



# BILLET D'ÉTAT

I  
2002

WEDNESDAY, 30th JANUARY, 2002

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# ***BILLET D'ÉTAT***

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**TO THE MEMBERS OF THE STATES OF  
THE ISLAND OF GUERNSEY**

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I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY**, the **30th JANUARY, 2002**, at 10.00 a.m.

**PROJET DE LOI**

ENTITLED

**THE REHABILITATION OF OFFENDERS (BAILIWICK OF GUERNSEY) LAW, 2002**

The States are asked to decide:—

I.—Whether they are of opinion to approve the Projet de Loi entitled “The Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

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**PROJET DE LOI**

ENTITLED

**THE MARKET STREET (CLOSURE) (GUERNSEY) LAW, 2002**

The States are asked to decide:—

II.—Whether they are of opinion to approve the Projet de Loi entitled “The Market Street (Closure) (Guernsey) Law, 2002”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

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**THE TRANSFRONTIER SHIPMENT OF WASTE ORDINANCE, 2002**

The States are asked to decide:—

III.—Whether they are of opinion to approve the draft Ordinance entitled “The Transfrontier Shipment of Waste Ordinance, 2002”, and to direct that the same shall have effect as an Ordinance of the States.

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**THE GAMBLING (CASINO GAMING) ORDINANCE 2001 (COMMENCEMENT)  
ORDINANCE, 2002**

The States are asked to decide:—

IV.—Whether they are of opinion to approve the draft Ordinance entitled “The Gambling (Casino Gaming) Ordinance, 2001 (Commencement) Ordinance, 2002”, and to direct that the same shall have effect as an Ordinance of the States.

**THE MATRIMONIAL CAUSES (COSTS AND FEES) ORDINANCE, 2002**

The States are asked to decide:—

V.—Whether they are of opinion to approve the draft Ordinance entitled “The Matrimonial Causes (Costs and Fees) Ordinance, 2002”, and to direct that the same shall have effect as an Ordinance of the States.

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**STATES ADVISORY AND FINANCE COMMITTEE**

**GUERNSEY FINANCIAL SERVICES COMMISSION**

**NEW MEMBER**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

11th December, 2001.

Dear Sir,

**GUERNSEY FINANCIAL SERVICES COMMISSION**

In accordance with the provisions of sub-paragraph 3(3) of Schedule 1 of the Financial Services Commission (Bailiwick of Guernsey) Law 1987, Mr Mel Carvill, F.C.A., A.C.I.I. retires as an ordinary member of the Commission on 1 February 2002. The States Advisory and Finance Committee is pleased to re-nominate Mr Carvill as an ordinary member of the Commission for a further three year period to run from 2 February 2002 until 1 February 2005.

I should be grateful if you would place this matter before the States with appropriate propositions.

Yours faithfully,

L.C. MORGAN,

President,  
Advisory and Finance Committee.

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The States are asked:—

VI.—To re-elect Mr. Mel Carvill, FCA, ACII, who has been nominated in that behalf by the States Advisory and Finance Committee, as an ordinary member of the Guernsey Financial Services Commission with effect from the 2nd February, 2002.

**STATES ADVISORY AND FINANCE COMMITTEE**

**COURT BAIL IN CRIMINAL PROCEEDINGS**

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

20th December, 2001.

Dear Sir,

**COURT BAIL IN CRIMINAL PROCEEDINGS**

Her Majesty's Procureur has written to the Advisory and Finance Committee in the following terms:

*"In readiness for the Human Rights (Bailiwick of Guernsey) Law, 2000 coming into force I have commissioned within my Chambers a review of our domestic criminal law to ensure that it is human rights compliant and, where it is not, to recommend to you those changes which are necessary to make it so. As part of that process the issue of bail has been identified as an area of concern.*

*Under the standards set by the European Convention on Human Rights a person charged with a criminal offence must be released pending trial, unless the State can show that there are "relevant and sufficient" reasons to justify continued detention. There is, accordingly, a presumption in favour of bail. The Convention case law has laid down permissible reasons for justifying detention prior to trial. Further, Article 5(3) of the Convention enshrines the right to a fair trial within a reasonable time and release pending trial unless relevant and sufficient reasons to refuse bail are established. It is, therefore, these issues that we must bear in mind when determining how any legislation is to be framed.*

*At present, the Bailiwick has no statutory framework that deals with issues of bail although there are references to it in, for example, the Magistrate's Court (Criminal Appeals) (Guernsey) Law, 1988 where, by section 3, a defendant convicted of an offence and who receives a custodial sentence may apply for bail pending the determination of his appeal. If the defendant's application is refused he may pursue an appeal against that decision in the Royal Court. The Guernsey Court of Appeal also has certain rights in respect of granting bail. Apart from these specific references, however, Bailiwick law in relation to bail is to be found in the common law. Whilst that in itself is not a stumbling block to human rights compliance the absence of clear guidelines concerning the right to bail generally, and the rights of appeal prior to trial, may be.*

*By contrast, in England and Wales there is a statutory footing in relation to bail at all stages in the proceedings and in all criminal courts. The primary source of English legislation is the Bail Act 1976 (as amended), which is the foundation stone upon which all other English legislation concerning issues of bail is built. It provides, in broad terms, the principles which the English courts, at whatever level, should follow in determining whether or not granting*

*bail is appropriate as well as providing avenues of appeal if bail is refused. The Bail Act broadly provides an assumption that an accused shall be granted bail unless the court is satisfied that there are substantial grounds for believing that the defendant, if released on bail, would:*

- *fail to surrender to custody; or*
- *commit an offence whilst on bail; or*
- *interfere with witnesses; or*
- *otherwise obstruct the course of justice.*

*In addition an accused person can be held in custody for his own protection. These grounds have been endorsed by the Convention case law.*

*The Act goes on to provide that the court, in making its decision, shall have regard to certain considerations; for example, the nature and seriousness of the offence, the defendant's character and antecedents and such other circumstances that it thinks relevant. More recent legislation enacted in England which entirely removed a defendant's right to bail in certain categories of cases, for example those involving murder and rape where the defendant had a previous conviction for a like offence, has since been modified to take the Convention into account – section 25 of the Criminal Justice and Public Order Act 1994 as amended by section 56 of the Crime and Disorder Act 1998. Thus in England, a court may now grant bail to a defendant falling within the provisions of section 25 but only if it is satisfied that there are exceptional circumstances which justify the granting of bail, the onus being on the defendant to show that such circumstances exist. Case law suggests that this reverse presumption is not automatically incompatible with the Convention and given that the English legislature has considered the question recently I consider that we can follow a similar line here.*

*The other piece of significant English legislation in relation to bail is the Bail (Amendment) Act 1993 which gives the prosecution a right of appeal to a Crown Court judge, within strict time limits, against the granting of bail by magistrates. It is the view of both our Police and Customs and Excise that a similar power would be of benefit here. The procedure that applies in England is that immediately after the decision to grant bail is made, and whether or not that grant is with or without conditions, the prosecutor must appeal orally against that decision. This, in turn, must be followed by the service of a written notice within a strict timescale of two hours. If the time limits are observed, the accused is held in custody for a maximum period of forty eight hours (excluding Sundays and the normal "legal" holidays), during which time the appeal must be heard. In England the appeal is heard by a judge in the Crown Court sitting in chambers. In Guernsey, of course, the appeal would be heard by the Bailiff or Deputy Bailiff.*

*I should emphasise at this stage that I am only concerned for the purposes of this letter with bail in respect of cases before the Magistrate's Court in Guernsey, the Court of Alderney or the Court of the Seneschal and which are being proceeded with in those courts or in the Royal Court. The issue of bail being granted (with or without conditions) by the Police or Customs prior to charge or before a defendant's first appearance in court is, in my view, better dealt with in other legislation, and I hope to put proposals on this matter to you in the near future.*

*I would envisage that any new legislation should encapsulate the following principles (where reference to the Magistrate's Court includes reference to the Court of Alderney and the Court of the Seneschal):*

- (i) *that there is a general assumption that an accused person has a right to bail and that a person granted bail shall be under a duty to surrender to the court, such duty being enforceable by the creation of an offence of absconding having been released on bail.*
- (ii) *an accused may not be granted bail, however, where the court has substantial grounds for believing that he will abscond, commit further offences, interfere with witnesses or otherwise interfere with the course of justice, or it is necessary to keep him in custody for his own protection or, if the accused is a child or young person, for his welfare or if he has committed during the course of the proceedings an offence of absconding whilst on bail.*
- (iii) *that a person, before he is released on bail, may be required to provide sureties to give security for his surrender or to comply with other conditions that the court deems proper.*
- (iv) *where an accused is charged with murder that before he is released the court shall require satisfactory reports on his mental condition.*
- (v) *if a parent or guardian of a child or young person consents to be surety for that child or young person, the parent or guardian may also be required to ensure that the child or young person complies with any other reasonable condition attached to the granting of bail.*
- (vi) *that where the Magistrate's Court has granted bail, or where the person is committed to the Royal Court on bail, the Royal Court may on application or otherwise vary the conditions of bail or impose conditions.*
- (vii) *where the Magistrate's Court has granted bail an application may be made to that Court, whilst that Court still has jurisdiction over the case, to vary the conditions of bail, impose conditions where previously bail had been granted unconditionally or bail has been withheld; provided that no application shall be allowable unless it is based on information not previously available to the Court.*
- (viii) *that a power of arrest exists where a defendant absconds or breaks the conditions of his bail.*
- (ix) *that bail may be granted only on the basis that the accused provides one or more sureties and that an offence is created of agreeing to indemnify sureties.*
- (x) *that, in relation to offences which do not carry imprisonment as a sentencing option, the power of the Court to refuse bail should be limited to circumstances where the defendant has previously failed to surrender to custody and it is likely he will do so again, for his own protection or if he is already in custody in pursuance of a sentence or refusal of bail in relation to other offences.*
- (xi) *that there is a right of appeal against a refusal of bail in the Magistrate's Court to the Bailiff or Deputy Bailiff sitting in Chambers.*

*There are other provisions which, in my view, could be helpfully incorporated into a new Law.*

*First, the situation sometimes arises when a defendant has been charged for one offence but the Police or Customs wish to investigate and further interview him in relation to other matters. It is often inconvenient and can frustrate the enquiry if the investigator has to visit*

*the defendant in prison for these further interviews to be conducted. English law provides that in such circumstances a defendant can, on application, be remanded into custody but detained instead at a police station for a period of up to three days. I would recommend that a similar power exists here in relation to both Police and Customs investigations subject to the same safeguards as exist in England and Wales. I would further recommend that if the case is an Alderney or a Sark one the court may order the detention to take place in Guernsey, if satisfied that there is good operational or other reasons so to order.*

*Secondly, in relation to periods of detention whilst on remand the position in England and Wales is regulated by statute which provides that at the initial appearance before a Magistrates' Court an accused can only be remanded in custody for a period of up to 8 days without being brought back to court. He may make a further application for bail without the need for there to be a change of circumstances. Thereafter he can be remanded for periods of up to 28 days without the need for a further court appearance, although if he wishes to make a further application for bail during that period based on a change of circumstances, he may apply for an earlier hearing. I do not see the need to be so prescriptive in our jurisdiction concerning the timescales mentioned above, provided that the position of the accused is safeguarded by his right to seek an earlier hearing for the purposes of making a bail application.*

*Thirdly, I would recommend to you that provisions similar to the Bail (Amendment) Act 1993 be incorporated into the new Law.*

*In conclusion, I consider that legislation on bail is required to meet potential criticisms that our present law is not compliant with the Convention. By enacting legislation in the terms that I have suggested above the Bailiwick should be in a position to meet its Convention obligations in this area. I therefore commend them to you."*

The States Advisory and Finance Committee concurs fully with H.M. Procureur's advice and recommends the States to direct the preparation of legislation as set out above.

I should be grateful if you would lay this matter before the States with appropriate propositions, including one directing the preparation of the necessary legislation.

Yours faithfully,

L.C. MORGAN,

President,

Advisory and Finance Committee.

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The States are asked to decide:—

VII.—Whether, after consideration of the Report dated the 20th December, 2001, of the States Advisory and Finance Committee, they are of opinion:—

1. To approve the enactment of legislation as set out in that Report with regard to Court bail in criminal proceedings.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.



## STATES BOARD OF ADMINISTRATION

### TOWN ARSENAL – NEW CONTROL ROOM AND REFURBISHMENT OF FLATS

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

29th November, 2001.

Dear Sir,

### TOWN ARSENAL NEW CONTROL ROOM AND REFURBISHMENT OF FLATS

#### **1. Introduction**

This scheme combines the essential provision of a new Fire Brigade Control Room at the Town Arsenal with proposals to fully refurbish the flats on the site, which flats are currently in need of refurbishment to modern standards. There are currently five flats on the site. One will be 'lost' to provide space for a new Control Room. However, the remaining four flats will be reorganised to provide five flats – 2 x 1 bedroom; 1 x 2 bedroom; 2 x 3 bedroom.

It has been agreed with the Committee for Home Affairs that the Board should submit this report to the States of Deliberation. The Committee will fund the provision and equipping of the new Control Room and all building works will be carried out under one main contract.

#### **2. New Control Room – Background**

There has for a number of years been a recognised need to renew the Fire Brigade's Control Room at the Fire Station. This is due to the age of the existing equipment, some of which has been in situ since the Control Room was first constructed in 1976.

A feasibility report carried out in 1997 by the Chief Fire Officer identified that the area currently occupied by the Control Room is needed for additional fire appliance bays. The Control Room itself must therefore be relocated elsewhere within the site. The report concluded that the best option would be to use the adjacent ground floor flat (Flat 1). This flat was transferred by the Board of Administration to the control of the Fire Brigade in August 1997 and the Island Development Committee approved the change of use for it to become a Control Room in July 1998. The space vacated by the existing Control Room will, as recommended, provide an additional area for up to three Fire Brigade vehicles.

Following inspections of the Guernsey Fire Brigade in 1998 and 1999 by Her Majesty's Inspector of Fire Services, it was concluded that there was an urgent need to address the immediate requirements for Fire Brigade Control facilities. The Inspector also made recommendations regarding the provision of an adequate backup control facility in the event of the Control Room becoming unserviceable for any reason. It was resolved that, as the same would be applicable for the Police, it would be prudent to plan for each Service to be able to work out of the other's Control Room in an emergency and any future equipment used in each respective Control should, where possible, be compatible. This recommendation has been addressed in the design and equipment selected for the Fire Brigade's new facility.

The Fire Brigade approached the Department of Architecture in January 2000 for assistance in preparing the necessary drawings for the new Control Room project. During the initial planning stage, the Fire Brigade was advised that the Board of Administration was also in the process of planning the total refurbishment of the four remaining flats in the block. It was clear that it would be both practical and cost effective for the two projects to be combined and undertaken at the same time. Importantly, full continuity of operations will be provided under the contract, as the new facility will be provided before the old facility is decommissioned. The provision of the new Control Room will be the priority as the contract gets underway.

### **3. New Control Room – Accommodation Requirements**

The Control Room suite will consist of the main Control Centre, reception area, operations room, locker room, and toilet facilities. Access to the ground floor vehicle bays and the first floor administration and Fire Safety sections will be gained from the reception area. The existing external stone staircase currently provides external access to the first floor level of the main Station building. This staircase will be glazed over, improving the means of access to the first floor offices for members of the public who currently gain access through the vehicle bays. The main equipment room will be sited to the rear of the Control Room in a separate building to afford a degree of protection for the systems from outside factors.

