Overview of the process to draft new or amend existing legislation

From States of Deliberation Resolution to commencement



The stages set out above capture the main steps required to prepare legislation. The stages start from the point when the States of Deliberation has directed that a piece of legislation is to be drafted (Stage 1) to when that piece of legislation comes into force (Stage 8).

Legislation drafting in progress

In priority category – as at 12th November 2019

The table below captures the progress of legislation that the States of Deliberation has directed be drafted. The priority given relates to the drafting priority of that piece of legislation and these are grouped according to priority category (high, medium, low or not yet prioritised) and not in order of priority.

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
1 - High	Roll On/Roll Off Ferry Services Licensing regime for Roll On/Roll Off services at St Peter Port Harbour	Committee for Economic Development	Billet d'État XIV of 2015, Article XV		Committee for Economic Development	4
1 - High	Capacity Law Projet to deal with incapacity in adults based on the Mental Capacity Act 2005; tests as to capacity; appointment of guardians; taking legally binding decisions as to medical treatment; Protective Authorisation	Committee for Health & Social Care	Billet d'État VII of 2016, Article III	Disability & Inclusion; Future Model of Care	Law Officers	4

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
1 - High	Adoption Repeal of the Adoption (Guernsey) Law, 1960 and all relevant legislation relating to adoption to be replaced by new legislation based on the provisions of the Adoption and Children Act 2002	Committee for Health & Social Care	Billet d'État VII of 2016, Article V	Children and Young People	Law Officers & Committee <i>for</i> Health & Social Care	3
1 - High	Health and Care Regulation in the Bailiwick Bailiwick wide enabling Law to establish, amongst other things, an independent Commission to regulate health and care provision	Committee for Health & Social Care	Billet d'État III of 2019, Article V	The Future Model of Care	Committee <i>for</i> Health & Social Care	4
1 - High	People working with children and vulnerable adults: Vetting and barring scheme	Committee for Home Affairs	Billet d'État XXIV of 2009, Article XII	Justice Policy; CYPP	Committee for Home Affairs and Law Officers	3
1 - High	Sexual Offences New legislation based on the Sexual Offences Act 2003; protection of complainants/witnesses; registration of sex offenders; preventative civil orders	Committee for Home Affairs	Billet d'État XIII of 2011, Article IX	Justice Policy; CYPP	Law Officers	5

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
1 - High	Protecting the interests of the Bailiwick as the UK leave the EU Immigration legislation (para. 6.3 of the Policy Letter)	Policy & Resources Committee	Billet d'État XXI of 2017, Article III	Brexit Policy; Strategic Populations Policy; Int'l Standards Policy	Law Officers	2
1 - High	GFSC law revision project Enact new GFSC enforcement Law containing all sanctions and powers currently set out in regulatory laws; revise individual GFSC sector laws	Policy & Resources Committee	Billet d'État XVIII of 2015, Article V	Justice Policy; Int'l Standards Policy	Policy & Resources Committee	4
1 - High	Extending the United Kingdom's membership of the World Trade Organisation Legislation to ensure the extension may have effect including statutory privileges and immunities relating to the WTO and its officials	Policy & Resources Committee	Billet d'État IV of 2019, Article I		Law Officers	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
1 - High	Environmental Pollution (Guernsey) Law, 2004: Air Pollution Commence Part VII of the Law and preparation of subordinate legislation under this Part to introduce local air quality standards and a regulatory framework for actual or potential pollution to the atmosphere	Committee for the Environment & Infrastructure	Billet d'État III of 2017, Article III		States Assembly	6
1 - High	Miscellaneous amendments to the Taxation of Real Property (Guernsey & Alderney) Ordinance, 2007	Policy & Resources Committee	Billet d'État XI of 2018, Article IV		Policy & Resources Committee	4
1 - High	Insurance - statutory discount rate Legislation to enable the introduction of a statutory discount rate and other matters	Policy & Resources Committee	Billet d'État V of 2019, Article IV		Policy & Resources Committee	4

