll, and having once voted at any election he shall not thereafter vote or attempt or purport to vote in respect thereof but no such subsequent vote or attempted or purported vote shall invalidate the election in respect of which the same was or was attempted or purported to be given.

(2) Any person who fraudulently puts or attempts to put or causes to be put into any ballot box any paper other than the ballot paper which he is authorised to put therein shall be guilty of an offence and liable on conviction to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both.

Holding of Deputies' Elections.

29. (1) General Elections for the office of People's Deputy shall be held in 2020 during the month of June and in every fourth year thereafter during the month of June, and, subject to the provisions of Article 19 of this Law, the persons elected shall take office on the 1st day of July next following their election, save that if at any General Election there shall be no candidate or an insufficient number of candidates for any District, an election to fill any vacancy not filled at that General Election shall be held as soon as may be thereafter in respect of that District and any candidate elected theear shall retire from office on the date on which he would have so retired had he been elected at that General Election.

(2) A casual vacancy in the office of Deputy occurring before the first day of December next preceding the date of a General Election shall be filled by election and any person so elected shall hold office for the remainder of the four year term then current or, in the case of the General Election held on the 27th day of April, 2016, until the 30th day of June, 2020, but if such vacancy occurs after the 30th day of November next preceding the date of a General Election it shall be in the discretion of the Presiding Officer of the States whether or not an election shall be held to fill the vacated office until the date of such General Election.

(3) The date for the holding of any election shall be appointed by Ordinance.

Elections to be determined by Secret Ballot Law.

30. Elections shall be held in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot.

Procedure in case of an equality of votes.

31. Where at an election two or more candidates secure an equal number of votes and the addition of one vote to his poll would have entitled any such candidate to be declared elected, a further election shall be held, as soon as conveniently may be, in respect of such candidates only, which further election shall for the purposes of the term of office of any successful candidate be deemed to have been held on the date of the original election.

Nominations.

32. (1) Every nomination of a candidate for office as a People's Deputy shall be in writing signed by two persons whose names are inscribed on the section of the Electoral Roll representing the District for which the candidate intends to stand, and shall be delivered to the Presiding Officer of the States not later than such time on such day, being a day before the 22 days next preceding the day fixed for the holding of the election, as the Presiding Officer may appoint.

(2) Every such nomination shall be accompanied by a declaration in writing signed by the candidate declaring that he is eligible under the provisions of this Law to hold the office of People's Deputy.

(3) A person may not stand as a candidate for more than one District at the same election.

(4) In respect of any one candidate at an election the Presiding Officer of the States shall accept only the first valid nomination delivered to him, and any nomination subsequently delivered shall be of no effect.
Number of candidates not exceeding number of seats vacant.

33. At any election where the number of candidates is not greater than the number of seats vacant for that District, the Presiding Officer of the States shall, after the time fixed for the delivery of nominations has elapsed, declare such candidate or candidates elected, and shall thereupon give notice of such election by means of a notice in the vestibule of the Royal Court and by an announcement in the "Gazette Officielle".

Compilation, publication and correction of Electoral Roll.

34. (1) The Registrar-General shall make available forms of application for inclusion on the Electoral Roll at such centres as he may specify by notice in the "Gazette Officielle" and on or before the seventh day of September (or on or before such other day, or during such other period, as may be specified by Ordinance of the States made under this paragraph) in any year so specified he shall, in addition, cause to be distributed to each dwelling in the Island such number of forms of application as he may consider necessary for the number of voters living therein.

(2) A person whose name is inscribed on the Electoral Roll and who, having changed his ordinary place of residence in this Island, desires to have his address changed on the Electoral Roll may make application in such form as may be prescribed by the Registrar-General.

(3) From the information delivered to him under the provisions of this Law the Registrar-General shall compile the Electoral Roll.

(4) Each section of the Electoral Roll shall contain the names and addresses of the persons residing in the District to which that section relates, being persons entitled to have their names inscribed on the Electoral Roll.

(5) The section of the Electoral Roll in respect of each District shall be published for inspection in such manner, and at such time and place and for such period as the States Assembly and Constitution Committee may prescribe by rules made under this paragraph.

(6) In each year all the sections of the Electoral Roll shall be published for inspection in such manner, and at such time and place and for such period as the States Assembly and Constitution Committee may prescribe by rules made under this paragraph.

(7) The Registrar-General shall give previous notice by an announcement in the "Gazette Officielle" of the dates, times and places on, during and at which the Electoral Roll will be available for inspection.

(8) Any person claiming that he is entitled to have his name inscribed on any section of the Electoral Roll and that it is omitted from that section or that some material error in his name or address appears in that section, may deliver to the Registrar-General an application in writing to have his name and address inscribed on that section, or for the rectification of the error alleged; the Registrar-General shall, if he is satisfied of the existence of the omission or error, forthwith amend the Electoral Roll.

(8A) The Registrar-General may remove a person’s name and address from any section of the Electoral Roll on the grounds that that person –

(a) is no longer resident at that address, or

(b) is deceased.

(8B) An application for the removal of a person’s name and address under paragraph (8A) may be made –

(a) in the case of an application by virtue of subparagraph (a) of that paragraph, by the current occupier of the dwelling of that address, the application being accompanied by a declaration by the applicant stating that the person named in the Electoral Roll is no longer resident at that address, or

(b) in the case of an application by virtue of subparagraph (b) of that paragraph, by a relative, acquaintance or neighbour of the person named in the Electoral Roll, the application being accompanied by a death certificate relating to that person (or, at the discretion of the Registrar-General, a document of equivalent effect and authority).

(8C) An application or declaration under paragraph (8B) shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General may require.
(9) The section of the Electoral Roll compiled, published and amended as in this Article provided in respect of each District shall constitute the Electoral Roll of that District and shall determine, subject to Articles 27(4) and 27A of this Law, whether or not a person is entitled to vote in that District at an election for any of the offices of People's Deputy, Constable or Douzenier, and at any election a copy of the appropriate section shall be furnished free of charge by the Registrar-General to the Returning Officer of each District, for each polling station in that district, and the Returning Officer shall ensure that a copy is available at each polling station in his District.

(9A) The copy of the appropriate section of the Electoral Roll to be furnished by the Registrar-General to the Returning Officer of each District under paragraph (9) may be furnished in such form and by such means as the Registrar-General thinks fit, including, without limitation, in electronic form and by electronic means.

(10) A person who knowingly furnishes in or for the purposes of an application or declaration under this Law any information, document or other material required to be furnished which is false in any material particular or recklessly so furnishes any information, document or other material which is false in a material particular shall be guilty of an offence and liable, on conviction, to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both.

(11) Notwithstanding the preceding provisions of this article, the Electoral Roll shall be closed –

(a) in respect of an election for the office of People's Deputy, on the date appointed by Ordinance of the States;

(b) in respect of an election for the office of Constable or Douzenier, on the date appointed by order of the States Assembly and Constitution Committee;

and, during the period beginning on the date of closure and ending on the date of the election, no entry in the Electoral Roll shall be made or amended.

(11A) Notwithstanding paragraph (11), the Registrar-General may at any time amend the Electoral Roll or any entry therein in order to rectify any formal defect or any administrative or clerical error or omission, whether on the application in writing of the person in respect of whom the defect, omission or error has occurred or of his own motion.

(11B) An application under paragraph (11A) shall be made in such form and manner and accompanied by such information, documents and other material as the Registrar-General may require.

(12) References in paragraphs (11) and (11A) to the Electoral Roll are references to the section of the Electoral Roll relating to the District in which the election is to be held.

Copies of Electoral Roll to be kept at Greffe and office of the Registrar-General.

35. (1) A copy of the Electoral Roll shall be kept at the Greffe and at the office of the Registrar-General, and shall be available during their respective normal office hours for inspection by the public.

(2) The States Assembly and Constitution Committee may by rules made under this paragraph make such provision as they think fit in relation to:

(a) the persons or classes of persons to whom copies of the Electoral Roll shall be made available;

(b) the manner in which, the means by which and the times and places at which copies of the Electoral Roll shall be made available;

(c) the charges and conditions subject to which copies of the Electoral Roll shall be made available.

36. [repealed]

Returning Officers.

37. At every election the Royal Court, on the application of one of the Law Officers of the Crown, shall appoint -

(a) a Returning Officer for each District concerned, who shall appoint such Scrutineers to assist him in the counting of votes and otherwise as he may deem necessary;

(b) a deputy Returning Officer for each Parish within the District concerned, where that District comprises more than one Parish;

and every Returning Officer and deputy Returning Officer shall on appointment be sworn as such before the Royal Court.
**Supervision of Ballot.**

38. (1) The Constables and Douzaines shall supervise the conduct of the ballot at the polling stations in their respective Parishes, and in particular shall seal the ballot boxes on the conclusion of the voting, and shall, subject to the provisions of paragraph (2), hand the same to the Returning Officer for the District, who shall thereupon cause the votes cast to be counted and shall forthwith communicate the result of such count to the Presiding Officer of the States. In each District in which an election has been held the Returning Officer shall cause the said result to be exhibited at each polling station in the District.

(2) Where, pursuant to article 37, a deputy Returning Officer for each Parish within the District has been appointed, the Constables and Douzaines shall, after sealing the ballot boxes, hand them to the deputy Returning Officer for the Parish, who shall thereupon deliver them to the Returning Officer to enable him to perform his functions under paragraph (1).

(3) Where a District comprises more than one Parish, the Returning Officer shall, in performing his functions under paragraph (1), communicate and exhibit the result of the count only in respect of the District as a whole and not in respect of each Parish within the District.

