

ORDINANCES LAID BEFORE THE STATES

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

THE PREFERRED DEBTS (INSURANCE POLICYHOLDERS) (BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2023

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The Preferred Debts (Insurance Policyholders) (Bailiwick of Guernsey) (Amendment) Ordinance, 2023" made by the Policy & Resources Committee on the 25th April, 2023, is laid before the States.

EXPLANATORY MEMORANDUM

The Ordinance amends the Preferred Debts (Guernsey) Law, 1983 by providing that in the event of an insolvent dissolution or winding up of a licensed insurer which is a company or other legal person registered in Guernsey or Alderney, or an unincorporated body with a principal place of business in the Bailiwick, priority will be given to insurance debts owed to the policyholders of the insurer before the ordinary unsecured creditors.

The Ordinance also makes some minor consequential changes to the Insurance Business (Bailiwick of Guernsey) Law, 2002 and the Financial Services Business (Enforcement Powers) (Bailiwick of Guernsey) Law, 2020.

The Ordinance was approved by the Legislation Review Panel on the 24th April, 2023 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 INTERNATIONAL COFFEE ORGANIZATION (PRIVILEGES AND IMMUNITIES) (BAILIWICK OF GUERNSEY) ORDINANCE, 2023

In pursuance of the provisions of the proviso to Article 66A(1) of The Reform (Guernsey) Law, 1948, as amended, "The International Coffee Organization (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2023" made by the Policy & Resources Committee on the 25th April, 2023, is laid before the States.

EXPLANATORY MEMORANDUM

This Ordinance specifies the International Coffee Organization ("the ICO") as an international organisation under section 1 of the Privileges and Immunities (Bailiwick of Guernsey) Law, 2004. It also confers the privileges and immunities to be enjoyed by the ICO and its personnel (pursuant Article 8 of the International Coffee Agreement, 2022) in the Bailiwick.

The Ordinance was approved by the Legislation Review Panel on the 24th April, 2023 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.

THE IMMIGRATION (BAILIWICK OF GUERNSEY) (AMENDMENT) RULES, 2023

In pursuance of sections section 3(2) of the Immigration Act 1971 as extended to the Bailiwick by the Immigration (Guernsey) Order, 1993, the Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2023 made by the Committee *for* Home Affairs on 24 April 2023, is laid before the States.

EXPLANATORY NOTE

These Rules amend the Immigration (Bailiwick of Guernsey) Rules, 2008 ("the principal Rules") in respect of the use of national identity cards as proof of identity and nationality, and the granting of indefinite leave to remain to a work permit holder.

Paragraph 11A of the principal Rules is amended to allow French nationals who arrive in the Bailiwick on a day-trip by commercial ferry to use their national identity cards as proof of identity and nationality for the purposes of paragraph 11(i) of the principal Rules. This is only for a pilot trial period (26th April to 30th September, 2023).

Paragraph 134 of the principal Rules is amended to provide for time spent in the United Kingdom, the Bailiwick of Jersey or the Isle of Man to be taken into account for the purposes of applying for indefinite leave to remain as a work permit holder: where a work permit holder has spent a continuous period of 5 years in total as the holder of leave for the purpose of taking waged or salaried employment, made up of time spent in the Bailiwick of Guernsey and one or more other jurisdictions in the United Kingdom and Islands, the holder is deemed to have spent a continuous period of 5 years in the Bailiwick of Guernsey as a work permit holder for the purposes of an application for indefinite leave to remain as a work permit holder.

This applies only if the most recent period of time spent by the holder was in the Bailiwick of Guernsey as a work permit holder, and the leave granted in the other jurisdiction(s) could have resulted in the person being granted settlement in the respective jurisdictions.

These Rules will come into force on the 26th April, 2023.

THE INCOME TAX (INDEPENDENT TAXATION) (SECTION 42C) REGULATIONS, 2023

In pursuance of section 203 of the Income Tax (Guernsey) Law, 1975, as amended, “The Income Tax (Independent Taxation) (Section 42C) Regulations, 2023”, made by the Policy and Resources Committee 25th April, 2023, are laid before the States.

EXPLANATORY NOTE

These Regulations provide, for the purposes of section 42C of the Income Tax (Guernsey) Law, 1975, that sections 43 to 47 of that Law, which contain provision attributing the income of married women to their husbands for the purposes of the assessment of income tax, and which for future years of charge are now redundant following the commencement of the Income Tax (Independent Taxation) (Guernsey) (Amendment) Ordinance, 2020, shall have effect only in respect of years of charge preceding the 1st January, 2023, when that Ordinance came into force.

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

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