Where possible the existing structural dividing walls of the flat to be used have been incorporated into the design, however the need for increased space in the Control Room section requires the removal of one dividing wall. Previously unused areas under the stone staircase have been incorporated into the design for the locker and toilet facilities. Other areas of the Control Suite (i.e. in addition to the Control Room itself) including the reception, operations room, locker room and toilet facilities are to be refurbished and fitted out to an acceptable standard.

The Control Room has been designed following guidance issued by the UK Home Office. The equipping of the Control Room is a specialised matter and will be dealt with as a sub-contract under the scrutiny and direction of the Guernsey Fire Brigade.

In summary, the following main items to be provided under this part of the contract are:

- Conversion of the existing ground floor flat (flat 1) to Control Centre
- Main control console
- Command and Control System incorporating the telephone system
- Communications Recording System
- Computer equipment for mobilisation, incident reporting and information systems
- Ancillary furniture and equipment

### **4. Flats**

As detailed above, plans for the relocation of the Control Room are such that one ground floor residential flat (flat 1) will be 'lost' from the site, leaving four other flats which are to be completely refurbished. With reorganisation, five new flats will be provided. The works will include the replacement of the roof covering and flashings, the restoration of the original external façade of the listed building, and landscaping to the rear courtyard areas. The two flats that were occupied until recently are now empty – in anticipation of the commencement of works on this project.

The Board will continue to administer the five new flats in the block following the completion of the project. It is proposed that the work to the flats, including work in the courtyard and the replacement of the roof covering and flashings, will be funded by the Board from its capital allocation. The flats will be made available to Fire officers in the first instance, and possibly to Police officers thereafter should the Committee for Home Affairs so require. Future rentals for the flats should reflect market levels for modern accommodation of this type and location, while bearing in mind the operational requirements and activities of the Fire Brigade.

The proposals include the restoration of the rear courtyard façade by removing the existing unattractive extensions, and refurbishing the flats. In order to avoid any new extensions to this courtyard façade it is proposed to use a small store on the site to house the electrical and communications equipment for the Brigade.

In summary, the following main items to be provided under this part of the contract are:

- Alterations and refurbishment to the existing flats, providing five new flats.
- Replacing existing roof covering with natural slates
- Landscaping of rear courtyard areas

## 5. Drawings

A4 plans of the scheme are appended.

## 6. Consultations

As detailed above, plans for the new Control Room have been produced taking into account advice from the UK Home Office. Plans for the refurbishment of the flats have been approved by the Chief Fire Officer. The Island Development Committee has raised no objections to the proposals and the Heritage Committee has approved the submitted plans.

## 7. Timetable

It is proposed that the contract should commence in February 2002. It is anticipated that the Control Room will be handed over in June/July 2002. The Fire Brigade can equip the Room thereafter. Tenants should be able to occupy the refurbished flats in February 2003.

## 8. Tenders

### 8.1 Main Contract

Tenders have been received by the Board of Administration for the provision of the new Control Room for the Guernsey Fire Brigade; the provision of five flats; and work to the existing rear courtyard and re-roofing. All these elements comprise one main contract.

Six contractors were invited by the Board of Administration to submit tenders for the building works element of this project and the following tenders were received:

<b>MGF Ltd</b>	£788,787.00
<b>Herridges Ltd</b>	£812,059.00
<b>R G Phillips &amp; Son</b>	£849,459.00
<b>W A Mosgrove Ltd</b>	£890,443.33

The Board recommends acceptance of the revised tender submitted by MGF Ltd in the sum of £791,497.00, which sum includes contingencies. The revised tender includes some revisions to the flats layout to increase the number of bedrooms available and give greater flexibility.

## 8.2 Fitting out of Control Room

Additionally, tenders have also been received by the Committee for Home Affairs for the main elements of the fitting out of the Control Room, which will be separate sub-contracts administered under the scrutiny and direction of the Guernsey Fire Brigade.

Three suppliers were invited by the Committee for Home Affairs to submit separate tenders for the provision of:

1. An Integrated Command and Control System; and
2. A Communications Recording System

The following tenders were received:

### 8.2.1 Integrated Command and Control System

This specification called for the provision of an integrated command and control system for telephone and radio systems, as well as ancillary control of bay doors, traffic lights, public address systems etc. from a single touch screen unit at each operator console. It also included the renewal of the Brigade's current PABX system. All three companies responded to the invitation to tender as set out below:

**Atlas Business Systems** – full compliance with specification £64,900.00

**GT Solutions** – non-compliance for command and control element, able to offer telephone system only

**Xtel Communications** – partial compliance by way of the provisional proposal of a command and control system in conjunction with a UK supplier, but at an estimated cost in excess of £350,000.00.

### 8.2.2 Communications Recording System

This specification called for the recording of all voice traffic through the command and control system. All three companies responded to the invitation to tender as set out below:

<b>Xtel Communications</b> – full compliance with specification	£11,275.00
<b>Atlas Business Systems</b> – full compliance with specification	£18,400.00
<b>GT Solutions</b> – full compliance with specification	£21,829.00

The Committee for Home Affairs recommends acceptance of the tenders submitted by Atlas Business Systems for a sum not exceeding £64,900.00 for the provision of a Command and Control System and by Xtel Communications for a sum not exceeding £11,275.00 for the provision of a Communications Recording System. In addition, capital allowances have been included for network installation work by Guernsey Telecoms; computer equipment; furniture; miscellaneous equipment; contingencies and final fitting out of the Control Room in the sum of £33,825.00.

The total cost of this element of the project will be £110,000.00.

## **9. Associated Financial Matters**

There will be increased revenue costs for the Committee for Home Affairs in respect of the rental cost of upgraded digital telephone lines and maintenance contracts for the new systems. The estimated annual revenue increase is £15,250.00.

## **10. Funding Arrangements – Committee for Home Affairs Contribution**

Costs in respect of the building works for the Control Room and equipping of the same will be funded by the Committee for Home Affairs for a sum not exceeding £322,489.75 (see below).

It is proposed that a capital vote in the sum of £212,489.75 should be opened in respect of building works for the Control Room, this sum to be funded from the Committee for Home Affairs' Capital Allocation. Any remaining balance should be returned to the Committee for Home Affairs' Capital Allocation when the Control Room project has been completed.

It is further proposed that a capital vote in the sum of £110,000.00 should be opened for the Committee for Home Affairs in respect of the fitting out of the Control Room, including the provision of necessary computer and telecommunications equipment. This sum should be funded from the Committee for Home Affairs' Capital Allocation.

## **11. Recommendations**

The Board recommends the States to:

1. Authorise the provision and equipping of a new Control Room and the refurbishment/alteration of flats to provide five new flats as detailed in this report;
2. Authorise the States Board of Administration to accept the tender submitted by MGF Ltd in the sum of £791,497.00 for the provision of the new Control Room; the renovation/alteration of flats; work to external areas and re-roofing;
3. Authorise the States Committee for Home Affairs to accept the tenders submitted by Atlas Business Systems for the provision of a Command and Control System for a sum not exceeding £64,900.00 and by Xtel Communications for a sum not exceeding £11,275.00 for the provision of a Communications Recording System;
4. Vote the States Committee for Home Affairs a credit of £110,000.00 to cover the costs of providing the Command and Control System; the Communications Recording System; computer equipment; contingencies and final fitting out of the Control Room, which sum is to be charged to that Committee's capital allocation;
5. Authorise the States Advisory and Finance Committee to increase the revenue budget of the States Committee for Home Affairs from 2002 under the States Financial Procedures in consultation with that Committee as regards the additional costs set out in this report;
6. Direct the States Advisory and Finance Committee to take account of such additional costs when recommending to the States revenue allocations for the States Committee for Home Affairs for 2003 and subsequent years;
7. Vote the States Committee for Home Affairs a credit of £212,489.75 to cover building works for the Control Room and demolitions, which sum is to be charged to that Committee's capital allocation;

8. Vote the States Board of Administration a credit of £579,007.25 to cover the total cost of alterations and refurbishment to provide five flats; replacement of the roof covering over the flats; and demolitions – which sum is to be charged to that Board's capital allocation.

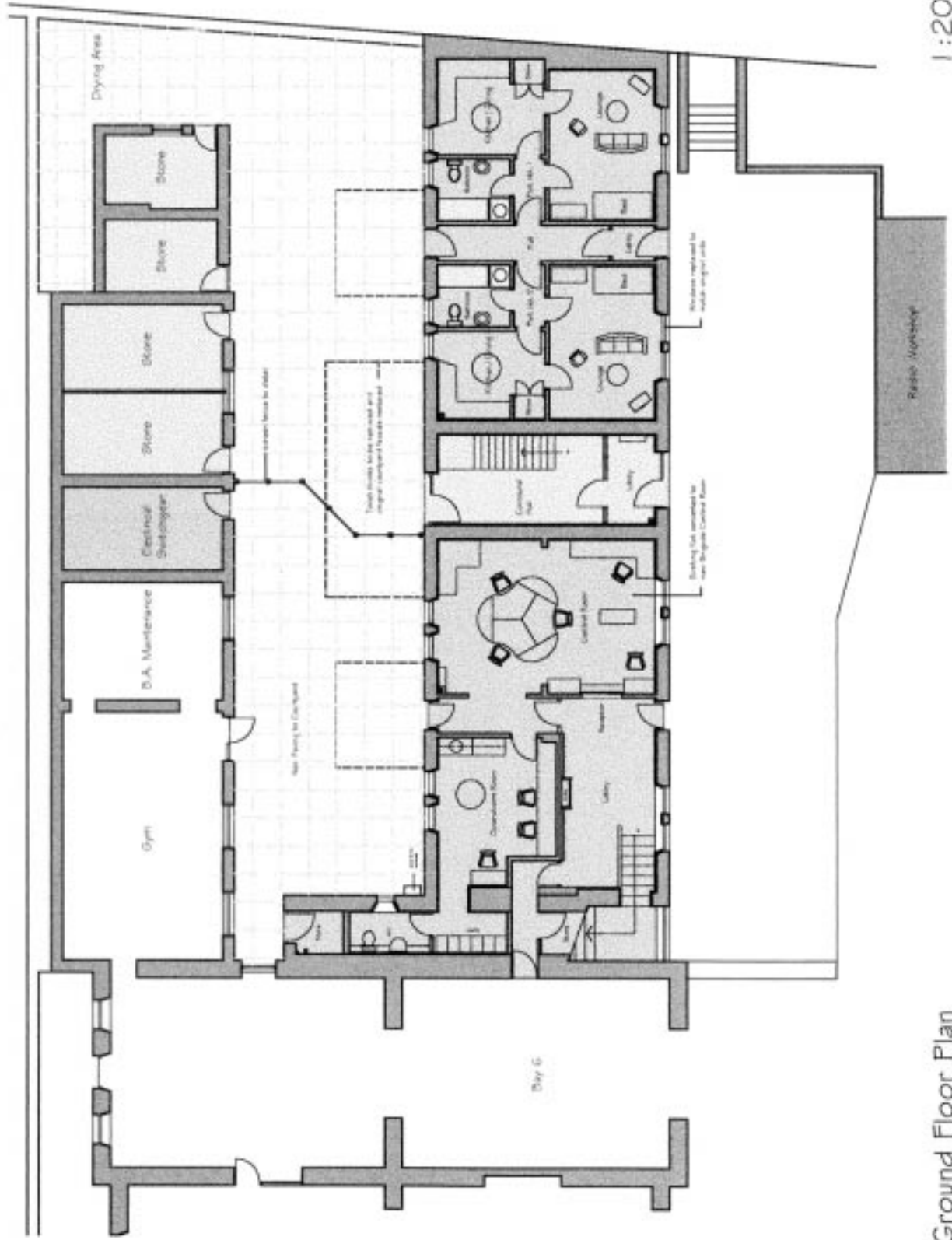
I have the honour to request that you will be good enough to lay this matter before the States with appropriate propositions.

Yours faithfully,

R. C. BERRY,

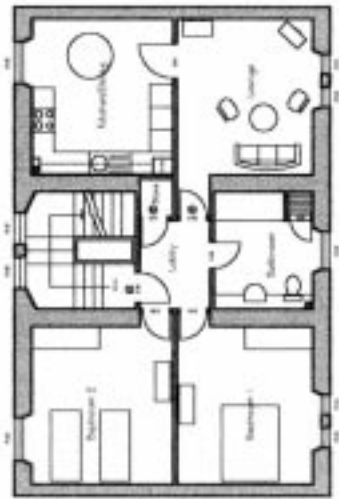
President,

States Board of Administration.



Ground Floor Plan

1:200



Flat no. 5

Second Floor Plan



Flat no. 3

First Floor Plan

Flat no. 4

SCALE 1:200



The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

12th December, 2001.

Dear Sir,

I refer to the letter dated 29 November 2001 addressed to you by the President of the Board of Administration on the subject of a new control room and refurbishment of flats at the Town Arsenal.

The Estates Sub-Committee on behalf of the Advisory and Finance Committee has considered the proposals on a number of occasions and considerable efforts have been made by the Board of Administration to improve the value of the proposals. Nevertheless the cost per unit of accommodation remains high and in normal circumstances the Committee would recommend the States to reject the proposals.

However in scrutinising the proposals it became evident that there are a number of factors affecting the value of the proposals including the condition of the building, its status as a listed building and the operational requirements of the fire brigade.

In the knowledge that little more can be done to improve the value of the proposals the Advisory and Finance Committee recommends the States to approve the proposals.

Yours faithfully,

L.C. MORGAN,

President,  
Advisory and Finance Committee.

The States are asked to decide:–

VIII.–Whether, after consideration of the Report dated the 29th November, 2001, of the States Board of Administration, they are of opinion:–

1. To authorise the provision and equipping of a new Control Room for the Fire Brigade and the refurbishment/alteration of flats to provide five new flats at the Town Arsenal as detailed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £791,497.00 submitted by MGF Limited for the provision of that new Control Room; the renovation/alteration of the flats and the work to external areas and re-roofing.
3. To authorise the States Committee for Home Affairs to accept the tender in the sum of £64,900.00 submitted by Atlas Business Systems for the provision of a Command and Control System and the tender in the sum of £11,275.00 submitted by Xtel Communications for the provision of a Communications Recording System.
4. To vote the States Committee for Home Affairs a credit of £110,000.00 to cover the costs of providing the Command and Control System; the Communications Recording System; computer equipment; contingencies and final fitting out of that Control Room, which sum shall be charged to that Committee's allocation for capital expenditure.
5. To authorise the States Advisory and Finance Committee to increase the Revenue budget of the States Committee for Home Affairs from 2002 under the States Financial Procedures in consultation with that Committee as regards the additional costs set out in that Report.
6. To direct the States Advisory and Finance Committee to take account of such additional costs when recommending to the States revenue allocations for the States Committee for Home Affairs for 2003 and subsequent years.
7. To vote the States Committee for Home Affairs a credit of £212,489.75 to cover building works for that Control Room and demolitions, which sum shall be charged to that Committee's allocation for capital expenditure.
8. To vote the States Board of Administration a credit of £579,007.25 to cover the total cost of alterations and refurbishment to provide five flats; replacement of the roof covering over the flats and demolitions, which sum shall be charged to that Board's allocation for capital expenditure.

**STATES PROCEDURES AND CONSTITUTION COMMITTEE**

AMENDMENTS TO THE RULES OF PROCEDURE AND RESOLUTIONS REGARDING  
THE CONSTITUTION AND OPERATION OF STATES COMMITTEES

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

12th December, 2001.

