



**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 15<sup>TH</sup> DECEMBER, 2021**

**The States resolved as follows concerning Billet d'État No XXV  
dated 29<sup>th</sup> November, 2021**

**ELECTIONS AND APPOINTMENTS**

**STATES' TRADING SUPERVISORY BOARD**

**APPOINTMENT OF A NON-EXECUTIVE DIRECTOR –  
GUERNSEY POST LIMITED  
P.2021/124**

- I. After consideration of the policy letter entitled 'Appointment of a Non-Executive Director – Guernsey Post Limited' dated 21 October, 2021:-
  1. To approve the appointment of Mr Rick Denton as a non-executive director of Guernsey Post Limited with immediate effect.

**ELECTION OF A MEMBER OF THE  
PRIAULX LIBRARY COUNCIL  
P.2021/135**

- II. To re-elect Paul Le Pelley as a member of the Priaulx Library Council, whose term of office will expire on the 31st December 2021 but who is eligible for re-election, in accordance with Rule 16 of the Rules of Procedure of the States of Deliberation

## **STATUTORY INSTRUMENTS LAID BEFORE THE STATES**

No. 111 of 2021

### **THE CUSTOMS AND EXCISE (SAFETY AND SECURITY) (BAILIWICK OF GUERNSEY) (AMENDMENT) (NO. 3) REGULATIONS, 2021**

In pursuance of sections 14D and 79 of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, The Customs and Excise (Safety and Security) (Bailiwick of Guernsey) (Amendment) (No. 3) Regulations, 2021, made by the Committee *for* Home Affairs on 11th October 2021, were laid before the States.

No. 112 of 2021

### **THE WASTE DISPOSAL AND RECOVERY CHARGES REGULATIONS, 2021**

In pursuance of section 72(3) of the Environmental Pollution (Guernsey) Law, 2004 the Waste Disposal and Recovery Charges Regulations, 2021, made by the Waste Disposal Authority on 7th October, 2021, were laid before the States.

No. 113 of 2021

### **THE WASTEWATER CHARGES (GUERNSEY) REGULATIONS, 2021**

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, “The Wastewater Charges (Guernsey) Regulations, 2021”, made by the States’ Trading Supervisory Board on 7<sup>th</sup> October 2021, were laid before the States.

No. 114 of 2021

### **THE WATER CHARGES (AMENDMENT) REGULATIONS, 2021**

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, “The Water Charges (Amendment) Regulations, 2021”, made by the States’ Trading Supervisory Board on 7<sup>th</sup> October 2021, were laid before the States.

No. 115 of 2021

### **EMERGENCY POWERS (CORONAVIRUS) (GENERAL PROVISION) (BAILIWICK OF GUERNSEY) (NO. 11) (AMENDMENT) REGULATIONS, 2021**

In pursuance of section 16(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, the “Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 11) (Amendment) Regulations, 2021” made by the Civil Contingencies Authority on 19th October, 2021, were laid before the States.

No. 117 of 2021

**THE AIRPORT FEES (GUERNSEY AND ALDERNEY) REGULATIONS, 2021**

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 21<sup>st</sup> October, 2021, was laid before the States.

No. 118 of 2021

**THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2021**

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 21<sup>st</sup> October, 2021, was laid before the States.

No. 119 of 2021

**THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2021**

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 21<sup>st</sup> October, 2021, was laid before the States.

No. 120 of 2021

**THE PILOTAGE DUES (GUERNSEY) REGULATIONS, 2021**

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 21<sup>st</sup> October, 2021, was laid before the States

**POLICY & RESOURCES COMMITTEE AND  
THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

**THE GUERNSEY REVENUE SERVICE TRIBUNAL ORDINANCE, 2021**

P.2021/125

- III. To approve the draft Ordinance entitled "The Guernsey Revenue Service Tribunal Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

**POLICY & RESOURCES COMMITTEE  
AND THE COMMITTEE *FOR* HEALTH & SOCIAL CARE**

THE HEALTH SERVICE BENEFIT (AMENDMENT AND COMMENCEMENT) ORDINANCE, 2021  
P.2021/126

- IV. To approve the draft Ordinance entitled "The Health Service Benefit (Amendment and Commencement) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

**COMMITTEE *FOR* EMPLOYMENT & SOCIAL SECURITY**

THE SEVERE DISABILITY BENEFIT AND CARER'S ALLOWANCE (NO. 2) ORDINANCE, 2021  
P.2021/127

- V. To approve the draft Ordinance entitled "The Severe Disability Benefit and Carer's Allowance (No. 2) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

