

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

The States of Deliberation have the power to annul the Statutory Instruments detailed below.

No. 80 of 2016

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (LEGAL PROFESSIONALS, ACCOUNTANTS AND ESTATE AGENTS) (BAILIWICK OF GUERNSEY) (AMENDMENT) REGULATIONS, 2016

In pursuance of section 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, "The Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) Regulations, 2016", made by the Policy & Resources Committee on 22nd December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations update the fees payable by prescribed businesses under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

These Regulations come into force on the 1st January, 2017.

No. 81 of 2016

THE FINANCIAL SERVICES COMMISSION (FEES) REGULATIONS, 2016

In pursuance of Section 25 of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987; Section 21 of the Protection of Investors (Bailiwick of Guernsey) Law, 1987; Section 60 of the Banking Supervision (Bailiwick of Guernsey) Law, 1994; Section 86 of the Insurance Business (Bailiwick of Guernsey) Law, 2002; and Section 63 of the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, "The Financial Services Commission (Fees) Regulations, 2016", made by the Policy & Resources Committee on 22nd December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe for the purposes of the Protection of Investors (Bailiwick of Guernsey) Law, 1987, the Banking Supervision (Bailiwick of Guernsey) Law, 1994, the Regulation of Fiduciaries, Administration Businesses and Company Directors, etc. (Bailiwick of Guernsey) Law, 2000, the Insurance Business (Bailiwick of Guernsey) Law, 2002 and the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002 the fees payable in respect of the licensing of controlled investment business and the authorisation and registration of collective investment schemes, a designated territory investment business notification, a non-Guernsey open-ended collective investment scheme notification, the licensing of a bank, the licensing of fiduciaries, the licensing of an insurer, the service of notice of an application to the Royal Court for an order sanctioning a transfer

of long term insurance business, the licensing of an insurance manager, the licensing of an insurance intermediary, and the fees payable annually thereafter.

These Regulations come into force on the 1st January, 2017.

No. 82 of 2016

THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEES FOR INSURERS) REGULATIONS, 2016

In pursuance of section 25 of the Financials Services Commission (Bailiwick of Guernsey) Law, 1987; and section 86 of the Insurance Business (Bailiwick of Guernsey) Law 2002, “The Protected Cell Companies and Incorporated Cell Companies (Fees for Insurers) Regulations, 2016”, made by the Policy & Resources Committee on 22nd December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the fees payable to the Guernsey Financial Services Commission by any company which is a protected cell company or an incorporated cell company, and by an incorporated cell, and which applies to be licensed to conduct insurance business under the Insurance Business (Bailiwick of Guernsey) Law, 2002, and the fees payable periodically thereafter by such a company or cell when licensed and also for the creation of a new cell or the reactivation of a dormant cell by a licensed protected cell company. Furthermore, the Regulations prescribe the fee payable to the Guernsey Financial Services Commission by any company for consent for the conversion of a licensed company into a protected cell company or an incorporated cell company, for the conversion of an existing licensed protected cell company into an incorporated cell company, or for the conversion of a licensed protected cell company or incorporated cell company into a non-cellular company.

These Regulations come into force on the 1st January, 2017.

No. 83 of 2016

THE REGISTRATION OF NON-REGULATED FINANCIAL SERVICES BUSINESSES (BAILIWICK OF GUERNSEY) (FEES) REGULATIONS, 2016

In pursuance of Section 31 of the Registration of Non-Regulated Financial Services Business (Bailiwick of Guernsey) Law, 2008, “The Registration of Non-Regulated Financial Service Businesses (Bailiwick of Guernsey) (Fees) Regulations, 2016”, made by the Policy & Resources Committee on 22nd December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations make provision in respect of the payment of an application fee and an annual fee for the purposes of the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008.

These Regulations come into force on the 1st January 2017.

No. 86 of 2016

**THE PUBLIC HIGHWAYS (TEMPORARY ROAD CLOSURES) (FEES AND PENALTIES) ORDER,
2016**

In pursuance of sections 2(6), 3(1) and 3(3) of the Public Highways (Co-ordination of Temporary Road Closures etc) (Guernsey) Law, 2003 and in pursuance of the Resolution of the States of 1st October 2015, made by the Committee *for the* Environment & Infrastructure on 22nd December, 2016, are laid before the States.

EXPLANATORY NOTE

The Order prescribes the fees payable to the Committee *for the* Environment & Infrastructure in respect of applications under the Public Highways (Co-ordination of Temporary Road Closures etc) (Guernsey) Law, 2003 for permission for the temporary closure of a road or pavement, or the application of traffic management measures in a road, when the relevant work will involve the resurfacing of the road or pavement. Fees are calculated by reference both to the class of the road which is the subject of the application, and how long it has been since it was last resurfaced.

The Regulations came into force on 1st January, 2017.

No. 85 of 2016

THE PUBLIC HIGHWAYS (AL FRESCO LICENCES) (FEES) REGULATIONS, 2016

In pursuance of sections 2(6), 3(1) and 3(3) of the Public Highways (Co-ordination of Temporary Road Closures etc.) (Guernsey) Law, 2003 and in pursuance of the Resolution of the States of 1st October 2015 made by the Committee *for the* Environment & Infrastructure on 22nd December, 2016, are laid before the States.

EXPLANATORY NOTE

The Regulations increase the fees payable to HM Greffier on applications made to the Royal Court in respect of an application for the grant, variation of the conditions or renewal of an “al fresco” licence under the Public Highways (Temporary) (Closure) Ordinance, 1999.

