



BILLET D'ÉTAT

VI
2003

WEDNESDAY, 30th APRIL, 2003

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BILLET D'ÉTAT

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

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 APRIL, 2003,** immediately after the Meeting already convened for that day.

PROJET DE LOI

entitled

THE BAIL (BAILIWICK OF GUERNSEY) LAW, 2003

The States are asked to decide:-

I.- Whether they are of opinion to approve the Projet de Loi entitled “The Bail (Bailiwick of Guernsey) Law, 2003”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

PROJET DE LOI

entitled

THE ROYAL COURT (CHARITABLE FUNDS) (GUERNSEY) LAW, 2003

The States are asked to decide:-

II.- Whether they are of opinion to approve the Projet de Loi entitled “The Royal Court (Charitable Funds) (Guernsey) Law, 2003”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE BAR (AMENDMENT) ORDINANCE, 2003

The States are asked to decide:-

III.- Whether they are of opinion to approve the draft Ordinance entitled “The Bar (Amendment) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2003

The States are asked to decide:-

IV.- Whether they are of opinion to approve the draft Ordinance entitled “The Health Service (Benefit) (Amendment) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

STATES ADVISORY AND FINANCE COMMITTEE**INHERITANCE**

The President
States of Guernsey
Royal Court House
St Peter Port
GUERNSEY
GY1 2PB

26th March 2003

Dear Sir

INHERITANCE

Her Majesty's Procureur has written to me in the following terms:

"Although there have been a number of legislative reforms in recent years in testamentary inheritance, i.e. by will, both in respect of real property and personal property, there are a number of areas, particularly in relation to intestate inheritance, where further reform should be considered.

Illegitimacy and intestate inheritance

The European Court of Human Rights, in Marckx v Belgium, has ruled that Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms ("ECHR"), read in conjunction with Article 14, protects a person's right to his family life, including inheritance rights, whether he or any member of his family is legitimate or illegitimate. In 1992 an application made by illegitimate children to the European Commission of Human Rights - Reoch v United Kingdom – complained that Guernsey law with respect to inheritance from their mother was unfairly discriminatory to them as illegitimate, and constituted a violation of Articles 8 and 14. The application was declared inadmissible as being out of time. The better view is that the children's complaint would have been upheld, and in consequence Guernsey would have been required to change its laws.

Article 9 of the European Convention on the Legal Status of Children Born Out of Wedlock ("Convention") provides that a child born out of wedlock shall have the same rights of inheritance in the estate of his or her father and his or her mother, and of a member of the father's or mother's family, as if he or she had been born in wedlock. Since 1977, when the States rejected the Advisory and Finance Committee's recommendation to reform intestate inheritance in respect of illegitimacy, the Convention has been extended to Guernsey subject to a reservation that Article 9 should not apply except in relation to testate succession (i.e. inheritance by will) in the estate of a father or mother of a child born out of wedlock. Thus, although reforms in other jurisdictions, such as the United Kingdom Family Law Reform Acts of 1969 and 1987, and Sark in relation to inheritance to real property in 1999, have removed discrimination by reason of illegitimacy, in Guernsey such discrimination still exists. Although it is open to a person to make provision by will for his illegitimate issue (children and remoter descendants), where a person dies intestate, or if a person makes a will of personal property but fails to make a direction that his illegitimate issue are to be treated as legitimate, then no issue can inherit from him unless their relationship is legitimate. For this purpose 'legitimate' means born in lawful wedlock or legitimated by the subsequent marriage of the parents. Also, adopted children are treated as legitimate if the adoption is a Guernsey adoption or is an adoption recognised by Guernsey law (which include an adoption made in a court in the United Kingdom, Jersey or the Isle of Man). The most recent reservation to the Convention expires in May 2006, and, given the necessity to reform this aspect of Guernsey law under the ECHR, it is important that such reform be effective before that date.

Unascertained heirs to real property

It should be noted that the foregoing aspect of reform of the laws relating to intestate inheritance is not optional: it is mandatory. However there are certain difficulties arising from the peculiarities of Guernsey customary law, in particular the principle in relation to inheritance to Guernsey real property of "le mort saisit le vif", whereby the heirs (including recipients under a will) of a person inherit the property at the moment of death without any further formality. These difficulties will be exacerbated by the introduction of illegitimate issue as potential heirs, because of the difficulties of ascertaining all the heirs precisely. Indeed, in the context of illegitimate children, the ostensible owners, i.e. legitimate children may believe themselves to be the true owners, and/or not know of their illegitimate siblings. The problem may, depending on the circumstances, be covered by title indemnity insurance, but this is not always satisfactory, or obtainable. It is important that any reform of Guernsey law deals adequately with the problem of giving a purchaser of inherited real property good title notwithstanding any uncertainty which might otherwise exist with regard to its owners. The problem of unascertained heirs arises not only in cases where illegitimacy is in issue; it arises,

for example, where an ancestor has long since left Guernsey owning real property here and all or some of his heirs are or become unknown, or cannot be found.

There are a number of Guernsey properties of which the heirs are, at any moment, unknown although it is known, or may be reasonably presumed, that heirs exist. These properties cannot be sold, because no-one knows who owns them, and so can convey them. The result is property falling into disrepair for want of certain ownership. This is an area ripe for review and reform.

