



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 29TH MARCH, 2023**

**The States resolved as follows concerning Billet d'État No IV
dated 20th February, 2023**

APPOINTMENTS LAID BEFORE THE STATES

**APPOINTMENT OF AN ORDINARY MEMBER OF THE
GUERNSEY COMPETITION AND REGULATORY AUTHORITY**

In accordance with section 1 (4A) of Schedule 1 to the Guernsey Competition and Regulatory Authority Ordinance, 2012, as amended, the following appointment by the Committee *for* Economic Development, to the Guernsey Competition and Regulatory Authority, is laid before the States of Deliberation:

- Dr. Philip Marsden as an ordinary member with effect from 12th January 2023.

Dr. Marsden has been appointed as an ordinary member until 31st December 2023.

COMMITTEE FOR HOME AFFAIRS

**RE-APPOINTMENTS TO THE DATA PROTECTION AUTHORITY
P.2023/5**

After consideration of the Policy Letter entitled 'Re-appointments to the Data Protection Authority' dated 9th January 2023, they are of the opinion:

1. To re-appoint with effect from 25th May 2023 Mr Richard Thomas CBE as the Chairman of the Data Protection Authority until 24th May 2027;
2. To re-appoint with effect from 25th May 2023 Mr John Curran as a voting member of the Data Protection Authority until 24th May 2027;
3. To re-appoint with effect from 25th May 2023 Mr Simon Entwistle as a voting member of the Data Protection Authority until 24th May 2027.

POLICY & RESOURCES COMMITTEE

ELECTION OF ORDINARY MEMBERS OF THE GUERNSEY FINANCIAL SERVICES COMMISSION P.2023/8

After consideration of the Policy Letter dated 30th January, 2023, of the Policy & Resources Committee, they are of the opinion:

1. To appoint John Aspden as an ordinary member of the Guernsey Financial Services Commission for a three year term with effect from 3rd April 2023.
2. To appoint Philip Middleton as an ordinary member of the Guernsey Financial Services Commission for a three year term with effect from 3rd April 2023.

DEVELOPMENT & PLANNING AUTHORITY

REVIEW OF THE LAND PLANNING AND DEVELOPMENT (EXEMPTIONS) ORDINANCE, 2007 ORDINANCE, 2023 P.2023/1

- VII. After consideration of the Policy Letter entitled 'Review of the Land Planning and Development (Exemptions) Ordinance, 2007' dated 3rd January, 2023 they are of the opinion:-
1. To approve the changes proposed to policy, approved by the States of Deliberation in December 2021, relating to exemptions from the requirement to obtain planning permission for development, as set out in section 2 of the Policy Letter.
 2. To agree that the Development & Planning Authority should have a power to amend Schedule 1 to the Land Planning and Development (Exemptions) Ordinance, 2023 for the purpose of amending, substituting, omitting or adding any proviso/condition to an exemption within the Schedule through the making of Regulations, as set out in section 3 of the Policy Letter.
 3. To note the minor changes in relation to the land planning and development exemptions and their provisos/conditions, as set out in Appendix 1 to the Policy Letter.
 4. To approve the Ordinance entitled 'The Land Planning and Development (Exemptions) Ordinance, 2023', as set out in Appendix 2 to the Policy Letter, and to direct that the same shall have effect as an Ordinance of the States, subject to Propositions 1 and 2 being approved.

S.M.D. ROSS
STATES' GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 30TH MARCH, 2023**

(ADJOURNED FROM 29TH MARCH 2023)

**The States resolved as follows concerning Billet d'État No IV
dated 20th February, 2023**

DEVELOPMENT & PLANNING AUTHORITY

**PROPOSAL FOR PROVISIONS TO ADDRESS LAND WHICH IS AFFECTING THE AMENITY OF AN
AREA
P.2022/100**

- III. After consideration of the Policy Letter entitled "Proposal for Provisions to Address Land Which is Affecting the Amenity of an Area" they are of the opinion:-
1. To agree to give the Development & Planning Authority a power to serve civil notices on owners and occupiers of land, including the States of Guernsey and the Committees thereof where they own or occupy land, requiring the owner and occupiers to take steps to remedy the condition of their land, other than in relation to land forming part of a dwelling house or its domestic curtilage and to certain redundant glasshouses and related structures, where the Authority considers the condition of that land is adversely affecting the amenity of the area; and to agree to make the following related provision for-
 - a) appeals to the Planning Tribunal against the service of such a notice;
 - b) offences in relation to a contravention of a requirement of such a notice;
 - c) the Development & Planning Authority to have powers to enter land and to carry out required steps where a requirement of a notice is not met; and
 - d) the Development & Planning Authority to have powers to recover costs and apply to the Royal Court for a charge over the land similar to those which

currently apply in relation to compliance notices under planning legislation, as further detailed in section 5 of that Policy Letter (except for the proposed exemption described in section 5.5 for land owned or occupied by the States of Guernsey and the Committees thereof) and to provide for all necessary related provisions as set out in that section.