Dear Sir,

**AMENDMENTS TO THE RULES OF PROCEDURE AND RESOLUTIONS REGARDING  
THE CONSTITUTION AND OPERATION OF STATES COMMITTEES**

**A. HOURS OF SITTINGS AND ADJOURNMENTS**

1. The hours during which the States sit are not prescribed in the Rules. The current practice is that the States sit from 10.00am to 12.30pm and from 2.30pm to 5.00pm, that is a total of five hours each day. By starting each session just thirty minutes earlier than at present debating time would be increased by 20%. The Committee is of the opinion that a five hour day is not a sufficient use of States Members' time and recommends that the normal hours should be 9.30am to 12.30pm and 2.00pm to 5.00pm.
2. The Committee further considers that the normal hours of sitting should be set out in the Rules of Procedure and that the President of the States be given discretion to propose the extension of a sitting by not more than one hour, save in exceptional circumstances when a longer period may be proposed, if, in his opinion, the business or an item of business can be concluded within that time. Such a proposition would be put to the States for a vote but no debate would be allowed on the proposition.
3. The Committee consulted all the Members of the States regarding the changes proposed in the two preceding paragraphs. Those changes were each supported by over 50 members.
4. The effect of Rule 24 (1) and (2) is that when a meeting is not concluded on the Wednesday it is adjourned to the Thursday and if still not concluded it is further adjourned to the second Wednesday next following, and if necessary to the Thursday of that week. Rule 24 (3) provides that when an adjournment is announced by the President, a Member may propose a different date.
5. In 2000 of the eleven ordinary meetings of the States and the budget meeting, but excluding the special meetings convened for policy planning and committee elections, one meeting took 4 days, one took 3½ days, one 3 days, four 2 days, three 1½ days and one 1 day. Had the length of each day's sitting been increased to six hours (as proposed in paragraph 1) then it is likely that all but one of the meetings would have been concluded within three days. In 1999 all the meetings would have been concluded within three days. In 1998 only one meeting would have extended to a fourth day.

6. The Committee is of the view that it would improve continuity of debate if meetings not concluded on the first Thursday were adjourned to the following day. It would also be easier for States Members to schedule engagements, particularly those involving an absence from the Island, if the States were to sit for three consecutive days.
7. Members were also consulted on this proposition and 35 Members indicated that they would favour sitting on the Friday. The Committee therefore recommends that Rule 24 be amended to provide that meetings not concluded on the first Thursday shall be adjourned to the following day and, if a further adjournment is required that it be to the second Wednesday next following.

**B AMENDMENTS AND SURSIS – PRELIMINARY VOTE**

8. The Committee has felt it necessary to give consideration to the increasing amount of time the States are spending on debating amendments which have little support beyond that of their proposers and seconders. It is regrettable that a small minority of Members find it necessary to use amendments and sursis as a means of presenting an alternative view. Whilst the Committee would not wish to stifle Members from presenting an alternative view it considers that constructive criticism can be put forward forcibly in debate without the need to resort to amendments or sursis which have little chance of success. The Committee is reluctant to propose measures which might be perceived to stifle debate but is firmly of the view that debate on amendments which have no chance of success should be curtailed. By doing so debate on the whole article is likely to be enhanced.
9. It is proposed that Rule 12 (1) be amended to provide that once an amendment or sursis has been duly proposed and seconded, a Member may request the President to ascertain whether it has the support of at least seven Members. This he will do by asking Members who support the amendment or sursis to stand in their places to signify that support. This procedure will avoid the necessity for an appel nominal. If less than seven Members stand then the amendment or sursis will not be debated. Otherwise the debate on the amendment or sursis will continue in the normal way.

**C AMENDMENTS – PERIOD OF NOTICE**

10. Rule 12(9) provides that amendments to
  - (a) a projet de loi or draft ordinance;
  - (b) a strategic and corporate plan or amendment thereto;
  - (c) a detailed development plan or alteration or addition thereto;
  - (d) certain propositions relating to capital expenditure;
  - (e) the annual budget;
  - (f) propositions relating to taxation, fees or other charges bearing on the revenues of the States

shall be sent to the relevant parties not later than five clear days (12 clear days in respect of (c) above) before the date of the meeting.

11. Whilst some Members of the States submit their amendments in good time it is true that the majority are sent to the President of the Committee concerned just before the close of business on the Thursday before the day of the meeting (ie. five clear days). This can result in considerable pressure being placed on committees and officers as the possible ramifications of the amendment have to be considered and a Committee view reached thereon in three working days.

12. The problem is exacerbated when one or more of the five clear days is a public holiday. For example, if Easter Day falls on a date between the 22nd and 28th March there is only one working day between the deadline for submission of Rule 12(9) amendments and the States Meeting.
13. The States Procedures and Constitution Committee therefore recommends that amendments should be furnished not less than five clear days excluding Saturdays, Sundays and Public Holidays. The practical effect of this is that in most cases Rule 12(9) amendments will have to be lodged by the close of business on the Tuesday of the week preceding the States meeting. In cases where a public holiday intervenes the deadline will be the Monday of the week preceding the States meeting. In the case set out in the previous paragraph (which will not occur until 2005) the amendments will have to be lodged by the second Friday before the States meeting.

#### **D MOTIONS FOR THE CLOSURE OF A DEBATE**

14. The existing Rules of Procedure make no provision for the early closure of a debate. Every Member of the States presently has the right to speak in every debate for as long as he or she chooses, subject only to the condition that a Member “who persists in irrelevance or tedious repetition of his own or other Members’ arguments” may be directed by the President to discontinue his speech.
15. There has long been a tradition that when Members perceive a debate to have run its course they may call “aux voix” but this acts purely as an indication to other Members that those calling “aux voix” believe the debate should be ended. It does not serve as a vehicle to bring about the immediate closure of the debate.
16. The Committee does not consider that closure motions would, or should, be used frequently but it believes that such a provision in the Rules would be appropriate. The situation arises from time to time where it becomes apparent that speakers are not introducing new lines of argument and that further debate is, therefore, a waste of States Members’ time.
17. It is therefore proposed that provision be made in the Rules to enable a Member to propose that a debate on a substantive proposition, sursis or amendment be closed. Such a proposition would be put to the States without debate except that the President of the Advisory and Finance Committee would be permitted to comment on the financial implications of the proposition if he had not already done so. The proposition would need a majority of two-thirds of the Members present and voting to succeed. The President would be able to determine the vote vive voix but it would remain open to him, and indeed any other Member, to request an appel nominal. If carried, the debate on the matter before the States would cease subject only to the closing speech of the President of the Committee concerned or the mover of a Requête, as the case may be. If the closure proposition was lost debate would continue in the normal way.

#### **E ELECTIONS OF PRESIDENTS AND MEMBERS OF STATES COMMITTEES**

18. The Rules of Procedure make no provision regarding speeches relating to candidates in elections for Presidents and Members of States Committees. However, paragraph 12 of the States Resolutions relating to the Constitution and Operation of States Committees made on the 30th April 1992 (as amended) provides that where a person nominated is not a sitting Member of the States the nominator shall provide the House with a full report containing background information of the candidate and the reasons for his or her name having been put forward.

19. Each year the States devote a considerable amount of time to electing presidents and members of States Committees. In a General Election year two full days are often taken up by the elections and in the intervening years the elections often occupy more than a full day.
20. At present each proposer and seconder makes a speech expounding the virtues of the candidate. Such speeches are almost invariably made whether or not there are more candidates than seats available. A simple change in procedure is proposed which is likely to result in a considerable saving of time and which will not be detrimental in any way to the election process.
21. It is proposed that the President of the States will call for nominations as he does at present but proposers and seconders will, at that stage, only name their candidates but will not speak about the merits of the candidates. If there are not more candidates than seats available the President of the States will put the names proposed to the vote without speeches having been made. If, however, there are more candidates than seats then the President of the States will invite the proposers and seconders to speak before voting takes place.
22. This procedure will save the States from listening to numerous un-necessary speeches when elections are not contested.
23. With regard to the provision in the Resolution regarding non-sitting Members of States Committees, the States Procedures and Constitution Committee recommends that this provision be amended to the extent that speeches giving the background information of such candidates be required only when an election is contested.

**F. DECLARATION OF INTEREST AT COMMITTEE MEETINGS**

24. Rules of Procedure 13 and 13A make provision for the declaration of financial interests at meetings of the States and establish a Register of Members' Interests. However, there are no express rules or resolutions of the States which require members of States committees or sub-committees to declare an interest in any aspect of a committee's or sub-committee's business.
25. In the absence of defined rules many members of committees have voluntarily declared interests to fellow members. Having done so, some have chosen to leave the room whilst the discussion proceeded, others remain in the room but take no part in the discussion whilst some will contribute to the discussion on the understanding that the other members have been made aware of the interest.
26. The States Procedures and Constitution Committee considers that the members of committees and sub-committees should be required to declare financial interests related to the business of the committee and sub-committees concerned and, having declared that interest, should withdraw from the meeting whilst the matter is being discussed. To avoid any subsequent difficulties it is also proposed that a members' declaration of interest and withdrawal from the meeting be recorded in the minutes. The interests which members of committees will be required to declare are identical to those which members of the States are required to declare publicly pursuant to Rule 13A of the Rules of Procedure.
27. It is therefore recommended that the Constitution and Operation of States Committees prescribed by Resolution of the States of the 30 April, 1992, in pursuance of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and subsequently amended, be further amended by the addition of a further paragraph in similar terms to provisions contained in the Rules of Procedure and which is set out more fully in paragraph 35 below.

## G. SUB-COMMITTEES

28. The States Committees (Constitution and Amendment) (Guernsey) Law, 1991 (“the States Committees Law”) provides that the constitution of any committee may be prescribed by Resolution of the States. The expression “constitution” includes all aspects of the committee’s constitution and all matters ancillary thereto including “the establishment, functions and constitution of the committee’s sub-committees”.
29. The Constitution and Operation of States Committees Resolution of 1992 (as amended) at present makes no provision regarding the establishment of subcommittees.
30. Most committees of the States, particularly the larger ones, have one or more sub-committees which exercise functions delegated to them by the parent committees. The view is held by some that the lack of procedures regulating sub-committees means that they are, in some way, unconstitutional and should not, therefore, be capable of exercising delegated functions. The Committee, whilst it does not support that view, considers that general parameters for their establishment should be prescribed by Resolution.
31. The Law officers have advised the Committee that whilst the Public Functions (Transfer and Performance) Law confirms the principle that the acts of its officers, where properly authorized, are in Law acts of the Committee it does not in any way derogate from the long standing constitutional principle that “*delegatus non potest delegare*” (i.e. a person to whom authority or decision-making power has been delegated by a higher source, cannot delegate that power to someone else) so as to confer a similar legal effect on the purported exercise of statutory discretions on bodies of persons commissioned or created by a Committee.
32. The Committee has further been advised that a person claiming to have been wronged through the purported exercise of a legislative function by a sub-committee some of whose members are not members of the Committee might well, with some prospect of success, impugn the composition of the decision-making body. The Law officers have fewer concerns regarding non-statutory functions but have advised that it would be preferable, in all the circumstances, if persons other than members of the Committee concerned acted only in an advisory/consultative capacity rather than in a voting capacity.
33. The Committee recommends that a new paragraph be added to the 1992 Resolution on the Constitution and Operation of States Committees to provide that
  1. any States Committee may, by resolution of the Committee, constitute such sub-committees as it deems appropriate and for such purposes as shall be specified in the said resolution, provided that a Committee shall remain responsible for any act done on behalf of the Committee by the sub-committee;
  2. the membership of sub-committees shall be determined by resolution of the Committee but only members of the Committee shall be entitled to vote;
  3. persons who do not have a seat on the Committee may be members of sub-committees in an advisory/consultative capacity but shall not be entitled to vote;
  4. the quorum of any sub-committee shall be the nearest whole number above one-half of the number of voting members (which for this purpose includes the chairman) specified in that sub-committee’s constitution;
  5. the chairman of a sub-committee, or in his absence the acting-chairman, shall have no vote except in the event that the voting members of the sub-committee are divided on any issue, in which case he shall have a casting vote;

6. a member of the established staff of the Civil Service shall be present at all sub-committee meetings and shall keep an independent record of the decisions made at meetings.

## **H. RECOMMENDATIONS**

34. The States Procedures and Constitution Committee recommends the States to agree that the Rules of Procedure in and in relating to Assemblies of the States be amended:
  1. (a) to provide that the normal hours during which the States shall sit shall be 9.30am. to 12.30pm. and 2.00pm. to 5.00pm.
  - (b) to provide that the President be given discretion to propose the extension of a sitting by not more than one hour (save in exceptional circumstances) if, in his opinion, the business or item of business can be concluded within that period and that such propositions shall be put to the States for a vote without debate;
  - (c) to change the provisions of Rule 24(2) to the extent that meetings not concluded on the first Thursday shall be adjourned to the following day and, if a further adjournment is required, that it be to the second Wednesday next following;
  2. to provide that once an amendment or sursis has been duly proposed and seconded, it shall be open to Members to request the President to ascertain whether it has the support of at least seven Members which he will do by asking Members who support the amendment or sursis to stand in their places to signify that support but if less than seven Members stand then the amendment or sursis will not be debated, otherwise the debate on the amendment or sursis will continue in the normal way;
  3. to require that amendments moved pursuant to Rule 12(9) (other than an amendment moved pursuant to Rule 12(9)(b)(ii)) shall be submitted not less than five clear days excluding Saturdays, Sunday and Public Holidays before the day of the meeting;
  4. to provide that a Member may propose the closure of a debate on a substantive proposition, sursis or amendment and, if such proposition is supported by two-thirds or more of the Members present and voting, the debate shall be closed;
  5. to provide that no speeches shall be made in support of candidates in the election of Presidents and Members of States Committees where the number of candidates does not exceed the number of seats.
34. The States Procedures and Constitution Committee also recommends the States to resolve that the Constitution and Operation of States Committees prescribed by Resolution of the States of the 30th April 1992, in pursuance of the States Committee (Constitution and Amendment) (Guernsey) Law, 1991 and amended by section 11(4) of the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993 and by Resolution of the States of the 25th November, 1992; 30th March 1994; 26th July, 1995; 6th December, 1995; 31st July, 1996; 30th September, 1998; 20th January, 1999; 26th January, 2000 and 31st May, 2000 shall be further amended by the addition of further paragraphs as follows:
  - (a) “14.B Declaration of Financial Interest at Committee Meetings
    - (1) A Member of a States Committee or sub-committee who (or whose spouse, any of whose infant children or any company in which he has a controlling interest on his own or their behalf) has a direct or special interest in the business under



consideration by the Committee or sub-committee shall, as soon as practicable, declare his interest and withdraw from the Committee or sub-committee meeting during the consideration of and voting on the matter concerned.

- (2) Every declaration made in pursuance of sub-paragraph (1) and the Member's subsequent withdrawal from the Committee meeting shall be recorded in the minutes of the Committee.”;

(b) “14.C Sub-Committees

- (1) Any States Committee may, by resolution of the Committee, constitute such sub-committees as it deems appropriate and for such purposes as shall be specified in the said resolution, provided that a Committee shall remain responsible for any act done on behalf of the Committee by the sub-committee.
- (2) The membership of sub-committees shall be determined by resolution of the Committee but only members of the Committee shall be entitled to vote.
- (3) Persons who do not have a seat on the Committee may be members of sub-committees in an advisory/consultative capacity but shall not be entitled to vote.
- (4) The quorum of any sub-committee shall be the nearest whole number above one-half of the number of voting members (which for this purpose includes the chairman) specified in that sub-committee's constitution.
- (5) The chairman of a sub-committee or in his absence the acting-chairman, shall have no vote except in the event that the voting members of the sub-committee are divided on any issue, in which case he shall have a casting vote.
- (6) A member of the established staff of the Civil Service shall be present at all sub-committee meetings and shall keep an independent record of the decisions made at meetings.”;

and that

(c) Paragraph 12 be amended as follows:

after the words “is not a sitting member of the States” insert “and the number of candidates exceeds the number of seats contested”.