Distinction between “propres” and “acquêts and conquêts” in collateral inheritance on intestacy

There is a distinction in Guernsey law between real property classed as propres, i.e. inherited real property or real property acquired by virtue of retrait lignager (as to which, see below); and acquêts and conquêts (“acquêts”) i.e. real property acquired respectively before and after marriage by purchase, gift or saisie proceedings, and also all personal property. (the rules of inheritance to acquêts also apply to personal property.) The distinction remains significant, albeit only in a few cases, where a person dies leaving no descendants and without leaving a will. In such cases of collateral inheritance on intestacy, for example where A, the last surviving of three siblings, dies, leaving no descendants but leaving three nephews, the son of one brother (B) and two sons of the second brother (C), the destination of A’s real property will differ according to whether it was a propre or an acquêt. Where it was a propre, relatives of the line (maternal or paternal) whence the property descends will take per stirpes, that is to say, B’s son will take one half as representing B, and C’s two sons will share what C would have inherited had he been alive so they will take one quarter each. However, where the property was an acquêt, the son of B and the sons of C will share the property equally so they will take one third each. There are other complications arising from the distinction between propres and acquêts but it is arguable that the distinction is no longer valid or helpful, even in those few cases where it still arises. Reform should be directed towards simplifying the law of inheritance in a collateral inheritance, perhaps as was done in respect of Sark real property in 1999 by making the rules for acquêts the same as those for propres : or vice versa.

Retrait lignager

Retrait lignager is the right of a limited class of blood heirs of the seller of real property, arising on a conveyance by sale, whereby one or more of the heirs of the seller are entitled to require the property be vested in him or them on payment to the purchaser of his expenses in purchasing. In particular, the right can be exercised only after the property has been sold. The customary law was abrogated by a Law of 1924, but it remains the case that the descendants of the seller (in the case of acquêts) and the descendants, siblings, and nephews and nieces, in priority of

degree (in the case of propres) have the right, within one month of registration of the conveyance, to bring proceedings to have the property which has been sold vested in them, subject to payment of the purchaser's expenses, i.e. the purchase price, treizième, document duty and the purchaser's legal costs. In modern times this can be extremely unjust to an unsuspecting purchaser. It amounts to an involuntary dispossession of a bona fide purchaser by one or more relations of the seller. If it concerns a purchased home, the purchaser is likely to have sold, or at least contracted to sell, his previous home. It is a right not often exercised, but when exercised invariably causes distress, and loss and expense (e.g. bank interest and bank charges in respect of borrowings to fund the purchase) for which the law provides no recompense. It could render homeless, without remedy, the purchasing family. This could be considered nowadays unacceptable.

In Hamon v. Rault, a Royal Court case heard in 1972, Deputy Bailiff Loveridge commented that the right of retrait lignager might be considered antiquated and largely indefensible, as indeed Peter Jeremie, formerly H.M. Comptroller, had thought as long ago as 1841. It was abolished absolutely in Jersey in 1834. Retrait lignager may contravene the ECHR since it interferes, with little present-day social justification, with the rights to respect for one's home and peaceful enjoyment of one's possessions. Relatives of a seller who desire to retain any particular property within the family can, and should, purchase the property from the owner in the ordinary way, i.e. in the market, and not by the extraordinary, anachronistic and harsh process of retrait lignager.

Conclusion

Having set out four examples of areas in which the law relating to property and inheritance might be considered to be in need of reform, I suggest that it might be appropriate to set up a States Committee to examine these issues. Such Committee, once formed, should be charged to report back to the States within a limited period, say six months, particularly with proposals to reform the law relating to succession in cases of illegitimacy. Indeed, given the need to address the issue of illegitimate inheritance as a matter of urgency as regards human rights, I believe that the Committee should be directed to consider that issue in priority to the others, though they should not be ignored, particularly in respect of unascertained heirs to real property with which illegitimate inheritance is practically connected.

As to the composition of the Committee, I venture to suggest that it should comprise five persons: three members of the States, one of whom should be President, together with an Advocate of the Royal Court of not less than ten years standing, and a respected member of the community with relevant experience, e.g. a retired Jurat. I also suggest that a Law Officer should be entitled to attend the deliberations of the Committee, and to participate in the preparation of its report and recommendations in due course."

The matter of testamentary disposition was raised by means of a question in the States in September, 2001. In its response the Committee acknowledged that this area of law ought to be reviewed. It noted that the issues involved were very complex, transcending the boundaries of law itself and that a thorough analysis of Guernsey's position as a modern democratic society was required.

At that time, however, it was stated that whilst both the Committee and the Law Officers were willing to undertake a review of the present system of inheritance it could only be undertaken when staff resources allowed.

The Advisory and Finance Committee concurs with the views expressed in H.M. Procureur's letter and agrees that the matter should be dealt with by a Special States Committee as provided in section 3(4) of The Constitution and Operation of States Committees prescribed by the States on the 24th April 2002.

The Committee proposes that the Special Committee be entitled "The Inheritance Law Review Committee" and that its mandate be "To review all aspects of the Island's laws of inheritance which review shall include, but not be restricted to, (i) illegitimacy and intestate inheritance, (ii) unascertained heirs to real property, (iii) the distinction between "propres" and "acquêts et conquêts" in collateral inheritance on intestacy and (iv) retrait lignager, and to report back to the States with proposals to reform the said laws of inheritance and on any ancillary matter which may arise in the course of the review."

It falls to the States Procedures and Constitution Committee to make recommendations to the States regarding the constitution of committees. That Committee has advised in the following terms:

"Thank you for sending me a copy of H.M. Procureur's letter of the 21st February 2003 in which he suggests that a Special States Committee be established to review the Island's inheritance laws.

The States Procedures and Constitution Committee considers that the proposed Committee will undoubtedly require considerable amounts of legal advice and concurs with H.M. Procureur's suggestion that an Advocate should be a member of the Committee.