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

STATES' TRADING SUPERVISORY BOARD

GUERNSEY POST LIMITED – ANNUAL REPORT AND ACCOUNTS
P.2022/107

- IV. After consideration of the Policy Letter entitled “Guernsey Post Limited – Annual Report and Accounts’ dated 6th October, 2022, ” they are of the opinion:-
 1. To note the Annual Report and Accounts of Guernsey Post Limited for the year ended 31st March 2022.

S.M.D. ROSS
STATES' GREFFIER



**IN THE STATES OF THE ISLAND OF GUERNSEY
ON THE 31ST MARCH, 2023**

(ADJOURNED FROM 29TH & 30TH MARCH 2023)

**The States resolved as follows concerning Billet d'État No IV
dated 20th February, 2023**

REQUÊTE

**REVOCATION OF ALL EXISTING APPROVALS OF PLANT PROTECTION
PRODUCTS (PESTICIDES) CONTAINING THE ACTIVE SUBSTANCE GLYPHOSATE
P.2022/109**

V. After consideration of the Requête entitled "Revocation of all existing approvals of plant protection products (pesticides) containing the active substance Glyphosate" dated 16th November, 2022, they are of the opinion: -

1. TO NEGATIVE THE PROPOSITION To agree that action should be taken in Guernsey to eradicate the threat to its inhabitants and its eco-structure posed by the continued use of Glyphosate on the island.
2. TO NEGATIVE THE PROPOSITION To direct the Committee *for* Employment & Social Security, by the end of the year 2023, in exercise of its powers under Regulation 11(8) of the Control of Poisonous Substances (Guernsey) Regulations, 2014, as amended, to revoke all existing approvals of plant protection products (pesticides) containing the active substance Glyphosate (CAS No.1071-83-6, EU No. 213-997-4), including those authorising the use, importation and sale to professional users.

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

**THE STATES STRATEGIC HOUSING INDICATOR, 2023-2027
P.2023/3**

VI. After consideration of the Policy Letter entitled 'The States Strategic Housing Indicator, 2023-2027' dated 05 January 2023, they are of the opinion: -

1. To agree the States Strategic Housing Indicator be set at creating 1,565 new units

of accommodation between 2023 and 2027, with a plus or minus variance of 157 new units (10%) to give the flexibility to react to market changes, equating to an annual average of 313 additional units of accommodation; the total SSHI being made up of:

- a. a Private Market Housing Indicator set at creating 844 units of private market accommodation over the next 5 years, with a plus or minus variance of 84 new units, equating to an annual average of 169 additional units of accommodation; and
 - b. an Affordable Housing Indicator set at creating 721 units of Affordable Housing over the next 5 years, comprising 473 in the Social Rental Housing tenure and 248 in the Partial Ownership Housing tenure, with a plus or minus variance of 72 new units, equating to an annual average of 144 units;
2. To agree that the indicators for property size within the Private Market Indicator be established based on a percentage split of bedroom requirements of 85% current profile, 10% maximum profile and 5% intermediate profile;
 3. To agree that the property size indicators within the Social Rental Housing tenure be based on a percentage split of bedroom requirements of 90% minimum profile and 10% maximum profile;
 4. To agree that the property size indicators within the Partial Ownership Housing tenure be established based on a percentage split of bedroom requirements of 70% intermediate profile and 30% maximum profile;
 5. To agree that the housing needs model be run every year for monitoring purposes, unless required sooner, and that these findings be published;
 6. To agree that, should the Island's modelled housing needs change to such an extent that they go beyond the tolerances set out in Proposition 1, they will be returned to the States of Deliberation for endorsement of a revised States Strategic Housing Indicator;
 7. To agree that, unless a reason is identified for reporting sooner by either the States of Deliberation or the Committee *for the* Environment & Infrastructure, the next formal States Strategic Housing Indicator update to the States of Deliberation will be during 2027 to set an Indicator for the period 2028-2032;
 8. To direct that all Committees of the States of Deliberation when laying policy letters before the Assembly, if relevant, should consult with the relevant housing or analysis teams to assess therein any consequential impact on the Island's housing need together with, where appropriate, proposing adaptation and mitigation actions;
 9. To direct the Development & Planning Authority to take into account the

indicators in Proposition 1 in the review of the housing land supply and to give consideration to how planning policies will be used to actively encourage housing developments to use land as efficiently as possible; and

10. To direct the Committee *for* Employment & Social Security, in its planning of the Affordable Housing Development Programme, to take account of the projected unit profile required for both the Social Rental and Partial Ownership tenures.

