

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

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

No. 80 of 2021

THE COMPANIES (ANNUAL VALIDATION) (AMENDMENT) REGULATIONS, 2021

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Annual Validation) (Amendment) Regulations, 2021”, made by the Committee for Economic Development on 29th July 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the last date on which companies must have submitted an annual validation.

These Regulations came into force on 29th July 2021.

No. 116 of 2021

THE COMPANIES (ANNUAL VALIDATION) (AMENDMENT) (No. 2) REGULATIONS, 2021

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Companies (Annual Validation) (Amendment) (No. 2) Regulations, 2021”, made by the Committee for Economic Development on 21st October 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the date on which companies must have submitted an annual validation and revoke spent regulations

These Regulations came into force on 21st October 2021.

No. 153 of 2021

THE EXTRADITION (BAILIWICK OF GUERNSEY) LAW, 2019, (COMMENCEMENT) REGULATIONS, 2021

In pursuance of section 130 of the Extradition (Bailiwick of Guernsey) Law, 2019, The Extradition (Bailiwick of Guernsey) Law, 2019, (Commencement) Regulations, 2021, made by the Committee for Home Affairs on 6th December 2021, is laid before the States.

EXPLANATORY NOTE

These Regulations bring into force the Extradition (Bailiwick of Guernsey) Law, 2019 on 7th December 2021.

No. 154 of 2021

**THE STATES HOUSING (STATUTORY TENANCIES) (GUERNSEY) (AMENDMENT)
REGULATIONS, 2021**

In pursuance of sections 2, 3 and 5 of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, “The States Housing (Statutory Tenancies) (Guernsey) (Amendment) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 8th December, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the States Housing (Statutory Tenancies) (Guernsey) Regulations, 2005 (“the Statutory Tenancies Regulations”) to introduce a revised method for determining the Standard Weekly Rent payable under a statutory tenancy for States residential property. They also provide for appeals against such determinations, and make minor necessary consequential amendments to the terms and conditions of statutory tenancies which are set out in a schedule to the Statutory Tenancies Regulations. These Regulations also revoke the States Housing (Rent and Rebate Scheme) (Guernsey) Regulations, 2005, as they are obsolete now that the transition period following the closure of the Rent Rebate Scheme is complete.

These Regulations came into force on the 1st January, 2022.

No. 155 of 2021

THE INCOME SUPPORT (GUERNSEY) (AMENDMENT) REGULATIONS, 2021

In pursuance of sections 1 and 15B of the Income Support (Guernsey) Law, 1971, “The Income Support (Guernsey) (Amendment) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 8th December, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Income Support (Guernsey) Regulations, 2014 to exempt a person who has made a claim for asylum in the Bailiwick from conditions relating to ordinary residence and periods of continuous residence in Guernsey and Alderney imposed under section 1(1)(a)(iii) and (iv) of the Income Support (Guernsey) Law, 1971 and section 1(1)(b) of the Income Support (Residence Conditions) Ordinance, 2017.

These Regulations exclude the application of this exemption to British citizens, persons who do not need immigration leave to enter or remain in the Bailiwick, persons who hold indefinite leave to remain and persons who live outside of Guernsey, Alderney, Herm and Jethou.

The exemption ceases to apply if the person abandons or withdraws the asylum claim, leaves the Bailiwick to live permanently abroad, or is removed or deported under Immigration laws (if the person's claim for asylum is rejected).

The exemption lapses after three months of the person's claim for asylum being rejected unless judicial review proceedings are brought within that time. If proceedings are brought

within that time, the exemption ceases to apply three months after those proceedings are finally determined, withdrawn or abandoned, or lapse, unless the person's claim for asylum is accepted. In these cases, the Administrator is given discretion to continue the exemption for a time if the Administrator considers it appropriate in the particular circumstances.

These Regulations came into force on the 8th December, 2021.

No. 156 of 2021

THE FAMILY ALLOWANCES (GUERNSEY) (AMENDMENT) REGULATIONS, 2021

In pursuance of sections 5, 7 and 14 of the Family Allowances (Guernsey) Law, 1950, "The Family Allowances (Guernsey) (Amendment) Regulations, 2021", made by the Committee for Employment & Social Security on 8th December, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations amend Regulations made under the Family Allowances (Guernsey) Law, 1950 ("the Law") to make amendments consequential on changes made to the Law to provide for family allowance to be paid only to families with a household income of less than £120,000 a year and in respect of children aged under 18. Under section 2 of the Law, a person is treated as a child before the 1st August after their nineteenth birthday if still receiving full-time education at a school, university or college.

Regulation 1 amends regulations 4 and 10 of the Family Allowances (Claims and Payments) (Guernsey) Regulations, 1977 to provide that the documents or information which the Administrator to the Committee for Employment & Social Security ("the Administrator") may require from a person making a claim or from a claimant, may include a declaration as to gross household income. The Administrator may require such a declaration from a person as a condition of receiving family allowance.

