

ORDINANCES LAID BEFORE THE STATES

THE VENEZUELA (RESTRICTIVE MEASURES) (GUERNSEY) ORDINANCE, 2017

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Venezuela (Restrictive Measures) (Guernsey) Ordinance, 2017", made by the Policy & Resources Committee on the 28th November, 2017, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance is made under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994. The Ordinance gives effect to EU Regulation No. 2017/2063 of the 13th November, 2017 concerning restrictive measures against Venezuela.

The Ordinance was made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948, and came into force on the 28th November, 2017. Under the proviso to Article 66A(1) of the Reform (Guernsey) Law, 1948, the States of Deliberation have the power to annul the Ordinance.

THE BENEFICIAL OWNERSHIP OF LEGAL PERSONS (GUERNSEY) (AMENDMENT) (NO. 2) ORDINANCE, 2017

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Beneficial Ownership of Legal Persons (Guernsey) (Amendment) (No. 2) Ordinance, 2017", made by the Policy & Resources Committee on the 5th December, 2017, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance amends the definition of "relevant legal person" and two related definitions in the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017 ("the Law") to include limited partnerships with legal personality. It also amends Schedule 2 to the Law so as to provide that regulations made under paragraph 5 and under section 37 (Nominee relationships) may provide for the general partner, or a nominated general partner, of a limited partnership with legal personality to provide the information specified in those provisions to the Registrar, as limited partnerships are currently not required to have resident agents.

The Ordinance was made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948, and came into force on the 5th December, 2017. Under the proviso to Article 66A(1) of the Reform (Guernsey) Law, 1948, the States of Deliberation have the power to annul the Ordinance.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

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

No. 99 of 2017

THE BENEFICIAL OWNERSHIP (DEFINITION) (AMENDMENT) (NO.2) REGULATIONS, 2017

In pursuance of sections 31 and 39 of the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017, "The Beneficial Ownership (Definition) (Amendment) (No.2) Regulations, 2017", made by the Policy & Resources Committee on 15th November 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the definition of beneficial owner in the Beneficial Ownership (Definition) Regulations, 2017 with regard to legal persons where there is a trust in the ownership structure with a Guernsey or non-Guernsey corporate trustee.

These Regulations come into force on 21st November 2017.

No. 102 of 2017

THE BENEFICIAL OWNERSHIP OF LEGAL PERSONS (NOMINEE RELATIONSHIPS) REGULATIONS, 2017

In pursuance of sections 37, 39 and Schedule 2 of the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017, "The Beneficial Ownership of Legal Persons (Nominee Relationships) Regulations, 2017", made by the Policy & Resources Committee on 5th December 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations make provision in relation to powers exercisable by, and duties owed by, the resident agents of relevant legal persons in respect of persons who hold interests in those legal persons as nominee for another.

These Regulations come into force on the 11th December, 2017.

No. 109 of 2017

THE REGISTRATION OF NON-REGULATED FINANCIAL SERVICES BUSINESSES (BAILIWICK OF GUERNSEY) (FEES) REGULATIONS, 2017

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, 2017", made by the Policy & Resources Committee on 12th December 2017, 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) aw, 2008

These Regulations come into force on the 1st January, 2018.

No. 110 of 2017

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (LEGAL PROFESSIONALS, ACCOUNTANTS AND ESTATE AGENTS) (BAILIWICK OF GUERNSEY) (AMENDMENT) REGULATIONS, 2017

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, 2017”, made by the Policy & Resources Committee on 12th December 2017, 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, 2018.

No. 111 of 2017

THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEES FOR INSURERS) REGULATIONS, 2017

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, 2017”, made by the Policy & Resources Committee on 12th December 2017, 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, 2018.

No. 112 of 2017

THE FINANCIAL SERVICES COMMISSION (FEES) REGULATIONS, 2017

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, 2017”, made by the Policy & Resources Committee on 12th December 2017, 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, 2018.

No. 113 of 2017

THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT) REGULATIONS, 2017

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Medical Appliances) (Amendment) Regulations, 2017, made by the Committee for Employment & Social Security on 12th December, 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations further amend the Health Service (Medical Appliances) Regulations, 1990, as amended, by increasing the charges payable to authorised appliance suppliers in

Guernsey and Alderney by persons supplied with Part I, II or III medical appliances, who are not exempt from such charges. The increased charges amount to £3.90 for each appliance. These Regulations come into force on the 1st day of January, 2018.