36. The Committee will report separately to the States on matters relating to the electoral roll and elections after the States have debated the Report on the Review of the Machinery of Government.
37. I should be grateful if you would lay this matter before the States with appropriate propositions, including one directing preparation of the amendments to the States Rules of Procedure.

Yours faithfully,

R. C. BERRY,

President,

States Procedures and Constitution Committee.

**[N.B. The States Advisory and Finance Committee supports the proposals.]**

The States are asked to decide:–

IX.–Whether, after consideration of the Report dated the 12th December, 2001, of the States Procedures and Constitution Committee, they are of opinion:–

1. That the Rules of Procedure in and in relation to Assemblies of the States of Deliberation of the Island of Guernsey shall be amended:
  - (1) (a) to provide that the normal hours during which the States shall sit shall be 9.30am to 12.30pm and 2.00pm to 5.00pm.
  - (b) to provide that the President be given discretion to propose the extension of a sitting by not more than one hour (save in exceptional circumstances) if, in his opinion, the business or item of business can be concluded within that period and that such propositions shall be put to the States for a vote without debate;
  - (c) to change the provisions of Rule 24(2) to the extent that meetings not concluded on the first Thursday shall be adjourned to the following day and, if a further adjournment is required, that it be to the second Wednesday next following;
  - (2) to provide that once an amendment or sursis has been duly proposed and seconded, it shall be open to Members to request the President to ascertain whether it has the support of at least seven Members which he will do by asking Members who support the amendment or sursis to stand in their places to signify that support but if less than seven Members stand then the amendment or sursis will not be debated, otherwise the debate on the amendment or sursis will continue in the normal way;
  - (3) to require that amendments moved pursuant to Rule 12(9) (other than an amendment moved pursuant to Rule 12(9)(b)(ii) ) shall be submitted not less than five clear days excluding Saturdays, Sunday and Public Holidays before the day of the meeting;
  - (4) to provide that a Member may propose the closure of a debate on a substantive proposition, sursis or amendment and, if such proposition is supported by two-thirds or more of the Members present and voting, the debate shall be closed;
  - (5) to provide that no speeches shall be made in support of candidates in the election of Presidents and Members of States Committees where the number of candidates does not exceed the number of seats.
2. That the Constitution and Operation of States Committees prescribed by Resolution of the States of the 30th April, 1992, in pursuance of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and amended by section 11 (4) of the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993 and by Resolution of the States of the 25th November, 1992; 30th March, 1994; 26th July, 1995; 6th December, 1995; 31st July, 1996; 30th September, 1998; 20th January, 1999; 26th January, 2000 and 31st May, 2000 shall be further amended by the addition of further paragraphs as follows:

(a) “14.B Declaration of Financial Interest at Committee Meetings

- (1) A Member of a States Committee or sub-committee who (or whose spouse, any of whose infant children or any company in which he has a controlling interest on his own or their behalf) has a direct or special interest in the business under consideration by the Committee or sub-committee shall, as soon as practicable, declare his interest and withdraw from the Committee or sub-committee meeting during the consideration of and voting on the matter concerned.
- (2) Every declaration made in pursuance of sub-paragraph (1) and the Member’s subsequent withdrawal from the Committee or sub-committee meeting shall be recorded in the minutes of the meeting.”;

(b) “14.C Sub-Committees

- (1) Any States Committee may, by resolution of the Committee, constitute such sub-committees as it deems appropriate and for such purposes as shall be specified in the said resolution, provided that a Committee shall remain responsible for any act done on behalf of the Committee by the sub-committee.
- (2) The membership of sub-committees shall be determined by resolution of the Committee but only members of the Committee shall be entitled to vote.
- (3) Persons who do not have a seat on the Committee may be members of sub-committees in an advisory/consultative capacity but shall not be entitled to vote.
- (4) The quorum of any sub-committee shall be the nearest whole number above one-half of the number of voting members (which for this purpose includes the chairman) specified in that sub-committee’s constitution.
- (5) The chairman of a sub-committee or in his absence the acting-chairman, shall have no vote except in the event that the voting members of the sub-committee are divided on any issue, in which case he shall have a casting vote.
- (6) A member of the established staff of the Civil Service shall be present at all sub-committee meetings and shall keep an independent record of the decisions made at meetings.”;

## (c) Paragraph 12 shall be amended as follows:

after the words “is not a sitting members of the States” insert “and the number of candidates exceeds the number of seats contested”.

3. To direct the preparation of the necessary amendments to those Rules of Procedure.

## STATES TRANSPORT BOARD

### TRANSPORT LINKS – FINANCIAL CONCESSIONS

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

14th December, 2001.

Dear Sir,

### EXTERNAL TRANSPORT LINKS – FINANCIAL CONCESSIONS

#### 1. Executive Summary

1.1 The Guernsey Transport Board's mandate, as approved by the States in July 2001, requires the Board to advise the States and implement policies on matters relating to the promotion, provision and regulation of air and sea links to and from the Bailiwick. It is proposed that financial concessions should constitute one of a number of interlinked policies being developed by the Guernsey Transport Board to protect and enhance the Island's strategic transport links.

1.2 Financial concessions have previously been granted to airlines in an effort to encourage new routes and to help maintain existing links to the Island. To date, that function has been carried out by the Board of Administration with the financial costs of the concessions being effectively netted-off against Traffic Receipt income appearing within the Airport accounts.

1.3 The Transport Board's consultation with the Board of Administration, Tourist Board and Advisory and Finance Committee confirms that it is appropriate that the Guernsey Transport Board should have financial independence from the Board of Administration. This is particularly important for an issue, such as concessions, in which the Transport Board and Board of Administration could hold opposing views due to their differing roles.

1.4 The Guernsey Transport Board, Board of Administration and Tourist Board consider that the costs of concessions should be provided from General Revenue, through the Transport Board budget, and should no longer be borne by the airport operator. This is due to the different mandates of the Transport Board and the Board of Administration and also, in part, because concessions could be considered in the future for either air or sea transport operators.

#### 2. Introduction

2.1 At its meeting held on 19 July 2001 the States of Deliberation considered the 2001 Policy and Resource Planning Report (Incorporating the Draft Strategic and Corporate Plan) (Billet d'État XV 2001). As part of that debate, the States considered a revised mandate for the States Transport Board. The mandate was, "*amended to reflect the Board's enhanced rôle in advising the States in relation to air and sea services.*" (Section 2.5.2, p1007, 2001 Policy and Resource Planning Report)

2.2 The States resolved, “*To approve ... the revised mandate of the Guernsey Transport Board as presented in Appendix 1 of this Report.*” The mandate was as follows:

1. *To advise the States on matters relating to*
  - *The promotion, provision and regulation of air and sea links to and from the Bailiwick including liaison with other jurisdictions.*
2. *To develop, present to the States for approval and to implement policies on the above matters for the provision of services, introduction of legislation and other appropriate measures which contribute to the achievement of strategic and corporate objectives.*
3. *To exercise the powers and duties conferred on it by extant legislation and States resolutions.*
4. *To be accountable to the States for the management and safeguarding of public funds and other resources entrusted to it.*

(Appendix 1, p 1103, 2001 Policy and Resource Planning Report)

2.3 The 2001 Policy and Resource Planning Report also stated that, “*The Transport Board’s expenditure, which is largely administrative in nature, has previously been provided from the Board of Administration’s General Budget. However, the revised mandate of the Transport Board includes a greater emphasis on actively ensuring that the Island has adequate transport links. It is therefore important that the Transport Board should have a greater degree of independence from the Board of Administration (which also has responsibility for the operation of the Harbours and Airport).*”

*The Committee therefore agrees with the Transport Board’s request, which is supported by the Board of Administration, that it should have its own separate budget.*” (Sections 5.3.49 & 5.3.50, page 1063, 2001 Policy and Resource Planning Report)

2.4 Further, the Budget Report for 2002 states that, “*Recent events have highlighted, more than ever, the essential nature of adequate transport links to the life of the Island. Transport links are essential for the tourist industry, the finance industry and for social services, in particular health. There can be no doubt that without adequate transport links the Island could not function economically or socially.*”

*As set out in the 2001 Policy and Resource Planning Report, the Transport Board’s mandate was revised to place greater emphasis on the role it had been playing in actively ensuring that the Island has adequate transport links.*

*At the time of writing the Committee understands that in the near future, the Transport Board intends to bring forward a policy letter seeking significant additional ongoing funding to enable it to carry out this mandate.*”

### **3. The Revised Mandate of the Guernsey Transport Board**

3.1 The Guernsey Transport Board laid a revised mandate before the States in July 2001 in order to delineate its responsibilities for maintaining and enhancing strategic transport links and to separate those responsibilities from the Board of Administration’s function of operating and administering Guernsey and Alderney’s airports and Guernsey’s harbours. The Guernsey Transport Board wished to establish independence from the Board of Administration, in terms of their policies and budgets. The importance of increased clarity, regarding the roles of the two Boards, was recognised by the States during the July 2001 Policy and Resource Planning Report debate.

#### 4. The Maintenance of Transport Links

4.1 The social and economic welfare of Guernsey is inextricably linked to that of the United Kingdom and, to a lesser extent, other jurisdictions. All island economies are critically dependent upon aviation and shipping for both economic and social sustainability. The Island is dependent on transport links with the U.K. for employment and for access to services not capable of being supplied locally, including some specialist medical treatment.

4.2 The Board is in no doubt about the vital importance of air links for Guernsey's economic health. Without them, there is no other way that Guernsey could have prospered over the past half century, in terms of inbound tourism, in terms of the export of fresh produce, and in the rapid growth of a financial services sector closely linked – via major hub airports – with the financial centres of the world.

4.3 The Guernsey Transport Board is actively pursuing a number of options in order to conserve and enhance external transport links. Additionally, it wishes to have the authority to grant financial concessions, when appropriate, rather than only to continue its current advisory role in this regard. The interlinked functions being undertaken or considered by the Transport Board include:

1. Licensing both chartered and scheduled air services between Guernsey and the UK or other Channel Islands in accordance with the Air Transport Licensing (Guernsey) Law, 1995;
2. Monitoring the services provided by both air and sea carriers, and imposing licence conditions or restrictions where this is considered to be in the best interests of the Island and/or the travelling public;
3. Making representations to the UK Government and other official bodies to ensure that the Island's interests are taken into account when transport policies are decided;
4. Monitoring facilities provided at other harbours and airports in order to ensure that Guernsey's facilities are at least on a par with them;
5. Investigating issues raised by members of the public who may be experiencing problems with any aspect of travel to/ from Guernsey;
6. Maintaining regular contact with service providers in order to establish an awareness of their business plans and ensure that, as far as possible, the Island's transport needs are fulfilled;
7. Considering, and where appropriate granting, financial concessions to transport operators in an effort to encourage new or improved external transport links.

4.4 The Board commissioned a report, completed in January 2001, regarding aviation priorities for Guernsey that included options to maintain and improve air transport links between Guernsey and the UK mainland, with particular reference to London hub airports. One of the recommendations adopted by the Board was that Guernsey should work with other regional communities in the British Isles to lobby the British Government regarding the protection of air services to peripheral communities. This is in addition to Guernsey's independent lobbying of the UK Government and, through the UK Government, the European Commission.

4.5 During the past nine months, the Guernsey Transport Board has made submissions in response to a number of consultation documents in order to ensure that the Island's interests are taken into account during the formulation of transport policies. The most substantial of those submissions were as follows:

1. Department of Environment, Transport and the Regions – The U.K. Government's consultation document on air transport policy, "*The Future of Aviation*".
2. The Mayor of London, Greater London Authority – *Draft Transport Strategy* document
3. The Civil Aviation Authority – Consultation document, "*Property Rights in Airport Slots*"

4.6 The issue of air transport links is particularly significant. Two thirds of all passenger movements to, and from, Guernsey are to, and from, the United Kingdom – some 780,000 journeys in 1999 – and 75% of these are by air, predominantly by scheduled flights. In 1999, there were 586,000 passenger movements between Guernsey Airport and the United Kingdom, of which 300,000 were to Gatwick, and a further 138,000 to the closest U.K. airport, Southampton. In 1997, the last full calendar year in which there were services between Guernsey and Heathrow, there were 243,000 passenger movements to Gatwick and 119,000 to Heathrow.

4.7 It is crucial for the Island to maintain routes to various destinations. Those destinations could be beneficial for point-to-point travel, for the interlining potential that is offered (for example, at a few key hub airports) and in some cases for a combination of the two benefits. The ability to interline enables passengers to connect to other destinations, nationally and internationally.

4.8 The shortage of slots at hub airports gradually erodes regional air service links, because free-market economics dictate that short distance routes with small or medium sized aircraft will be priced out first. To counter this difficulty, the Guernsey Transport Board is continually striving for intervention in the current method of slot allocation in order to counter the threat of access being denied to key airports. Any change in slot allocation is unlikely to occur soon, either through a change in UK Government policy or increased runway capacity. Therefore, other methods have been sought to influence airlines' decisions whether or not to commence services to Guernsey.

4.9 Financial concessions and route licensing can be utilised together to obtain such influence and to maintain and enhance external transport links. The issue of financial concessions and route licensing are complicated and interrelated. Many aspects of the Island's external transport links are considered with regard to the use of financial concessions and transport licensing. Consideration must be given to the frequency, carrying capacity, available market and quality of individual services. In order to guarantee the continuation of one route, it is often necessary to consider it as part of a package of routes operated by a transport company. Additionally, the impact on the entire network of transport services must be considered.

4.10 An appropriate balance of commercial competition must be reached for any external transport route. It is appropriate in some cases for operators to compete on one route, and in a few instances it might be necessary to grant a financial concession in order to encourage that competition. In other cases, it is more appropriate for a route to be serviced by a sole operator due to the market available. In any case, it is necessary to consider the inter-route competition that may exist, as well as any intra-route competition.

4.11 The Transport Board is in continuous consultation with the Island's air and sea service operators. Much of the information that it receives is of a confidential commercial nature. Therefore, the Transport Board is in a unique position to evaluate the potential ramifications of any financial concessions that it might grant or refuse in the future.

4.12 The Board recognises that financial concessions are of value with regard to the commencement of transport services to, and from, the Island or for a substantially improved quality in those services. It notes that in certain circumstances, such as instances of informal 'grey market' secondary trading in airport slots, Guernsey cannot compete on a financial basis because the costs are significantly higher than the sums being discussed within this Report. Therefore, as mentioned in Paragraph 4.8, the Guernsey Transport Board is taking all possible steps to press the UK Government for a change in slot allocation regulations. The Board has requested the UK Government and its agencies to consider formal recognition of secondary slots trading. The Board has also stated that it is absolutely essential that local governments (including Guernsey) be able to

own slots at major hub airports in order to maintain services to their own regions, preferably through special protective measures, such as ring-fencing, as opposed to those local authorities being required to bid for slots in an open market situation.

## **5. Financial Concessions – Transport Links – Situation to Date**

5.1 The Board of Administration introduced an airline financial concession policy more than a decade ago. The policy was evolved to encourage development of both the route infrastructure and the quality of aircraft servicing the Island.

5.2 In accordance with the Airport Fees Ordinance, 1987, the Board can suspend, or vary by agreement with an aircraft operator, the liability of any aircraft operator to pay airport fees or passenger fees prescribed under the Ordinance. Therefore, through rebates on published landing fees, the Board of Administration granted financial assistance to commercial airline companies operating into, and out of, Guernsey Airport as a means of supporting the Island's transport links.

