

**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 4TH DAY OF JUNE 2020**

Adjourned from 3rd June 2020

**The States resolved as follows concerning Billet d'État No XI
dated 4 th May, 2020**

**COMMITTEE *for the* ENVIRONMENT & INFRASTRUCTURE
STATES OF GUERNSEY ENERGY POLICY 2020-2050
P.2020/47**

VIII: After consideration of the policy letter entitled "States of Guernsey Energy Policy 2020-2050" dated 28th February 2020:

1. To agree the overall objectives of the Energy Policy as:
 - Decarbonisation;
 - Security and resilience of supply;
 - Consumer value and choice;
 - Equity and fairness;
 - Supportive of a vibrant economy; and
 - Greater energy independence.
2. To agree the vision for Guernsey's energy future as set out in paragraph 2.1 of the policy letter and prioritise opportunities to reduce emissions.
3. To agree to adopt a target of net zero emissions by 2050 and to adopt an interim target of reducing emissions by 57% on 1990 levels by 2030.
4. To direct the Committee *for the* Environment & Infrastructure to
 - (a) provide a definition of what constitutes a "low carbon" and "low emission" source for on-island energy sources by Q4 2020; and
 - (b) establish a target for the generation of on-island (where "on-island" includes within our territorial waters) renewable energy by Q2 2021.
5. To agree to revise the requirements for the dispatch of electricity by Guernsey Electricity Limited (known as the "merit order") to place any pre-committed energy production, prioritising on-island renewable generation, ahead of flexible dispatchable production and to direct the Committee *for* Economic Development to bring proposals to the States of Deliberation to give directions to the relevant regulator.
6. To direct the Committee *for* Economic Development, working with the Committee *for the* Environment & Infrastructure, to undertake a technical consultation on:
 - (a) a licensing framework for targeted competition to support establishing on-island

- (including off-shore) renewable energy; and
- (b) the introduction of licensing for the supply of hydrocarbons particularly in relation to hydrocarbon security of supply and emissions reduction,

and to bring proposals to the States of Deliberation to give directions on these matters to the relevant regulator in these matters by Q4 2021.

7. To direct the Committee *for* Economic Development to bring proposals to the States of Deliberation to give directions to the relevant regulator to ensure continuity of current arrangements relating to electricity production (for example, by renewing the licence of Guernsey Electricity Limited) where the relevant regulator is not in a position to issue licences under any revised framework as outlined in proposition upon the expiry of current licences.
8. To approve the cable strategy set out in 8.17 and agree in principle the need for a second interconnector, subject to the consideration of a full business case; and to direct the States Trading Supervisory Board via Guernsey Electricity Limited to revert to the States of Deliberation with the full business case, the cost of developing which can be reflected and recovered by Guernsey Electricity Limited through its charges.
9. To agree in principle the future move from N-2 to N-1 (or another standard as deemed appropriate), subject both to the completion of the second interconnector, and to the States' endorsement of an updated electricity strategy to be brought to the States of Deliberation by the Committee *for the* Environment & Infrastructure.
10. To agree the separation of the hydrocarbon programme into three work streams:
 - (a) Energy Policy and Climate Change policy (the Committee *for the* Environment & Infrastructure);
 - (b) The States' Trading Supervisory Board's Future Ports Development Programme, due to report to the States of Deliberation by December 2020, which will be informed by the Energy Policy and, in particular, will take into account the delivery of hydrocarbons by ship as part of any investigation of future harbour requirements; and
 - (c) A support programme working with energy providers for interim supply solutions (the Committee *for the* Environment & Infrastructure to report back by Q2 2021).
11. To direct the Committee *for the* Environment & Infrastructure to establish the public-private Energy Partnership by Q4 2020.
12. To direct the Committee *for* Economic Development to undertake a review of structures for cost reflective tariffs (including reflecting fixed and variable costs), to bring proposals to the States of Deliberation to give directions to the relevant regulator by Q4 2020.
13. To direct the Committee *for* Employment & Social Security working with the Committee *for the* Environment & Infrastructure to co-ordinate an investigation of the most effective means of addressing energy poverty and report back to the States by

the Q2 2021.