The Committee therefore proposes that the constitution of the proposed Special States Committee be:

- (i) A President who shall be a sitting member of the States;*
- (ii) Two members who shall be sitting members of the States;*

(iii) *An Advocate of the Royal Court of not less than ten years standing who need not be a sitting member of the States;*

(iv) *One member who need not be a sitting member of the States.*

The Committee also believes that the States should be asked to agree to H.M. Procureur's suggestion that a Law Officer should be entitled to attend the deliberations of the Committee.

I should be grateful if you would embody the States Procedures and Constitution Committee's recommendations in your Committee's policy letter to the States."

The States Advisory and Finance Committee, and (insofar as the constitution of the proposed committee is concerned) with the concurrence of the States Procedures and Constitution Committee, recommends the States to decide that

- (1) a Special States Committee called "The Inheritance Law Review Committee" be established;
- (2) the said Committee's mandate be "To review all aspects of the Island's laws of inheritance which review shall include, but not be restricted to, (i) illegitimacy and intestate inheritance, (ii) unascertained heirs to real property, (iii) the distinction between "propres" and "acquêts et conquêts" in collateral inheritance on intestacy and (iv) retrait lignager and to report back to the States with such proposals to reform the said laws of inheritance and on any ancillary matter which may arise in the course of the review."
- (3) the said Committee's constitution be:
 - (i) A President who shall be a sitting member of the States;
 - (ii) Two members who shall be sitting members of the States;
 - (iii) An Advocate of the Royal Court of not less than ten years standing who need not be a sitting member of the States;
 - (iv) One member who need not be a sitting member of the States.

(4) a Law Officer shall be entitled to attend the deliberations of the Committee;

and, if the foregoing is approved,

(5) to elect to that Committee:

- (i) A President who shall be a Member of the States;
- (ii) Two members who shall be Members of the States;
- (iii) An Advocate of the Royal Court of not less than ten years standing who need not be a sitting Member of the States;
- (iv) One member who need not be a sitting Member of the States.

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

Yours faithfully,

L.C. MORGAN

President
Advisory and Finance Committee

The States are asked to decide:-

V.- Whether, after consideration of the Report dated the 26th March, 2003, of the States Advisory and Finance Committee, they are of opinion:-

1. That a Special States Committee called "The Inheritance Law Review Committee" shall be established.
2. That that Committee's mandate shall be "To review all aspects of the Island's laws of inheritance which review shall include, but not be restricted to, (i) illegitimacy and intestate inheritance, (ii) unascertained heirs to real property, (iii) the distinction between "propres" and "acquêts et conquêts" in collateral inheritance on intestacy and (iv) retrait lignager and to report back to the States with such proposals to reform the said laws of inheritance and on any ancillary matter which may arise in the course of the review.".

3. That that Committee's constitution shall be:

- (i) A President who shall be a sitting member of the States;
- (ii) Two members who shall be sitting members of the States;
- (iii) An Advocate of the Royal Court of not less than ten years standing who need not be a sitting member of the States;
- (iv) One member who need not be a sitting member of the States.

4. That a Law Officer shall be entitled to attend the deliberations of the Committee.

and, if the foregoing is approved,

5. To elect to that Committee:

- (i) A President who shall be a Member of the States;
- (ii) Two members who shall be Members of the States;
- (iii) An Advocate of the Royal Court of not less than ten years standing who need not be a sitting Member of the States;
- (iv) One member who need not be a sitting Member of the States.

STATES ADVISORY AND FINANCE COMMITTEE

PUBLIC TRUSTEE (BAILIWICK OF GUERNSEY) LAW, 2002

The President,
States of Guernsey
Royal Court House
St Peter Port
Guernsey
GY1 1FH

26th March 2003

Dear Sir,

PUBLIC TRUSTEE (BAILIWICK OF GUERNSEY) LAW 2002

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

"I refer to the Public Trustee (Bailiwick of Guernsey) Law, 2002 which was approved by the States at its meeting on 28th September, 2002, and which is presently awaiting the sanction of the Privy Council, likely to be given soon. By Section 28(2), the Law will come into force on a date to be appointed by Ordinance.

The functions of the Public Trustee are set out in Section 2(1)(a) of the Law which include (and I summarise):

to act as trustee of a trust where it has no trustee able to act, or (in the case of a Guernsey trust) there is an insufficiency of trustees, or (and this is relevant for present purposes) it is necessary or desirable for him so to act to preserve trust assets or otherwise in the interests of the beneficiaries; or for the protection or enhancement of the Bailiwick's reputation.

By Section 2(1)(c) the States by Ordinance may assign or transfer any other functions to the Public Trustee.

The Public Trustee may act as the trustee of a trust, inter alia if the proper law of the trust is Guernsey law or where any trust property is situated or administered in Guernsey.

A not infrequent situation with which a trustee is faced is where all or some of the beneficiaries of the trust are not identified or identifiable, or cannot be found. This may – often does – arise in circumstances in which the beneficiaries are referred to by description rather than by name, e.g. "the grandchildren and remoter issue of X" when X died many years ago. The problem is accentuated because of the relatively large number of discretionary trusts in which the trustee is not bound to distribute income or capital to any of the beneficiaries and may accumulate the income for long periods, although in such circumstances a trustee

is bound to consider from time to time whether or not to exercise his discretion in favour of all or any of the beneficiaries. However, the fact remains that, for whatever reason, there are trusts of which all or some of the beneficiaries are unknown, or if known, cannot be found.

In such circumstances a professional trustee is understandably reluctant to continue to administer the trust fund, and so incur liabilities. The prudent and responsible trustee, in such circumstances, would always endeavour to trace the unknown or lost beneficiaries, but that may not prove fruitful, and might involve unreasonable expenditure.

Where a trustee in such circumstances desires to retire and be discharged, it is necessary to consider what happens to the trust fund. In England, the proper course is to pay the trust fund into court, which then becomes, effectively, trustee of the fund.