STATES' ASSEMBLY & CONSTITUTION & COMMITTEE

STATEMENTS AND QUESTIONS – RULES 10-15 P.2023/4

VIII. After consideration of the Policy Letter entitled 'Statements and Questions' dated 9th January 2023, they are of the opinion: -

1. To amend Rule 10(2) to read:

"Any Member holding the office of President or member of a Committee who has tendered a resignation from that office who wishes to make a statement regarding that resignation may do so at the next Meeting after tendering the resignation or during the meeting at which a successor to the vacated office is to be elected:

- a) at the time prescribed in Rule 9; or
- b) at such other time as the Presiding Officer may direct.

Provided that the Member has supplied the Presiding Officer with the text of the statement in advance and that the statement shall not exceed 15 minutes in duration.

2. To amend Rule 10(3) to read:

"Any Member who has obtained permission from the Presiding Officer to make a statement on behalf of, and approved by, a Committee or otherwise relating to States' business which, in the opinion of the Presiding Officer, should be made may make that statement:

- a) at the time prescribed in Rule 9; or
- b) at such other time as the Presiding Officer may direct.

Provided that the Member has supplied the Presiding Officer with the text of the statement in advance and that the statement shall not exceed 15 minutes in duration (which may be extended at the discretion of the Presiding Officer in exceptional circumstances). In respect of (3) only, after the Member has made the statement, the Presiding Officer shall allow a period not exceeding 15 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked within the context of the statement.

3. To amend Rule 10(5) to read:

“Any statement made under the provisions of paragraph (4) shall not exceed 15 minutes in duration and shall be approved by the Committee. In respect of statements made under the provisions of paragraph (4) only, after the statement has been made, the Presiding Officer shall allow a period not exceeding 20 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked on any matter within the mandate of the Committee, or in the case of any statement made on behalf of the States of Alderney any matter for which the States of Alderney has responsibility, except any topic which is part of another item of business at the Meeting in question.

Provided that:

after any question asked further to a statement made under Rule 10, the Member to whom questions are addressed may decline to answer a question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the Meeting. Each individual question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration.”

4. To create a new Rule 10(5)(a) to read:

“A Member asking or replying to a question or a supplementary question who:

- (a) has a direct or special interest in the subject matter of the question; or
- (b) is aware that his or her spouse, co-habiting partner, infant child or any company in which her or she has a controlling interest on his or her, or their, behalf has such an interest

shall, without prejudice to the requirements of Rule 29, before he or she asks or replies to the question declare the said interest by disclosing it to the Meeting.”

5. To amend Rule 11(2)(c) to read as follows:

“shall not relate to the business of the day, with the exception of general update statements made during the meeting in question;”

6. To amend Rule 12(2)(d) to read as follows:

“shall not relate to the business of the day, with the exception of general update statements made during the meeting in question;”

7. To amend the first sentence of Rule 14(1) to read as follows:

“A Member may at any time place a question on any subject in accordance with this Rule for written reply by addressing the same to the President of a Committee and

by furnishing a copy thereof to the Presiding Officer, His Majesty's Procureur, the States' Greffier and to the official postal or email address of the relevant Committee."

8. To amend Rule 14(3) to read as follows:

"The States' Greffier shall cause to be published within one working day, or as soon as possible thereafter, on the States' website and in such other form as he or she may determine, a copy of every question and of the reply thereto deposited in accordance with this Rule."

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

No. 91 of 2022

THE AMALGAMATION AND MIGRATION OF COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) (AMENDMENT) REGULATIONS, 2022

In pursuance of sections 66, 94, 535 and 538 of the Companies (Guernsey) Law, 2008^a, "The Amalgamation and Migration of Companies (Fees Payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2022", made by the Committee *for* Economic Development on 8th December, 2022, are laid before the States.

No. 92 of 2022

THE FINANCIAL SERVICES COMMISSION (LIMITED LIABILITY PARTNERSHIPS) (FEES) REGULATIONS, 2022

In pursuance of sections 45 and 113 of the Limited Liability Partnerships (Guernsey) Law, 2013^a, "The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2022", made by the Committee *for* Economic Development on 8th December, 2022, are laid before the States.

No. 93 of 2022

THE LIMITED PARTNERSHIPS (FEES) (AMENDMENT) REGULATIONS, 2022

In pursuance of sections 36(1)(c), 43, and 44 of the Limited Partnerships (Guernsey) Law, 1995^a, "The Limited Partnerships (Fees) (Amendment) Regulations, 2022", made by the Committee *for* Economic Development on 8th December, 2022, are laid before the States.