**COMMITTEE *FOR* EMPLOYMENT & SOCIAL SECURITY**

THE INCOME SUPPORT (IMPLEMENTATION) (AMENDMENT) (NO. 3) ORDINANCE, 2021  
P.2021/128

- VI. To approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) (No. 3) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

**COMMITTEE *FOR* EMPLOYMENT & SOCIAL SECURITY**

THE FAMILY ALLOWANCES (GUERNSEY) (AMENDMENT ETC.) ORDINANCE, 2021  
P.2021/129

- VII. To approve the draft Ordinance entitled "The Family Allowances (Guernsey) (Amendment etc.) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

## **DEVELOPMENT & PLANNING AUTHORITY**

### **EXTENSION OF TEMPORARY EXEMPTION FROM REQUIREMENT FOR PLANNING PERMISSION FOR CERTAIN CHANGES OF USE OF VISITOR ACCOMMODATION P.2021/130**

- VIII. After consideration of the “Extension of Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation” policy letter, dated 4<sup>th</sup> November 2021:-
1. To agree to extend the current temporary exemption in Class 9A of the Schedule to the Land Planning and Development (Exemptions) Ordinance, 2007 so that –
    - (a) a change of use of visitor accommodation from a use within use class 7 or 8 of the Land Planning and Development (Use Classes) Ordinance, 2017 to a use within residential use classes 1, 2 or 5 in that Ordinance, which took place or will take place between the 25<sup>th</sup> March 2020 and the 31<sup>st</sup> December 2022 inclusive, is temporarily exempted from the requirement for planning permission subject to specified conditions being met including that the use reverts to its previous lawful visitor accommodation use prior to 25<sup>th</sup> March 2020 by 31<sup>st</sup> January 2023, and
    - (b) a change of use back to the lawful visitor accommodation use prior to the 25<sup>th</sup> March 2020, in compliance with the proposed exemption in paragraph (a), is also exempted from the requirement for planning permission,as set out in paragraphs 5.1 to 5.4 of the policy letter and to give the Development & Planning Authority a power to further extend these dates by Regulations as set out in paragraphs 5.6 and 5.7 of the policy letter.
  2. To agree that a consequential amendment be made to the provision in section 3(2) of the Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021 to take account of the extension to the temporary exemption so that the period during which the temporary exemption runs, for certain changes of use of visitor accommodation, is disregarded for the purpose of calculating the period within which a planning compliance notice may be issued, where there is a breach of planning control.
  3. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

## **DEVELOPMENT & PLANNING AUTHORITY**

### **REVIEW OF THE LAND PLANNING AND DEVELOPMENT (EXEMPTIONS) ORDINANCE, 2007 P.2021/131**

- IX. After consideration of the Policy Letter entitled 'Review of the Land Planning and Development (Exemptions) Ordinance, 2007', dated 8th November, 2021: -
1. To approve the proposed -
- a) new exemptions from the requirement to obtain planning permission for development, and
  - b) amendments to existing exemptions from that requirement (currently set out in the Schedule to the Land Planning and Development (Exemptions) Ordinance, 2007),
- for specified descriptions of development subject to meeting required conditions as detailed in section 5 of the Policy Letter.
- 1A. To approve widening the proposed exemptions, from the requirement to obtain planning permission for the installation of solar products, as set out in the new and amended exemptions proposed in Classes 1.3, 1B.3 and 2.12, as set out in the Tables in section 5 of the Policy Letter, to include clearly the installation of solar panels on flat roofs subject to meeting -
- a) any relevant required conditions in those existing proposed Classes in section 5 of the policy letter, and
  - b) a further condition that the panels -
    - i) are angled at no more than 10 degrees from the flat roof, and
    - ii) project no more than 40cms from the flat roof (instead of 30cms required in certain of the solar product exemptions for sloping roofs).
2. To approve the proposed new exemption from the requirement to obtain planning permission for a change of use of premises from a visitor economy use, falling within use class 7 or 8 of the Land Planning and Development (Use Classes) Ordinance, 2017, to a residential use within use classes 1 to 4 of that 2017 Ordinance, subject to restrictions as to the sites in relation to which the exemption applies and other specified conditions as detailed in section 6 of the Policy Letter.
3. To approve any necessary consequential and other amendments to the Land Planning and Development (Use Classes) Ordinance, 2017 and any other planning legislation necessary to give effect to the above decisions.