I am of the opinion that the office of Public Trustee will become increasingly important, not least because of the Public Trustee's functions and powers in any case in which the Guernsey Financial Services Commission is required to intervene to protect the beneficiaries' interests against a defaulting or fraudulent trustee. However, the situation I have described above is not one in which the trustee is in default or acting fraudulently: the trustee merely does not know who are the beneficiaries, or cannot find them, and so is unable to fulfil the terms of the trust. This is not a position in which a trustee should be placed.

The Public Trustee, when and however established, would, in my opinion, be the most suitable officer to act as trustee in the circumstances contemplated by this letter, i.e. where all or some of the beneficiaries are unknown or cannot be found. I am aware of two Guernsey trusts at present of which the beneficiaries are unknown or untraced, and the trustees desire to be discharged, and applications to the Royal Court are pending. It may be that the proper disposition in those two cases would be for the funds to be paid into the Royal Court, but I have to say that it, unlike the Chancery Division of the High Court which has hundreds of years of experience of administering private trusts and dealing with trust matters, is not best equipped to administer private trusts, although of course it acts as trustee of several charitable funds.

Accordingly, I recommend to the Advisory and Finance Committee that Section 2(1)(a) of the Public Trustee (Bailiwick of Guernsey) Law 2002 be amended by Ordinance, made under Section 2(1)(c) of the Law, by providing that the functions of the Public Trustee shall be extended to include acting as the trustee of a trust of which all or some the beneficiaries cannot be identified or found.”.

The Advisory and Finance Committee concurs with the view expressed by H.M. Procureur and recommends the States to direct the preparation of legislation amending the Public Trustee (Bailiwick of Guernsey) Law, 2002 by providing that the functions of the Public Trustee shall be extended to include acting as the trustee of a trust of which all or some of the beneficiaries cannot be identified or found.

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

The States are asked to decide:-

VI.- Whether, after consideration of the Report dated the 26th March, 2003, of the States Advisory and Finance Committee, they are of opinion:-

1. That the Public Trustee (Bailiwick of Guernsey) Law, 2002, shall be amended by providing that the functions of the Public Trustee shall be extended to include acting as the trustee of a trust of which all or some of the beneficiaries cannot be identified or found.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES COMMITTEE FOR HOME AFFAIRS**FUNDING OF THE BAILIWICK OF GUERNSEY VICTIM SUPPORT SCHEME**

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

25th February, 2003.

Dear Sir,

FUNDING OF THE BAILIWICK OF GUERNSEY VICTIM SUPPORT SCHEME

The Bailiwick of Guernsey Victim Support Scheme was established in February 1999. Since its foundation a voluntary management committee has administered the Scheme and it has also become affiliated to the national Great Britain Victim Support movement. The Lloyds TSB Foundation has, for the last four years, provided funding for the Scheme but this agreement expired at the end of December 2002.

The need for the service has expanded to the extent that a full-time coordinator is now employed whose salary would form a significant proportion of the £38,000 funding sought by the Bailiwick of Guernsey Victim Support Scheme for 2003. The considerable growth in the number of referrals to the Scheme is demonstrated by the schedule appended to this report.

The Committee for Home Affairs is supportive of the valuable service provided by the Guernsey Victim Support Scheme. The Committee considers, however, that the service would continue to be best provided by a body operating at 'arm's length' rather than by the States. Notwithstanding the Committee's views concerning the operational arrangements for the Scheme, it is of the opinion that it would be appropriate for the States to provide the majority of the funding for the Scheme, specifically through the medium of the Committee for Home Affairs.

The financial arrangements that the Committee proposes would mirror that currently in place for the provision of annual grants made by both the Board of Health and the Social Security Authority to a specified number of charitable organisation - Billet d'Etat VII 1987 refers.

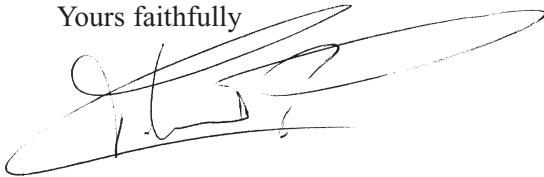
RECOMMENDATIONS

The States is recommended to agree:-

- a) That the Committee for Home Affairs be authorised to make an annual revenue grant to the Bailiwick of Guernsey Victim Support Scheme for the continuation of the services it provides.
- b) That the 2003 revenue expenditure budget of the Committee for Home Affairs - Police is increased by a sum of £38,000 in respect of the grant payable to the Bailiwick of Guernsey Victim Support Scheme.
- c) That the States Advisory and Finance Committee be directed to take account of the annual grant to the Bailiwick of Guernsey Victim Support Scheme when recommending to the States revenue allocations for the Committee for Home Affairs in 2004 and subsequent years.

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'M. W. Torode', written over a horizontal line.