No. 94 of 2022

THE PROTECTED CELL COMPANIES AND INCORPORATED CELL COMPANIES (FEES PAYABLE TO THE GUERNSEY FINANCIAL SERVICES COMMISSION) REGULATIONS, 2022

In pursuance of sections 438, 469, 535 and 538 of the Companies (Guernsey) Law, 2008^a, “The Protected Cell Companies and Incorporated Cell Companies (Fees Payable to the Guernsey Financial Services Commission) Regulations, 2022”, made by the Committee *for* Economic Development on 8th December, 2022, are laid before the States.

No. 108 of 2022

THE PUBLIC HOLIDAYS (CORONATION OF HIS MAJESTY KING CHARLES III) REGULATIONS, 2022

In pursuance of section 1A(1) of the Public Holidays Ordinance, 1994^a, and all other powers enabling it in that behalf, “The Public Holidays (Coronation of His Majesty King Charles III) Regulations, 2022”, made by the Committee *for* Economic Development on 20th December, 2022, are laid before the States.

No. 109 of 2022

THE COMPANIES (ANNUAL VALIDATION) (AMENDMENT) (NO. 2) REGULATIONS, 2022

In pursuance of sections 237A, 535 and 538 of the Companies (Guernsey) Law, 2008^a, “The Companies (Annual Validation) (Amendment) (No. 2) Regulations, 2022”, made by the Committee *for* Economic Development on 20th December, 2022, are laid before the States.

No. 4 of 2023

THE PAROCHIAL ELECTIONS (SCHOOL COMMITTEES) (TORTEVAL) REGULATIONS, 2023

In pursuance of Articles 54(4) and 77C of the Reform (Guernsey) Law, 1948a and section 3 of the Education (School Committees) (Guernsey) Ordinance, 1970b, and all other powers enabling it in that behalf, “The Parochial Elections (School Committees) (Torteval) Regulations, 2023” made by the States' Assembly & Constitution Committee on 19th January, 2023, are laid before the States.

No. 5 of 2023

THE FORFEITURE OF MONEY, ETC. IN CIVIL PROCEEDINGS (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2022 (COMMENCEMENT) REGULATIONS, 2023

In pursuance of section 5 of the Forfeiture of Money, etc. in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Ordinance, 2022, the Forfeiture of Money, etc. in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Ordinance, 2022 (Commencement) Regulations, 2023 made by the Committee for Home Affairs on 23rd January 2023, is laid before the States.

No. 6 of 2023

THE EUROPEAN UNION (SEA FISHERIES, ETC.) (BREXIT) (BAILIWICK OF GUERNSEY) (AMENDMENT) REGULATIONS, 2023

In pursuance of section 11 (10) of The European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, as amended, "The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) Regulations, 2023", made by the Policy and Resources Committee on 24th January, 2023, are laid before the States.

LEGISLATION FOR APPROVAL

POLICY & RESOURCES COMMITTEE

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (BAILIWICK OF GUERNSEY) (AMENDMENT)
ORDINANCE, 2023
P.2023/7

- IX. Whether they are of the opinion to approve the draft Ordinance entitled "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2023", and to direct that the same shall have effect as an Ordinance of the States.

COMMITTEE FOR HOME AFFAIRS

THE TRADING STANDARDS (FAIR TRADING) (GUERNSEY) ORDINANCE, 2023
P.2023/9

- X. Whether they are of the opinion to approve the draft Ordinance entitled "The Trading Standards (Fair Trading) (Guernsey) Ordinance, 2023", and to direct that the same shall have effect as an Ordinance of the States.

OTHER BUSINESS

POLICY & RESOURCES COMMITTEE

TRANSFER OF FEE-MAKING POWERS TO THE GUERNSEY FINANCIAL SERVICES COMMISSION
P.2023/6

- XI. Whether, after consideration of the Policy Letter entitled 'Transfer of Fee-Making Powers to the Guernsey Financial Services Commission' submitted by the Policy & Resources Committee, they are of the opinion:
1. To approve the re-vesting of fee-making powers in the Guernsey Financial Services Commission.
 2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

POLICY & RESOURCES COMMITTEE

SCHEDULE FOR FUTURE STATES' BUSINESS

P.2023/11

1. Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 26th April 2023, they are of the opinion to approve the Schedule;
2. To amend Schedule 1 to the Rules of Procedure of the States of Deliberation and their Committees by inserting the date of Wednesday 21st June 2023 as the commencement day for an Ordinary Meeting of the States.

S.M.D. ROSS
STATES' GREFFIER