1 - High Reform of Health Care Funding

Transfer of certain functions under Health Service (Benefit) (Guernsey) Law, 1990 and Social Insurance (Guernsey) Law, 1978 from the Committee for Employment & Social Security to the Committee for Health & Social Care; repeal of provisions relating Medical Benefit, Specialist Medical Benefit, Physiotherapy Benefit, Alderney Hospital Benefit and travelling allowance grant; amendment of the Health Service (Benefit) (Guernsey) Law, 1990 to empower the Committee for Health & Care to determine conditions and other matters relating to pharmaceutical benefit and supply of medical appliances by resolution or regulation. As an interim measure the responsibility for the provision of benefits under the Health Service (Benefit) (Guernsey) Law, 1990 and for Travelling Allowance Grants under the Social Insurance (Guernsey) Law, 1978 will be transferred from CESS to CHSC during 2019 by way of Ordinance under the Public Functions (Transfer and Performance) Law, 1991

Policy & Resources
Committee

Billet d'État X of 2019, Article VII

Future Model of Care

Policy &
Resources
Committee



Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
1 - High	Reform of the Marriage law A Law and subordinate legislation will be required	Policy & Resources Committee	Billet d'État III of 2019, Article VI		Law Officers	3
1 - High	Introduction of Independent Taxation To introduce independent taxation, including individual assessments, albeit retaining full transferability of unused allowances mirroring the current position	Policy & Resources Committee	Billet d'État XX of 2017		Policy & Resources Committee	2
1 - High	General Election 2020 Secondary Legislation to be drafted setting out the date of the Election, the closure of entries to the Electoral Roll, the expenditure limits and the polling stations. Rules will also be drafted governing such matters as the public inspection of the Electoral Roll, availability of the Electoral Roll, the presence of candidates at the vote count	States' Assembly & Constitution Committee	Billet d'État VII of 2019, Article II		Law Officers	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
2 - Medium	On-Island Integrated Transport strategy Extensive legislative proposals (e.g. presumed liability, speed limit review, motorcycle licensing requirements, amendments to theory tests, etc.)	Committee for Environment & Infrastructure	Billet d'État IX of 2014, Article VI		Committee for the Environment & Infrastructure	2
2 - Medium	Organ donation - soft opt out scheme Introduction of an organ donation scheme based on deemed consent	Committee for Health & Social Care	Billet d'État XXV of 2018, Article XIV	The Future Model of Care	Committee <i>for</i> Health & Social Care	4
3 - Low	Innovation patents	Committee for Economic Development	Billet d'État XXIII of 2002, Article XIX		Committee for Economic Development	3
3 - Low	Trade marks - geographical indications: Ordinance for Bailiwick	Committee for Economic Development	Billet d'État XXIII of 2002, Article XIX		Committee for Economic Development	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Limited partnerships Re-enactment of the Limited Partnerships (Guernsey) Law, 1995 with miscellaneous amendments – e.g., transfer functions to company registrar, migrations, conversions, protected cells	Committee for Economic Development	Billet d'État VI of 2010, Article XI		Committee for Economic Development	4
3 - Low	EU batteries directive Implement EC Directive 2006/66 by Ordinance under the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994	Committee for Economic Development	Billet d'État IV of 2012, Article XI		Committee for Economic Development	1
3 - Low	Utilities - laying services in private land Amend Public Thoroughfares (Guernsey) Law 1958 in favour of Guernsey Electricity; and consider additional powers for water/sewerage undertakers [and report back if necessary]	Committee for Economic Development	Billet d'État IX of 2015, Article VI		Committee for Economic Development	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Regulation of utilities Remove postal services and electricity regulation by the Guernsey Competition and Regulatory Authority; amend Post Office and Electricity Laws to enable the CED to regulate those utilities	Committee for Economic Development	Billet d'État III of 2016, Article XVII		Committee for Economic Development	1
3 - Low	Insolvency Review Amendments to the Companies (Guernsey) Law, 2008 to reform corporate insolvency provisions	Committee for Economic Development	Billet d'État VII of 2017, Article XIV		States Assembly	6
3 - Low	Amendments to the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 Amendments to provide for the Committee for Economic Development to define (1) the terms and conditions of appointment and (2) the notice period for members of, the Guernsey Banking Deposit Compensation Board and (2)	Committee for Economic Development	Billet d'État XXIII of 2018, Article XIII		Committee for Economic Development	4