No. 114 of 2017

THE HEALTH SERVICE (PAYMENT OF AUTHORISED SUPPLIERS) (AMENDMENT) REGULATIONS, 2017

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2017, made by the Committee *for* Employment & Social Security on 12th December, 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations revoke and replace the Schedules to the Health Service (Payment of Authorised Suppliers) Regulations, 2003. The amendments have the effect of increasing the graduated fees paid out of the Guernsey Health Service Fund, in connection with the supply of certain pharmaceutical benefit, to pharmacists not employed by a medical practice. These Regulations come into force on 1st January, 2018.

No. 115 of 2017

THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS, 2017

In pursuance of section 117 of the Social Insurance (Guernsey) Law, 1978 the Social Insurance (Benefits) (Amendment) Regulations, 2017, made by the Committee *for* Employment & Social Security on 12th December, 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations correct a typographical error in Regulation 43B of the Social Insurance (Benefits) Regulations, 2003, which was inserted, with effect from the 1st day of January, 2017, by Regulation 21 of the Social Insurance (Benefits) (Amendment) (No.2) Regulations, 2016.

These Regulations also replace the schedules to the Social Insurance (Benefits) Regulations, 2003 and prescribe the reduced rates of benefit payable from 1st January, 2018 to claimants who do not satisfy the conditions for entitlement to payment of the maximum rate of benefit.

These Regulations come into force on the 1st January, 2018.

No. 116 of 2017

THE HEALTH SERVICE (PAYMENT OF AUTHORISED APPLIANCE SUPPLIERS) (AMENDMENT) REGULATIONS, 2017

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2017 made by the

Committee *for* Employment & Social Security on 12th December, 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations revoke and replace the Schedules to the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003. The Schedules set out the payments which may be made out of the Guernsey Health Service Fund for the supply of medical appliances.

These Regulations come into force on the 1st January, 2018

No. 117 of 2017

THE HEALTH SERVICE (BENEFIT) (LIMITED LIST) (PHARMACEUTICAL BENEFIT) (AMENDMENT NO.5) REGULATIONS, 2017

In pursuance of section 35 of the Health Service (Benefit) Law, 1990, the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.5) Regulations, 2017 made by the Committee *for* Employment & Social Security on 28th November, 2017, are laid before the States.

EXPLANATORY NOTE

These Regulations add to the limited list of drugs and medicines available as pharmaceutical benefit, and remove the requirement in respect of two of the listed drugs and medicines for them to be supplied only via homecare delivery.

These Regulations came into operation on 28th November 2017

No. 118 of 2017

THE FIRE SERVICES (FEES AND CHARGES) (GUERNSEY) REGULATIONS, 2017

In pursuance of Sections 1A(1), 12(4AB), 24(2A) and 26A of the Fire Services (Guernsey) Law, 1989, The Fire Services (Fees And Charges) (Guernsey) Regulations, 2017, made by the Committee *for* Home Affairs on 11th December 2017, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe fees and charges for equipment and services provided by agreement with the Committee *for* Home Affairs (acting through the Guernsey Fire & Rescue Service) ("**the Committee**"), fees for notification of controlled premises, and charges in respect of mandatory consultation with the Committee.

These Regulations will come into force on the 1st January, 2018.

No. 119 of 2017

**THE PUBLIC HIGHWAYS (TEMPORARY ROAD CLOSURES) (FEES AND PENALTIES)
(AMENDMENT) ORDER, 2017**

In pursuance of section 3(5) of the Public Highways (Co-ordination of Temporary Road Closures etc.) (Guernsey) Law, 2003, the Public Highways (Temporary Road Closures) (Fees and Penalties) (Amendment) Order, 2017 made by the Committee for the Environment and Infrastructure on 21 December 2017, is laid before the States.

EXPLANATORY NOTE

This Order amends the Public Highways (Temporary Road Closures) (Fees and Penalties) Order, 2016 to prescribe 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.

The Regulations came into force on 1st January, 2018.

The full text of the statutory instruments and other legislation included in this document can be found at:

<http://www.guernseylegalresources.gg/article/158414/2017>