5.3 The Board of Administration's policy enables airlines to apply for rebated landing fees at Guernsey Airport for a defined period. The Board considers applications from airline carriers where:

1. A new direct scheduled passenger service is to be introduced; or
2. An airline operating an existing scheduled passenger service intends to introduce a new aircraft type, which would provide improved services to the travelling public by way of additional seating capacity, speed of service and/or quality of service (e.g. pressurised aircraft replacing non-pressurised aircraft).

5.4 A new service would not normally qualify for rebated landing fees if it is to be introduced either (a) in order to replace a service that was discontinued by another airline, or (b) in direct competition with an existing service on the same route. However, if the replacement service were to a destination outside the British Isles it would be favourably considered regardless of the foregoing exclusions.

5.5 Charter services, or any services operated with non-pressurised aircraft, do not normally qualify for reduced landing fees but each application is considered on its own merits. The vast majority of rebated landing fees granted by the Board of Administration relate to scheduled passenger services. Very few charter flights, other than air taxis, are operated at Guernsey Airport and, therefore, charter flights rarely qualify for rebated landing fees.

5.6 Within the published accounts, the Airport's traffic receipts heading comprises net landing fees, passenger fees and other airport fees and charges in relation to aircraft movements.

5.7 The award of financial concessions to airline operators is afforded by way of a rebate in published landing fee rates only. All other airport fees and charges are applied at the full-published rates. Where concessionary rates are approved they are normally limited to a maximum period of three years with a maximum reduction of 50% and this level of discount progressively reduced over the terms of the agreement. In exceptional cases, the Board has approved agreements covering a period of 5 years or more.

5.8 As a result of this policy, the total value of concessions granted to airlines in recent years has been as follows:



Year	Concession Value	% of Gross Airport Traffic Receipts
1995	£105,916	3.2%
1996	£364,513	9.0%
1997	£658,446	15.5%
1998	£643,801	14.2%
1999	£652,137	14.8%
2000	£638,710	14.3%
2001	£565,460 (estimated)	12.1%

5.9 It is not considered appropriate to publish full details of awarded financial concessions in order to respect commercial confidence. However, further analysis of the statistics for the year 2000 shows that a total of five airlines operating on eight different routes benefited from concessions during that year.

5.10 At present, the Board of Administration considers each application for a financial concession. As part of the application process, the Guernsey Transport Board is consulted. The Transport Board considers the individual requests and makes appropriate recommendations to the Board of Administration. The final decisions rest with the Board of Administration.

5.11 However, the Transport Board is concerned that there could be inconsistencies between its recommendations and the decisions made by the Board of Administration, as the two Boards have different interests defined within their mandates.

## **6. Financial Concessions – Transport Links – The Future**

6.1 Part of the Board of Administration’s mandate, as approved during the Policy & Resource Planning Report (p 1102, Appendix 1) states that the Board of Administration will advise the States and implement policies on, “*The provision and administration of port facilities in respect of Guernsey’s airport and harbours together with Alderney’s airport.*” Whilst the Airport Fees Ordinance, 1987 enables the Board of Administration to apply varied landing and passenger fees to aircraft operators, there is no mention in the Board of Administration’s mandate of a responsibility to promote and enhance external transport links.

6.2 The Transport Board believes that it is inappropriate that the Airport operator should be the driving force in efforts to maintain and improve transport links to the Island.

6.3 The concessions are designed to benefit the Island as whole, rather than the Airport.

6.4 Accordingly, it is proposed that the resources for the policy should cease to be taken from Guernsey Airport’s Revenue account. Instead, the policy should be centrally funded by the General Revenue Account by means of an appropriate ongoing adjustment to the States Transport Board Revenue cash allocation, starting in 2002.

6.5 At present, the Transport Board has no budgetary provision to offer subsidies to transport operators in an effort to encourage new routes and to help maintain existing links to the Island.

6.6 Whilst airline concessions were introduced primarily to attract new routes and attract investment in more modern aircraft, the Transport Board is minded that the protection of vital air routes to the UK and Europe has become increasingly necessary during recent years. Accordingly, the application of financial concession packages to protect existing routes is of ever increasing importance to the Board, and has a considerable impact on the overall economic wellbeing of Guernsey.

6.7 In recognition of the impact that financial concessions have on strategic external transport links, the Board wishes to consult with a wide range of interested parties. This is to assist the Board in the formulation of its detailed financial concessions policy. The Board intends to liaise closely with the Board of Administration, Tourist Board and Board of Industry (all of which have representatives who are Members of the Transport Board). It also wishes to liaise with the Guernsey Transport Users Committee, Guernsey International Business Association, the Chamber of Commerce, the air and sea travel operators and other interested parties.

## **7. Financial Concessions – Respective responsibilities**

7.1 Having considered the operation and strategic benefits of a financial concession policy, the Transport Board, Board of Administration and Tourist Board do not consider that it is appropriate for the award of concessions to airlines to be directed by the Board of Administration through the Airport budget.

7.2 The Board of Administration remains supportive of the principle of providing limited assistance to operators under specific conditions. It has noted that the current policy is in conflict with the Airport's stated objective of operating on the basis of an annual surplus of 5%.

7.3 Due to the strategic importance of Guernsey's external transport links, and the respective mandates of the Board of Administration and Guernsey Transport Board, it is appropriate for responsibility for any necessary financial support to be vested in the Transport Board.

7.4 The Boards have agreed that, subject to appropriate funding arrangements being approved, responsibility for the administration and approval of any concession packages for transport operators should pass from the Board of Administration to the States Transport Board with effect from January 2002, with the exception of a small number of extraordinary cases relating to airlines which have been granted rebated landing fees by the Board of Administration for the period ending 31 March 2002. The Board of Administration would cease to have any responsibility whatsoever for the management of transport operators' financial concession packages.

## **8. Financial Implications**

8.1 In the past, the Transport Board has relied upon the Board of Administration to fund its ongoing management and administration expenses, including its legal, conference and incidental expenses, which total around £30,000 per annum.

8.2 As part of a general move to increase the independence of the Transport Board, it has already been authorised for the Board to be given its own independent revenue-operating budget from 2002 to cover the aforementioned management costs. This has been achieved by means of a transfer of an appropriate cash allocation from the Board of Administration in 2002.

8.3 The Airport's revenue would increase, as it would no longer have to bear the costs of any financial concessions to airlines. However, this would be balanced against major recent increases in Airport expenditure that have resulted from revised safety provisions and security procedures and the purchase of property adjacent to the Airport boundary. The major safety and security cost factor is the increase in aviation-specific insurance costs borne by the Airport, which follows a dramatic shift in the insurance markets after the tragic events in the United States of America on 11 September 2001. The increase in aviation-specific insurance costs for Guernsey Airport during 2001 and 2002 is in the order of £250,000 and it is envisaged that these costs will remain at an elevated level for the foreseeable future. With regard to property acquisition, demolition and road

re-routing costs, required for the extended Airport Safety Zone, the total estimated costs are likely to be in the order of £4.3 million. All of the aforementioned items in this paragraph will impact on the Ports Holding Account, which acts as a central reserve for Guernsey's air and sea ports and also weaken the ability of the Airport to attain and maintain its defined financial performance objectives.

8.4 In the vast majority of cases the Board of Administration has awarded existing concessions in such a way that they expire at the end of December 2001. Therefore, it is proposed that applications for new concessions will be considered and awarded by the States Transport Board with effect from January 2002.

8.5 As a number of the concessions expire at the end of 2001, the level of concessions likely to be paid in 2002 is, as yet, unclear. However, given recent actual costs (as identified in Paragraph 5.8) and noting the 2001 outturn forecasts, the Transport Board believes that it will require a sum of at least £650,000 to operate a concessions policy during 2002.

8.6 It should be noted that the level of concessions that might be sought during 2002 by transport operators (especially airlines) is subject to increased uncertainty following the tragic events which occurred in the United States of America on 11 September 2001.

## **9. Legislation**

9.1 It is anticipated that the transfer of the management of airline financial concessions packages, from the Board of Administration to the Guernsey Transport Board, would not necessitate any change in legislation.

## **10. Impact Assessments**

### Impact on staffing resources

10.1 If there were to be a transfer of responsibility for financial concessions there should be no resultant impact on staffing levels. When the Guernsey Transport Board was established by States Resolution on 28 January 1987 (in a meeting adjourned from 11 December 1986), it was stated that the Chief Executive of the Board of Administration would act as the Chief Executive of the Transport Board and that the Board of Administration would also provide a Secretary to the Board. Further, the Finance Director of the Board of Administration acts as the senior finance officer for the Transport Board.

### Impact on strategic objectives of the States

10.2 In the 2001 Policy and Resource Planning Report, the States recognised that external air and sea transport links were vital to the Bailiwick.

#### *“External Transport – Air and Sea Links*

*The vital importance of external transport to the economic and social wellbeing of Guernsey and the smaller islands cannot be overemphasised. In terms of air transport in particular, however, the ability of the States to influence, let alone control, the decisions of airlines, ferry companies, airport authorities and other parties is often very limited. The loss of the Heathrow service and the subsequent withdrawal of all KLM uk services are examples of this vulnerability.*

*Acknowledging the difficulty of managing this situation, the Advisory and Finance Committee is working at the highest level with the authorities in Jersey to promote a combined approach wherever possible. In addition the Committee agrees with the Transport Board that it should have*

*more substantial and independent role in advising the States on matters relating to the provision of both air and sea services to and from Guernsey. This will include generating policies for States approval which secure strategic and corporate objectives which may have significant funding implications in the future.*

*As part of this approach, the Transport Board will continue with work to protect slots at London airports, including liaison with other areas of the British Isles whose links to London hub airports may be at risk. The Board will also continue the established policy in respect of Air Transport Licensing with the aim of bringing about competition between different airlines serving different airports.”*

(Sections 3.4.18, 3.4.19 & 3.4.20, p 1030, 2001 Policy and Resource Planning Report)

10.3 The Transport Board is firmly of the view that the promotion and provision of the Islands’ external transport links, through the granting of financial concessions where appropriate, are of vital importance to the Island and are consistent with the States’ strategic objectives.

#### Impact on the environment

10.4 The use of financial concessions to encourage a new air transport service might result in an increased number of aircraft utilising Guernsey Airport. This, in turn, would have resultant impacts on noise levels and air pollution. However, the Transport Board considers that the resultant incremental environmental impacts produced at Guernsey Airport are far outweighed by the economic and social benefits of air travel to the Island’s community.

## **11. Conclusions**

11.1 Financial concessions are one of a range of options to maintain and enhance the Island’s vital external transport links.

11.2 The Transport Board, Board of Administration and Tourist Board are of the opinion that both the management and financial responsibility for concessions should be transferred from the Board of Administration to the States Transport Board.

11.3 Presently, financial concessions are offered to airlines by means of rebated landing fees, which impact on the finances of the States’ Airport.

11.4 Due to the strategic importance of external transport links, the resources for those concessions should be met from General Revenue under a States Transport Board budget, at an estimated cost of £650,000 during 2002. The Transport Board recognises the continuing pressures on the States’ funding requirements and the need for the Island’s government as a whole to maintain, wherever possible, current limits on committee budgets. Nevertheless, it urges the States to bear in mind the strategic importance of the Island’s vital external transport links and to establish a budget for transport link concessions.

## **12. Recommendations**

The Board recommends the States:

1. To approve the States Transport Board’s request to enable it to consider and, where appropriate, to grant financial concessions to transport operators in order to strengthen its ability to achieve strategic objectives relating to the provision of external transport links,

2. To approve an increase in the revenue expenditure budget of the States Transport Board by £650,000 for 2002.
3. To direct the States Advisory and Finance Committee to take account of the costs of financial concessions when recommending to the States revenue allocations for the States Transport Board for 2003 and subsequent years.

I should be grateful if you would lay this matter before the States with appropriate propositions.

Yours faithfully,

R. C. BERRY,

President,  
States Transport Board.

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The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

21st December, 2001.

Dear Sir,

**Guernsey Transport Board — External Transport Links – Financial Concessions**

I refer to the letter dated 14 December 2001 addressed to you by the President of the Guernsey Transport Board on the above subject.

The Guernsey Transport Board's request to enable it to consider and, where appropriate, to grant financial concessions to transport operators in order to strengthen its ability to achieve strategic objectives relating to the provision of external transport links, has been previously highlighted in both the 2001 Policy and Resource Planning Report and the Budget Report for 2002.

The mechanics of the necessary administrative and financial arrangements to achieve this have been subject to ongoing discussions since the publication of these two reports, and the policy letter is fully consistent with the advice given to the Board by the Advisory and Finance Committee.

The Committee fully appreciates the vital importance to the economic and social well-being of Guernsey of maintaining key external transport links. It endorses the case which is being made by the Transport Board (with the support of the Board of Administration and the Tourist Board) to transfer the management and financial responsibility for concessions from the Board of Administration to the Transport Board.

While the States must rely on the Transport Board to develop and apply the policies that will deliver the best results in terms of securing vital transport links, the Board itself acknowledges that this is a complex and highly dynamic area. This matter is of strategic importance to the Island, and the sums of money which are involved in providing the financial concessions are significant. As a result, the Committee will, as part of the arrangements for making available the appropriate funding, require the Transport Board to submit to it on a twice yearly basis the intended policies that the Board will be following in relation to the financial concessions, together with assessments of how effective these policies are being in achieving the Board's strategic objectives in relation to the provision of external transport links.

The Committee recommends the States to support the Transport Board's proposals.

Yours faithfully,

L.C. MORGAN,

President,

Advisory and Finance Committee.

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The States are asked to decide:—

X.—Whether, after consideration of the Report dated the 14th December, 2001, of the States Transport Board, they are of opinion:—

1. To approve the States Transport Board's request to enable it to consider and, where appropriate, to grant financial concessions to transport operators in order to strengthen its ability to achieve strategic objectives relating to the provision of external transport links.
2. To approve an increase in the revenue expenditure budget of the States Transport Board by £650,000 for 2002.
3. To direct the States Advisory and Finance Committee to take account of the costs of financial concessions when recommending to the States revenue allocations for the States Transport Board for 2003 and subsequent years.

***ORDINANCE LAID BEFORE THE STATES*****THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2001**

In pursuance of the proviso to paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, as amended, I lay before you herewith “The Health Service (Benefit) (Amendment) Ordinance, 2001”, made by the States Legislation Committee on the 17th December, 2001.

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***STATUTORY INSTRUMENTS LAID BEFORE THE STATES*****THE FINANCIAL SERVICES COMMISSION (FEES) (AMENDMENT)  
REGULATIONS, 2001**

In pursuance of the provisions of section 60(1)(c) of the Banking Supervision (Bailiwick of Guernsey) Law, 1994, section 58(2) of the Insurance Business (Bailiwick of Guernsey) Law, 1986 and section 21(4) of the Protection of Investors (Bailiwick of Guernsey) Law, 1987, I lay before you herewith the Financial Services Commission (Fees) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001.

**EXPLANATORY NOTE**

These regulations increase the fees payable to the Financial Services Commission under the Banking Supervision (Bailiwick of Guernsey) Law, 1994, the Insurance Business (Guernsey) Law, 1986 and the Protection of Investors (Bailiwick of Guernsey) Law, 1987.

**THE PROTECTED CELL COMPANIES (FEES FOR INSURERS) (AMENDMENT)  
REGULATIONS, 2001**

In pursuance of the provisions of section 58(2) of the Insurance Business (Guernsey) Law, 2001, as amended, I lay before you herewith the Protected Cell Companies (Fees for Insurers) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001.

**EXPLANATORY NOTE**

These regulations increase the fees payable to the Financial Services Commission under the Insurance Business (Guernsey) Law, 1986 by any company which is a protected cell company.