The Regulations came into force on 1st January, 2017.

The full text of the statutory instruments and other legislation included in this document can be found at: <http://www.guernseylegalresources.gg/article/151276/2016>

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

The States of Deliberation have the power to annul the Statutory Instruments detailed below.

No.66 of 2016

THE AMALGAMATION AND MIGRATION OF COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) (AMENDMENT) REGULATIONS, 2016

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, The Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2016 made by the Committee *for* Economic Development on 8th December 2016, are laid before the States.

EXPLANATORY NOTE

These regulations amend the Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2012 by increasing the fee payable to the Guernsey Financial Services Commission which must accompany an application for its consent for the amalgamation of companies pursuant to the provisions of Part VI of the Companies (Guernsey) Law, 2008 and for the removal of a supervised company from the Register of Companies for the purposes of becoming registered as a company under the law of a district, territory or place outside Guernsey in accordance with the provisions of Part VII of that Law. The Regulations come into force on the 1st January, 2017.

There continues to be no fee payable to the Guernsey Financial Services Commission when a non-Guernsey company migrates "inwardly" to become registered as a Guernsey company.

No.68 of 2016

THE FINANCIAL SERVICES COMMISSION (LIMITED LIABILITY PARTNERSHIPS) (FEES) REGULATIONS, 2016

In pursuance of section 113(4) of the Limited Liability Partnerships (Guernsey) Law, 2013, The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2016 made by the Committee *for* Economic Development on 8th December 2016, are laid before the States.

EXPLANATORY NOTE

These regulations, made by the Committee *for* Economic Development, prescribe the fee payable to the Commission under the Limited Liability Partnerships (Guernsey) Law, 2013 in relation to an application for the consent of the Commission for a supervised LLP to be removed from the Register. They come into force on 1st January, 2017.

No.67 of 2016

THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) REGULATIONS, 2016

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, The Protected Cell Companies and Incorporated Cell Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2016 made by the Committee *for* Economic Development on 8th December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the fees payable to the Guernsey Financial Services Commission by any company for consent for the conversion of a licensed company into a protected cell company or an incorporated cell company, for the conversion of an existing licensed protected cell company into an incorporated cell company, or for the conversion of a licensed protected cell company or incorporated cell company into a non-cellular company. The Regulations also specify a fee for the conversion of an existing cell of a protected cell company into a non-cellular company. These Regulations come into force on the 1st January, 2017.

No.69 of 2016

**THE GUERNSEY FINANCE LBG (LEVY)
(GUERNSEY) (AMENDMENT) REGULATIONS, 2016**

In pursuance of Section 25 (4) of the Guernsey Finance LBG (Levy) (Guernsey) Law, 2010, The Guernsey Finance LBG (Levy) (Guernsey) (Amendment) Regulations, 2016, made by the Committee *for* Economic Development on 8th December 2016 are laid before the States.

EXPLANATORY NOTE

These regulations amend the Guernsey Finance LBG (Levy) (Guernsey) Regulations, 2010 by providing that for the purposes of the Guernsey Finance LBG (Levy) (Guernsey) Law, 2010, the amount of the levy in respect of each full time employee of the licensed person in question shall be £110 for 2017 and subsequent years, with reductions for licensees who become subject to the levy in the course of the year. The regulations also specify that the maximum amount payable by a licensed person by way of the levy shall be £16,500 in respect of 2017 and subsequent years. These Regulations come into force on the 1st January, 2017.

No.51 of 2016

THE LIMITED PARTNERSHIPS (FEES, ANNUAL VALIDATIONS AND MISCELLANEOUS PROVISIONS) REGULATIONS, 2016

In pursuance of section 44(3) of the Limited Partnerships (Guernsey) Law, 1995, The Limited Partnerships (Fees, Annual Validations and Miscellaneous Provisions) Regulations, 2016 made by the Committee *for* Economic Development on 10th November 2016, are laid before the States.

EXPLANATORY NOTE

These regulations prescribe the fees payable to the Greffier in respect of services in relation to limited partnerships, including an annual £500 fee on all limited partnerships registered in Guernsey; require all such limited partnerships to file an annual validation with the Greffier setting out prescribed particulars; provide that the Greffier may rectify errors or formal defects in the limited partnership register; and make provision for electronic record keeping. These regulations came into force on 15th November 2016.

No. 93 of 2016

THE INCOME TAX (APPROVED INTERNATIONAL AGREEMENTS) (IMPLEMENTATION) (COUNTRY BY COUNTRY REPORTING) REGULATIONS, 2016

In pursuance of section 203A of the Income Tax (Guernsey) Law, 1975, as amended, "The Income Tax (Approved International Agreements) (Implementation) (Country by Country Reporting) Regulations, 2016" made by the Policy & Resources Committee on 20th December 2016, are laid before the States.

EXPLANATORY NOTE

These Regulations implement and enable the administration and enforcement in domestic law of Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters (an approved international agreement providing for the obtaining, furnishing and exchanging of information in relation to tax), in accordance with the information exchange procedure agreed under the Multilateral Competent Authority Agreement on the exchange of Country by Country Reports signed on behalf of the States of Guernsey on 20th October 2016.

The full text of the statutory instruments and other legislation included in this document can be found at: <http://www.guernseylegalresources.gg/article/151276/2016>