

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 28<sup>th</sup> DAY OF NOVEMBER, 2018**

**The States resolved as follows concerning Billet d'État No XXV  
dated 26<sup>th</sup> October, 2018**

**STATES' TRADING SUPERVISORY BOARD**

**APPOINTMENT OF NON-EXECUTIVE DIRECTORS – GUERNSEY POST LIMITED  
P.2018/104**

I: After consideration of the policy letter entitled 'Appointment of Non-Executive Directors – Guernsey Post Limited' dated 4 October 2018:-

1. To approve the appointment of Mark Dunster as a non-executive director of Guernsey Post Limited with immediate effect.
2. To approve the appointment of Peter Shaefer as a non-executive director of Guernsey Post Limited with immediate effect.

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

No. 44 of 2018

**THE ELECTORAL SYSTEM REFERENDUM (MISCELLANEOUS PROVISIONS) (NO.2)  
REGULATIONS, 2018**

In pursuance of section 30(1)(c) of the Electoral System Referendum (Guernsey) Law, 2018, the Electoral System Referendum (Miscellaneous Provisions) (No.2) Regulations, 2018 made by the States' Assembly & Constitution Committee on 14<sup>th</sup> September, 2018, were laid before the States.

No. 45 of 2018

**THE SOCIAL INSURANCE (COLLECTION OF CONTRIBUTIONS) (TRANSFER OF FUNCTIONS)  
REGULATIONS, 2018**

In pursuance of sections 3 and 4 of the States (Reform) (Guernsey) Law, 2015, the Social Insurance (Collection of Contributions) (Transfer of Functions) Regulations, 2018, made by the Policy & Resources Committee and the Committee for Employment & Social Security on 26th September, 2018, were laid before the States.

No. 46 of 2018

**THE FIREARMS AND WEAPONS (APPROVED RANGES) (GUERNSEY) REGULATIONS, 2018**

In pursuance of sections 22 and 55A of the Firearms and Weapons (Guernsey) Law, 1998, The Firearms and Weapons (Approved Ranges) (Guernsey) Regulations, 2018, made by the Committee *for* Home Affairs on 17th September 2018, was laid before the States.

No. 47 of 2018

**THE FINANCIAL SERVICES OMBUDSMAN (CASE FEE AND LEVIES) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDER, 2018**

In pursuance of section 27 of, and paragraph 4 of Schedule 2 to, the Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014, the Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) (Amendment) Order, 2018, made by the Committee *for* Economic Development on 1 October, 2018, were laid before the States.

No. 50 of 2018

**THE ELECTORAL SYSTEM REFERENDUM (MISCELLANEOUS PROVISIONS) (NO.3) REGULATIONS, 2018**

In pursuance of section 30(1)(c) of the Electoral System Referendum (Guernsey) Law, 2018, the Electoral System Referendum (Miscellaneous Provisions) (No.3) Regulations, 2018 made by the States' Assembly & Constitution Committee on 1<sup>st</sup> October, 2018, were laid before the States.

No. 52 of 2018

**THE MOORING CHARGES (GUERNSEY) (No.2) REGULATIONS, 2018**

In pursuance of section 2 of the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972, sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007 made by the States Trading Supervisory Board on 4<sup>th</sup> October, 2018, was laid before the States.

No. 53 of 2018

**THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) (No.2) REGULATIONS, 2018**

In pursuance of the powers conferred upon it by sections 2 and 3 of the Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957, section 33 of the Harbours Ordinance, 1988, sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, made by the States Trading Supervisory Board on 4<sup>th</sup> October, 2018, was laid before the States.

No. 54 of 2018

**THE PILOTAGE DUES (GUERNSEY) (No.2) REGULATIONS, 2018**

In pursuance of the powers conferred upon it by sections 1, 2, 3 and 8 of the Pilotage Dues and Fees Ordinance, 1987 and sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, made by the States Trading Supervisory Board on 4<sup>th</sup> October, 2018, was laid before the States.

No. 55 of 2018

**THE AIRPORT FEES (GUERNSEY AND ALDERNEY) (No.2) REGULATIONS, 2018**

In pursuance of the powers conferred upon it by section 2(1) of the Airport Fees Ordinance, 1987, as amended, and as delegated to it by section 1(1)(d) of the Fees, Charges and Penalties (Guernsey) Law, 2007, made by the States Trading Supervisory Board on 4<sup>th</sup> October, 2018, was laid before the States.

**THE PROBATION (BAILIWICK OF GUERNSEY) LAW, 2018**

P.2018/94

II: To approve the draft Projet de Loi entitled "The Probation (Bailiwick of Guernsey) Law, 2018", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

**THE REFERENDUMS (ENABLING PROVISIONS) (GUERNSEY) LAW, 2018**

P.2018/95

III: To approve the draft Projet de Loi entitled "The Referendums (Enabling Provisions) (Guernsey) Law, 2018", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

**THE INCOME TAX (GUERNSEY) (APPROVAL OF AGREEMENT WITH UNITED KINGDOM) ORDINANCE, 2018**

P.2018/96

IV: To approve the draft Ordinance entitled "The Income Tax (Guernsey) (Approval of Agreement with United Kingdom) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME TAX (SUBSTANCE REQUIREMENTS) (GUERNSEY) (AMENDMENT) ORDINANCE,  
2018  
P.2018/97**

V: To approve the draft Ordinance entitled "The Income Tax (Substance Requirements) (Guernsey) (Amendment) Ordinance, 2018", subject to the amendments indicated below, and to direct that the same shall have effect as an Ordinance of the States.