M. W. Torode
President

Bailiwick of Guernsey - Victim Support Scheme

Record of Referrals - Analysed by Event Type

Year	Month	Total No.	Types of Events									
			ABH Common Assault	Burglary Theft	Sexual Offences	Criminal Damage	Arson	GBH Assault	Threats	Road death - non crime	Other Crime	Non Crime
1999	February-99	5	3	2								
	March-99	11	5	6								
	April-99	16		16								
	May-99	25	10	13	2							
	June-99	27	10	16	1							
	July-99	21	5	9	5	2						
	August-99	13	7	5	1							
	September-99	21	9	11				1				
	October-99	16	11	4				1				
	November-99	18	8	7	1			1	1			
	December-99	31	16	13	1	1						
	Annual Totals	204	84	102	11	3	3	1	0	0	0	0
Adjusted for full year		223	92	111	12	3	3	1	0	0	0	0
2000	January-00	23	7	15	1							
	February-00	16		12	1						2	1
	March-00	20	8	8	2						2	
	April-00	25	11	11	1	2						
	May-00	37	20	12	1		1	1			1	1
	June-00	47	18	22	7							
	July-00	62	31	28	2	1						
	August-00	35	8	26	1							
	September-00	43	27	3	5		1	2	1		1	3
	October-00	31	12	8	3	1				1		6
	November-00	40	12	23	2			2	1			
	December-00	26	15	6	2	1	1					1
	Annual Totals	405	169	174	28	5	3	5	2	1	6	12
Increase on Previous Year		82%	84%	56%	133%	53%	0%	358%	N/A	N/A	N/A	N/A
2001	January-01	37	14	20	1	1	1					
	February-01	45	11	26	3	1					2	2
	March-01	41	17	20	3	1						
	April-01	72	26	30	2	4				4	6	
	May-01	57	27	21	7			1	1			
	June-01	19	9	8	2							
	July-01	39	20	11	1		1	2			3	1
	August-01	47	24	17	1		1					4
	September-01	54	30	15	1		6	1			1	
	October-01	44	20	15			3	1			5	
	November-01	34	19	11	1	1	1	1				
	December-01	36	11	17	3		2	2	1			
	Annual Totals	525	228	211	25	8	15	8	2	4	17	7
Increase on Previous Year		30%	35%	21%	-11%	60%	400%	60%	0%	300%	183%	-42%
2002	January-02	51	18	30	1			1	1			
	February-02	48	15	26	3		1	1			2	
	March-02	68	16	46	2		2	1			1	
	April-02	79	34	32	3	2	1	4			1	2
	May-02	50	21	24	2	1		2				
	June-02	65	37	18	3	2	2					3
	July-02	29	15	9	3		1					1
	August-02	42	27	8	2	3		2				
	September-02	24	20	2	1			1				
	October-02	4	3	1								
	November-02	10	7	1	1		1					
	December-02	8	5	3								
	Annual Totals	478	218	200	21	8	8	12	1	0	4	6
Increase on Previous Year		-9%	-4%	-5%	-16%	0%	-47%	50%	-50%	-100%	-76%	-14%

Important Note

The referrals for the last three months of 2002 were unusually low. This was due to Victim Support and the Guernsey Police becoming subject to the Data Protection legislation. The scheme is now compliant and the rate of referrals has recovered in 2003.

(NB The States Advisory and Finance Committee supports the proposals)

The States are asked to decide:-

VII.- Whether, after consideration of the Report dated the 25th February, 2003, of the States Committee for Home Affairs, they are of opinion:-

1. To authorise the States Committee for Home Affairs to make an annual revenue grant to the Bailiwick of Guernsey Victim Support Scheme for the continuation of the services it provides.
2. That the 2003 revenue expenditure budget of the States Committee for Home Affairs - Police be increased by a sum of £38,000 in respect of the grant payable to the Bailiwick of Guernsey Victim Support Scheme.
3. To direct the States Advisory and Finance Committee to take account of that annual grant to the Bailiwick of Guernsey Victim Support Scheme when recommending to the States revenue allocations for the States Committee for Home Affairs in 2004 and subsequent years.

STATES HOUSING AUTHORITY**HOUSING (CONTROL OF OCCUPATION) (GUERNSEY) LAW, 1994
VARIATION TO THE HOUSING REGISTER**

The President
States of Guernsey
Royal Court House
ST PETER PORT

24th February, 2003

Dear Sir

Housing (Control of Occupation) (Guernsey) Law 1994
Variation to the Housing Register

Since 1982 the Housing Register of open market dwellings has generally been closed for new inscriptions. However, under Section 52 of the above Law, the States may by Ordinance permit the Authority to inscribe any dwelling in Part A or Part B of the Register.

By this letter the Authority seeks the States permission to inscribe “Auberge des Isles” in Part A of the Register.

Auberge des Isles was refused inscription in the Register on 24 April 1970 under the Housing Control (Guernsey) Law 1969 because it did not meet all the requirements of that Law.

However, prior to the commencement of the 1969 Law, it was properly sold as an open market dwelling, to a person without residential qualifications, because under the Law which preceded the 1969 Law it was not a controlled dwelling.

In such cases the Authority granted “concession” housing licences to succeeding owners or occupiers and in the 1982 Law provision was made for dwellings which were subject to concession licences to be inscribed in the Register, through their listing in the First and Second Schedules of that Law.

Because Auberge des Isles (then known as Hotel Villa De la Rocque) was in use as an hotel it was listed in the Second Schedule to the 1982 Law and was inscribed in Part B of the Register.

The present owner has asked the Authority to clarify whether, if the property ceases to trade as an hotel, it can be inscribed in Part A of the Register.

There is no provision in the current Law by which the Authority can transfer the inscription of a dwelling, which was listed in the Second Schedule, from Part B to Part A. However, the Authority is satisfied that the circumstances under which the original concession licence was

granted was not related to the dwelling's use as an hotel, and if it had been a private dwelling at that time it would have been listed in the First Schedule and inscribed in Part A.

In this respect, the case is very similar to that of a property then known as "La Borne Milliaire" which was the subject of a similar policy letter in 1986.

In the light of all the above, the Authority recommends that Auberge des Isles should be made eligible for inscription in Part A of the Register.

If the States agrees to approve an Ordinance to permit Auberge des Isles to be inscribed in Part A of the Register, Section 52 of the Law states that the owner will be required to apply for the inscription "within a period of three months, or such other period as may be specified in the Ordinance, immediately following the commencement of the Ordinance" for the inscription to proceed.

