

ORDINANCE LAID BEFORE THE STATES

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

THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY) LAW, 1987 (AMENDMENT) ORDINANCE, 2021

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Financial Services Commission (Bailiwick of Guernsey) Law, 1987 (Amendment) Ordinance, 2021", made by the Policy & Resources Committee on the 9th March, 2021, is laid before the States.

EXPLANATORY MEMORANDUM

The Ordinance inserts a new paragraph 12A into Schedule 1 to the Financial Services Commission (Bailiwick of Guernsey) Law, 1987. That paragraph enables an officer or member of the Commission (including "Senior Decision-makers" appointed by the Commission), when undertaking work in connection with the potential imposition of sanctions under the financial regulatory Laws, to undertake that work outside the Bailiwick and to hold oral hearings remotely.

The Ordinance was approved by the Legislation Review Panel on the 1st March, 2021 and made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948. Under the proviso to the said Article 66A(1), the States of Deliberation have the power to annul the Ordinance.

THE LAND PLANNING AND DEVELOPMENT (EMERGENCY PROCEDURES) ORDINANCE, 2021

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Land Planning and Development (Emergency Procedures) Ordinance, 2021", made by the Policy & Resources Committee on the 16th March, 2021, is laid before the States.

EXPLANATORY MEMORANDUM

The Ordinance provides for the holding of remote planning and building control appeal hearings where provisions are in force, or are to come into force, under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 which impose restrictions in relation to the movement or meeting of persons in Guernsey or guidance has been issued, or is to be issued, by the Medical Officer of Health or the Committee *for* Health & Social Care which advises against the meeting of persons in Guernsey or movement of persons outside their homes. Such circumstances have to apply at the time when arrangements are being made for the hearing or at any time during the holding of a hearing (see section 1(1) and (2)).

The Ordinance provides for the current legislation relating to appeal hearings to be construed in specified ways to allow for remote planning appeal hearings and for related modifications to certain provisions. This includes providing for a summons under the Appeals Regulations to be served electronically and for site inspections carried out by the Appellate Body, in relation to an appeal, to be done by such other means as the Appellate Body considers effective including by using photographs or satellite images of the land (see sections 1(3) and 2 to 4). The Appellate Body is the Planning Tribunal for most appeals.

Section 5 gives the Committee *for* the Environment & Infrastructure a power to amend the Ordinance by Regulations or to make such further provision as it considers necessary or expedient in relation to the holding or facilitation of remote appeal hearings but only in the circumstances where remote appeal hearings can currently be held under the Ordinance.

The Ordinance was approved by the Legislation Review Panel on the 11th March, 2021 and made by the Policy & Resources Committee in exercise of its powers under Article 66A(1) of the Reform (Guernsey) Law, 1948. Under the proviso to the said Article 66A(1), 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. 124 of 2020

THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS, 2020

In pursuance of sections 15, 20, 39, 67 and 116 of the Social Insurance (Guernsey) Law, 1978, “The Social Insurance (Benefits) (Amendment) Regulations, 2020”, made by the Committee *for* Employment & Social Security on 9th December, 2020, are laid before the States.

EXPLANATORY NOTE

These Regulations replace the schedules to the Social Insurance (Benefits) Regulations, 2003, and prescribe the reduced rates of benefit payable from 4th January, 2021 to claimants who do not satisfy the conditions for entitlement to payment of the maximum rate of benefit.

These Regulations came into force on the 4th January, 2021.

No. 23 of 2021

THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) REGULATIONS, 2021

In pursuance of sections 23(2) and 116 of the Social Insurance (Guernsey) Law, 1978, “The Social Insurance (Benefits) (Amendment) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 10th March, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Social Insurance (Benefits) Regulations, 2003.

Regulation 1 inserts a further category of person in regulation 33(1) who may be deemed incapable of work, where that person is an essential worker for the purposes of a direction issued under the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2021 (or any regulations amending or replacing those Regulations), who is requested by the Medical Officer of Health to refrain from attending their place of work (whether specifically or upon a request to self-isolate) and who cannot carry out their duties when not at their place of work.

These Regulations came into force on the 10th March, 2021.

No. 28 of 2021

THE SOCIAL INSURANCE (CONTRIBUTIONS) (AMENDMENT) REGULATIONS, 2021

In pursuance of sections 11, 15 and 116 of the Social Insurance (Guernsey) Law, 1978, “The Social Insurance (Contributions) (Amendment) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 31st March, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Social Insurance (Contributions) Regulations, 2000 to award contribution credits to those classified as employed contributors on the 23rd January, 2021 who lack contributions on their record for the period of the second lockdown due to COVID-19 from the 23rd January, 2021 to the 21st March 2021 (see regulation 1).

These Regulations came into force on the 31st March, 2021.

The full text of the legislation can be found at: <http://www.guernseylegalresources.gg>