**THE INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND)  
REGULATIONS, 2001**

**THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND TAX-FREE  
LUMP SUMS) REGULATIONS, 2001**

In pursuance of the provisions of section 203 of the Income Tax (Guernsey) Law, 1975, as amended, I lay before you herewith the following Regulations made by the States Income Tax Authority on the 22nd November, 2001:—

THE INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND  
REGULATIONS, 2001

EXPLANATORY NOTE

The Income Tax (Emoluments Amendments) (Guernsey) Law, 1995 lays down the basis on which income tax is chargeable in respect of benefits provided to individuals as a consequence of their offices or employments.

In the case of benefits arising during 2002 from the use of something, but without a transfer of ownership, the amounts chargeable to tax are to be determined in accordance with these Regulations.

These Regulations divide benefits into three categories, that is benefits arising from:

- (a) the use of a motor vehicle;
- (b) the use of land and the provision of accommodation;
- (c) the use of other assets.

THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND TAX-FREE  
LUMP SUMS) REGULATIONS, 2001

EXPLANATORY NOTE

Individuals who are residents of Guernsey are permitted, under the Income Tax Law, to contribute to Retirement Annuity Schemes or Retirement Annuity Trust Schemes which provide personal pensions upon retirement. The Income Tax Authority is empowered, under the Law, to make Regulations which, amongst other things, lay down the limits of contributions which are permitted.

These Regulations:

- lay down the limits of contributions and mean that with effect from 1st January 2002, individuals are able to contribute up to the maxima shown;
- limit the total of tax-free lump sum payments which may be made from an approved occupational pension scheme or an approved annuity scheme; and
- give entitlement to carry forward the amount of any qualifying unused contributions for 1996, 1997, 1998, 1999, 2000 and 2001 for utilisation in 2002.



**THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT NO. 3)  
REGULATIONS, 2001**

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED  
SUBSTANCES) (AMENDMENT NO. 2) REGULATIONS, 2001**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, I lay before you herewith the following Regulations made by the Guernsey Social Security Authority on the 31st December, 2001:-

**THE HEALTH SERVICE (MEDICAL APPLIANCES) (AMENDMENT NO. 3)  
REGULATIONS, 2001**

**EXPLANATORY NOTE**

These Regulations further amend the Health Service (Medical Appliances) Regulations, 1990, as amended, by allowing insulin pumps, compression hosiery and compression bandaging to be prescribed as a medical appliance.

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED SUBSTANCES)  
(AMENDMENT NO. 2) REGULATIONS, 2001**

**EXPLANATORY NOTE**

These Regulations amend the previous Regulations to restrict *Hypericum perforatum* (St. John's Wort) from being supplied as pharmaceutical benefit and also place restrictions on ordering Apomorphine Hydrochloride (Uprima) by medical practitioners.

**THE BOARDING PERMITS FEES ORDER, 2001**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, I lay before you herewith the Boarding Permit Fees Order, 2001, made by the States Tourist Board on the 17th December, 2001.

**EXPLANATORY NOTE**

This order sets the fees payable by the holder of boarding permits from 1st April, 2002, replacing the Boarding Permit Fees Order, 1999.

**THE WATER CHARGES ORDER, 2001**

In pursuance of the provisions of Article 17(6) of the Law entitled “Loi ayant rapport a la Fourniture d’Eau par les Etats de cette Ile aux Habitants de la dite Ile” registered on the 7th May, 1927, as amended, I lay before you herewith the Water Charges Order, 2001, made by the States Water Board on the 20th December, 2001.

**EXPLANATORY NOTE**

This order varies the charges which may be made for the supply of water, slightly reducing the quarterly standing charge in respect of properties supplied by measure through 15mm (1/2”) meters and increasing the remaining charges by amounts not exceeding the rate of inflation since March 1996 taking into account increases already levied. The new charges come into effect on 1st January 2002 and will be levied on quarterly accounts rendered on and after 1st April, 2002.

A. C. K. DAY,  
Deputy Bailiff and Deputy President of the States.

The Royal Court House,  
Guernsey.  
The 11th January, 2002.

# APPENDIX I

## STATES EDUCATION COUNCIL

### MONT VAROUF SCHOOL : VALIDATION REPORT

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

26th November, 2001.

Dear Sir,

Mont Varouf School : Validation Report

I enclose two copies of the summary of the validation report and the Council's response for the above school. I shall be grateful if you will arrange for this to be published as an appendix to the Billet d'État for January.

Copies of the full report will be made available for any member of the public to inspect at both the school and the Education Department.

Yours faithfully,

M. A. OZANNE,

President,  
States Education Council.

## VALIDATION REPORT

### MONT VAROUF SPECIAL SCHOOL

Mont Varouf school receives pupils between the ages of 3+ years and 19+ years who are deemed to have severe learning difficulties. There are 42 boys and girls on roll with a wide variety of learning disabilities.

Pupils are grouped in key stage appropriate classes, which allow for a nursery and KS1 class, two KS2 classes (years 3/4 and years 5/6), KS3, KS4 and post-16 classes. In addition, there is a primary and a secondary class for pupils with severe communication disorder and/or autism, referred to in school as the primary unit and the secondary unit. The KS4, post-16 and secondary unit classes share some facilities and activities. The school also makes use of a number of off-site facilities.

Pupils are taught by 9 full-time staff, including the headteacher, and 1 part-time teacher. There are 8 classes with an average class size of 5.25 and a pupil/teacher ratio of 4.42 : 1.

The school is housed in a Victorian parish school building and three temporary classrooms. Facilities include a therapy/swimming pool and jacuzzi, a hall, personal care area, a small sensory room, a room for visiting professionals, a small combined staff and parents' room, a resource room/quiet meeting room, a small library, a combined kitchen and dining area, a chalet, a hard playground area, a sensory garden and a grassed play area. There are no facilities for pupils to rest or sleep other than in classrooms or the chalet. The school is to be resited to new buildings within five years.

#### **Background**

The school was visited by a validation team of 5 inspectors during the week of June 18th 2001. The school provided a comprehensive range of detailed documentation in advance of the inspection, having spent a year on a variety of well planned self-evaluation activities.

The visit was undertaken following a period of high staff turnover and publication of the Education Council's proposals for the reorganisation of special education (see States Education Council document 'Time for Change').

During the inspection, all classes and teachers were visited and 32 hours of lesson observations were undertaken, in addition to school assemblies and accompanied off-site visits. Planned discussions were held with teaching and non-teaching staff. Informal discussions were held with some pupils and their current and previous work was scrutinised.

A confidential survey of parental views on the school was analysed. At the end of the week, the headteacher and her senior management team received a comprehensive oral feedback on the team's main findings. These were also reported to the Director of Education.

#### **Main Findings**

- \* The school is well led and managed, and has made significant progress since the last inspection in 1995.
- \* The headteacher and her senior management team have successfully guided the school through a period of necessary curriculum change, together with associated planning and assessment strategies.
- \* Progress has been achieved in many areas, despite the problems associated with an unusually high staff turnover and the Island's proposed reorganisation of its provision for special education.

- \* Teaching and non-teaching staff are working together effectively in teams to provide an appropriate curriculum for the children, and to balance the demands of a very wide range of special needs.
- \* The returns from the parental questionnaire reveal widespread support for the work of the school, with 92% stating that their children enjoy school and that they would find it easy to approach the school with problems or questions to do with their children.
- \* A significant minority of parents voiced concerns over the previous high staff turnover and the absence of regular speech therapy support from the Board of Health. It is expected that both these situations will be remedied at the start of the next academic year.
- \* The development of the Equals Curriculum for all subjects is producing a coherent programme for progression and continuity in the development of skills, knowledge and understanding. The introduction of the 'P' scales is being appropriately monitored. The sensory curriculum is being developed well. Due attention is paid to literacy and numeracy. Children in the Foundation Stage receive a particularly good introduction to learning and school.
- \* The curriculum manager and subject leaders work jointly on planning for the different subjects and phases. Most planning is purposeful and well structured. Subject leaders have non-contact time made available to them to monitor their areas of responsibility. Due attention is being paid to the development of literacy, numeracy and ICT skills. The post-16 curriculum, and the preparation of students for adult life, are rightly the focus of the school's development plan.
- \* There is an appropriate balance between formal and informal assessment, and there are good reporting arrangements for providing parents and carers with information about children's progress.
- \* Mont Varouf is a truly inclusive school. The particular needs of pupils with a wide range of additional physical, cognitive, behavioural and social difficulties are carefully considered, and met to the school's best ability within the available staffing, accommodation and learning resources. Pupils with profound and multiple difficulties are fully integrated into classes, and well planned, sensitive provision is made in the two classes for pupils whose more severe difficulties lie on the autistic spectrum.
- \* Teachers and pupils benefit from the hard work and enthusiasm of the school's classroom assistants. Good levels of support are also provided by other adults, including the secretary, caretaker, lunchtime assistants and bus driver. There is a strong commitment to providing a secure, happy and purposeful learning environment for children.
- \* During the week, inspectors observed lessons for a total of 32 hours. All teachers and classes were visited. In addition, assemblies and a meeting of the School Council were attended, and pupils were accompanied on educational visits to Forest Primary School and the Beau Sejour Leisure Centre. Of the formal lessons observed, a total of 91% were found to be satisfactory or better in the quality of teaching and learning. A commendable number of lessons contained good or outstanding features.
- \* The school makes generally good provision for RE and Collective Worship, and for the spiritual, moral, social and cultural development of its pupils. There is a well planned and effective programme for PSHE.
- \* There are sound co-operative working practices between the school and visiting professional staff, particularly with the physiotherapy team. For reasons beyond the school's control, the Board of Health has been unable to provide satisfactory speech therapy support to pupils at the school. The introduction of service level agreements with all outside agencies would be advantageous.
- \* The school's forward planning would be assisted by the earlier provision of information about pupil admissions from the Psychological Service. It would be advantageous for the school to become involved with the assessment of pupils prior to their placement at the school in good time for appropriate planning to take place to meet their identified needs.
- \* Children enjoy school, are well motivated and generally behave well. The pupils' courteous and friendly behaviour is extended to visitors to the school.
- \* The school development plan effectively guides the work of the school and conforms to Island guidelines. Internal communications are good through a regular pattern of meetings. Minutes reveal appropriate levels of attention being paid to key curriculum and pupil related issues.

- \* The school is adequately staffed and resourced to meet the requirements of the curriculum. The possibilities of formula-led staffing and budgeting are being discussed with the Education Department within the context of the Island's proposals for the reorganisation of special education.
- \* Financial systems are sound and the school benefits from generous assistance from the PTFA and a number of charitable organisations within the community.
- \* Accommodation is cramped, dated and unsuitable for such a wide age range of children with special needs. This is to be addressed through the Island's reorganisation strategy. The school makes the best use that it can of its available buildings and resources in order to provide an attractive, secure and stimulating working environment.
- \* The school's self-evaluation was planned and executed in a thorough and professional manner. Its reports were supported by an impressive range of documentation and evidence, including photographs of work and activities. The inspection team is pleased to endorse and validate the school's findings and recommendations.
- \* The Island Governor paid an official visit to the school on the Friday at the end of the inspection week.

### **Key Issues that the School Needs to Address**

- \* In order to continue the progress which the school has made since the last inspection, the validation team recommends attention to the following areas, most of which have already been identified by the school:
  - the production of a long term strategic school improvement plan which will address issues raised in the internal and external reports and prepare the school for reorganisation;
  - continued attention to curriculum development and the work of subject leaders, within a necessary period of consolidation and monitoring of recent innovation;
  - the strengthening of the post-16 curriculum, and investigation of accredited courses at the College of FE; more attention to artistic and creative opportunities within the curriculum; further development of symbol exchange and objects of reference throughout the school;
  - the provision of a co-ordinated island wide in-service training programme for special education; continuation of the school's in-house staff development programme, including planned visits to other schools to observe good practice and update skills in areas such as literacy, numeracy and ICT;
  - the review of senior management roles and responsibilities in the light of the new SMT in September 2001;
  - the further investigation of service level agreements with outside providers; the appointment of a suitable co-ordinator for liaison work;
  - continued attention, via the Education Department and the Board of Health, to the concerns expressed by some parents relating to staff turnover and the unsatisfactory provision of opportunities for speech therapy;
  - earlier transmission of information about admissions to the school in order to assist forward planning;
  - the successful relocation of the school to its new site within the proposed timetable;
  - the more rigorous promotion of the school's achievements within the Island community.

*The school is responsible for drawing up an action plan after receiving the Report, showing what it is going to do about the issues raised and how it will incorporate them in the school's Development Plan.*

*A follow-up visit to the school will be made in autumn 2002 in order to monitor and discuss the progress the school has made, and a written report will be made to the Director of Education.*

## APPENDIX A

## Mont Varouf Special School

## PARENTAL SURVEY

Number of questionnaires sent out	42
Number of questionnaires returned	25
Percentage return rate	60

<i>Numbers of responses in each category</i>	<i>Strongly Agree</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Strongly Disagree</i>	<i>Nil Response</i>
I feel the school encourages parents to play an active part in the life of the school	5	16	1	2	1	0
I would find it easy to approach the school with problems or questions to do with my child(ren)	10	13	0	0	2	0
The school handles complaints from parents well	4	12	3	3	2	1
The school gives me a clear understanding of what is taught	4	11	4	5	1	0
The school keeps me well informed about my child(ren)'s progress	6	14	1	3	1	0
The school enables my child(ren) to achieve a good standard of work	5	13	2	2	2	1
The school encourages children to get involved in more than just their daily lessons	4	8	3	2	2	6
I am satisfied with the work that my child(ren) is/are expected to do at home	2	3	4	3	2	11
The school's values and attitudes have a positive effect on my child(ren)	5	11	1	1	1	6
The school achieves a high standard of good behaviour	2	10	5	1	1	6
My child(ren) like school	9	14	1	0	1	0

**STATES OF GUERNSEY****EDUCATION DEPARTMENT**Response to the Validation Report on Mont Varouf School

The Education Council and Mont Varouf School welcome and accept the Validation Report of June 2001. The school's self evaluation work was planned and executed in a thorough and professional manner, supported by an impressive range of documentation and evidence. The inspection team is pleased to endorse and validate the school's findings and recommendations.

The Education Council is pleased to note that the school's staff's achievements and dedication has been recognised by the Validation Team. The school is well led and managed. It has a team of dedicated and skilled staff who are working effectively with all the children.

Mont Varouf is a truly inclusive school supporting pupils with a wide range of special educational needs to the best of its ability within the available staffing, accommodation and learning resources.

The curriculum produces a coherent programme for progression and continuity in the development of skills, knowledge and understanding with due attention being paid to literacy and numeracy.

There is a strong commitment by all who work at the school to providing a secure, happy and purposeful learning environment for the children, who enjoy school, are well motivated and generally behave well.

The school is working to address areas for development which include:–

- The provision of new accommodation through plans for the re-organization of special education on the Island;
- The integration of all curriculum advice to provide appropriate teaching and learning experiences for all pupils;
- The provision of opportunities for staff training in access strategies.

The school has formulated a Post Validation Action Plan, which will service School Strategic Planning and subsequent School improvement Plans, and will provide a clear focus for continuing progress.



## APPENDIX II

### STATES EDUCATION COUNCIL

ELIZABETH COLLEGE : ANNUAL REPORT 2000 / 2001

The President,  
States of Guernsey,  
Royal Court House,  
St. Peter Port,  
Guernsey.

19th December, 2001.

Sir,

Elizabeth College : Annual Report 2000 / 2001

The Board of Directors of Elizabeth College has requested that I forward to you the Annual Report of the Principal for the academic year 2000 / 2001. I should be grateful if you will arrange for this to be published as an Appendix in a forthcoming Billet d'État.