**Presence of candidates etc. at count**

38A (1) Throughout the time during which the votes cast at an election in an Electoral District are being counted at any place, any candidate in that district is entitled to be present at that place if he has complied, and for so long as he continues to comply, with this Article and all rules made thereunder.

(2) A candidate may, in accordance with any rules made under this Article, nominate one other person to exercise his entitlement under paragraph (1) of this Article in place of, but not as well as, himself.

(3) A candidate or his nominated representative present at any counting of votes pursuant to this Article -

(a) is to be given by the Returning Officer all such reasonable facilities for overseeing the proceedings, and all such information in respect of them, as can be given consistently with their orderly conduct and the proper discharge of the Returning Officer's duties in connection with them; but

(b) must not impede the efficient counting of votes; and

(c) must comply with all rules made under this Article and with all reasonable directions given by the Returning Officer.

(4) The States Assembly and Constitution Committee may make rules under this Article -

(a) requiring candidates who intend to be present at any counting of votes to notify such persons, within such times and in such manner as the rules may specify;

(b) limiting the description of persons who may be nominated by candidates pursuant to paragraph (2) of this Article, and making provision as to notifications concerning persons so nominated;

(c) regulating the conduct of persons present at any counting of votes pursuant to this Article;

(d) making provision generally for the rights conferred by this Article to be exercised without affecting the fairness and efficiency of the counting of votes.

(5) All rules made under this Article shall be laid as soon as possible before a meeting of the States; and if at that or their next meeting the States resolve to annul them then the rules shall cease to have effect, but without prejudice to anything done under the rules or to the making of new rules under this Article.

**Maintenance of order at elections**

38B (1) A Returning Officer, or other person appointed by him to be in charge of a polling station, may require any person who he considers is behaving in a disorderly or indecent manner in, or in the precincts of, a polling station or a place where votes are being counted to leave that polling station or place and its precincts.

(2) Any person who -

(a) behaves in a disorderly or indecent manner in, or in the precincts of, a polling station or a place where votes are being counted; or

(b) fails to comply with a requirement imposed under paragraph (1) of this Article; or
contravenes paragraph (b) or paragraph (c) of Article 38A(3) of this Law, is guilty of an offence and liable, on conviction, to a fine not exceeding level 5 on the uniform scale, or to imprisonment for a term not exceeding three months, or to both.

Rules as to conduct of elections, etc.

38C The States Assembly and Constitution Committee may make such rules as it thinks fit in respect of –

(a) the conduct of, and procedures concerning, elections; and
(b) conduct and functions, during elections, of candidates, returning officers and other persons or classes of persons prescribed by the rules.

Complaints as to conduct of elections

38D (1) The States may by Ordinance make such provision as they think fit in relation to the making and determination of complaints concerning –

(a) the conduct of elections;
(b) breaches of procedures concerning elections;
(c) the conduct, during elections, of candidates, returning officers and other persons or classes of persons prescribed by rules under article 38C; and
(d) breaches by such persons of their functions during elections.

(2) An Ordinance under this article -

(a) may, without limitation, prescribe -
(i) the person, body, court or tribunal to which complaints are made;
(ii) the proceedings and powers of, and the practice and procedure to be followed before, that person, body or tribunal;
(iii) the persons or bodies who may make complaints;
(iv) the matters in respect of which complaints may be made; and
(v) the manner of making complaints;
(b) may contain incidental, consequential, supplementary and transitional provisions;
(c) may create offences and prescribe civil and criminal sanctions and penalties;
(d) may empower the States Assembly and Constitution Committee to make rules as to any matter in relation to which an Ordinance may make provision under this article; and
(e) may be amended or repealed by a subsequent Ordinance hereunder.

Hours of Polling.

39. (1) Subject to the provisions of paragraph (2) of this Article, at every election the polling stations shall open at ten o'clock in the morning and shall be kept open until eight o'clock in the evening of the same day.

(2) The States may, from time to time, by Ordinance vary the times at which the polling stations shall open and close and may so provide that the polling stations shall open and close at different times in different Districts.

Duties on completion of Ballot.

40. On completion of the count as aforesaid each Returning Officer shall in respect of his District return the voting slips to the ballot boxes, re-seal the said boxes, keep them in safe custody and deliver them to His Majesty's Greffier within the two days next following together with the keys thereof, the counterfoils of the voting slips, any unused voting slips and the lists of voters.
Recount.

41. If the total of the votes cast for any successful candidate does not exceed by more than two per centum of the total number of persons voting in the District concerned the total of the votes cast for any unsuccessful candidate, such unsuccessful candidate may, by notice in writing delivered to the Presiding Officer of the States not later than twenty-four hours after the public declaration of the poll by the Returning Officer, demand a recount, and such recount shall be carried out in the Royal Court building, or in such other place as the Presiding Officer of the States may direct, as soon as practicable thereafter by independent scrutineers appointed by the Presiding Officer of the States. The candidate demanding the recount and any other candidate at that election for that District may be present during the recount, and such recount shall be final and conclusive as to the result of the poll in respect of that District. On completion of the recount, the scrutineers shall report the result of the same to the Presiding Officer of the States, who shall publish such result by causing a notice to be posted in the vestibule of the Royal Court.

Register to be kept of persons under disability.

42. [repealed]

Persons physically incapable of recording vote.

43. Persons entitled to vote attending at any polling station who are physically incapable of recording their vote or who declare that they are unable to read may apply to the person in charge of that polling station, who shall thereupon cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper placed in the ballot box, and shall make a record in writing of his having done so, which record shall include the name and address of the incapacitated person and the cause of his incapacity, and shall be delivered to the Returning Officer.

Expenditure by candidates.

44. (1) Save as hereinafter provided no candidate in any election shall in respect of such election expend any sum of money or give any value in money's worth otherwise than in accordance with such provisions as shall, from time to time, be prescribed by Ordinance:

Save that nothing contained in this Article or in any Ordinance made hereunder, shall be deemed to affect the right of any candidate to purchase copies of the appropriate section of the Electoral Roll in accordance with Article 36 of this Law, and any moneys expended in such purchase may be expended in addition to the maximum permissible amounts so prescribed.

(2) Any candidate who contravenes, whether by himself or by his servant or agent, any of the provisions of this Article or of any Ordinance made thereunder, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding level 5 on the uniform scale and in addition to such fine shall, if a successful candidate, and if the Royal Court so orders on the application of Her Majesty's Procureur, forfeit his seat:

PROVIDED ALWAYS that whether on a prosecution under this paragraph or on an application under this paragraph for the forfeiture of a seat, if it is shown to the satisfaction of the Court that such contravention arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith, the Court may make an order relieving the candidate from the consequences of such contravention.

Return of expenditure by candidates.

45. (1) Every candidate at any election shall during the fourteen days next following the date of such election submit to the Returning Officer a return showing full particulars of all moneys or money's worth expended or given by him in respect of such election, and shall submit therewith vouchers supporting such disbursements and a declaration in writing signed by him that the particulars shown in such return are to the best of his knowledge and belief correct.

(2) Any candidate who supplies any particulars which he knows or ought to have known to be false, or otherwise contravenes the requirements of paragraph (1) of this Article shall be guilty of an offence and, subject to the like proviso as is made to paragraph (2) of the last preceding Article, shall be liable on conviction to a fine not exceeding level 5 on the uniform scale.

Expenditure by persons other than candidates.

45A. (1) Except as authorised under the provisions of Article 44 of this Law, a person shall not expend any sum of money or give any value in money's worth with a view to promoting or procuring the election of a candidate in any election:
Provided that nothing in this Article shall be taken to restrict the publication in a newspaper or in a broadcast by radio or television of a statement presenting the views of a candidate.

(2) Any person who contravenes the provisions of this Article shall be guilty of an offence and liable, on conviction, to a fine not exceeding level 5 on the uniform scale.

_Obligation of secrecy._

46. (1) Every person appointed to be in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

(2) Every person who acts in contravention of the last preceding paragraph shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding six months.

47. [repealed]

_Herm and Jethou_

48. In this Law "Guernsey" includes the Islands of Herm and Jethou, which Islands shall be deemed

(a) for all purposes of this Law to be part of the Parish of St. Peter Port, and

(b) for the purpose of elections of People's Deputies, to be part of such District within the Parish of St. Peter Port as may be specified in any Resolution of the States under Article 26(2) of this Law.

_Interpretation_

49. In this Part of this Law unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them:-

"Election" means election to the office of People's Deputy.

"Registrar-General" means the Registrar General of Electors, and the functions of that office shall be performed by the States Chief Executive of the States of Guernsey or by such other person as the States may, from time to time, by Ordinance appoint to perform the functions of that office and the States may in addition, from time to time, by Ordinance designate such other person to perform the functions of that office during the absence or incapacity of the Chief Executive of the States of Guernsey or other person appointed as aforesaid.

PART V

_Election of Constables and Douzeniers._

_Application of Law to election of Constables and Douzeniers._

50. Notwithstanding any enactment or rule to the contrary, after the 30th day of November, 1948, every election to the office of Constable or Douzenier shall be governed by the provisions of this Part of this Law, but nothing therein contained shall affect the completion of the term of office of any Constable or Douzenier elected on or before the last mentioned date; and, for the avoidance of doubt, paragraphs (a) and (b) of Article 17(2) of this Law apply in the case of a Constable or Douzenier as in the case of a Conseiller or People's Deputy.

