

ORDINANCE LAID BEFORE THE STATES

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

THE LONG-TERM CARE INSURANCE (GUERNSEY) (ENTITLEMENT TO BENEFIT) ORDINANCE, 2022

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Long-term Care Insurance (Guernsey) (Entitlement to Benefit) Ordinance, 2022" made by the Policy & Resources Committee on the 31st October, 2022, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance prescribes an alternative condition for entitlement to benefit under section 3 of the Long-Term Care Insurance (Guernsey) Law, 2002 ("the 2002 Law").

Section 3 of the 2002 Law sets out the conditions of entitlement to benefit under the Law. Section 3(2)(e) requires that in cases of care benefit and respite care benefit, the person "is a resident of an approved care establishment which is not wholly owned by the States". The Ordinance, made under the powers conferred by section 3(1)(b) of the 2002 Law, prescribes an alternative condition to that set out at (2)(e): that in the cases of care benefit and respite care benefit, the person concerned is a resident of an approved care establishment which has been specified by resolution of the Committee *for* Employment & Social Security. It also makes clear, for the avoidance of the doubt, that the Committee may specify an approved care establishment which is wholly owned by the States.

The Ordinance was approved by the Legislation Review Panel on the 31st October, 2022 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. 68 of 2022

THE WASTEWATER CHARGES (GUERNSEY) REGULATIONS, 2022

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, “The Wastewater Charges (Guernsey) Regulations, 2022”, made by the States’ Trading Supervisory Board on 15th September 2022, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe new wastewater charges and rates applying under the Wastewater Charges (Guernsey) Law, 2009.

These Regulations come into force on 1st January, 2023.

No. 69 of 2022

THE WATER CHARGES (AMENDMENT) REGULATIONS, 2022

In pursuance of section 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007, “The Water Charges (Amendment) Regulations, 2022”, made by the States’ Trading Supervisory Board on 15th September 2022, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the charges which will be made for the supply of water for 2023.

These Regulations come into force on 1st January, 2023.

No. 70 of 2022

WASTE DISPOSAL AND RECOVERY CHARGES REGULATIONS, 2022

In pursuance of section 72(3) of the Environmental Pollution (Guernsey) Law, 2004, the “Waste Disposal and Recovery Charges Regulations, 2022”, made by the Waste Disposal Authority on 6th October, 2022, are laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the charges, or rates of charge, payable from 1st January 2023 as a pre-condition of the acceptance of waste of particular descriptions by the Waste Disposal Authority for disposal or recovery at specified public waste management sites (see Table 1 in Schedule 1). They also set out charges in 2023 for the reloading of waste which is not accepted at the Longue Hogue Land Reclamation Site (see Table 2 in Schedule 1). These

Regulations do not change the charges for black bag waste put out for household kerbside collections which are set out in different legislation.

The majority of the charges (known as commercial gate fees) have been uplifted based on RPIX as at the end of June, 2022 and the Waste Disposal Authority's assessment of prospective inflation, in relation to costs to be incurred, for the upcoming period.

The exceptions to the standard basis for the uplift are as follows: the charge for black bag waste brought to the Longue Hougue Waste Recycling Centre is the same as that to be charged in 2023 for black bag waste put out for household kerbside collections; £5 has been added to the standard uplift for the charge for inert waste brought to the Longue Hougue Land Reclamation Site which falls within category B1 in Table 1 to Schedule 1 to the Regulations (category B1) and the charge for reloading at the Longue Hougue Land Reclamation Site (see Table 2 to Schedule 1) has been increased to reflect the related increase to the charge for inert waste in category B1.

The increased charge for category B1 inert waste is the second of four, planned phased increments to meet the estimated costs for the design and construction of a new inert waste facility and the stockpiling of inert waste prior to the new facility becoming available. The reloading charges are charged where waste delivered to the site has to be reloaded onto lorries as it does not meet the waste acceptance criteria of the site. Therefore, to provide a disincentive to not meeting those criteria the charges have to be set higher than the charge for acceptance of waste for disposal or recovery at the Longue Hougue Land Reclamation site.