Yours faithfully,

M. A. OZANNE,  
President,  
States Education Council.



## **ELIZABETH COLLEGE**

The Principal's Annual Report of the general state of the College, the number of scholars and the course of education pursued in the academic year 2000/2001 addressed to the Board of Directors of Elizabeth College.

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For onward transmission by them to His Excellency, the Lieutenant Governor, Lieutenant General Sir John Foley, K.C.B., O.B.E., M.C. and to the Bailiff of Guernsey, de Vic G. Carey, Esq.

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### **PRINCIPAL'S REPORT**

A summary of the A level results appears elsewhere in this report. With a pass rate of over 91% and more than 65% of entries achieving grades A to C the results were generally pleasing, especially in the context of the value added during the courses. Whilst the results were not quite of the standards achieved the previous year they were in keeping with the school's expectations of the cohort. Within the results 6 candidates gained at least 3 "A" grades and our Cambridge applicants more than met the standard required of them. Indeed one candidate gained distinctions in both his S level mathematics papers, a very rare feat. The pupils' achievements reflected a significant effort on the part of both the boys of Elizabeth College and all the staff who taught them, including those at the Ladies College. As new Principal I was pleased by the standards apparent at this level upon my arrival at the school.

This was the first year in which all Lower Sixth students sat AS modular examinations. Overall the results were in line with expectations, indeed some of the concerns about the new courses proved to be unfounded. However the pressures that the new arrangements place upon Lower Sixth formers are an issue of national concern and one that has been much reported in the press. It is therefore no surprise that these pressures are to degree evident at Elizabeth College. The DFES promised a review of the arrangements at AS level as a matter of urgency and it is disappointing to report that at the time of writing no progress has been made. If the situation remains unchanged all schools with a post-16 provision will continue to be concerned about the academic pressures faced by their Lower Sixth Formers. Pupils at this level may feel they need to reduce their commitments so there are also long-term implications for the extra-curricular programme. We will have to work to ensure that these valuable activities are not marginalised.

At GCSE level the points score per candidate was almost at a historical high. Furthermore as only 4 pupils failed to meet or exceed the 5 C grade pass level that is required for entry to our Sixth Form I consider these results to be good in the context of the ability of the candidates. The increase in overall pass rate and the proportion of grades at A\*, which nearly doubled, were both genuinely

pleasing. These improvements strongly suggest that the changes set in train by my predecessor have moved the school in the right direction, these gains must now be consolidated and then built upon.

The results show significant differences between the performance of our pupils in the various subject areas. However comparisons between subjects must be made with care to allow for genuine variations in the difficulty of the subject material and differences in the ability of the pupils, particularly where subject numbers are small. Furthermore the transition from A level to the AS / A2 arrangements resulted in subject review and syllabus reform but the pattern has been very uneven. In some subjects the transition has been an easy one whilst in others teachers have faced major reform precipitating a huge amount of additional work. The effect of this syllabus review and alteration has been to create an additional workload for staff and it would be remiss of me if I did not flag College's thanks for all their efforts.

This year it was particularly noticeable that there were a number of administrative problems with the examination boards' handling of results. For example the failure of Edexcel to deliver Economics A level results on time was a national problem that attracted press coverage at the time. There is strong evidence that the examination boards have struggled to cope with the extra workload created by the new arrangements especially at AS level. Here the increase in marking has been considerable yet there is a shortage of experienced markers, the consequence of this has been delay and inaccuracy. Within our HNIC colleague schools levels of appeal against results increased significantly this year, a reflection of considerable and growing disquiet. The examination boards charge considerable fees and their performance must improve if they are to retain schools' confidence.

Staff changes for the whole school are enumerated elsewhere in this report. However I should draw attention to the departure of the Principal, Mr David Toze, and my appointment as his successor with effect from 1 September 2001. Mr Toze left to become Principal of the International School in Manila. In his time at Elizabeth College he had effected a review of our educational provision and then implemented a number of fundamental changes aimed at addressing the school's needs. Some of these changes have yet to be fully realised and as his successor it is my intention to complete the cycle of review and reform and then build upon his successes. A prime example of the latter is College's partnership with the Ladies College. The benefits of this arrangement have been considerable, not least in allowing both schools to offer a wider range of options at AS and A2 level.

During the year College was inspected by the ISC. In truth few schools welcome inspection but as ever this was a useful process and one all the more rigorous for being externally validated. Furthermore the inspection proved to be valuable both in confirming the schools strengths and in helping to establish an agenda for improvement. College received clear guidance regarding areas such as staff appraisal and implementation of this advice is a priority for the school. The report also noted the school's strengths and in particular highlighted the positive relationships that exist between staff and pupils. I have no doubt that it is upon such relationships that academic success is founded.

The inspection report was particularly enthusiastic about the provision offered in Beechwood and Acorn House. A considerable amount of building work and refurbishment has been carried out at both sites creating facilities of the highest standard. The improvements to the physical environment have been allied to academic review creating a structured and cohesive provision that supports learning throughout the crucial early years. Numbers at both schools continue to grow, a strong indication that the education offered by these two schools matches parental ambitions.

A review of the year's achievements confirms that College remains committed to the provision of quality education for all its pupils. This is allied to strong pastoral care and the desire to see all pupils involved in our extra-curricular programme. At a time of unprecedented educational change all schools face the need to adapt to new circumstances. However we must also ensure that we retain those aspects of our provision that reflect College tradition and that uphold the philosophy of both the best and the broadest educational opportunity.

DR N.D. ARGENT  
PRINCIPAL

### NUMBERS AND ENTRY

	<u>Entries to College</u>		<u>Numbers at College</u>	
	<u>2000/2001</u>	<u>2001/2002</u>	<u>2000/2001</u>	<u>2001/2002</u>
<b><u>Acorn House Pre-School</u></b>				
Wren, Robin and Magpie Classes	60	58	102	111
	<u>2000/2001</u>	<u>2001/2002</u>	<u>2000/2001</u>	<u>2001/2002</u>
<b><u>Acorn House</u></b>				
Reception	29	35	29	35
Form I	2	2	20	29
Form II	<u>2</u>	<u>2</u>	<u>20</u>	<u>20</u>
	<b><u>33</u></b>	<b><u>39</u></b>	<b><u>69</u></b>	<b><u>84</u></b>
	<u>2000/2001</u>	<u>2001/2002</u>	<u>2000/2001</u>	<u>2001/2002</u>
<b><u>Beechwood</u></b>				
Year 3	14	16	29	35
Year 4	4	2	27	28
Year 5	1	2	38	27
Year 6	<u>0</u>	<u>1</u>	<u>20</u>	<u>40</u>
	<b><u>19</u></b>	<b><u>21</u></b>	<b><u>114</u></b>	<b><u>130</u></b>
	<u>2000/2001</u>	<u>2001/2002</u>	<u>2000/2001</u>	<u>2001/2002</u>
<b><u>Upper School</u></b>				
Form I	47	45	72	62
Form II	4	3	73	69
Form III	1	3	82	74
Form IV	1	–	76	78
Form V	0	–	69	71
LVith	3	–	57	59
UVith	<u>0</u>	<u>1</u>	<u>41</u>	<u>48</u>
	<b><u>56</u></b>	<b><u>52</u></b>	<b><u>470</u></b>	<b><u>461</u></b>

### ACADEMIC ACHIEVEMENTS

University places for 2001 were offered to the following students:

NAME	READING	AT
Allen, M	Architecture	Bath
Blatchford, D	Sport Coaching & Exercise Science	Manchester Metropolitan
Cameron, P	Politics	University of West England
Carey, A	Ancient History	Cardiff
Corbin, T	Computer Science	Reading
Collins, N	International Business	Warwick
Cranch,	Pure and Applied Maths	Trinity College, Cambridge
Crispini, G	Performing Arts (Acting)	Liverpool Inst. of Performing Arts
Gamble, J	Foundation Art	Bristol
Geall, S	Law	Nottingham
Gill, B	English & Film Studies	Exeter
Harvard, N	French Studies	Sheffield
Henning, M	Water Sports Studies and Management	Southampton Institute
Horton, O	Sports Management	Plymouth
Henry, B	Law	Southampton
Humphry, J	Natural Sciences	Corpus Christi, Cambridge
Hurley, J	Architecture	Westminster
Lee, G	Applied Psychology & Computing	Bournemouth
Le Lacheur, T	Natural Sciences	Bath
Le Tocq, J	Management Studies	Nottingham
Mabire, J	English & Film Studies	Exeter
McAvoy, R	Art Foundation	Portsmouth
Parrott, D	Computer Animation	Portsmouth
Pickford, R	Geography, Business & Environment	Nottingham
Stuart, G	Law	University of West England
Sweet, R	Foundation Art	Bristol
Whitchurch, A	History	Lancaster

The following awards were made by the Board of Directors to those at present attending university:

Mignot Scholarship            I.T. Chapman reading Mathematics and Physics at Durham University

Mainguy Scholarship        C.F. Pratt reading Medicine at Southampton University

Mansell Exhibition         J.T. Le Page reading Mathematics and Physics at Warwick University

De Saumarez Exhibition    T. Paluch reading French and Spanish at Exeter University.

## **STAFF APPOINTMENTS**

### **Upper School**

Reverend Doctor Robert Harnish, as Chaplain and teacher of Religious Studies. Dr Harnish joined us from his previous post as Chaplain and Dean of Divinity at New College, Oxford.

Mr Michael Holliday, teaching Information and Communication Technology. Mr Holliday is with us on a part-time contract for the Academic Year 2001/2002 only. He is also teaching at the College of Further Education and studying with the open University.

Mr Simon Aitken, teaching Latin and Classics from 1 October 2001. Mr Aitken completed his PGCE in 2000 and worked as a supply teacher at Lancing College.

Mr Rick Le Sauvage, teaching Biology from Lent Term 2002. Currently enjoying a year out, travelling in Australia. Mr Le Sauvage has previously taught at St Sampsons Secondary School.

### **Beechwood**

Mr Stephen Le Prevost, teaching Music. Mr Le Prevost joins us from the Westminster Abbey Choir School in London.

Miss Rebecca de la Rue, teaching in Years 5 and 6. Miss de la Rue is an NQT, having just finished studying for a B.A. at Exeter.

Ms Karen Le Guilcher, joining us as Maternity Cover for Mrs Nicky Stevens, for the academic year 2001/2002 only.

### **Acorn House**

Mrs Sara Dorey, who comes to us from La Houquette Primary School.

Mrs Deborah Potter, joining us from Hautes Capelles School.

**ANNEXE A****GCSE RESULTS**

<b>Year</b>	<b>No. of Candidates</b>	<b>Average Points per Candidate</b>
2001	68	54.37
2000	66	52.62
1999	77	54.42
1998	80	53.94
1997	86	53.15
1996	91	51.54
1995	74	53.07
1994	82	51.33

**A-LEVEL RESULTS**

<b>Year</b>	<b>No. of Candidates</b>	<b>Average Points per Candidate</b>
2001	38	16.53
2000	53	19.55
1999	72	17.44
1998	69	16.93
1997	58	20.97
1996	65	20.58
1995	78	17.64
1994	76	14.89

**ELIZABETH COLLEGE****Lower 6th AS RESULTS 2000/2001 : SUBJECT GRADES**

(Grades achieved by numbers of pupils)

<b>Subject</b>	<b>No. of Entries</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>U</b>
<b>Ancient History</b>	4	1	1	1	1	0	0
<b>Art</b>	5	0	2	0	0	2	1
<b>Biology</b>	10	3	2	2	1	1	1
<b>Business Studies</b>	17	0	1	6	4	5	1
<b>Chemistry</b>	6	3	1	1	0	0	1
<b>Classical Civilisation</b>	8	0	1	1	4	1	1
<b>Economics</b>	8	0	1	4	1	0	2
<b>English Literature</b>	13	4	3	5	1	0	0
<b>French</b>	4	2	0	2	0	0	0
<b>Geography</b>	8	1	3	0	1	2	1
<b>Graphics (D &amp; T)</b>	6	0	0	0	0	0	6
<b>History</b>	8	3	4	1	0	0	0
<b>Latin</b>	2	1	0	1	0	0	0
<b>Mathematics</b>	20	2	3	3	2	3	7
<b>Further Mathematics</b>	4	3	1	0	0	0	0
<b>Music</b>	1	1	0	0	0	0	0
<b>PE</b>	6	0	1	2	2	1	0
<b>Physics</b>	9	7	2	0	0	0	0
<b>Religious Studies</b>	3	0	1	1	1	0	0
<b>Spanish</b>	1	1	0	0	0	0	0
<b>TOTALS</b>	<b>143</b>	<b>32</b>	<b>27</b>	<b>30</b>	<b>18</b>	<b>15</b>	<b>21</b>

**ELIZABETH COLLEGE****Upper 6th (Yr 13) AS RESULTS 2000/2001 : SUBJECT GRADES**

(Grades achieved by numbers of pupils)

<b><u>Subject</u></b>	<b>No. of Entries</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>U</b>
<b>Ancient History</b>	5	0	1	1	1	2	0
<b>Classical Civilisation</b>	6	0	1	3	2	0	0
<b>Geography</b>	1	0	0	1	0	0	0
<b>Mathematics</b>	2	0	0	0	2	0	0
<b>TOTALS</b>	<b>14</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>0</b>

**ELIZABETH COLLEGE****U6th (Yr 13) A LEVEL RESULTS 2000/2001: SUBJECT GRADES**

(Grades achieved by numbers of pupils)

<b><u>Subject</u></b>	<b>No. of Entries</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>N</b>	<b>U</b>
<b>Ancient History</b>	2	1	1	0	0	0	0	0
<b>Art</b>	4	0	0	0	2	1	0	1
<b>Biology</b>	5	2	0	1	0	0	1	1
<b>Business Studies</b>	12	0	3	2	3	2	2	0
<b>Chemistry</b>	2	2	0	0	0	0	0	0
<b>Economics</b>	8	0	0	4	2	1	0	1
<b>English Literature</b>	15	0	6	5	3	1	0	0
<b>French</b>	6	2	0	0	0	2	2	0
<b>Geography</b>	10	4	2	2	2	0	0	0
<b>Graphics (D &amp; T)</b>	8	3	0	4	1	0	0	0
<b>History</b>	9	2	2	1	2	2	0	0
<b>Latin</b>	1	0	0	1	0	0	0	0
<b>Mathematics</b>	12	7	0	3	1	0	1	0
<b>Further Mathematics</b>	3	1	2	0	0	0	0	0
<b>Physics</b>	4	3	0	1	0	0	0	0
<b>Religious Studies</b>	1	0	0	0	0	1	0	0
<b>Theatre Studies</b>	1	0	0	0	0	1	0	0
<b>TOTALS</b>	<b>103</b>	<b>27</b>	<b>16</b>	<b>24</b>	<b>16</b>	<b>11</b>	<b>6</b>	<b>3</b>



**ANNEXE B****PUPILS KNOWN TO HAVE GRADUATED THIS YEAR**

The following is a list of those pupils who have informed the College of their Graduation.

Adam C. Falla	2:1 B.Sc in Geography from the University of Leicester
Gareth J. Le Prevost	2:1 B.A. in English from the University of Leicester
John Rowland	2:1 B.A. in Human Sciences from New College, Oxford
Peter Rowland	2:1 B.A. in Law from Clare College, Cambridge (June 2000)
Jonathon Hickman	2:1 B.A. in Media Communications from University of Central England, Birmingham.
James MacRae	2:1 B.Sc in Science from the University of Dundee.
S.M. Shaw	2:1 B.Sc in Neuroscience with Basic Medical Sciences from University College, London.
Tim Bamford	2:1 B.A. in Law from the University of East Anglia.
John Richardson	2:1 B.A. in Philosophy from the University of Southampton.