_Eligibility for office_

51. Only those persons eligible for the office of People's Deputy shall be eligible for the office of Constable or Douzenier, save that any such person shall, in order to be so eligible, be ordinarily resident in the Parish concerned at the date of his nomination and, if elected, shall hold office for so long only as he continues to reside therein; and, for the avoidance of doubt, paragraphs (a) and (b) of Article 17(2) of this Law apply in the case of a Constable or Douzenier as in the case of a Conseiller or People's Deputy.

_Persons entitled to vote._

52. Only those persons whose names are inscribed on the section of the Electoral Roll relating to the Parish concerned shall be entitled to vote at an election.
Terms of office and casual vacancies

52A (1) Subject to Articles 17(2) and 51 of this Law, and to paragraph (2) of this Article -

(a) the terms of office of a Douzenier shall be four years commencing on 1st January following his election, and
(b) the term of office of a Constable shall be three years commencing on 1st January following his election.

PROVIDED THAT if a Constable notifies the Dean of his Parish's Douzaine before the end of October in his first or second year of office that he so wishes then his term of office shall expire at the end of that year;

BUT PROVIDED FURTHER THAT if both Constables of a parish give such notice in the same year only that given by the Senior Constable shall be effective.

(2) If a Constable or Douzenier dies, ceases to reside in the parish concerned, resigns his office in accordance with paragraph (4) of this Article, or is discharged from his office by the Royal Court -

(a) the resulting casual vacancy shall be filled by an election if it occurred more than five whole months before the end of the term of the office vacated, and in any other case may be filled at the discretion of the Dean of the Parish's Douzaine;
(b) a person elected to fill such a vacancy shall take office upon complying with Article 61 of this Law and shall hold office (subject to Articles 17(2) and 51 of this Law, and to paragraph (3) of this Article) for the remainder of the term of the office vacated.

(3) In the case of a person elected to fill a casual vacancy in the office of Constable -

(a) for the purposes of both subparagraphs (a) and (b) of paragraph (2) of this Article any notice given before the occurrence of the vacancy under the proviso to subparagraph (1)(b) of this Article shall be taken into account; and
(b) if no such notice has been given by his predecessor, he shall be entitled to give any such notice as his predecessor could have given if the vacancy had not occurred.

(4) A Constable or Douzenier may at any time resign his office, provided that -

(a) he gives –
(i) in the case of the office of Constable, to the Dean of the Douzaine, or
(ii) in the case of the office of Douzenier, to the Senior Constable, written notice of his wish to resign; and
(b) his resignation shall not take effect until the expiration of a period of 7 days from the date upon which the Dean, or Constable, as the case may be, receives notice under subparagraph (a)(i) or (ii).

Application of Part IV of this Law.

53. The provisions of Part IV of this Law shall, subject to the modifications in this Part of this Law contained, apply, so far as the same are applicable, to elections to the offices of Constable and Douzenier.

Responsibility for conduct of Elections.

54. (1) In any election

(a) for the office of Constable, the Dean of the Parish concerned, or if he is absent, indisposed or otherwise unable to act the Vice-Dean, or if both are absent, indisposed, or otherwise unable to act, a Douzenier appointed in that behalf by the Douzaine,
(b) for the office of Douzenier, the Senior Constable of the Parish concerned, or if he is absent, indisposed or otherwise unable to act the Junior Constable, or if both are absent, indisposed or otherwise unable to act, a Douzenier appointed in that behalf by the Douzaine

shall be responsible for fixing the place of the electors' meeting, for fixing the time of the election, and for the conduct of the election.

(2) The person so responsible as aforesaid shall be the Returning Officer for the election and shall preside at any meeting of electors.
(3) The Returning Officer may appoint such persons as he may deem necessary to assist him in the execution of his duties.

(4) The election shall be held -
   (a) on the first Wednesday of November; or
   (b) if the first Wednesday of November falls on the 5th November, then on the first Tuesday of November.

(5) The States may by Ordinance amend the provisions of paragraph (4).

**Notice of Elections.**

55. Notice of an election shall be given by the person responsible for the conduct thereof, not less than fourteen days in advance of the date fixed therefor, by an announcement in the "Gazette Officielle", of the date, time and place of the electors' meeting, which announcement shall also invite the submission of nominations, and a further announcement showing that date, time and place and containing particulars of the nominations received, shall be made by publication in two daily newspapers published locally in the English language or, if there be only one such newspaper, then in that newspaper, on any three days within the period of the six days immediately preceding the election.

**Duty of Registrar-General to supply Roll.**

56. The Registrar-General shall supply to the Returning Officer for each election a copy of the section of the Electoral Roll relating to the Parish concerned.

**Nominations**

57. Every nomination of a candidate for the office of Constable or Douzenier shall be in writing, signed by two persons whose names are inscribed on the section of the Electoral Roll representing the Parish concerned, and such nominations shall be delivered to the Returning Officer not later than 16.00 on the seventh day (not counting any intervening Saturday, Sunday or Public Holiday) before the day fixed for the holding of the election, and, in the case of an election for the office of Douzenier, shall be accompanied by a declaration in writing signed by the candidate and signifying his consent to be a candidate for that office.

PROVIDED THAT in respect of any one candidate at an election the Returning Officer shall accept only the first valid nomination delivered to him, and any nomination subsequently delivered shall be of no effect.

**Number of candidates not exceeding vacancies.**

58. At any election where the number of candidates is not greater than the number of offices vacant, the Returning Officer shall, at the electors' meeting, declare such candidate or candidates elected.

**Contested Election.**

59. At any election where the number of candidates is greater than the number of offices vacant, the following procedure shall be adopted:-

   (1) The Returning Officer shall, at the electors' meeting, read to the meeting the names of the candidates and of the persons who have signed the respective nominations, in the order in which those nominations shall have been received by him, and shall ask the meeting to vote on the question whether or not they desire a secret ballot to be held. A secret ballot shall be held if not less than seven electors present demand it. The Returning Officer shall explain that a secret ballot may be demanded by not less than seven electors and that, if such a ballot be held, the formalities of a ballot for an election to the office of People's Deputy will, so far as the same are applicable, be observed in the holding thereof.

   (2) If a secret ballot be not demanded-

      (a) the Returning Officer shall cause a voting paper to be delivered to, and only to, every elector present, who shall record his vote by writing thereon the name of the candidate (or the names of the candidates if there be more than one vacancy to be filled) for whom he wishes to vote;

      (b) the Returning Officer shall then cause the voting papers to be collected and the votes counted, and shall declare the result of the election to the meeting;

      (c) the provisions of Part IV of this Law shall be applied as nearly as possible to a case of an equality of votes and to the right to demand a re-count;
(d) the Returning Officer shall be responsible for the safe custody of the voting papers after the same have been collected, and he shall destroy them after, but not before, the successful candidate has taken the oath of office.

(3) If a secret ballot be demanded, a record of that fact shall be made by the Returning Officer, who shall thereupon declare the meeting closed. He shall then make arrangements in accordance with the provisions of this paragraph for the holding of an election on the third Wednesday of November (or on such other date as the States, by Ordinance under article 54(5), may prescribe) at each polling station which shall be established by the Constables in accordance with the provisions of the next following Article and shall give notice of such time and date and of the location of each such polling station by means of an announcement in the "Gazette Officielle", and shall be responsible for the supply of ballot papers at each such polling station. The ensuing election shall be held in the manner prescribed for elections for the office of People’s Deputy.

(4) The Returning Officer shall be responsible for the safe custody of the ballot papers, and shall destroy the same after, but not before, the successful candidate shall have taken the oath of office.

Polling Stations.

60. Where at any election a secret ballot is demanded as aforesaid, the Constables of the Parish concerned shall provide for the establishment of a polling station therein and may provide for the establishment of such additional polling stations therein as they may deem to be convenient to the electorate.

Oath of Office

61. After any election every successful candidate shall take an oath of office before the Royal Court at the instance of the Law Officers of the Crown or either of them, and after the taking of such oath the validity of the election shall not be further subject to question.

Interpretation.

62. In this Part of this Law the following expressions shall unless the context otherwise requires, have the meanings hereby respectively assigned to them:

* "Electi
on" shall mean an election to the office of Constable or Douzenier;

* "Registrar-General" shall have the same meaning as in Part IV of this Law.

PART VI.

Transfer to the States of Deliberation of Functions of a legislative nature hitherto exercised by the Royal Court.

Date and extent of transfer.

63. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, subject to the provisions of this Part of this Law, the powers and functions of a legislative nature theretofore exercised by the Royal Court whether sitting as a Court of Chief Pleas or otherwise shall cease to be exercised by the Royal Court and those powers and functions shall thenceforth vest in and be exercised by the States of Deliberation (hereinafter in this Part of this Law referred to as "the States") or by the Legislation Select Committee in accordance with the provisions of this Part of this Law and every enactment conferring power on the Royal Court to exercise any such powers and functions by way of Ordinance shall thenceforth be construed as having conferred the like power on the States of Deliberation or on the Legislation Select Committee, as may be appropriate under the provisions aforesaid, in the place and stead of the Royal Court and where under any enactment, whether commencing before or after the said date, power is conferred on the States to make any Ordinance, that enactment shall be construed as conferring power on the Legislation Select Committee, within the limits of that Committee's authority as defined in this Part of this Law, to make that Ordinance.
Defence Regulations and Rules of Procedure.

64. (1) Notwithstanding the provisions of the last preceding Article, powers and functions of a legislative nature as regards the following matters, namely:

- The making, variation, modification, and revocation or continuation of Defence Regulations in force or to be in force within the Bailiwick of Guernsey or some part thereof; and
- The making, variation, modification and revocation of Rules of Procedure in the Royal Court and any Division thereof and in any Court subordinate thereto;

shall in the case of powers and functions referred to in subparagraph (a) vest in and be exercisable by the Policy Council and shall in the case of powers and functions referred to in subparagraph (b) continue as hitherto to vest in and be exercised by the Royal Court.