4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

S.M.D. ROSS  
STATES' GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 16<sup>TH</sup> DECEMBER, 2021**

**The States resolved as follows concerning Billet d'État No XXV  
dated 29<sup>th</sup> November, 2021**

**POLICY & RESOURCES COMMITTEE AND THE  
COMMITTEE *FOR* ECONOMIC DEVELOPMENT**

**THE INVESTIGATION OF AIR ACCIDENTS AND INCIDENTS  
P.2021/120**

- X. After consideration of the Policy Letter entitled "The Investigation of Air Accidents and Incidents" dated 28th October 2021:-
1. To agree that the legislation which currently applies to the Bailiwick of Guernsey regarding the investigation of air accidents and incidents is updated, in particular to implement: (a) Annex 13 to the Chicago Convention as required; and (b) Regulation (EU) 996/2010 on the investigation and prevention of accidents and incidents in civil aviation.
  2. To signify their agreement to the substance of the proposed Order in Council (set out in paragraphs 4.2 and 4.3 of this Policy Letter) for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as amended.
  3. To direct the preparation of such legislation as may be necessary to give effect of the above decisions.

**POLICY & RESOURCES COMMITTEE**

**CONSIDERATION OF GUERNSEY'S PARTICIPATION IN INTERNATIONAL AGREEMENTS  
P.2021/122**

- XI. After consideration of the Policy Letter entitled "Consideration of Guernsey's Participation in International Agreements" dated 1st November, 2021:-
1. To rescind the Resolutions of 25<sup>th</sup> February, 1987, relating to the Policy Letter entitled "International Conventions and Agreements", dated 23<sup>rd</sup> January, 1987.



2. Subject to Resolution 3 and any resolution of the States to the contrary –
  - i. to agree that Guernsey's participation in any international agreement should meet Guernsey's needs, whilst respecting the constitutional relationship with the UK through the Crown and Guernsey's domestic autonomy;
  - ii. to endorse the process and approach set out in Paragraphs 6.5-6.10 of this Policy Letter regarding Guernsey's participation in international agreements;
  - iii. to direct the Policy & Resources Committee to maintain efforts to ensure that Guernsey's interests and, subject to the necessary authorisations from Alderney and Sark, the interests of either of those islands or, as the case may be, the Bailiwick's interests continue to be represented to the UK in respect of international agreements;
  - iv. provided there has been consultation with or a request from any other committee whose mandate is engaged by an international agreement, to authorise the Policy & Resources Committee to agree to Guernsey's participation and, subject to the necessary authorisations from Alderney and Sark, the participation of either of those islands or, as the case may be, the Bailiwick's participation in international agreements, whether in whole or in part or with reservations, or to decline the same, and signal that agreement, or rejection, to HM Government.
3. By way of exception to Resolution 2, to direct the Policy & Resources Committee, or, if applicable, other committees of the States, to refer questions relating to participation in international agreements, together with its or, if applicable, their recommendations, to the States of Deliberation for debate and decision in cases where –
  - i. save in cases of urgency, the terms of any international agreement appear to the Policy & Resources Committee to involve questions of human rights and fundamental freedoms, or matters which, in the opinion of the Policy & Resources Committee are likely to be considered controversial;
  - ii. the Policy & Resources Committee and any other committee of the States whose mandate is engaged by an international agreement do not agree on questions relating to participation in an international agreement;
  - iii. the Policy & Resources Committee otherwise considers it to be necessary or expedient to refer a question relating to participation in an international agreement to the States of Deliberation.
4. To direct the Policy & Resources Committee, in cases where the exception detailed in paragraph i) of Resolution 3 is engaged but the matter is not referred to the States of Deliberation because of urgency, to refer such matters to the States of Deliberation as

soon as possible after the exercise of its delegated authority so such decisions can be debated and noted.

5. To direct the Policy & Resources Committee to submit periodically a report setting out all international agreements for which participation has been or is being considered for Guernsey within the reporting period (whatever the status or outcome), and work undertaken in respect of the same, for inclusion as an appendix to a Billet d'État.
6. To direct the Policy & Resources Committee to create an online resource to provide publicly accessible information about international agreements that have been considered, applied, extended or entered into, or rejected, by Guernsey and those that are currently under consideration.

### **STATES' TRADING SUPERVISORY BOARD**

#### **GUERNSEY POST LIMITED – ANNUAL REPORT AND ACCOUNTS P.2021/123**

- XII. After consideration of the policy letter entitled 'Guernsey Post Limited – Annual Report and Accounts' dated 21 October, 2021:-
  1. To note the Annual Report and Accounts of Guernsey Post Limited for the year ended 31<sup>st</sup> March 2021.

### **POLICY & RESOURCES COMMITTEE**

#### **SCHEDULE FOR FUTURE STATES' BUSINESS P.2021/132**

- XIII. After consideration of the Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 26<sup>th</sup> January 2022, to approve the Schedule.

S.M.D. ROSS  
STATES' GREFFIER