These Regulations come into force on 1st January, 2023.

No. 71 of 2022

THE WASTE MANAGEMENT SERVICES (CHARGING) (NO.2) REGULATIONS, 2022

In pursuance of section 72(3) of the Environmental Pollution (Guernsey) Law, 2004, "The Waste Management Services (Charging) (No.2) Regulations, 2022", made by the Waste Disposal Authority on 6th October, 2022, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Schedule to the Waste Management Services (Charging) Ordinance, 2018 to increase the prescribed bag charges for residual waste bags of both sizes (up to and including 50 litres in capacity and those 51 to 90 litres in capacity). They also increase the annual fixed charge for waste management services provided by the Waste Disposal Authority.

These Regulations come into force on the 1st January, 2023.

No. 72 of 2022

THE AIRPORT FEES (GUERNSEY AND ALDERNEY) REGULATIONS, 2022

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 6th October, 2022, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the fees for the use of Alderney Airport and Guernsey Airport. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations come into force on 1st April, 2023.

No. 73 of 2022

THE HARBOUR DUES AND FACILITIES CHARGES (GUERNSEY) REGULATIONS, 2022

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 6th October, 2022, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the harbour dues payable under section 2 of the Harbour Dues (Saint Peter Port and Saint Sampson) Law, 1957, and the charges payable for the use of harbour facilities under section 33(1) of the Harbours Ordinance, 1988. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations come into force on 1st January, 2023.

No. 74 of 2022

THE MOORING CHARGES (GUERNSEY) REGULATIONS, 2022

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 6th October, 2022, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the mooring charges payable under section 2 of the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972 (the "**1972 Law**"). Under the terms of the Fees, Charges and Penalties

(Guernsey) Law, 2007, these charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations come into force on the 1st April, 2023.

No. 75 of 2022

THE PILOTAGE DUES (GUERNSEY) REGULATIONS, 2022

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 6th October, 2022, is laid before the States.

EXPLANATORY NOTE

These Regulations prescribe the pilotage dues and related charges payable under the Pilotage Dues and Fees Ordinance, 1987. Under the terms of the Fees, Charges and Penalties (Guernsey) Law, 2007, these dues and charges may now be prescribed by regulations of the States' Trading Supervisory Board.

These Regulations came into force on 1st January, 2023.

No. 76 of 2022

THE ECONOMIC AND FINANCIAL CRIME BUREAU AND FINANCIAL INTELLIGENCE UNIT (AMENDMENT) REGULATIONS, 2022

In pursuance of sections 2 and 16 of the Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022 and sections 9 and 20 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, The Economic and Financial Crime Bureau and Financial Intelligence Unit (Amendment) Regulations, 2022, made by the Committee for Home Affairs on 17th October 2022, is laid before the States.

EXPLANATORY NOTE

These Regulations amend two typographical errors in the Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022.

These Regulations come into force on the 20 October, 2022.

No. 77 of 2022

**THE FORFEITURE OF MONEY ETC IN CIVIL PROCEEDINGS (DESIGNATION OF COUNTRIES)
(BAILIWICK OF GUERNSEY) REGULATIONS, 2022**

In pursuance of sections 53 and 64 of the Forfeiture of Money etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007, The Forfeiture of Money etc in Civil Proceedings (Designation of Countries) (Bailiwick of Guernsey) Regulations, 2022, made by the Committee for Home Affairs on 25th October 2022 is laid before the States.

EXPLANATORY NOTE

These Regulations designate, for the purposes of the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 (a) the Federative Republic of Brazil and the Republic of Colombia as countries which appear to the Committee for Home Affairs to have legislation in force relating to the forfeiture by a court in non-conviction based proceedings of money or other property which is the proceeds of unlawful conduct or intended for use in unlawful conduct, and (b) the persons, bodies or authorities in those countries on whose behalf any action under that Law may be taken.

These Regulations come into force upon being made.

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