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Banking Deposit Compensation Scheme Amend the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 to reflect compliance with certain core principles issued by the International Association of Deposit Insurers	Committee for Economic Development	Billet d'État XXV of 2018, Article XV		Committee for Economic Development	4
3 - Low	Amendment to the Guernsey Competition and Regulatory Authority Ordinance, 2012 Amendment to allow a power of delegation by the Guernsey Competition and Regulatory Authority to its Chief Executive	Committee for Economic Development	Billet d'État XIII of 2019, Article IV		Committee for Economic Development	4
3 - Low	Plant Health (Guernsey) Ordinance Ordinance to update Guernsey's plant health legislation and implement EU Regulations	Committee for Economic Development	Billet d'État VIII of 2006, Article IX	Brexit Policy	Committee for Economic Development	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Public transport legislation Amend and consolidate the Public Transport Ordinance 1986	Committee for the Environment & Infrastructure	Billet d'État XX of 2000, Article XVI		Committee for the Environment & Infrastructure	4
3 - Low	Animal Welfare Legislation Ordinance required for welfare of animals during international transport, regulation of professions and responsibilities and liabilities of animal owners	Committee for the Environment & Infrastructure	Billet d'État III of 2003, Article VI	Int'l Standards Policy	Committee for the Environment & Infrastructure	4
3 - Low	Genetically modified crops Legislation to regulate	Committee for the Environment & Infrastructure	Billet d'État XXV of 2003, Article XI		Committee for the Environment & Infrastructure	1
3 - Low	Transport strategy Consolidation of Driving Licences (Guernsey) Ordinance, 1995	Committee for the Environment & Infrastructure	Billet d'État VII of 2006, Article VIII		Committee for the Environment & Infrastructure	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Traffic and Road Transport New fees and charges and add power to set regulations	Committee for the Environment & Infrastructure	Billet d'État XII of 2013, Article VI		Committee for the Environment & Infrastructure	1
3 - Low	Residential On-Street Parking Ordinance under the Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009 to provide for parking permits	Committee for the Environment & Infrastructure	Billet d'État XIV of 2015, Article XIX		Committee for the Environment & Infrastructure	1
3 - Low	Environmental pollution Amendment of the Environmental Pollution (Guernsey) Law, 2004; water standards; exemptions from the Food and Environmental Protection Act for certain deposits in sea	Committee for the Environment & Infrastructure	Billet d'État XXi of 2012, Article VI	Brexit Policy; Int'l Standards Policy	Committee for the Environment & Infrastructure	4
3 - Low	Health and Social Services Charitable Trust To be constituted by Projet	Committee for Health & Social Care	Billet d'État XXII of 2007, Article VII	Good governance	Committee <i>for</i> Health & Social Care	4