(2) The Royal Court shall exercise such powers and functions by way of Orders to be styled "Orders of the Royal Court" and no such Order shall lapse, unless expressed so to do, by mere effluxion of time.

(3) Regulations of the Policy Council made by virtue of paragraph (1) shall be laid before a meeting of the States as soon as possible, and if the States resolve at that meeting or their next meeting that the regulations be annulled they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

The Legislation Select Committee.

65. (1) There shall be set up by the States, as soon as may be after the 1st day of January, 1949, a States Standing Committee to be styled "The Legislation Select Committee" (hereinafter in this Part of this Law referred to as "the Committee").

(2) The constitution of the Committee shall be such as shall, from time to time, be prescribed by the States by Resolution.

The Reform (Amendment) (Guernsey) Law, 1990
(Savings re Article 65).

On the date of the reconstitution of the Committee first occurring as shall be prescribed by the States by Resolution in accordance with the provisions of Article 65 of the Law of 1948, as amended by section 1 of this Law, the President and every other member of the former Committee in office on that date shall be deemed to have resigned:

Provided that such President and every such other member shall be deemed lawfully to continue in office during the period between the date of registration of this Law on the records of the Island of Guernsey and the date of the reconstitution of the Committee as aforesaid and the acts of the former Committee during such aforesaid period shall be valid and binding for all purposes and on all persons accordingly and anything in process of being done under or by virtue of the Law of 1948 by, or in relation to the former Committee at such aforesaid date, whether by way of legal proceedings or otherwise, may be continued by, or in relation to the reconstituted Committee and in this section, the expression "former Committee" means the Committee constituted under the Law of 1948, the expression "reconstituted Committee" means the Committee constituted under the Law of 1948 as amended by this Law and the expression "Committee" shall be construed accordingly.

Functions of the Committee.

66. The functions of the Committee shall be as follows:-

(1) To review and revise every Projet de Loi presented to the Committee by a Law Officer of the Crown for the purpose of ensuring that the same is in accordance with and will effectually carry into effect any Resolution of the States designated to be implemented thereby and to transmit the same to the States for the consideration and for the decision (subject to the Sanction of His Most Excellent Majesty in Council) of the States.

(2) To review and revise every draft Ordinance presented to the Committee by a Law Officer of the Crown at the instance of the States or of some Authority, Board, Committee or Council of the States and to transmit the same -

- to the States for consideration and decision of the States, or
- where the Policy and Resources Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest under Article 66A, to the Policy and Resources Committee for consideration and order of that Committee.
Power of Policy and Resources Committee to enact Ordinances.

66A. (1) Where, in the case of any draft Ordinance transmitted under paragraph (2)(b) of Article 66, the Policy and Resources Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest, the Policy and Resources Committee shall have power to order that the same shall be operative either immediately or upon such then future date as it shall prescribe and thereupon the Ordinance shall have effect accordingly:

PROVIDED that every Ordinance coming into effect by virtue of this paragraph shall be laid before the States as soon as may be after the making thereof in such manner as the States may, by general resolution, from time to time direct and if, at the Meeting of the States in the course of which any Ordinance made by the Policy and Resources Committee is laid before them or at the next subsequent Meeting, the States resolve that the Ordinance be annulled, the Ordinance shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Policy and Resources Committee of any new Ordinance.

(2) For the purpose or removing doubts, it is hereby declared that on an Ordinance ceasing to have effect by virtue of a Resolution of the States under the proviso to paragraph (1) of this Article, any other Ordinance which was modified or extended or repealed in whole or in part by the first-mentioned Ordinance shall thenceforth have effect, notwithstanding such modification, extension or repeal as though such modification, extension or repeal had not been effected.

(3) In paragraph (2)(b) of Article 66 and in this Article, “the Policy and Resources Committee” means the States Policy and Resources Committee.”.

Approval of subordinate legislation by Committee and States in lieu of Royal Court.

67. Where in any enactment it is provided that rules, regulations or other subordinate legislation, however described, prepared by any Authority, Board, Committee or Council of the States shall only come into operation after having received the approval of the Royal Court, that enactment shall, instead, be deemed to provide that on and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, any such rules, regulations or other subordinate legislation as shall not have been approved by the Royal Court before that day shall only come into operation after having been reviewed by the Committee and after having received the approval of the States. Such approval shall be given by way of Ordinance.

New style of Ordinances.

68. Ordinances made by the States or by the Committee shall be styled “Ordinances of the States” and no such Ordinance, unless its period of operation be limited by express words or by operation of law, shall lapse merely be effluxion of time.

Making of Orders under Defence Regulations.

69. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, the Royal Court shall cease to be a Competent Authority under any Defence Regulation and the powers and functions theretofore vesting in the Royal Court as a Competent Authority under that Defence Regulation shall thenceforth for so long as that Defence Regulation continues in force vest in and be exercised by the Committee as a Competent Authority thereunder but without prejudice to anything previously done thereunder.

Permanent and Provisional Ordinances existing at Chief Pleas after Christmas, 1948

70. On and after the day following the date of the holding of the Chief Pleas after Christmas, 1948, Ordinances of the Royal Court-

(1) which, after receiving the approval of the States, have before that day been made Permanent Ordinances by the Royal Court and are still in force, shall, until repealed, continue in force;

(2) which by virtue of the provisions of any Order in Council are Permanent Ordinances and are still in force, shall, until repealed, continue in force:

(3) made before that day which are Provisional Ordinances and are still in force, shall, unless previously repealed, continue in force as Provisional Ordinances until the 1st day of January, 1950, and shall thenceforth become Permanent Ordinances of the States:
PROVIDED that the Committee shall review all such Provisional Ordinances as are referred to in paragraph (3) of this Article and shall report to the States thereon and if, at any time during the calendar year 1949, the States resolve that any such Provisional Ordinance shall be annulled, the same shall cease to have effect as though it had been repealed but without prejudice to anything previously done thereunder.

**Power of Committee to repeal or vary Ordinances.**

71. The Committee, within the limits of the latter's authority and subject to the provisions of paragraph (4) of Article 66 of this Law, and the States shall have power, from time to time, to repeal, suspend, vary or modify any Ordinance made by the Royal Court (except in relation to any of the matters referred to in paragraph (1) of Article 64 of this Law) or by the States or by the Committee.

**PART VII.**

**Miscellaneous and Repeals.**

**Number of votes restricted to number of vacancies.**

72. No person shall vote or purport to vote at any election for a greater number of candidates than there are seats vacant, and any vote cast or purported to be cast in contravention of this Article shall be void.

73. [repealed]

**Limitation of the application of the Secret Ballot Laws.**

74. Where any provision of any law relating to Secret Ballot (Scrutin Secret) conflicts with any of the provisions of this Law, then, unless that law specifically provides to the contrary, the provisions of this Law shall prevail.

**Saving of powers for existing States of Deliberation and Election.**

75. (1) The Conseillers and People's Deputies due to retire on the 31st day of December, 1954, shall continue in office until the 31st day of March, 1955, and the Douzaine Representatives in office on the 30th day of November, 1954, shall continue to hold office until the 31st day of March 1955, and any Douzaine Representative elected after the 30th day of November, 1954, to fill a casual vacancy shall hold office until the 31st day of March, 1955.

(2) The Conseillers due to retire on the 31st day of December, 1957, shall continue in office until the 31st day of March, 1958.

**Repeals.**

76. The enactments set out in the first column of the Second Schedule to this Law shall be repealed to the extent and on the dates indicated in the second and third columns respectively of that Schedule.

**Saving.**

77. The repeal of Section 3 of the States (Election of People's Deputies) (Special Provisions) Law, 1945, shall not affect the continuance of the qualification for office in respect of residence of any People's Deputy elected or deemed to have been elected at the General Election to be held during the month of December, 1948.
General provisions as to rules

78. Rules made by the States Assembly and Constitution Committee under any provision of this Law -

(a) shall be laid as soon as possible before a meeting of the States and shall, if at that or their next meeting the States resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new rules under that provision;

(b) may contain incidental, consequential, supplementary and transitional provisions; and

(c) may be amended or repealed by subsequent rules under that provision.
FIRST SCHEDULE  Article 47 (1)

Allocation of Deputies between the Electoral Districts.

<table>
<thead>
<tr>
<th>Electoral District</th>
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<tr>
<td>Parish of Saint Peter Port</td>
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<tr>
<td>Parish of Saint Sampson</td>
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<td>Parish of the Vale</td>
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<td>Parish of Saint Peter-in-the-Wood</td>
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<td>Parish of Torteval</td>
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Districts and Allocation of Seats
Applicable from 2004 General Election*

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<td>St. Peter Port South</td>
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<td>St. Peter Port North</td>
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<td>St. Sampson</td>
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<td>The Vale</td>
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<td>The Castel</td>
<td>7</td>
</tr>
<tr>
<td>West – (St. Saviour, St. Pierre du Bois, Torteval and Forest)</td>
<td>6</td>
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<tr>
<td>South-East (St. Martin and St. Andrew)</td>
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*Resolution of the States of 27th November, 2002 includes Herm and Jethou in the electoral district of St. Peter Port South.