In this case the Authority has no wish to force the owner to make a hurried decision whether or not to cease trading as an hotel and use the property as a private dwelling. The purpose of this policy letter is simply to enable the Authority to confirm that the property will be eligible to be inscribed in Part A.

Nonetheless, the Authority does not seek an open ended commitment and it is suggested therefore that the Ordinance should specify that the Authority may inscribe Auberge des Isles in Part A of the Register on application being made by the owner within 5 years from the commencement date of the Ordinance, or if earlier by the date on which the relevant part of the 1994 Law is repealed or replaced.

The Authority accordingly recommends that the States agree that an Ordinance be prepared in accordance with Section 52 of the Housing (Control of Occupation) (Guernsey) Law 1994 to permit the Authority to inscribe "Auberge des Isles", Fort Road, St Peter Port (Cadastre A4/1015) in Part A of the Housing Register on it ceasing to be used as a hotel and subject to application being made by the owner within the shorter of the following periods: 5 years from the commencement date of the Ordinance, or by the date on which Part IV of the Housing (Control of Occupation) (Guernsey) Law 1994 is repealed or replaced.

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

Yours faithfully

B. M. FLOUQUET

President
States Housing Authority

(NB The States Advisory and Finance Committee supports the proposals)

The States are asked to decide:-

VIII.- Whether, after consideration of the Report dated the 24th February, 2003, of the States Housing Authority, they are of opinion:-

1. To direct the preparation of an Ordinance under the provisions of section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 to permit the Housing Authority to inscribe "Auberge des Isles", Fort Road, St. Peter Port (Cadastre A4/1015) in Part A of the Housing Register on it ceasing to be used as a hotel and subject to application being made by the owner within the shorter of the following periods: 5 years from the commencement date of the Ordinance, or by the date on which Part IV of the Housing (Control of Occupation) (Guernsey) Law, 1994 is repealed or replaced.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

DOG LICENCES

The President
States of Guernsey
Royal Court House
St Peter Port
GUERNSEY
GY1 2PB

21st March, 2003

Dear Sir,

DOG LICENCES

1. The States Procedures and Constitution Committee is mandated to advise the States on parochial matters (other than those which fall within the mandate of another States' committee).
2. Section 2 of the Dog Licences (Guernsey) Law, 1969 provides, inter alia, that no dog tax shall be chargeable in respect of a dog kept and used solely by a blind person for his guidance.
3. The Committee has received representations that hearing dogs for the deaf should be exempted. It is also understood that dogs are being trained to assist disabled people with various tasks.
4. The States Procedures and Constitution Committee can see no reason why dogs kept and used solely by deaf people or disabled people for their guidance should not be exempted from dog tax and recommends that the Law be amended accordingly.
5. The Douzaines have been consulted and support the proposal.
6. I would be grateful if you would lay this matter before the States with appropriate propositions, including one directing the preparation of the necessary legislation.

Yours sincerely,

R.C. BERRY

President
States Procedures and Constitution Committee

(NB The States Advisory and Finance Committee supports the proposals)

The States are asked to decide:-

IX.- Whether, after consideration of the Report dated the 21st March, 2003, of the States Procedures and Constitution Committee, they are of opinion:-

1. That the Dog Licences (Guernsey) Law, 1969, shall be amended along the lines set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE RABIES (AMENDMENT) ORDER, 2003

In pursuance of the provisions of section 4 of the Rabies (Bailiwick of Guernsey) Law, 1975, I lay before you herewith the Rabies (Amendment) Order, 2003, made by the States Agriculture and Countryside Board on the 21st February, 2003.

EXPLANATORY NOTE

This Order introduces:

- revised arrangements for the importation into the Islands of cats and dogs under the Pet Travel Scheme that first enter the British Isles before they are consigned to the Islands,
- initial health conditions relating to the importation of pet rodents, rabbits and ferrets from certain countries or territories, however import remains prohibited pending the introduction of other arrangements that are necessary to extend all the principles of the Pet Travel Scheme to such animals. These additional arrangements will be specified in due course.

It also revises the list of countries and territories from which cats and dogs can be sent to the islands under the provisions of the Scheme to include Bahrain, Canada and the mainland USA.

**THE LONG-TERM CARE INSURANCE (GUERNSEY) REGULATIONS,
2003**

In pursuance of the provisions of section 31(4) of the Long-term Care Insurance (Guernsey) Law, 2002, I lay before you herewith the Long-term Care Insurance (Guernsey) Regulations, 2003, made by the Guernsey Social Security Authority on the 20th March, 2003.

EXPLANATORY NOTE

These Regulations provide rules to govern –

the computation of periods of residence and presence in Guernsey, which is defined by the Law as any of the Islands of Guernsey, Alderney, Herm and Jethou;

the making of claims and payments;

the procedures of the Needs Assessment Panel;

the designation of approved care providers; and

the adjudication of claims and the hearing of appeals;

in consequence of the full coming into force of the Long-term Care Insurance (Guernsey) Law, 2002 on 7th April, 2003.

DE V. G. CAREY

Bailiff and President of the States

The Royal Court House,
Guernsey.
The 11th April, 2003

APPENDIX**STATES EDUCATION COUNCIL****THE LADIES' COLLEGE: PRINCIPAL'S REPORT 2001 - 2002**

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

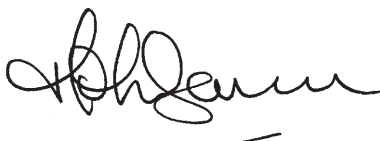
13th March, 2003.

Dear Sir,

The Ladies' College: Annual Report 2001-2002

The Principal of The Ladies' College has requested that I forward to you her Annual Report for the academic year 2001-2002. I should be grateful if you will arrange for this to be published as an Appendix in the Billet d'Etat.