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Tobacco Products (Guernsey) Ordinance Ordinance to provide for confiscation of tobacco products from under-18s in public places	Committee for Health & Social Care	Billet d'État XXIII of 2012, Article VIII	Health & Wellbeing	Committee <i>for</i> Health & Social Care	4
3 - Low	Fair trading - torts (interference with goods) Law based on 1977 UK Act	Committee for Home Affairs	Billet d'État VIII of 2000, Article II		Committee <i>for</i> Home Affairs	1
3 - Low	Fair trading - disposal of uncollected goods Law based on UK Act	Committee for Home Affairs	Billet d'État VIII of 2000, Article II		Committee <i>for</i> Home Affairs	1
3 - Low	Parole legislation: Ordinance under the Parole (Guernsey) Law, 2009	Committee for Home Affairs	Billet d'État IV of 2005, Article VII	Justice Framework	Committee <i>for</i> Home Affairs	4
3 - Low	Terrorism New offences based on Terrorism Act 2006	Committee for Home Affairs	Billet d'État XVIII of 2006, Article XIII		Committee <i>for</i> Home Affairs and Police	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Sale of knives to under-18's Amend the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003 and the Criminal Justice (Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2006	Committee for Home Affairs	Billet d'État XI of 2008, Article XVIII		Committee <i>for</i> Home Affairs	1
3 - Low	Fire services Amendments to the Fire Services (Guernsey) Law, 1989; fire safety education, attendance at road traffic collisions, attendance at non-fire emergencies, mutual assistance at incidents outside Guernsey, investigation of fires	Committee for Home Affairs	Billet d'État XII of 2008, Article IX	N/A Operational	Committee <i>for</i> Home Affairs	3
3 - Low	Domestic Proceedings and Magistrates Court (Guernsey) Law, 1988 Amend Law to allow Court to hand down suspended sentences of imprisonment for breaches of Domestic Violence Injunctions and to permit an individual contesting a breach of a Domestic Violence Injunctions to be remanded in custody	Committee for Home Affairs	Billet d'État XXi of 2009, Article IV	Justice Framework	Committee <i>for</i> Home Affairs	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Terrorist financing, money laundering and weapons proliferation Legislation equivalent to the provisions of schedule 7 of the UK Counter Terrorism Act 2008	Committee for Home Affairs	Billet d'État XV of 2013, Article X		Law Officers	3
3 - Low	Consumer Protection Introduction of statutory consumer protection powers Preparation of Ordinance under the Trading Standards (Enabling Provisions) (Guernsey) law, 2009	Committee for Home Affairs	Billet d'État III of 2016, Article XIX		Committee <i>for</i> Home Affairs	1
3 - Low	Preparation for a new electoral roll Legislation to create a new Electoral Roll, that the validity of the existing Electoral Roll will cease in 2019, and the closure of the new Electoral Roll in 2020	Committee for Home Affairs	Billet d'État VII of 2019, Article III		States Assembly	6

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Channel Islands lottery New Ordinance under Gambling (Guernsey) Law, 1971 to permit other forms of lottery; amend the Gambling (Channel Islands Lottery) (Guernsey) Ordinance, 1975; allocation of proceeds	States' Trading Supervisory Board	Billet d'État XX of 2014, Article XIII		Committee <i>for</i> Home Affairs	1
3 - Low	Fair trading - supply of goods (implied terms) Law based on 1973 UK Act	Committee for Home Affairs	Billet d'État VIII of 2000, Article II		Committee <i>for</i> Home Affairs	1
3 - Low	Gambling legislation Implementation of the resolutions of 01.11.07 by amendment to existing legislation rather than repealing and replacing the existing legislative framework; introduction of gaming machines; removal of certain restrictions, including those in relation to Crown and Anchor, Sunday opening for bookmakers, betting offices being located on the ground floor of shops, and restrictions on size of television screens	Committee for Home Affairs	Billet d'État XIV of 2015, Article XVII		Committee for Home Affairs	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	States Official Gazette Simplification of legislative requirements for Gazette Officielle publications	Policy & Resources Committee	Billet d'État XIX of 2011, Article XI	N/A (governance)	Policy & Resources Committee	1
3 - Low	Tribunals Service Legislation to establish	Policy & Resources Committee	Billet d'État XV of 2002, Proposition 13		Policy & Resources Committee	1
3 - Low	Income tax Consolidation of the Income Tax (Guernsey) Law, 1975	Policy & Resources Committee	Billet d'État XXIV of 2009, Article XI		Policy & Resources Committee	1
3 - Low	Court of Appeal Amendments to the Court of Appeal (Guernsey) Law, 1961	Policy & Resources Committee	Billet d'État XIX of 2011, Article XII		Royal Court	4

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Public Functions Law Amendments to the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991 to include those to permit functions to be transferred to a public or statutory office or body by Ordinance; encompass other descriptions of public or statutory office or body in relation to the performance of functions by officers	Policy & Resources Committee	Billet d'État XVI of 2015, Article XII		Policy & Resources Committee	4
3 - Low	Asian Infrastructure Investment Bank - Articles of Agreement Ordinance to be enacted under the Privileges and Immunities (Bailiwick of Guernsey) Law, 2004 to implement the required privileges and immunities as set out in Chapter IX of the Asian Infrastructure Investment Bank Articles of Agreement	Policy & Resources Committee	Billet d'État III of 2019, Article VII		Legislation Review Panel	6