Districts and Allocation of Seats
Applicable from 2016 General Election*

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<thead>
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<th>Electoral District</th>
<th>Deputies</th>
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<td>The Vale</td>
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<td>The Castel</td>
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<td>West – (St. Saviour, St. Pierre du Bois, Torteval and Forest)</td>
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<tr>
<td>South-East (St. Martin and St. Andrew)</td>
<td>5</td>
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</tbody>
</table>

*Resolution of the States of 27th November, 2002 includes Herm and Jethou in the electoral district of St. Peter Port South.

SECOND SCHEDULE  Article 76

REPEATS
Transitional provisions in
THE REFORM (AMENDMENT) (GUERNSEY) LAW 1998

(1) ...

(2) ...

(3) With regard to the new Article 52A inserted in the Reform Law by section 4(1) of this Law:

(a) the term of office of a Douzenier elected before the commencement of this Law at an election in consequence of a casual vacancy is to be computed without reference to the new Article 52A(2)(b); but

(b) within two months following the commencement of this Law [i.e. 28th July, 1998],

(i) the Douzaine of each Parish must ascertain whether for the purposes of any election of Douzeniers required by law to be held during the next six years it is necessary to determine seniority as between two or more Douzeniers who took office on the same day; and

(ii) any Douzeniers as between whom that matter does need to be determined must make the determination themselves (by drawing lots if they cannot agree) and report it to their Douzaine for inclusion in the minutes of the Douzaine,

whereupon that determination shall irrevocably fix the seniority for electoral purposes of those Douzeniers.

(4) The amendment made by section 4(3) of this Law does not apply in the case of any election for which the date has been fixed before the commencement of this Law.
(1) The States may exercise any of the powers conferred on them by Article 26(2) of the Reform Law, as substituted by section 4(1)(a) of this Law, at any time after the registration of this Law on the records of the Island of Guernsey; and any such Resolution passed before 1st January 2000 shall have effect as respects the General Election to be held in April 2000 and thereafter until further Resolution of the States under Article 26(2) of the Reform Law.

(2) It is hereby declared for the avoidance of doubt that a person in office as a Conseiller on 30th April, 2000 whose term of office as such would, apart from this Law, have continued beyond that date -

(a) shall cease to hold the office of Conseiller on that date;

and

(b) may (if he is otherwise eligible in accordance with the Reform Law) be a candidate at the General Election for People's Deputies to be held in April 2000.
Transitional provisions in
THE REFORM (GUERNSEY) (AMENDMENT) LAW 2008

(1) ...

(2) ...

(3) (1) The expiry of the term of office of the Douzeniers elected before the commencement of this Law as set out in column 2 of the Schedule shall, following the commencement of this Law, be as set out in column 3 of the Schedule.

(2) When a person listed in the Schedule has ceased to hold office before the commencement of this Law the term of office of the Douzenier elected in his place shall expire on the same date as that which applied to his predecessor.

SCHEDULE

<table>
<thead>
<tr>
<th>Douzenier</th>
<th>Year in which term of office expires prior to the commencement of this Law</th>
<th>Year in which term of office expires following the commencement of this Law</th>
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<tr>
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<td>R. A. R. Evans</td>
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Mrs B. E. C. Holliday 2013 2011
K. J. Guille 2012 2011
R. P. Hervé 2012 2010
M. H. Dorey 2011 2010
R. J. Marquis 2011 2010
C. Le Page 2010 2009
M. A. Bisson 2010 2009
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D. J. Ozanne 2008 2008

St. Saviour
S. J. Bichard 2013 2011
M. N. de Garis 2013 2011
J. V. Brache 2012 2011
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J. H. Humphreys 2010 2009
J. W. Fewkes 2010 2009
P. B. Bott 2009 2009
P. W. Elliott 2009 2008
M. D. Chester 2008 2008
I MacRae 2008 2008

St. Pierre du Bois
P. A. Martel 2013 2011
Mrs G. P. Dudley-Owen 2013 2011
S. L. Langlois 2012 2011
R. W. Place M.B.E. 2012 2010
M. A. Ozanne 2011 2010
A. H. Brouard 2011 2010
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J. H. Lenfestey 2009 2008
Dr D. de G. De Lisle 2008 2008
A. Le S. Morris 2008 2008

Torteval
E. H. Ozanne 2013 2011
G. H. Cook 2013 2011
C. J. Tostevin 2012 2011
Dr M. E. Singer 2012 2010
V. J. Watson 2011 2010
P. M. Burnard 2011 2010
D. J. Cherry 2010 2009
A. Sauvarin 2010 2009
P. I. Le Tocq 2009 2009
L. P. Brehaut 2009 2008
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P. J. Pannett 2008 2008
Forest
D. J. Gorvel 2013 2011
R. Plumley 2013 2011
Mrs S. G. Ephgrave 2012 2011
K. R. Bienvenu 2012 2010
F. X. Paul 2011 2010
Mrs A. C. Shakerley 2011 2010
J. C. Le Prevost 2010 2009
R. H. Bartlett 2010 2009
R. L. Heaume 2009 2009
Mrs J. W. Klimaschewski 2009 2008

St. Martin
J. R. Nicolle 2013 2011
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G. M. Tattersall 2012 2011
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S. M. Jones 2008 2008

St. Andrew
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M. G. O’Hara 2008 2008
THE REFORM (AMENDMENT) (GUERNSEY) LAW, 1972

PART I

Voting age and compilation of Electoral Roll

Amendments to Law of 1948

PART II

Voting by Post.

Postal voting by absent voters.

2. Notwithstanding any of the provisions of the principal Law, a person whose name is inscribed on the Electoral Roll and who is a person to whom this Part of this Law applies (hereinafter referred to as "an absent voter") may vote by post in accordance with the succeeding provisions of this Part of this Law at an election for the office of People's Deputy (hereinafter referred to as "an election").

Absent voters.

3. This Part of this Law applies to any person who has made an application in accordance with section 5.

Register of absent voters.

4. (1) For the purposes of this Part of this Law the Registrar-General shall, on the coming into force of this Law, establish and thereafter maintain in a book kept solely for the purpose, a register of absent voters (hereinafter referred to as "the Register").

(2) The Register shall be divided into seven sections, one for each Electoral District, for the purposes of making entries in accordance with the provisions of section six of this Law.

Application by absent voter to be entered on the Register.

5. An absent voter who is desirous of voting by post at an election shall, not less than five days before the date appointed for the holding of that election, apply to the Registrar-General on such form as the Registrar-General may from time to time prescribe to have his name entered in the Register.

Entry on Register by Registrar-General.

6. Upon receipt of an application under the provisions of the last preceding section, the Registrar-General shall, if he is satisfied that the applicant is an absent voter, enter the name and address of the absent voter in the section of the Register for the Electoral District in which he is entitled to vote and against such entry the Registrar-General shall enter the letter he has allocated for that Electoral District and a number personal to that absent voter for the election concerned; the names entered in the Register under this section shall be numbered consecutively throughout the respective sections of the Register.

Effect of registration and removal of name.

6A (1) A person shall not vote in person at an election whilst his name is entered in the Register.

(2) The Registrar-General shall delete from the Register the name of any person who applies in that behalf on a form prescribed by the Registrar-General before the documents referred to in section 7 of this Law are sent to him.

Documents to be sent to absent voters.

7. (1) The Registrar-General shall, as soon as practicable, provide the absent voter with-

(a) a ballot paper,
(b) a form of declaration of identity to be completed by the absent voter,
(c) an envelope marked "BALLOT PAPER ENVELOPE", and
(d) a pre-paid envelope addressed to the Registrar-General.
(2) The Registrar-General may provide the documents referred to in subsection (1) by -

(a) sending them to the absent voter by post; or
(b) giving them to the absent voter in person upon production of such form of identification as the Registrar-General may from time to time require.

Form of ballot paper.

8. A ballot paper sent to an absent voter under the provisions of the last preceding section shall be in the same form as, and indistinguishable from, the ballot paper delivered to other voters, not being absent voters, for the purposes of the election.

Marking of counterfoil and Register.

9. The letter and number of an absent voter as entered in the Register to whom a ballot paper has been sent under the provisions of section seven of this Law shall be marked by the Registrar-General on the counterfoil of the ballot paper and a mark shall be placed by him in the Register against the entry relating to the absent voter denoting that a ballot paper has been sent to him but without disclosing the number of the said ballot paper.

Marking of documents.

10. The number of a ballot paper sent to an absent voter under the provisions of section seven of this Law shall be marked-

(a) on the form of declaration of identity, and
(b) on the envelope marked "BALLOT PAPER ENVELOPE",

sent as aforesaid and the letter of the Electoral District entered against the name of the absent voter in the Register and the personal number of the absent voter as so entered shall be marked on the pre-paid envelope addressed as aforesaid to the Registrar-General.

Copies of Register to be sent to Returning Officer.

11. The Registrar-General shall, prior to the opening of the poll on the date appointed for the election, send to each Returning Officer a copy of the section of the Register for his Electoral District and marked by the Registrar-General against the entry relating to the absent voter denoting that a ballot paper has been sent to him but without disclosing the number of the said ballot paper.

Marking of ballot paper by absent voter and return to Registrar-General.

12. An absent voter to whom a ballot paper has been sent under the provisions of section seven of this Law shall mark that ballot paper in accordance with the provisions of the law from time to time regulating the procedure for Secret Ballot and the ballot paper shall be placed and sealed by him in the envelope marked "BALLOT PAPER ENVELOPE" and returned together with the completed declaration of identity in the pre-paid envelope to the Registrar-General so as to reach him not later than noon on the date appointed for the holding of the election.

Envelope to be sent to Returning Officer.