14. To direct the Committee *for the* Environment & Infrastructure to work with the Development & Planning Authority to bring forward further recommendations to improve the energy efficiency of existing and future housing stock, assess the potential for and impact of requirements to report building energy efficiency standards and/or to implement a minimum standard for the rental market and a reporting standard for the sales market by the end of Q2 2021.
15. To direct the Committee *for the* Environment & Infrastructure, working with the Policy & Resources Committee, to review the position on the introduction of energy related taxes, to deliver on the policy's aims, and bring any recommendation to the States of Deliberation by May 2023.
16. To note the resource implications set out in paragraphs 11.2 to 11.18 and that any requests for additional budget be submitted through the appropriate budget setting or capital prioritisation process.
17. To rescind the following Resolutions of the States or parts thereof:
 - (a) Resolution 11(d) of Article XIV of Billet d'État XV of 2011 "Review of Utility Regulation";
 - (b) Resolution 4 of Article III of Billet d'État XII of 2014 "Guernsey Electricity Supply – Future Strategy"; and
 - (c) Resolution 2 of Article IX of Billet d'État VII of 2016 "Comprehensive Social Welfare Benefits Model".
18. To amend the following Resolutions of the States:
 - (a) Resolution 1 of Article III of Billet d'État VI of 2015 "Alternative Framework for the Oversight of Guernsey Electricity Limited and Guernsey Post Limited" to:
 - (i) delete "Guernsey Electricity Limited and" and "respective electricity and"; and
 - (ii) substitute "law" for "laws"; and
 - (b) Resolutions 1 and 2 of Article XVII of Billet d'État III of 2016 "Legislative changes relating to the future oversight of Guernsey Electricity Limited and Guernsey Post Limited" to delete:
 - (i) in resolution 1, "and electricity"; and
 - (ii) in resolution 2, "the Electricity (Guernsey) Law, 2001 and" on both occasions it appears

POLICY & RESOURCES COMMITTEE

REVIEW OF THE JURISDICTION OF THE ECCLESIASTICAL COURT IN RELATION TO GRANTS OF REPRESENTATION REGARDING PERSONAL PROPERTY

P.2020/53

- IX: After consideration of the policy letter titled 'Review of the Jurisdiction of The Ecclesiastical Court in relation to Grants of Representation regarding Personal Property': -
1. To approve the transfer of the customary jurisdiction in relation to grants of representation for personal property for:
 - (a) the Bailiwick other than Sark, and
 - (b) in the event of an affirmative resolution from the Chief Pleas of Sark, Sark, from the Ecclesiastical Court to the Royal Court on the basis set out in this policy letter.
 2. TO NEGATIVE THE PROPOSITION to agree that any changes to the tariff in relation to grants of representation will be recommended by the Policy & Resources Committee as part of the Annual Budget of the States, and the Royal Court will be responsible for setting other fees.
 3. To agree that a grant be made from General Revenue to the Social Investment Fund of £400,000 per annum for the first two years that the Royal Court operates grants of representation for personal property, with recommendations for the level of this grant for subsequent years to be included in future Annual Budgets.
 4. To direct the Policy & Resources Committee to take into account the financial implications of this policy letter in setting the budget for 2021 and future years.
 5. To direct the drafting of such legislation as may be necessary to give effect to the above decisions.

POLICY & RESOURCES COMMITTEE

AMENDMENTS TO THE LEGAL FRAMEWORK RELATING TO BENEFICIAL OWNERSHIP OF LEGAL PERSONS

P.2020/72

- X: After consideration of the Policy Letter dated 2nd April, of the Policy & Resources Committee:-
- 1.1 To agree to amend the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017, so as to:
 - i. remove the reference to "no beneficial owners" of a legal person;
 - ii. clarify the circumstances in which a legal person is subject to the administrative enforcement powers of the Registrar of Beneficial Ownership or to those of the Guernsey Financial Services Commission;
 - iii. specify the particulars that must be recorded in respect of corporate beneficial owners;