In section 19 of the draft Ordinance entitled "The Income Tax (Substance Requirements) (Guernsey) (Amendment) Ordinance, 2018" (on p. 16 of article 5 of Billet d'État No. XXV of 2018) for "2019" substitute "2018".

**THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS AND BENEFITS, ETC.) ORDINANCE,  
2018  
P.2018/98**

VI: To approve the draft Ordinance entitled "The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2018  
P.2018/99**

VII: To approve the draft Ordinance entitled "The Health Service (Benefit) (Amendment) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY) (RATES) ORDINANCE, 2018  
P.2018/100**

VIII: To approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE ORDINANCE, 2018  
P.2018/101**

IX: To approve the draft Ordinance entitled "The Severe Disability Benefit and Carer's Allowance Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE FAMILY ALLOWANCES ORDINANCE, 2018**

P.2018/102

X: To approve the draft Ordinance entitled "The Family Allowances Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**THE INCOME SUPPORT (IMPLEMENTATION) (AMENDMENT) (NO. 2) ORDINANCE, 2018**

P.2018/103

XI: To approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) (No. 2) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

**COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

**THE GUERNSEY LEGAL AID SERVICE – APPROVAL OF THE LEGAL AID (GUERNSEY AND ALDERNEY) (SCHEMES AND MISCELLANEOUS PROVISIONS) ORDINANCE, 2018**

P.2018/106

XII: After consideration of the Policy Letter entitled 'The Guernsey Legal Aid Service – Approval of the Legal Aid (Guernsey and Alderney) (Schemes and Miscellaneous Provisions) Ordinance, 2018', dated 8<sup>th</sup> October 2018:-

1. To note the contents, and
2. To approve the draft Ordinance entitled 'The Legal Aid (Guernsey and Alderney) (Schemes and Miscellaneous Provisions) Ordinance, 2018' and to direct that the same shall have effect as an Ordinance of the States.

**COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

**AMENDMENTS TO STATUTORY MINIMUM WAGE ARRANGEMENTS TO COME INTO FORCE ON 1ST JANUARY 2019**

P.2018/107

XIII: After consideration of the Policy Letter entitled 'Amendments to statutory Minimum Wage arrangements to come into force on 1<sup>st</sup> January 2019', dated 8<sup>th</sup> October 2018:-

To approve the Minimum Wage (Prescribed Rates and Qualifications) (Guernsey) (Amendment) Regulations, 2018 (as Appendix 1 to this Policy Letter), which pursuant to sections 1(3) and 3(1) of the Law, prescribe the hourly minimum wage rates set out below with effect from 1<sup>st</sup> January 2019:

- adult minimum wage rate: £8.10 per hour (for workers aged 18 and over), and
- young person's minimum wage rate: £7.50 per hour (for workers aged 16 and 17)

To note the proposals in the Policy Letter in respect of the Committee's medium term plan for increasing minimum wage levels.

## **COMMITTEE *FOR* HEALTH & SOCIAL CARE**

### ORGAN DONATION- INTRODUCTION OF A 'SOFT' OPT OUT SCHEME P.2018/92

XIV: After consideration of the Policy Letter entitled 'Organ Donation- Introduction of a 'Soft' Opt Out Scheme', dated 4<sup>th</sup> October 2018:-

1. To approve the introduction of an organ donation scheme based on 'deemed consent' subject to the safeguards and exemptions set out in this Policy Letter;
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **COMMITTEE *for* ECONOMIC DEVELOPMENT**

### PROPOSED AMENDMENTS TO THE BANKING DEPOSIT COMPENSATION SCHEME (BAILIWICK OF GUERNSEY) ORDINANCE, 2008 P.2018/93

XV: After consideration of the Policy Letter entitled 'proposed amendments to the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 dated 20<sup>th</sup> September 2018:-

1. To approve the proposals set out in section 3 of the Policy Letter to amend the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 (the "**Ordinance**") as follows:
  - a. to increase the existing aggregate payment cap, applicable to participant banks in section 18(4)(a) of the Ordinance, from £1,000,000 to £2,000,000 in any calendar year;
  - b. to repeal the three year profits cap, applicable to participant banks, in section 18(4)(b) of the Ordinance;
  - c. to allow for negative interest rates and to protect against possible adverse effects upon participant banks and the Guernsey Banking Deposit Compensation Scheme (the "**Scheme**");

- d. to clarify that each participant bank's duty to co-operate with the Scheme board (the "**Board**") includes the provision of personal data, where required, and to explicitly require participant banks to provide data promptly to the Board;
  - e. to amend section 18(7)(c)(i) of the Ordinance, to provide that payment by participant banks must be made within five (5) working days of the issue of payment levy notices by the Scheme; and
  - f. to repeal the fourteen (14) day restriction during which the Scheme is prohibited from requesting payment, from the participant banks, in respect of the second levy notice.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

### **COMMITTEE *for* ECONOMIC DEVELOPMENT**

#### **IMPLEMENTING THE STATES OF GUERNSEY'S ECONOMIC DEVELOPMENT STRATEGY P.2018/105**

XVI: After consideration of the policy letter entitled 'Implementing the States of Guernsey's Economic Development Strategy', dated 8<sup>th</sup> October, 2018:-

1. Pursuant to Resolutions III (3) (a) and (b) of Billet d'Etat XVIII of 2018, to note the content of the policy letter entitled 'Implementing the States of Guernsey's Economic Development Strategy'.

S. M. D. ROSS

HER MAJESTY'S DEPUTY GREFFIER