

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 29th DAY OF NOVEMBER, 2017**

**The States resolved as follows concerning Billet d'État No XXIII
dated 10th November, 2017**

No. 59 of 2017

NOTIFIABLE ANIMAL DISEASES ORDER, 2017

In pursuance of sections 1(4) and 33 of the Animal Health Ordinance, 1996, the Notifiable Animal Diseases Order, 2017, made by the Committee *for the* Environment & Infrastructure on 24th August, 2017, was laid before the States.

No. 78 of 2017

**THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT)
(AMENDMENT NO.3) REGULATIONS, 2017**

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.3) Regulations, 2017 made by the Committee for Employment & Social Security on 3rd October, 2017, were laid before the States.

No. 79 of 2017

THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (AMENDMENT) REGULATIONS, 2017

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2017 made by the Committee for Employment & Social Security on 3rd October, 2017, were laid before the States.

No. 80 of 2017

**THE CONTROL OF POISONOUS SUBSTANCES (GUERNSEY) (AMENDMENT) REGULATIONS,
2017**

In pursuance of section 4 of the Poisonous Substances (Guernsey) Law, 1994, the Control of Poisonous Substances (Guernsey) (Amendment) Regulations, 2017 made by the Committee for Employment & Social Security on 3rd October, 2017, were laid before the States.

No. 82 of 2017

**THE FIREARMS AND WEAPONS (FORMS AND PARTICULARS) (GUERNSEY) REGULATIONS
2017**

In pursuance of Section 10(1), 12(2), 15(1), 20A(3), 23B(3), 29(1), 30(2), 31(3), 36(1), 36(3) and (5), 40(1), 43(1) and 55A of the Firearms and Weapons (Guernsey) Law, 1998, The Firearms And Weapons (Forms and Particulars) (Guernsey) Regulations 2017, made by the Committee *for* Home Affairs on 9th October 2017, was laid before the States.

No. 83 of 2017

**THE FIREARMS AND WEAPONS (EXCEPTIONS, EXEMPTIONS AND DEFENCES) (GUERNSEY)
REGULATIONS, 2017**

In pursuance of Sections 5A(2) and (3), 5B(4), 20(2), 26A and 55A of the Firearms and Weapons (Guernsey) Law, 1998, The Firearms and Weapons (Exceptions, Exemptions and Defences) (Guernsey) Regulations, 2017, made by the Committee *for* Home Affairs on 9th October 2017, was laid before the States.

No. 84 of 2017

THE FIREARMS AND WEAPONS (FEES) (GUERNSEY) REGULATIONS, 2017

In pursuance of Sections 16(1A), 20A(8), 23B(8), 35(1), 36(5), 38(1) and (2) and 55A of the Firearms and Weapons (Guernsey) Law, 1998, The Firearms and Weapons (Fees) (Guernsey) Regulations, 2017, made by the Committee *for* Home Affairs on 9th October 2017, was laid before the States.

No. 85 of 2017

THE FIREARMS AND WEAPONS (APPROVED RANGES) (GUERNSEY) REGULATIONS, 2017

In pursuance of Sections 22 and 55A of the Firearms and Weapons (Guernsey) Law, 1998, The Firearms and Weapons (Approved Ranges) (Guernsey) Regulations, 2017, made by the Committee *for* Home Affairs on 9th October 2017, was laid before the States.

No. 92 of 2017

**THE DATA PROTECTION (TRANSFER IN THE SUBSTANTIAL PUBLIC INTEREST)
(AMENDMENT) ORDER, 2017**

In pursuance of paragraph 4(2) of Schedule 4 to, and section 66(2) of, the Data Protection (Bailiwick of Guernsey) Law, 2001, The Data Protection (Transfer In The Substantial Public Interest) (Amendment) Order, 2017 made by the Committee *for* Home Affairs on 24th April 2017, was laid before the States.

THE DATA PROTECTION (BAILIWICK OF GUERNSEY) LAW, 2017

P.2017/93

I: They are of the opinion to approve the draft Projet de Loi entitled "The Data Protection (Bailiwick of Guernsey) Law, 2017", subject to the amendments indicated immediately below and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

Amendments

1. In clause 21 (pp. 33 - 35) of the Projet –
 - (a) in subclause (1) (p. 33), for "a data subject disputes the accuracy or completeness of personal data", substitute "personal data is processed", and
 - (b) in subclause (3) (p. 34), for "inaccuracy or explaining why the personal data is incomplete", substitute "grounds in subsection (1) on which the data subject believes this section applies".
2. In clause 74 (pp. 113 – 118), for subclause 9 (pp. 117 – 118), substitute the following subclause –