13. The Registrar-General shall, upon receipt of a pre-paid envelope sent to him under the provisions of the last preceding section, cause the said envelope to be delivered unopened to the Returning Officer of the Electoral District indicated by the letter on the envelope so as to reach him prior to the close of the poll on the date appointed for the holding of the election.

Recording of vote of absent voter.

14. (1) The Returning-Officer shall, on the date appointed for the holding of an election, cause the pre-paid envelope sent to him under the provisions of the last preceding section to be opened in the presence of the two scrutineers appointed by him under the provisions of Article thirty-seven of the principal Law and, after satisfying himself that the number on the form of declaration of identity coincides with the number on the envelope marked "BALLOT PAPER ENVELOPE" and that the form of declaration of identity has been duly completed, he shall place the envelope marked "BALLOT PAPER ENVELOPE" unopened in the ballot box provided for the election and attach the form of declaration of identity and the pre-paid envelope to the copy of the section of the Register for his Electoral District sent to him as aforesaid save that if the said numbers do not coincide as aforesaid, the Returning Officer shall endorse the form of declaration of identity with the words "VOTE REJECTED" and place the envelope marked "BALLOT PAPER ENVELOPE" and the form of declaration of identity and the pre-paid envelope in a container used solely for that purpose.
(2) On the conclusion of the voting but before the ballot box is sealed in pursuance of Article thirty-eight of the principal Law, the Returning Officer shall seal in a separate package used solely for that purpose the forms of declaration of identity and the pre-paid envelopes and the copy of the section of the Register for his Electoral District to which they are attached and in a separate package any form of declaration of identity endorsed with the words "VOTE REJECTED" together with the "BALLOT PAPER ENVELOPE" and pre-paid envelope relating thereto.

(3) On the completion of the counting of the votes in pursuance of Article thirty-eight of the principal Law the Returning Officer shall seal, in a package used solely for that purpose, the ballot paper envelopes taken from the ballot box.

**Documents to be returned by Returning Officer to Registrar-General and the destruction thereof.**

15. (1) Before the expiration of the period of forty-eight hours next succeeding the date appointed for the holding of an election the Returning Officer shall deliver to the Registrar-General the three sealed packages referred to in subsections (2) and (3) of the last preceding section.

(2) Not earlier than forty-eight hours after the public declaration of the poll by the Returning Officer, or in the event of a re-count pursuant to Article forty-one of the principal Law not earlier than forty-eight hours after the result of that re-count has been published by the Presiding Officer of the States, the Registrar-General shall destroy all the sealed packages delivered to him in pursuance of subsection (1) of this section.

**Ordinances as to postal voting, etc.**

15A (1) The States may by Ordinance make provisions as they think fit in relation to –

(a) postal voting; and
(b) other means of voting, whether or not involving attendance at a polling station;

at elections for the office of People’s Deputy or any other office specified by the Ordinance.

(2) An Ordinance under this section -

(a) may amend any provision of this Law;
(b) may contain incidental, consequential, supplementary and transitional provisions;
(c) may make consequential amendments to the provisions of the principal Law and the law from time to time regulating the procedures for Secret Ballot; and
(d) may be amended or repealed by a subsequent Ordinance hereunder.

**PART III**

**States Employees**

**States employees elected not to take oath of office or allegiance.**

16. (1) A States employee or public officer who is elected under the provisions of the principal Law to hold office as a member of the States of Deliberation may not take before the Royal Court the oaths required to be taken under Article 19 of the principal Law unless and until he ceases to be a States employee or public officer (as the case may be).

(2) A member of the States of Deliberation who has taken the oaths referred to in subsection (1) must resign as such a Member before commencing employment as a States employee or commencing office as a public officer.
PART IV

General

Repeals
17. The Laws set out in the left hand column of the Schedule to this Law are hereby repealed to the extent set out in the right hand column of that Schedule.

Interpretation
18. In this Law, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:

"the law from time to time regulating the procedure for Secret Ballot" means the Law entitled "Loi relative au Scrutin Secret" registered on the twenty-eighth day of October, eighteen hundred and ninety-nine, as amended;

"Office of the States" means any office, building, room or place used for the purpose of the States;

"public officer" means any office, building, room or place used for the purpose of the States;

(a) the holder of judicial office in any court in the Island of Guernsey,
(b) a member of the regular armed forces,
(c) a member of the Guernsey Financial Services Commission,
(d) the Director General of the Guernsey Financial Services Commission,
(e) the Director General of Utility Regulation,
(f) the Data Protection Commissioner,
(g) the Public Trustee, or
(h) the holder of any other office specified by Ordinance of the States.

"States Employee" means a person employed by the States of Guernsey (whether on a full time or part time basis) in such circumstances that the said States have the right to require that he shall devote the whole of his services to such employment during all hours of work normally applicable thereto.

Construction and collective title.
19. This Law and the principal Law shall be construed as one and this Law and the Reform (Guernsey) Laws, 1948 to 1963, may be cited together as the Reform (Guernsey) Laws, 1948 to 1972.

Citation and commencement.
20. This Law may be cited as the Reform (Amendment) (Guernsey) Law, 1972 and shall be deemed to have come into operation on the first day October, nineteen hundred and seventy-two.
SCHEDULE
Section seventeen

**Repeals**

The Reform (Guernsey) Law, 1948, as amended

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LOI RELATIVE
AU SCRUTIN SECRET, 1899, as amended

Elections de Jurés, Prévôt et Députés des Etats se feront par Scrutin Secret.

1. A l'avenir les élections de Jurés-Justiciers, du Prévôt de la Reine et des Députés des Etats élus par les Chefs de Famille de l'Ile se feront par le moyen du scrutin secret - s'il se trouve plus d'un candidat pour la charge - et ce dans la forme et aux conditions ci-après spécifiées.

Scrutin sera facultatif pour élections d'Officiers paroissiaux mais obligatoire si trois des électeurs présents l'exigent Scrutin aura lieu en séance tenant ou en séance adjournée.

2. Le Scrutin Secret sera facultatif pour les élections de Connétables, de Douzeniers et autres Officiers paroissiaux mais obligatoire si, aussitôt que les candidats auront été dûment proposés et secondés, trois des électeurs présents l'exigent.

Assemblées, autres que l'élection des Députés, comme par le passé.

3. Les assemblées des électeurs autres que celles pour l'élection des Députés seront convoquées et tenues dans les lieux ordinaires, aux heures indiquées dans les publications officielles le tout suivant loi et coutume comme par le passé.

Président

4. Chaque assemblée des électeurs sera présidée par qui de droit - suivant loi et coutume - comme par le passé.

Elections de Jurés, Prévôt et Députés - Nominations.

5. Tout électeur qui proposera un candidat pour la charge de Juré-Justicier, Prévôt de la Reine ou Député des Etats sera tenu de le faire par écrit, et de présenter en même temps, à l'appui de sa proposition, un soussigné d'un autre électeur. Les nominations devront être livrées à l'Officier Président (anglicé «Presiding Officer») des Etats, lequel donnera connaissance de la première nomination valide lui livrée aux électeurs avant le jour de l'élection par le moyen d'une annonce dans la Gazette Officielle. En cas qu'il n'y ait qu'une seule nomination à la charge de Juré-Justicier ou de Prévôt de la Reine, l'élection se fera de vive voix de la manière ordinaire, bien entendu qu'il ne sera pas loisible de proposer d'autres candidats que celui dont la nomination a été reçue par l'Officier Président (anglicé «Presiding Officer») des Etats.

Connaissance de chaque nomination doit être donnée aux Electeurs.

Devra toujours le Président des Etats de temps en temps et avant de faire la susdite annonce dans la Gazette Officielle, donner connaissance aux Électeurs de la première nomination valide aussitôt livrée pour chaque candidat, et ce par le moyen d'une affiche dans le vestibule de la Cour.

Procédure.

6. L'élection d'un candidat pour la charge de Juré-Justicier, Prévôt de la Reine ou Député des Etats, se fera par le moyen d'un bulletin de vote estampillé de manière qu'on puisse en constater l'authenticité. Le bulletin portera autant de noms qu'il y a de nominations et sera livrée à chaque électeur présent. Celui-ci devra faire une croix (ou autre marque qui, à l'avis des scrutateurs, signifie sans aucun doute l'intention de l'électeur) contre le nom de son candidat ou les noms de ses candidats s'il s'agit de l'élection de plus d'un candidat pour la même charge - et ces bulletins, lesquels devront être pliés et fermés de manière à cacher les noms, seront recueillis, ou déposés par les électeurs dans une boîte scellée adaptée à cet effet, et le scrutin sera dépouillé par les scrutateurs qui seront chargés de former le scrutin et de recueillir les suffrages.

Procédure pour élections d'officiers paroissiaux.

7. Lorsqu'une élection à la charge de Connétable, Douzenier ou autre officier paroissial doit avoir lieu, le Recteur, les Connétables ou autres officiers paroissiaux, suivant le cas, convoqueront une assemblée des électeurs de la manière ordinaire. À la dite assemblée le Président de l'assemblée recevra les nominations des candidats, chacune desquelles doit être proposée par un électeur et secondée par un autre. Nul électeur ne pourra proposer ou seconder plus de candidats qu'il n'y a de places vacantes.
Le Président, après avoir donné l'occasion à tout électeur présent de proposer ou de seconder tel candidat qu'il jugera à propos, déclarera les nominations closes, après quoi il ne sera plus permis de proposer ou de seconder aucun candidat. Les électeurs qui désirent demander le Scrutin Secret devront le faire immédiatement après la clôture des nominations, et après que le Président aura demandé si quelqu'un demande le Scrutin Secret.