- iv. set out the criteria that must be applied by the Registrar of Beneficial Ownership before making a disqualification order;
 - v. confirm the application of the Registrar of Beneficial Ownership's powers to nominee relationships;
 - vi. widen the Registrar of Beneficial Ownership's information gathering powers to include matters relating to risk and to extend the application of those powers to third parties such as liquidators of a legal person; and
 - vii. permit the Director of the Revenue Service to inspect the beneficial ownership register.
- 1.2 To agree to amend the Foundations (Guernsey) Law, 2012 so as to:
- i. ensure consistency of language with other commercial legislation on matters relating to resident agents and beneficial ownership;
 - ii. introduce information gathering powers that correspond to those outlined at paragraph 1.1.vi above.
- 1.3 To agree to amend the Limited Partnerships (Guernsey) Law, 1995, the Companies (Guernsey) Law, 2008, and the Limited Liability Partnerships (Guernsey) Law, 2013 so as to introduce information gathering powers that correspond to those outlined at paragraph 1.1.vi above.
- 1.4 To agree to amend the Income Tax (Guernsey) Law, 1975, to permit the Director of the Revenue Service to share information with the Guernsey and Alderney Registrars of Beneficial Ownership.
- 1.5 To direct the preparation of such legislation as may be necessary to give effect the foregoing, including any necessary consequential and incidental provision.

POLICY & RESOURCES COMMITTEE

MINOR CHANGES TO THE DOCUMENT DUTY (GUERNSEY) LAW, 2017

P.2020/70

- XI: After consideration of the policy letter entitled 'Minor Changes to the Document Duty (Guernsey) Law, 2017' of the Policy & Resources Committee:
- 1. To approve the proposals to introduce two further exemptions to the requirement to pay document duty under the Document Duty (Guernsey) Law, 2017 as set out in Section 3 of the policy letter;
 - 2. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY
DIFFUSE MESOTHELIOMA PAYMENT SCHEME

P.2020/73

- XII: After consideration of the Policy Letter entitled 'Diffuse Mesothelioma Payment Scheme', dated 2nd April, 2020:
1. To approve the introduction of a Diffuse Mesothelioma Payment Scheme as set out in that Policy Letter.
 2. To direct the preparation of such legislation as is necessary to give effect to their decision.

COMMITTEE FOR ECONOMIC DEVELOPMENT
PROPOSED AMENDMENTS TO THE PREFERRED DEBTS (GUERNSEY) LAW, 1983
P.2020/59

- XIV: After consideration of the policy letter entitled 'proposed amendments to the Preferred Debts (Guernsey) Law, 1983 dated 12th March 2020:-
1. To approve the proposals to amend the Preferred Debts (Guernsey) Law, 1983 (the "**PD Law**") so that where the Guernsey Banking Deposit Compensation Board (the "**Board**") has, in respect of a qualifying deposit, exercised its right of subrogation pursuant to the provisions of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 the total, capped, amount paid by the Board as compensation under the Guernsey Banking Deposit Compensation Scheme takes priority (in the winding up of the defaulting bank) over all other preferred debts within the meaning of the PD Law (the "**Super Preference**").
 2. To agree that any amounts recoverable in respect of a qualifying deposit in excess of the Preference, should rank behind the Preference and current preferred debts in the PD Law but above any remaining ordinary unsecured creditors.
 3. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

POLICY & RESOURCES COMMITTEE
SCHEDULE FOR FUTURE STATES' BUSINESS
P.2020/75

- XV: After consideration of the attached Schedule for future States' business, which sets out items for consideration at the Meeting of the 17th June 2020 and subsequent States' Meetings, to approve the Schedule,
- subject to inserting "P.2020/42 – Committee for Health & Social Care – Modernisation of the Abortion (Guernsey) Law, 1997" immediately after "P.2020/32 – States' Trading Supervisory Board – Guernsey Airport Hold Baggage

Screening System Update” in paragraph (g) of the items for the States Meeting commencing on the 17th June, 2020, and deleting the same where it is listed in paragraph (g) of the items for the States Meeting commencing on the 15th July, 2020; and

- subject to moving “P.2020/52– The Sexual Offences (Bailiwick of Guernsey) Law, 2020” from the items listed for Special / Ordinary Meeting of the States commencing 15th July 2020 to items listed for Special / Ordinary Meeting of the States commencing 17th June, 2020.

C FOSTER
DEPUTY GREFFIER