Yours faithfully,



Deputy M. A. Ozanne,
President
States Education Council.

Enc.

PRINCIPAL'S REPORT to the States of Guernsey 2001 – 2002

The year 2001/2 has been another very successful year for the students and staff at the Ladies' College. Pupil numbers are up for the third consecutive year with 71 girls enrolled for Year 7 and long waiting lists for places in the Infant Department at Melrose. Examination results for all age groups have been outstanding and Ladies' College students have achieved many successes in Sport, Art, Music, Drama and ICT. The lack of progress with our capital development plan has however been a major disappointment. The College has continued to rectify as best it can its deficiencies in accommodation by temporary buildings and other expedients.

Examinations

There was a 100% pass rate at A level with 40.5% of the passes being at A grade and 83.1% being at grades A to C. Alison Perrio achieved A grades in five subjects, three at A2 level and two at AS level. Kimberley Goodall, Emily Cook, Cara Le Poidevin, Sally-Claire Lewis, Corinne Shepherd and Deborah Toms achieved A grade passes in three subjects at A2 level. Kimberley Goodall was awarded the Rothschild Bi-centenary Award for an Outstanding Record of Achievement at the Ladies' College.

At GCSE there was a 100% pass rate at grades A* to G with 97.2% at A* to C and 56.7% at A* or A grade. Ten girls achieved A or A* grades in all ten subjects with Laura Breban, Robyn Sherwill and Jade Simpson achieving nine A*s and one A grade. The National Curriculum Key Stage 3 results were outstanding. 28 girls achieved Level 8 in Mathematics and 16 girls achieved Level 8 in English. It is not possible to enter girls for Level 8 in Science because there is insufficient time to cover the additional work that is required at this level. 39 girls achieved Level 7 in Science, which is the highest level available to them at this stage. The National Curriculum Key Stage 2 results at Melrose were also very good. 19 girls achieved Level 5 in Science, 16 achieved Level 5 in Mathematics and 12 achieved Level 5 in English.

Destinations

As usual, Year 13 students applied to a wide range of universities and, because of the excellent A level results, nearly all of them were able to achieve places at the university of their first choice. A full list of the destinations of the Upper Sixth leavers is attached.

Curriculum

Design & Technology, which was introduced at Key Stage 3 in 2000, has proved extremely popular. A GCSE class in this subject has been introduced this year. In spite of the fact that our Design & Technology studio started life nearly 100 years ago as a 'Les Beaucamps hut', it has been fitted out to provide for work with wood, plastics and textiles and excellent use has been made of the limited available space. The subject is proving to be a very worthwhile addition to our curriculum at Key Stage 4.

The arrival of an internet connection through the Guernsey Grid for Learning last year has opened up possibilities for a far wider use of ICT within the curriculum. The Ladies' College staff have undertaken ICT training from the EdICTs team who are working with other Island schools. This has been successful in raising awareness of ways in which ICT can enhance teaching. The staff have found the EdICTs team helpful and supportive. Progress has been made in all departments but most teachers have found that there has been insufficient time to develop and practise the new skills. There is an ongoing need for support and training in this field.

Staff Changes

In September 2001, Mrs Kennedy joined the staff as a full-time teacher of English. Four part-time teachers were also appointed. Mrs Isabelle (Mathematics), Mrs Smith (Physics), Mrs Brand (History) and Mrs Anne Le Poidevin (English). At Easter, Mrs Isabelle left and was succeeded by Mr Hill. At the end of the year, Mrs Le Poidevin, who was only on a one-year contract, left, Mr Rigby, Principal teacher of Physics, who has been here for seven years, left to take up a Head of Science job at a school in England. Miss Weston, teacher of History and Junior Co-ordinator, left when her five-year licence expired and Miss Khan, teacher of Biology, who has been here for four years, moved on to a promoted post in England. A new post of Director of Studies was created because of the increasing workload involved in managing the timetable and the partnership with Elizabeth College. Mr Harbour, who has been on the staff since 1994 as Head of Mathematics, was appointed to this post.

In Melrose, Mrs Bishop-White, who has been on the staff for seventeen years as an infant teacher, retired. For many years, she has been the teacher of the Reception class and has also held the post of Senior Teacher in the Infant Department. Mrs Joyce, who has been the class teacher for Year 5 and has worked at Melrose for seven years, left at the end of the year to take up part-time work.

In the administrative staff, Mrs Pill replaced Mrs de Carteret in Reception, Miss Ogier replaced Mrs Wood as my Personal Assistant and Mrs Hughes replaced Mrs Lawton as secretary in Melrose. Mrs Gosden joined Melrose as a part-time classroom assistant.

In April, the Education Department introduced a Performance Management Scheme for the teaching staff in all maintained schools. The Ladies' College has had a staff appraisal scheme in place since 1998. The new Performance Management Scheme operates on broadly similar lines and has now been adopted by the College in place of their own system.

Resources and Buildings

The College submitted an Outline Development Plan to the Education Council in January of 2001. The Council engaged Brian Barnett to make an independent assessment of the College's Plan and his reports in May and December of 2001 upheld the Ladies' College need for capital development. Unfortunately there was little further progress in 2001 – 2002 because of the Council's pre-occupation with other issues. In the meanwhile, the College has continued to adapt and modify its

existing buildings as best it can. The growing importance of ICT and its use in the delivery of other subjects has meant that one ICT room is no longer sufficient. Accordingly, a classroom previously used for Economics and Business Studies was converted into a second IT room and a mobile classroom purchased for Economics and Business studies teaching. Increased demand for Drama, especially at Sixth Form level, has also been met by the purchase of another mobile classroom. Serious deficiencies remain, however, with limited, fragmented and temporary provision for Technology, Music, Drama and Art, inadequate space for the Library, for Sixth Form study areas and for Physical Education. The College also has well below the recommended area for non-teaching space and cannot comply with modern requirements for disabled access.