Regulation 1 also updates the Regulations to remove references to allowance orders which are no longer used, to provide expressly for awards and decisions to be issued electronically and to provide for allowances to be paid on a Friday.

Regulation 2 amends the Family Allowances (Qualifications) (Guernsey) Regulations, 1977 to include a new regulation 14A to clarify that family allowance is only paid in respect of a child aged under 18 and to amend certain wording in regulation 14 to make it consistent with terms used earlier in that regulation and in the Law. Minor corrections are also made to the numbering of regulation 14.

These Regulations came into force on the 3rd January, 2022.

No. 157 of 2021

THE SOCIAL INSURANCE (BENEFITS) (AMENDMENT) (NO. 2) REGULATIONS, 2021

In pursuance of sections 15, 20, 31 and 116 of the Social Insurance (Guernsey) Law, 1978, “The Social Insurance (Benefits) (Amendment) (No. 2) Regulations, 2021”, made by the Committee *for* Employment & Social Security on 8th December, 2021, 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 3rd January, 2022 to claimants who do not satisfy the conditions for entitlement to payment of the maximum rate of benefit.

These Regulations also prescribe a condition that a claimant shall only be entitled to a widowed parent's allowance in respect of a child of their family who is under the age of eighteen years. This change is to be consistent with the change made to family allowance legislation in relation to the children in respect of whom family allowance is paid from 3rd January, 2022.

These Regulations came into force on the 3rd January, 2022.

No. 158 of 2021

THE BOARDING PERMIT FEES ORDER, 2021

In pursuance of section 17 of the Tourist Law, 1948, “The Boarding Permit Fees Order, 2021”, made by the Committee *for* Economic Development on 9th December, 2021, is laid before the States.

EXPLANATORY NOTE

This Order sets boarding permit fees for the next season for the Visitor Accommodation Sector.

This Order comes into force on 1st April, 2022.

No. 159 of 2021

THE AMALGAMATION AND MIGRATION OF COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) (AMENDMENT) REGULATIONS, 2021

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, “The Amalgamation and Migration of Companies (Fees Payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2021” made by the Committee *for* Economic Development on 9th December 2021, are laid before the States.

EXPLANATORY NOTE

These regulations amend the Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2012 by increasing the fee payable

to the Guernsey Financial Services Commission which must accompany an application for its consent for the amalgamation of companies pursuant to the provisions of Part VI of the Companies (Guernsey) Law, 2008 and for the removal of a supervised company from the Register of Companies for the purposes of becoming registered as a company under the law of a district, territory or place outside Guernsey in accordance with the provisions of Part VII of that Law. The Regulations come into force on the 1st January, 2022.

There continues to be no fee payable to the Guernsey Financial Services Commission when a non-Guernsey company migrates "inwardly" to become registered as a Guernsey company.

No. 160 of 2021

**THE FINANCIAL SERVICES COMMISSION (LIMITED LIABILITY PARTNERSHIPS) (FEES)
REGULATIONS, 2021**

In pursuance of section 113(4) of the Limited Liability Partnerships (Guernsey) Law, 2013, "The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2021" made by the Committee *for* Economic Development on 9th December 2021, are laid before the States.

EXPLANATORY NOTE

These regulations, made by the Committee for Economic Development, prescribe the fee payable to the Commission under the Limited Liability Partnerships (Guernsey) Law, 2013 in relation to an application for the consent of the Commission for a supervised LLP to be removed from the Register. The regulations come into force on 1st January, 2022.

No. 161 of 2021

**THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEES PAYABLE
TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) (AMENDMENT) REGULATIONS,
2021**

In pursuance of section 537 of the Companies (Guernsey) Law, 2008, "The Protected Cell Companies and Incorporated Cell Companies (Fees payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2021" made by the Committee *for* Economic Development on 9th December 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations increase the fees payable to the Guernsey Financial Services Commission under the Protected Cell Companies and Incorporated Cell Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2016.

These Regulations come into force on the 1st January 2022.

No. 162 of 2021

**THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) (FEES)
(AMENDMENT) REGULATIONS, 2021**

In pursuance of sections 49AA and 54 of The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Fees) (Amendment) Regulations, 2021", made by the Policy & Resources Committee on 7th December, 2021, are laid before the States.

EXPLANATORY NOTE

These Regulations update the fees payable by prescribed businesses under The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

These Regulations come into force on 1st January, 2022.

No. 176 of 2021

THE FIRE SERVICES (FEES AND CHARGES) (GUERNSEY) REGULATIONS, 2021

In pursuance of sections 1A(1), 12(4AB), 24(2A) and 26A of the Fire Services (Guernsey) Law, 1989, The Fire Services (Fees and Charges) (Guernsey) Regulations, 2021, made by the Committee for Home Affairs on 20th December 2021, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe fees and charges for equipment and services provided by agreement with the Committee for Home Affairs (acting through the Guernsey Fire & Rescue Service) ("the Committee"), fees for notification of controlled premises, and charges in respect of mandatory consultation with the Committee.

These Regulations will come into force on the 1st January, 2022.

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