**Président aura voix prépondérante en élection de vive voix en cas d'égalité.**

(1) Si le Scrutin Secret n'est pas demandé par trois des électeurs présents, l'élection se fera de vive voix comme par le passé, et en cas d'égalité de voix, le Président aura voix prépondérante, en outre sa voix ordinaire.

**Procédure pour Scrutin Secret en séance tenante.**

(2) Si le Scrutin Secret doit avoir lieu séance tenante, un bulletin de vote estampillé ou autrement marqué de manière qu'on puisse en constater l'authenticité sera livré à chaque électeur présent. L'électeur devra indiquer sur son bulletin le nom du candidat ou des candidats de son choix. Les bulletins devront être pliés et fermés de manière à cacher les noms et seront recueillis par deux scrutateurs nommés à cet effet. Les scrutateurs compteront les votes et en feront rapport au Président de l'assemblée qui en cas d'égalité de votes aura voix prépondérante et qui annoncera de suite aux électeurs présents le résultat du Scrutin.

**Procédure pour Scrutin Secret en séance ajournée.**

(3) Si le Scrutin Secret doit avoir lieu en séance ajournée, le jour de l'élection sera fixé par l'assemblée qui nommera aussi les Scrutateurs. Le Recteur, les Connétables ou autres officiers paroissiaux suivant le cas, donneront avis au électeurs par le moyen d'une annonce dans la Gazette Officielle et d'une publication dans le cadre au porche de l'Église paroissiale du jour et du lieu de l'élection. L'élection se fera alors comme est porté à l'article 6. Les Scrutateurs feront rapport du résultat du scrutin au Président de l'assemblée qui en cas d'égalité de votes aura voix prépondérante et qui annoncera de suite aux électeurs présents le résultat du Scrutin.

**Heures pendant lesquelles le lieu d'élection sera ouvert.**


**Bulletins nuls.**

9. Seront complètement nuls dans toute élection par le Scrutin Secret:-

   (1) Tous les bulletins autres que ceux dont l'usage est permis par la présente Loi.

   (2) Les bulletins dont l'usage est permis:-

      (a) S'ils ne portent pas l'estampille officielle,
      (b) S'ils ne contiennent pas l'expression certaine d'un suffrage,
      (c) S'ils contiennent plus de suffrages qu'il n'y a de vacances,
      (d) S'ils contiennent un suffrage en faveur d'une personne autre que celles qui auront été dûment proposées et secondées.

   (3) Les bulletins qui, par une écriture marque ou indication quelconque, servent à identifier un électeur.

**Bulletins seront gardés.**

10. Après les élections les bulletins seront gardés dans une boîte scellée jusqu'à ce que le candidat ait été sermenté de la manière ordinaire.

**Frais d'élection.**

Loi relative au Scrutin Secret, 1899, as amended

Ordres en Conseil Vol. III, p.175
IV, p.392
V, p.444
VII, p.310
XXXIV, p.397
XXXVI, p.478
XXXVIII, p.150
XXXVIII, p.295
No. XIII of 2003
Extract from
The Deputy Bailiff (Guernsey) Law, 1969,
as amended

Functions and powers of the Deputy Bailiff.

1. (3) The Deputy Bailiff shall be ex officio Deputy Presiding Officer of the States of Deliberation and of the States of Election and in the absence or incapacity of the Bailiff or during a vacancy in that office shall sit in, and otherwise discharge all the duties of the Presiding Officer of, the States of Deliberation and the States of Election.

(4) The Deputy Bailiff when discharging the duties of Presiding Officer of the States of Deliberation and of the States of Election shall have all the powers and be subject to all the duties of the Presiding Officer.

(5) Nothing in the foregoing provisions of this section shall -
   (a) derogate from the powers and duties of an Acting Presiding Officer of the States of Deliberation or of the States of Election in the event of the absence or incapacity of both the Bailiff and Deputy Bailiff and in the event of the absence or incapacity of the Deputy Bailiff during a vacancy in the office of Bailiff;
   (b) …
   (c) authorise the Deputy Bailiff to appoint an Acting Presiding Officer of the States of Deliberation or and Acting Presiding Officer of the States of Election.

Precedence, etc. of the Deputy Bailiff.

2. (1) The Deputy Bailiff, in the discharge of any function or in the exercise of any power appertaining to the office of Bailiff which he is authorised to discharge or exercise under or by virtue of this Law, shall have the same precedence and prerogatives and shall be subject to the same duties and obligations as the Bailiff would have or be subject to if he were discharging that function or exercising that power.

4 Ordres en Conseil Vol.XXII, p.122 and No. XIII of 2003
Loi relative à la Réforme des États de Délibération of 1899, as amended⁵

I and II  [repealed]

Douzaines seront renouvelées tous les quatre ans

III  À l’avenir les Douzaines de l’île seront renouvelées tous les quatre ans, comme suit:

(a) Les membres de la Douzaine de St. Pierre Port devant sortir de charge les cinq les plus anciens à la fin de chaque année;
(b) Les membres de la Douzaine du Valle devant sortir de charge les quatre les plus anciens à la fin de chaque année;
(c) Les membres des autres Douzaines de l’île devant sortir de charge les trois les plus anciens à la fin de chaque année;

Douzenier ré-élu tenu de server jusqu’à 60 ans

IV  Un Douzenier sortant de charge sera toujours ré-éligible et tenu de server comme d’ancienneté jusqu’à ce qu’il ait atteint l’âge de 60 ans. Un Douzenier ré-élu reprendra le rang qu’il occupait dans la Douzaine avant sa ré-election. Un Douzenier qui n’est pas ré-élu lorsqu’il sortira de charge pourra refuser de server s’il est élu subséquemment à la dite charge.

V, VI, VII, VIII, IX and X  repealed

[See also the transitional provisions contained in The Reform (Guernsey) (Amendment) Law, 2008]

THE STATES COMMITTEES
(CONSTITUTION AND
AMENDMENT) (GUERNSEY) LAW,
1991, AS AMENDED
THE STATES COMMITTEES (CONSTITUTION AND AMENDMENT) (GUERNSEY) LAW, 1991,
AS AMENDED\textsuperscript{a}

\textit{[CONSOLIDATED TEXT]}

\textbf{NOTE}

This consolidated version of the enactment incorporates all amendments listed in the footnotes. It has been prepared for this folder and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

\textbf{THE STATES}, in pursuance of their Resolutions of 6\textsuperscript{th} March and 14\textsuperscript{th} March, 1991\textsuperscript{b}, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

\textbf{Constitution of States Committees.}

1. (1) Subject to subsection (2), the constitution of any committee

\textsuperscript{a} No. XVII of 2015
may be prescribed by Resolution\textsuperscript{e} of the States.

(2) A Resolution under subsection (1) or under any relevant enactment shall not apply in relation to a committee to the extent that contrary provision is made in relation thereto by an enactment.

(3) In this section -

"committee" means any committee, board, authority or other body of the States, whether established by Resolution or by an enactment;

"relevant enactment" means an enactment providing (in whatever terms) that the constitution of a committee shall be prescribed by Resolution of the States.

(4) In this section and in any relevant enactment the expression "constitution" includes all aspects of the committee’s constitution and all matters ancillary thereto including (without prejudice to the generality of the foregoing) -

(a) the size and composition of the committee’s membership;

(b) the nomination, election, co-option, term of office, retirement and replacement of the committee’s members, Presidents and Vice-Presidents;

(c) the qualifications for office (including any requisite special interests) and the termination of office of the committee’s members, Presidents and Vice-

\*\*\* See Resolution of 29 April 1992 & Article IX of Billet d’État No. VIII, 1992.\*\*\*
No. XX of 1991

Presidents, and the designation of classes of persons who are disqualified from office;

(d) the committee’s quorum and its voting procedures;

(e) the conduct of the committee’s proceedings;

(f) the establishment, functions and constitution of the committee’s sub-committees; and

(g) the frequency with which and manner in which the committee is to be convened.

(5) For the avoidance of any doubt and subject to subsection (2), a Resolution under subsection (1) or under any relevant enactment may include provision that a committee’s membership shall consist of members, the majority or a minority of whom are not elected members of the States; provided that no person shall be elected or appointed to the office of President of a committee, unless the person is an elected member of the States.

Amendment to Industrial Disputes Law.

2. In Article 21 of the Industrial Disputes and Conditions of Employment Law, (1947), as amended, in the definition of "the Committee" for the words "Labour and Welfare Committee" substitute "Board of Employment, Industry and Commerce or such other committee as the States may by Resolution appoint".

Amendment to Hawkers Laws.

3. (1) In section 20(1) of the Hawkers and Non-Resident Traders

\[d\] Section (5) inserted by article 6 of The States (Reform) (Guernsey) Law, 2015

\[e\] Ordres en Conseil Vol. XIII, p. 1; Vol. XXIII, p. 211.
(Guernsey) Law, 1980, as amended\textsuperscript{f}, in the definition of "the Board" for "Ordinance" substitute "Resolution".

(2) In section 3 of the Hawkers and Non-Resident Traders (Amendment) (Guernsey) Law, 1989, for "Ordinance" substitute "Resolution".

Repeals.

4. The enactments specified in the Schedule are repealed.

Citation.