"(9) The States of Deliberation may by Ordinance make any provision they think fit to –

 - (a) exempt any person from the power of the Authority to order an administrative fine,
 - (b) specify a limit to the amount that may be ordered by the Authority by way of an administrative fine against any person, in addition to the limits specified in section 75, or
 - (c) otherwise restrict the power of the Authority to order an administrative fine against any person."
3. In clause 108 (pp. 160 - 164) of the Projet, immediately after subclause (5) (p. 163), insert the following subclauses –

"(6) An Ordinance made under this Law ceases to have effect –

- (a) in Alderney if, within the period of four months immediately following the approval date, the States of Alderney resolve to disapprove its application to Alderney, and
- (b) in Sark if, at the first or second meeting of the Chief Pleas of Sark following the approval date, the Chief Pleas resolve to disapprove its application to Sark.

(7) If the States of Alderney or the Chief Pleas of Sark resolve to disapprove the application of an Ordinance in accordance with subsection (6), the Ordinance ceases to have effect in Alderney or (as the case may be) Sark, but without prejudice to –

- (a) anything done under the Ordinance in Alderney or (as the case may be) Sark, or
- (b) the making of a new Ordinance having effect in Alderney or (as the case may be) Sark.

(8) In this section, "**approval date**", in relation to an Ordinance, means the date of its approval by the States of Deliberation."

4. In clause 109 (pp. 164 - 167) of the Projet, immediately after subclause (5) (p. 166), insert the following subclauses –

"(6) Regulations made under this Law cease to have effect –

- (a) in Alderney if, within the period of four months immediately following the relevant date, the States of Alderney resolve to disapprove the application of those regulations to Alderney, and
- (b) in Sark if, at the first or second meeting of the Chief Pleas of Sark following the relevant date, the Chief Pleas resolve to disapprove the application of those

regulations to Sark.

(7) If the States of Alderney or the Chief Pleas of Sark resolve to disapprove the application of any regulations in accordance with subsection (6), those regulations cease to have effect in Alderney or (as the case may be) Sark, but without prejudice to –

- (a) anything done under those regulations in Alderney or (as the case may be) Sark, or
- (b) the making of new regulations having effect in Alderney or (as the case may be) Sark.

(8) In this section, "**relevant date**", in relation to any regulations, means the date on which those regulations are made by the Committee."

5. In clause 111(1) of the Projet –

(a) for the definition of "**parental responsibility**" (p. 188) , substitute the following definition –

"parental responsibility" –

- (a) in relation to Guernsey and Alderney, has the meaning given by section 5 of the Children (Guernsey and Alderney) Law, 2008, and
- (b) in relation to Sark, has the meaning given by section 4 of the Children (Sark) Law, 2016,"
- (b) in paragraph (c)(iii) of the definition of "**police officer**" (pp. 189-191), for "Court of the Seneschal", substitute "Constable", and
- (c) in the definition of "**safeguard data subject rights**" (p. 197), immediately after "**safeguard data subject rights**", insert "means".

6. In Schedule 1 to the Projet, immediately after paragraph 2 (p. 204), insert the following paragraph –

"3. Application to the Constable of Sark, etc.

- (1) This Law applies to the Constable and the Vingtenier.
 - (2) For the purposes of this Law each of –
 - (a) the Assistant Constable of Sark, and
 - (b) a special constable appointed by the Constable whilst acting as such,is to be regarded as a servant of the Constable.
 - (3) In this paragraph, "**the Constable**" means the Constable of Sark."
7. In Schedule 4 to the Projet, in paragraph 2 (p. 213), immediately after "processor", insert "in accordance with any regulations made for this purpose".

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2017

P.2017/94

II: They are of the opinion to approve the draft Ordinance entitled "The Health Service (Benefit) (Amendment) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS AND BENEFITS, ETC.) ORDINANCE, 2017

P.2017/95

III: They are of the opinion to approve the draft Ordinance entitled "The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

THE LONG-TERM CARE INSURANCE (GUERNSEY) (RATES) ORDINANCE, 2017

P.2017/96

IV: They are of the opinion to approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE ORDINANCE, 2017

P.2017/97

V: They are of the opinion to approve the draft Ordinance entitled "The Severe Disability Benefit and Carer's Allowance Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

THE FAMILY ALLOWANCES ORDINANCE, 2017

P.2017/98

VI: They are of the opinion to approve the draft Ordinance entitled "The Family Allowances Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT) ORDINANCE, 2017

P.2017/99

VII: They are of the opinion to approve the draft Ordinance entitled "The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States.

C. FOSTER

HER MAJESTY'S DEPUTY GREFFIER