**ANNEXE C****SPORTING ACHIEVEMENTS DURING 2000/2001**

GAME	PLAYED	WON	DRAWN	LOST	FOR	AGAINST
Cricket	Victoria	–	–	1	135/7	136/9
Hockey	22	10	0	12	54	50
Soccer						
Athletics	16	11	1	4	1052	795
Cross Country	7	7	0	0	255	915
Golf	1	0	0	1	2	8
Squash	–	–	–	–	–	–
Tennis	4	1	1	2	14	16
Rugby	6	0	0	6		

**Senior Victoria Matches**

Cricket 1 <sup>st</sup> XI	Lost. 136-7 / 136-9
Hockey 1 <sup>st</sup> XI	Won. 4-3
Soccer 1 <sup>st</sup> XI	Drew 1-1
Athletics	Won 92 – 69
Cross Country	Not held – boat cancelled due to bad weather.
Sailing	Won. Three races to nil to Elizabeth College
Golf	Lost 9-1
Squash	Not played – Victoria did not wish to travel.
Tennis Seniors	Lost. EC 3 / VC 6
Tennis U15	Won. EC 6 / VC 3
Shooting	Lost the Hane's Shield Competition at Bisley.
Rugby	Lost 8 - 11

**In addition to matters already mentioned**

Michael Henning (UVI) has once again shone in the sailing world, beating 46 contestants to win the Laser Radial National Schools Championship. As a result of this win, and his successes in helming a yacht, Michael was chosen as the helmsman representing England in the yacht class of the Nations Cup held in the Lake District in September. Michael won the series of races and this contributed to England winning the Nations Cup. Most recently, Michael was part of the Island Games Dinghy Sailing Team from Guernsey, winning a gold medal.

Christopher Simpson (Year 9) was ranked number one in England Under 15 Boys and was nominated for inclusion in the Squash World Class Potential Programme.

### INTERNAL APPOINTMENTS

VICE PRINCIPAL	S.G.D. Morris	DIRECTOR OF STUDIES	A.R. Cross
<b>Year Heads</b>		<b>Faculty Heads</b>	
Year One	B.E.H. Aplin	Head of English	R.J.W. James
Year Two	A.M. Jewell	Head of Mathematics	A. Hale
Year Three	M.E. Kinder	Head of Science	J.R. Pedlar
Year Four	B.W. Allen	Head of Modern Languages	Mrs M.C. Dudley
Year Five	D.F. Raines	Head of Humanities	C.R.W. Cottam
Lower Sixth	R.J.W. James	Head of Social Sciences	J.B. Slingo
Upper Sixth	J.M. Hunter	Head of Fine Arts & Craft	M.S. Webb
		Head of Physical Education	D. Wray
		Head of ICT	R.H. Surcombe

### OTHER MATTERS OF NOTE

The Winter Concert and the Foundress's Day Concert were once more of an extremely high standard. The Choir of Beechwood and the Upper School Choir performed a piece composed by Mr Harris, Director of Music, to poems by Mr Iain Mathieson. The College Orchestra performed a varied programme of music by Handel, Haydn and Mozart.

The Senior Dramatic Society performed the classic Russian comedy "The Government Inspector" by Nicolai Gogol on four evenings at the end of March. The performances were of a very high standard and thoroughly enjoyed by all who attended. The production was again organised as a promenade performance, with action taking place in the auditorium as well as on stage, with the audience seated around circular tables enjoying wine and cheese as the action unfolded. One of the principal parts had to be performed by a member of the Common Room as the original actor had left College at half-term.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF JANUARY, 2002

The States resolved as follows concerning Billet d'Etat No. I  
dated 11th January, 2002

**PROJET DE LOI**

entitled

**THE REHABILITATION OF OFFENDERS (BAILIWICK OF GUERNSEY) LAW, 2002**

- I. To approve, subject to the following amendment, the Projet de Loi entitled "The Rehabilitation of Offenders, (Bailiwick of Guernsey) Law, 2002", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

AMENDMENT

In section 7(4)(b) of the Projet (printed on page 9 of the Brochure to the Billet) for the words "either or both of subsections (1) and (2) "substitute" any or all of the subsections (1), (2) and (3)".

**PROJET DE LOI**

entitled

**THE MARKET STREET (CLOSURE) (GUERNSEY) LAW, 2002**

- II. To approve the Projet de Loi entitled "The Market Street (Closure) (Guernsey) Law, 2002", and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE TRANSFRONTIER SHIPMENT OF WASTE ORDINANCE, 2002**

- III. To approve the draft Ordinance entitled "The Transfrontier Shipment of Waste Ordinance, 2002", and to direct the same shall have effect as an Ordinance of the States.

**THE GAMBLING (CASINO GAMING) ORDINANCE 2001  
(COMMENCEMENT) ORDINANCE, 2002**

- IV. To approve the draft Ordinance entitled "The Gambling (Casino Gaming) Ordinance, 2001 (Commencement) Ordinance, 2002, and to direct that the same shall have effect as an Ordinance of the States.

**THE MATRIMONIAL CAUSES (COSTS AND FEES) ORDINANCE, 2002**

- V. To approve the draft Ordinance entitled "The Matrimonial Causes (Costs and Fees) Ordinance, 2002, and to direct that the same shall have effect as an Ordinance of the States.

**STATES ADVISORY AND FINANCE COMMITTEE**

**GUERNSEY FINANCIAL SERVICES COMMISSION  
NEW MEMBER**

- VI. To re-elect Mr. Mel Carvill, FCA, ACII who has been nominated in that behalf by the States Advisory and Finance Committee, as an ordinary member of the Guernsey Financial Services Commission, with effect from 2nd February, 2002.

**STATES ADVISORY AND FINANCE COMMITTEE**

**COURT BAIL IN CRIMINAL PROCEEDINGS**

- VII. After consideration of the Report dated 20th December 2001, of the States Advisory and Finance Committee:-
1. To approve the enactment of legislation as set out in that Report with regard to Court bail in criminal proceedings.
  2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

## **STATES BOARD OF ADMINISTRATION**

### **TOWN ARSENAL – NEW CONTROL ROOM AND REFURBISHMENT OF FLATS**

VIII. After consideration of the Report dated the 29th November, 2001, of the States Board of Administration:-

1. To authorise the provision and equipping of a new Control Room for the Fire Brigade and the refurbishment/alteration of flats to provide five new flats at the Town Arsenal as detailed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £791,497.00 submitted by MGF Limited for the provision of that new Control Room; the renovation/alteration of the flats and the work to external areas and re-roofing.
3. To authorise the States Committee for Home Affairs to accept the tender in the sum of £64,900.00 submitted by Atlas Business Systems for the provision of a Command and Control System and the tender in the sum of £11,275.00 submitted by Xtel Communications for the provision of a Communications Recording System.
4. To vote the States Committee for Home Affairs a credit of £110,000.00 to cover the costs of providing the Command and Control System; the Communications Recording System; computer equipment; contingencies and final fitting out of that Control Room, which sum shall be charged to that Committee's allocation for capital expenditure.
5. To authorise the States Advisory and Finance Committee to increase the Revenue budget of the States Committee for Home Affairs from 2002 under the States Financial Procedures in consultation with that Committee as regards the additional costs set out in that Report.
6. To direct the States Advisory and Finance Committee to take account of such additional costs when recommending to the States revenue allocations for the States Committee for Home Affairs for 2003 and subsequent years.
7. To vote the States Committee for Home Affairs a credit of £212,489.75 to cover building works for that Control Room and demolitions, which sum shall be charged to that Committee's allocation for capital expenditure.
8. To vote the States Board of Administration a credit of £579,007.25 to cover the total cost of alterations and refurbishment to provide five flats; replacement of the roof covering over the flats and demolitions, which sum shall be charged to that Board's allocation for capital expenditure.

## STATES PROCEDURES AND CONSTITUTION COMMITTEE

### AMENDMENTS TO THE RULES OF PROCEDURE AND RESOLUTIONS REGARDING THE CONSTITUTION AND OPERATION OF STATES COMMITTEES

IX. After consideration of the Report dated 12th December, 2001, of the States Procedures and Constitution Committee:-

1. That the Rules of Procedure in and in relation to Assemblies of the States of Deliberation of the Island of Guernsey shall be amended:
  - (1) (a) to provide that the normal hours during which the States shall sit shall be 9.30 a.m. to 12.30 p.m. and 2.00 p.m. to 5.00 p.m.
    - (b) to provide that the President be given discretion to propose the extension of a sitting by not more than one hour (save in exceptional circumstances) if, in his opinion, the business or item can be concluded within that period and that such be put to the States for a vote without debate;
    - (c) to change the provisions of Rule 24(2) to the extent that meetings not concluded on the first Thursday shall be adjourned to the following day and, if a further adjournment is required, that it be to the second Wednesday next following;
  - (2) (a) to provide that once an amendment or sursis has been duly proposed and seconded, it shall be open to any member to request the President to ascertain whether there is sufficient support for it to be debated. this he will do by asking Members who support debate on the amendment or sursis to stand in their places; and if less than seven Members stand, the amendment or sursis will not be debated or put to a vote; otherwise debate on the amendment or sursis will continue in the normal way.
    - (b) Requests under this rule may only be made immediately after the amendment or sursis has been proposed and seconded, and before any further debate.
  - (3) to require that amendments moved pursuant to Rule 12(9) (other than an amendment moved pursuant to Rule 12(9)(b)(ii)) shall be submitted not less than five clear days excluding Saturdays, Sundays and Public Holidays before the day of the meeting;
  - (4) to provide that a Member may propose the closure of a debate on a substantive proposition, sursis or amendment and, if such proposition is supported by two-thirds or more of the Members present and voting, the debate shall be closed;
  - (5) to provide that no speeches shall be made in support of candidates in the election of Presidents and Members of States Committees where the number of candidates does not exceed the number of seats.

2. That the Constitution and Operation of States Committees prescribed by Resolution of the States of the 30th April, 1992, in pursuance of the States Committees (Constitution and Amendment) (Guernsey) Law, 1991 and amended by section 11 (4) of the Reform (Election of Conseillers and Minor Amendments) (Guernsey) Law, 1993 and by Resolution of the States of the 25th November, 1992; 30th March, 1994; 26th July, 1995; 6th December, 1995; 31st July, 1996; 30th September, 1998; 20th January, 1999; 26th January, 2000 and 31st May, 2000 shall be further amended by the addition of further paragraphs as follows:

(a) "14.B Declaration of Financial Interest at Committee Meeting

- (1) A Member of a States Committee or sub-committee who (or whose spouse, any of whose infant children or any company in which he has a controlling interest on his own or their behalf) has a direct or special interest in the business under consideration by the Committee or the sub-committee shall, as soon as practicable, declare his interest and withdraw from the Committee or sub-committee meeting during the consideration of and voting on the matter concerned.
- (2) Every declaration made in pursuance of sub-paragraph (1) and the Member's subsequent withdrawal from the Committee or sub-committee meeting shall be recorded in the minutes of the meeting.";

(b) "14.C Sub-Committees

- (1) Any States Committee may, by resolution of the Committee, constitute such sub-committees as it deems appropriate and for such purposes as shall be specified in the said resolution, provided that a Committee shall remain responsible for any act done on behalf of the Committee by the sub-committee.
- (2) The membership of sub-committees shall be determined by resolution of the Committee but only members of the Committee shall be entitled to vote.
- (3) Persons who do not have a seat on the Committee may be members of sub-committees in an advisory/consultative capacity but shall not be entitled to vote.
- (4) The quorum of any sub-committee shall be the nearest whole number above one-half of the number of voting members (which for this purpose includes the chairman) specified in that sub-committee's constitution.
- (5) The chairman of a sub-committee or in his absence the acting-chairman, shall have no vote except in the event that the voting members of the sub-committee are divided on any issue, in which case he shall have a casting vote.
- (6) A member of the established staff of the Civil Service shall be present at all sub-committee meetings and shall keep an independent record of the decisions made at meetings.";



(c) Paragraph 12 shall be amended as follows:

after the words "is not a sitting member of the States" insert "and the number of candidates exceeds the number of seats contested".

3. To direct the preparation of the necessary amendments to those Rules of Procedure.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 31ST DAY OF JANUARY, 2002

The States resolved as follows concerning Billet d'Etat No. I dated 11th January, 2002

(Meeting adjourned from 30th January, 2002)

**STATES TRANSPORT BOARD**

**TRANSPORT LINKS – FINANCIAL CONCESSIONS**

- X. After consideration of the Report dated 14th December, 2001 of the States Transport Board :-
1. To approve the States Transport Board's request to enable it to consider and, where appropriate, to grant financial concessions to transport operators in order to strengthen its ability to achieve strategic objectives relating to the provision of external transport links.
  2. To approve an increase in the revenue expenditure budget of the States Transport Board by £650,000 for 2002.
  3. To direct the States Advisory and Finance Committee to take account of the costs of financial concessions when recommending to the States revenue allocations for the States Transport Board for 2003 and subsequent years.

***ORDINANCE LAID BEFORE THE STATES***

**THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2001**

In pursuance of the proviso to paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, as amended, the Health Service (Benefit) (Amendment) Ordinance, 2001 made by the States Legislation Committee on the 17th December, 2001, was laid before the States.

**STATUTORY INSTRUMENTS LAID BEFORE THE STATES**

**THE FINANCIAL SERVICES COMMISSION  
(FEES) (AMENDMENT) REGULATIONS, 2001**

In pursuance of the provisions of section 60(1)( c ) of the Banking Supervision (Bailiwick of Guernsey) Law, 1994, section 58 (2) of the Insurance Business (Bailiwick of Guernsey) Law, 1986 and section 21 (4) of the Protection of Investors (Bailiwick of Guernsey) Law, 1987, the Financial Services Commission (Fees) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001, were laid before the States.

**THE PROTECTED CELL COMPANIES (FEES FOR INSURERS) (AMENDMENT)  
REGULATIONS, 2001**

In pursuance of the provisions of section 58(2) of the Insurance Business (Guernsey) Law, 2001, as amended, the Protected Cell Companies (Fees for Insurers) (Amendment) Regulations, 2001, made by the States Advisory and Finance Committee on the 11th December, 2001, were laid before the States.

**THE INCOME TAX (GUERNSEY) (VALUATION OF BENEFITS IN KIND)  
REGULATIONS, 2001**

**THE INCOME TAX (PENSIONS) (CONTRIBUTION LIMITS AND  
TAX-FREE LUMP SUMS) REGULATIONS, 2001**

In pursuance of the provisions of section 203 of the Income Tax (Guernsey) Law, 1975, as amended, the above Regulations made by the States Income Tax Authority on the 22nd November, 2001, were laid before the States.

**THE HEALTH SERVICE (MEDICAL APPLIANCES)  
(AMENDMENT NO. 3) REGULATIONS, 2001**

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED  
SUBSTANCES) (AMENDMENT NO. 2) REGULATIONS, 2001**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, the above Regulations made by the Guernsey Social Security on the 31st December, 2001 were laid before the States.

### **THE BOARDING PERMITS FEES ORDER, 2001**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, the Boarding Permit Fees Order, 2001, made by the States Tourist Board on the 17th December, 2001, was laid before the States.

### **THE WATER CHARGES ORDER, 2001**

In pursuance of the provisions of Article 17(6) of the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the 7th May, 1927, as amended, the Water Charges Order, 2001, made by the States Water Board on the 20th December, 2001, was laid before the States.

**K. H. TOUGH**  
**HER MAJESTY'S GREFFIER**