5. This Law may be cited as the States Committees (Constitution and Amendment) (Guernsey) Law, 1991.

\textsuperscript{f} Ordres en Conseil Vol. XXVII, p. 218; and No. XVII of 1989.
Enactments repealed

1. The States Committees (Guernsey) Law, 1949\textsuperscript{g}.

2. The States Committees (Special Provisions) (Guernsey) Law, 1950\textsuperscript{h}.

3. The States Committees (Amendment) Law, 1953\textsuperscript{i}.

4. The States Board of Administration (Transfer of Functions) Law, 1974\textsuperscript{j}.

5. Paragraph 16 of Schedule 2 to the Financial Services Commission (Bailiwick of Guernsey) Law, 1987\textsuperscript{k}.

6. Section 2 of the Trading Stamps (Amendment) (Guernsey) Law, 1990\textsuperscript{l}.

7. Articles 3(8) and 4 of the Mental Treatment Law (Guernsey) 1939\textsuperscript{m}.

8. The States Committees (Special Provisions) (Amendment) (Guernsey) Law
Law, 1986\textsuperscript{n}.

\textsuperscript{n} No. IX of 1986
The States (Reform)
(Guernsey) Law, 2015
PROJET DE LOI

ENTITLED

The States (Reform) (Guernsey) Law, 2015

THE STATES, in pursuance of their Resolutions of the 25th June, 2015\(^a\) and the 9th July, 2015\(^b\), have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.


1. A person elected to the office of People’s Deputy-

(a) at the General Election of People’s Deputies due to take place on 27th April 2016, or

(b) at any election under Article 29(1) of the Reform (Guernsey) Law, 1948\(^c\) to fill any vacancy not filled at that General Election,

\(^a\) Billet d’État No. XI of 2015.
\(^b\) Billet d’État No. XII of 2015.
shall retire from office on 30th June 2020, despite Article 29(1) of the Reform (Guernsey) Law, 1948.

Performance of functions by members of Committees.

2. (1) Subject to subsection (4), a Committee may arrange for any of its functions to be performed in its name by any one or more members of that Committee.

(2) A function performed by a member of a Committee pursuant to an arrangement made under this section is for all purposes performed by the Committee concerned; and every decision taken or other thing done by a member of a Committee pursuant to such an arrangement has the same effect as if taken or done at a quorate meeting of the Committee concerned.

(3) An arrangement under this section for the performance of a function by a member of a Committee -

(a) may be varied or terminated at any time by the Committee concerned, but without prejudice to anything done pursuant to the arrangement or to the making of a new arrangement, and

(b) does not prevent the performance of the function by the Committee concerned whilst the arrangement subsists.

(4) This section does not empower a Committee to arrange for any legislative function to be performed by a member of that Committee.

(5) This section -
(a) is not to be construed as impliedly invalidating anything done in conformity with any other enactment or rule of law, either before or after this section comes into force, and

(b) does not permit the making of an arrangement which would clearly be inconsistent with the intention of the function concerned.

(6) The power created by this section is exercisable by a Committee in addition to any other power of the Committee to arrange for any of its functions to be performed in its name by any other person, including any power exercisable under the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991d.

Performance of functions by other Committees.

3. (1) Subject to subsection (5) a Committee ("Committee A") may, by regulations made jointly with another committee ("Committee B"), arrange for any of its functions to be performed by Committee B in the name of Committee B.

(2) Unless regulations under subsection (1) provide otherwise -

(a) a function performed, and

(b) every decision taken, or other thing done,

by Committee B pursuant to an arrangement made under this section have the same effect as if performed, taken or done at a quorate meeting of Committee A.

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(3) For the avoidance of doubt, unless regulations under subsection (1) provide otherwise, Committee B may arrange for any functions under those regulations to be performed -

(a) by an officer responsible to Committee B under section 4 of the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991, or

(b) by any one or more members of Committee B under section 1.

(4) An arrangement under this section -

(a) may be varied or terminated at any time by further regulations made jointly by Committee A and Committee B, but without prejudice to anything done pursuant to the arrangement or to the making of a new arrangement, and

(b) unless regulations under subsection (1) provide otherwise, does not prevent the performance of the function by Committee A whilst the arrangement subsists.

(5) This section does not empower Committee A to arrange for any legislative function to be performed by Committee B.

(6) This section -

(a) is not to be construed as impliedly invalidating anything done in conformity with any other enactment
or rule of law, either before or after this section comes into force, and

(b) does not permit the making of an arrangement which would clearly be inconsistent with the intention of the function concerned.

**Regulations.**

4. (1) Regulations under this Law -

(a) may be amended or repealed by subsequent regulations hereunder, and

(b) may contain such consequential, incidental, supplementary, transitional and savings provisions as may appear to be necessary or expedient including, without limitation, provision making consequential amendments to this Law and any other enactment.

(2) Any power to make regulations under this Law may be exercised -

(a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,

(b) so as to make, as respects the cases in relation to which it is exercised -

(i) the full provision to which the power extends,
or any lesser provision (whether by way of exception or otherwise),

(ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes, or

(iii) any such provision either unconditionally or subject to any prescribed conditions.

(3) Regulations under this Law shall be laid before a meeting of the States as soon as possible after being made; and, if at that or the next meeting the States resolve that the regulations be annulled, then they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations.

Amendment of Reform (Guernsey) Law, 1948.

5. (1) In the Reform (Guernsey) Law, 1948 -

(a) in Article 1(1)(c), for "Forty-five" substitute "Thirty-eight",

(b) in Article 4(2)(f), for "forty-five" substitute "thirty-eight",

(c) Article 8(b) is repealed,

(d) in Article 17 -

(i) in paragraph (2)(a), the words "or has,
subsequently to such election, ceased to possess either of the first two qualifications required by that Article," are repealed, and

(ii) in paragraph (3) -

(A) the words "is under a legal disability or" are repealed, and

(B) for the words "in either of which cases" substitute "in which case",

(e) in Article 27 –

(i) paragraph (1)(b) is repealed, and

(ii) in paragraph (4) the words "or is subject to any legal disability" are repealed,

(f) immediately after Article 27A, insert the following Article –

"Abolition of mental incapacity to vote.

27B. Any rule of law which provides that a person is subject to a legal incapacity to vote by reason of his or her mental state is abolished.",

(g) in Article 29

(i) in paragraph (1) -

(A) for "2000", substitute "2020",.
(B) for "April" wherever appearing, substitute "June", and

(C) for "May" substitute "July",

(ii) in paragraph (2), immediately after the words "the four year term then current", insert "or, in the case of the General Election held on the 27th day of April, 2016, until the 30th day of June, 2020",

(h) Article 42 is repealed,

(i) in Article 49, the definition of "Legal disability" is repealed,

(j) in Article 66 -

(i) in paragraph (2), for "and, subject to the provisions of the next succeeding paragraph, to transmit the same to the States for the consideration and decision of the States." substitute -

"and to transmit the same -

(a) to the States for consideration and decision of the States, or

(b) where the Policy and Resources Committee is
of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest under Article 66A, to the Policy and Resources Committee for consideration and order of that Committee.

(ii) paragraphs (3) and (4) are repealed, and

(k) immediately after Article 66 insert the following Article -

"Power of Policy and Resources Committee to enact Ordinances.

66A. (1) Where, in the case of any draft Ordinance transmitted under paragraph (2)(b) of Article 66, the Policy and Resources Committee is of opinion that the immediate or early enactment thereof is necessary or expedient in the public interest, the Policy and Resources Committee shall have power to order that the same shall be operative either immediately or upon such then future date as it shall prescribe and thereupon the Ordinance shall have effect accordingly:

PROVIDED that every Ordinance coming into effect by virtue of this paragraph shall be laid before the States as soon as may be after the making thereof in such manner as the States may, by general resolution, from time to time direct and if, at the Meeting of the States in the course of which any Ordinance made by the Policy and Resources Committee is laid before them or at the next subsequent Meeting, the States resolve that the Ordinance be annulled, the Ordinance shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Policy and Resources Committee of any new Ordinance.

(2) For the purpose or removing doubts, it is hereby
declared that on an Ordinance ceasing to have effect by virtue of a Resolution of the States under the proviso to paragraph (1) of this Article, any other Ordinance which was modified or extended or repealed in whole or in part by the first-mentioned Ordinance shall thenceforth have effect, notwithstanding such modification, extension or repeal as though such modification, extension or repeal had not been effected.

(3) In paragraph (2)(b) of Article 66 and in this Article, "the Policy and Resources Committee" means the States Policy and Resources Committee.

(2) An Ordinance made under paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, which is in force immediately before subsection (1) comes into force, shall remain in force as if made under paragraph (1) of Article 66A of that Law.

Amendment of States Committees (Constitution and Amendment) (Guernsey) Law, 1991.

6. Immediately after section 1(4) of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991\(^e\), insert the following subsection -

"(5) For the avoidance of any doubt and subject to subsection (2), a Resolution under subsection (1) or under any relevant enactment may include provision that a committee's membership shall consist of members, the majority or a minority of whom are not elected members of the States; provided that no person shall be elected or appointed to the office of President of a committee, unless the person is an elected member of the States.".

\(^e\) Ordres en Conseil Vol. XXXIII, p. 471.
Interpretation.

7. (1) In this Law, unless the context requires otherwise -

"Committee" means any department, authority, board, committee, council or other like body (however denominated) of the States constituted by a Resolution or Law approved by the States,

"enactment" means any Law, Ordinance or subordinate legislation,

"function" includes every power and duty which is or may be given to or imposed on a Committee, whether by an enactment, resolution of the States, rule of law, custom or otherwise,

"legislative function" means a power to make any Ordinance, regulations, rules, order, scheme or other instrument of a legislative character,

"a member of a Committee" includes every member of a Committee, whether or not elected, and

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation.

8. This Law may be cited as the States (Reform) (Guernsey) Law, 2015.
Commencement.

9. This Law shall come into force on the day appointed by Ordinance of the States; and different dates may be appointed for different provisions and for different purposes.