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	States of Alderney - new single property tax Amendment of the Alderney (Application of Legislation) Law, 1948 and the Taxation of Real Property (Guernsey& Alderney) Ordinance, 2007 to provide for Alderney's legislative autonomy in relation to property taxation.	Policy & Resources Committee	Billet d'État III of 2019, Article VIII		Policy & Resources Committee	5
3 - Low	Registration of overseas lawyers	Policy & Resources Committee	Billet d'État XIX of 2007, Article VII		Policy & Resources Committee	1
3 - Low	Scrutiny Management Committee Powers Secondary legislation to enable the Scrutiny Management Committee to have powers to call for persons, papers and records; extend legal privilege to witnesses providing evidence to the Scrutiny Management Committee	Scrutiny Management Committee	Billet d'État IV of 2016, Article II		Law Officers	3

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
3 - Low	Sewerage - grants and loans Miscellaneous amendments to the Sewerage (Guernsey) Law, 1974 Law	States' Trading Supervisory Board	Billet d'État XVI of 2006, Article XV		States Trading Supervisory Board	1
3 - Low	Guernsey Water and Wastewater Prepare water utility sector law to replace the Loi ayant rapport à la Fourniture d'Eau par les Etats de cette lle aux Habitants de la dite lle [1927] and the Sewerage (Guernsey) Law, 1974 Law	States' Trading Supervisory Board	Billet d'État Ili of 2012, Article X		States Trading Supervisory Board	1
3 - Low	Pilotage dues and exam fees Minor amendments	States' Trading Supervisory Board	Billet d'État XXVI of 2007, Article XIV		States Trading Supervisory Board	1
4 - Not yet prioritised	Amendments to the Companies Law Miscellaneous amendments to the Companies (Guernsey) Law, 2008 to address issues identified following consultation issued by the Committee in June 2018	Committee for Economic Development	Billet d'État XVIII of 2019, Article XIV		Committee for Economic Development	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
4 - Not yet prioritised	Financial Services Ombudsman: New Funding Structure	Committee for Economic Development	Billet d'État XVIII of 2019, Article XIV		States Assembly	6
4 - Not yet prioritised	Contributory Benefit and Contribution Rates for 2020 Uprating ordinances	Committee for Employment & Social Security	Billet d'État XX of 2019, Article VI		States Assembly	6
4 - Not yet prioritised	Contributory Benefit and Contribution Rates for 2020 Renaming of Old Age Pension to States Pension	Committee for Employment & Social Security	Billet d'État XX of 2019, Article VI		Committee <i>for</i> Employment & Social Security	1
4 - Not yet prioritised	Financial Services Commission Amendments to Financial Services Commission (Bailiwick of Guernsey) Law, 1987 To introduce primary objectives for the GFSC and secondary matters to which they must have regard; removing the statutory cap on the number of Commissioners, term of office and compulsory retirement age; enabling power re the introduction of a regulatory decisions appeal mechanism; and complaints procedure	Policy & Resources Committee	Billet d'État XX of 2015, Article VIII		Policy & Resources Committee	1

Priority	Title & Descriptions	Lead Committee	Billet d'État	Future Guernsey Plan Alignment	Responsibility for next step	Stage
4 - Not yet prioritised	Transformation of Income Tax and Contributions Services To develop a single service for the collection of Income Tax and Social Security Contributions; to establish the office of Director of Revenue Services and transfer functions of the Director of Income Tax and the operational contributions responsibilities of CESS and the Administrator of the Social Insurance Law to that post. A projet is required to deal with the remaining propositions of this legislation.	Policy & Resources Committee	Billet d'État XI of 2018, Article III		Policy & Resources Committee	1
4 - Not yet prioritised	General Pilotage - Retirement Age of General Pilots Amendment of the Pilotage Ordinance, 1967 to provide that General Pilots are permitted to remain in post beyond the age of 65 provided they hold a valid Seafarers Medical Report and Certificate	States' Trading Supervisory Board	Billet d'État XX of 2019, Article VII		States Trading Supervisory Board	1