

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

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

No. 92 of 2019

THE AIRPORT FEES (GUERNSEY AND ALDERNEY) REGULATIONS, 2019

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 12th September, 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the fees for the use of Alderney Airport and Guernsey Airport. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations come into force on 1st April, 2020.

No. 93 of 2019

THE PILOTAGE DUES (GUERNSEY) REGULATIONS, 2019

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 12th September, 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the pilotage dues and related charges payable under the Pilotage Dues and Fees Ordinance, 1987. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations came into force on 1st January, 2020.

No. 94 of 2019

THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2019

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 12th September, 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the mooring charges payable under section 2 of the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972 (the “**1972 Law**”). Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these charges may now be prescribed by regulations of the States’ Trading Supervisory Board.

These Regulations come into force on the 1st April, 2020.

No. 95 of 2019

THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2019

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 12th September, 2019, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the harbour dues payable under section 2 of the Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957, and the charges payable for the use of harbour facilities under section 33(1) of the Harbours Ordinance, 1988. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States’ Trading Supervisory Board.

These Regulations came into force on 1st January, 2020.

No. 96 of 2019

THE SINGLE EURO PAYMENTS AREA (GUERNSEY) (AMENDMENT) REGULATIONS, 2019

In pursuance of section 60 of the Single Euro Payments Area (Guernsey) Ordinance, 2016, "The Single Euro Payments Area (Guernsey) (Amendment) Regulations, 2019", made by the Committee for Economic Development on 12th September, 2019, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Single Euro Payments Area (Guernsey) Ordinance, 2016 ("the Ordinance") to provide that a contravention of, or failure to comply with, the requirements of section 49B of the Ordinance is not an offence. Payment service providers to whom the Ordinance applies must under that section apply "strong customer authentication" ("SCA"), as defined in section 62 of the Ordinance, in accordance with regulatory technical standards adopted under Article 98 of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25th November 2015 on payment services in the internal market. Regulatory technical standards have now been adopted under Article 98 of that Directive and apply from the 14th September 2019. Notwithstanding the above, the European Banking Authority has accepted that National Competent Authorities may give firms extra time to implement SCA. In the UK, the Financial Conduct Authority has stated that it will not take regulatory action against firms simply because they do not meet the relevant requirements for SCA from the 14th September 2019 in areas covered by an agreed industry implementation plan. In Guernsey, section 56 of the Ordinance provides that a payment service provider who, without reasonable excuse, contravenes or fails to comply with any provision of the Ordinance is guilty of an offence. This amendment therefore permits the same approach to the implementation of SCA in Guernsey as will be taken in the UK, without the possibility of payment service providers committing an offence. The Regulations also substitute a reference to "customer" in section 34(4)(c) of the Ordinance.

These Regulations come into force on the 14th September, 2019.

The full text of the legislation can be found at:

<http://www.guernseylegalresources.gg/article/90621/Statutory-Instruments>