Highlights of the Year

This has been a very successful year in Sport. 3 girls represented Guernsey in the Commonwealth Games in Manchester; Kimberley Goodall in the Heptathlon, Elena Johnson in Badminton and Gail Strobridge in Swimming. Gail was also chosen to carry the Commonwealth Games Jubilee Baton on one section of its journey around Guernsey. 26 girls have played in Island and Channel Island teams and 4 girls have represented Hampshire in Athletics. Elena Johnson is a member of the England Under-18 Badminton squad and has been selected for the World Class Training Programme. 3 girls have achieved national success in Dinghy Sailing; Sorrel Chandler in the Topper squad and Clare Chapple and Sophia Parkinson in the Optimist squad. The school won the Liberation Day Run, setting a new record and the swimming team won all their matches this season and competed in the Bazuka Challenge National Swimming Relay Finals in England where they were placed tenth and fifteenth. The hockey players went on a very successful tour to Barbados in the Easter holidays.

There were two excellent Drama productions this year. The L6 and some staff performed 'The Importance of Being Earnest' in the Autumn Term and, at Christmas, there was an exuberant performance of the musical 'Oliver!'. 45 girls were entered for the Trinity College Speech and Drama examinations. This was a new venture and the results were very encouraging. Victoria Marr and Amy Richardson gained the Performers' Certificate which is the highest award possible.

Music continues to thrive at the Ladies' College. There are now two orchestras, four choirs, a jazz band, a recorder group, a baroque band and three hand-bell teams. 70 girls passed Associated Board Music examinations and 14 girls played in the Channel Islands Youth Orchestra. There was a very enjoyable and informal concert in the Spring Term providing an insight into the breadth of talent and enthusiasm for Music that prevails at the Ladies' College.

Our Art students were once again awarded the Mitchell Cup for their exhibition in the Art section of the Eisteddfod and our entry for the Guernsey Press 'Design an Ad' competition was the most successful to date with 45 girls winning prizes and a special award for Mr Wade.

In the Duke of Edinburgh's Award Scheme, 41 girls gained their Bronze Award, 11 gained the Silver Award and 9 gained the Gold Award. The Award Scheme remains a very important part of the Ladies' College extra-curricular programme and the girls'

success owes much to the enthusiastic leadership provided by Mrs Watts and Mrs Devine and the willing support given by other members of staff.

Science has a high profile at the Ladies' College and there was a very successful evening in March organised by Miss Robilliard, our Head of Science, to promote careers in Science, Engineering and Technology. Michelle Le Cheminant was selected to represent Guernsey in the International Youth Science Forum in London during the summer.

Nearly £5,300 was raised for charity during the year with £3,000 being raised in one evening alone in the Autumn Charities Fayre which was very strongly supported by both girls and parents.

Conclusions

Congratulations are due to both staff and students for the many achievements of this year. However it is deeply frustrating that little or no progress has been made with our Capital Development Plan. A substantial injection of capital is urgently needed to provide for the future of the College. Without this it should not be taken for granted that the high quality of education currently prevailing at the Ladies' College, can be indefinitely maintained.

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GCSE RESULTS – JUNE 2002

SUBJECT	TOTAL ENTERED	A*	A	B	C	D	E
Art	27	8	10	8	1	-	-
Biology	55	10	20	15	5	5	-
Chemistry	55	7	25	14	7	1	1
Drama	29	2	14	10	3	-	-
English	55	9	22	20	4	-	-
English Lit	55	3	20	26	6	-	-
French	55	16	19	12	5	2	1
Geography	25	10	6	7	1	1	
German	19	15	3	1	-	-	-
History	34	8	11	9	5	-	1
Latin	5	-	2	2	1	-	-
Mathematics	55	11	24	15	5	-	-
Music	14	2	4	4	4	-	-
Physics	55	5	17	21	9	3	-
Religious Studies	8	6	1	1	-	-	-
TOTAL	546	112	198	165	56	12	3

A-LEVEL RESULTS – JUNE 2002

Subject	Total Entered	A	B	C	D	E	N	U
Art	5	2	-	2	1	-	-	-
Biology	11	3	4	4	-	-	-	-
Business Studies	3	-	1	-	1	1	-	-
Chemistry	10	3	5	1	1	-	-	-
Drama & Theatre Studies	6	-	3	1	1	1	-	-
Economics	3	2	1	-	-	-	-	-
English Lit	13	4	3	2	4	-	-	-
French	7	4	2	-	-	1	-	-
Geography	8	7	1	-	-	-	-	-
German	1	-	1	-	-	-	-	-
Graphics	3	-	1		1	1	-	-
History	8	5	2	1	-	-	-	-
Mathematics	9	5	1	1	1	1	-	-
Music	4	1	3	-	-	-	-	-
Physical Education	1	1	-	-	-	-	-	-
Physics	7	3	3	-	1	-	-	-
Religious Studies	2	1	-	-	1	-	-	-
TOTALS	101	41	31	12	12	5	-	-

AS LEVEL RESULTS – JUNE 2002

Subject	Total Entered	A	B	C	D	E	N	U
Ancient History	1	-	-	1	-	-	-	-
Biology	2				1	1		
Business Studies	1	-	-	1	-	-	-	-
Chemistry	2	1	1	-	-	-	-	-
Drama & Theatre Studies	2	-	-	1	-	1	-	-
Economics	1	-	1	-	-	-	-	-
English Lit	5	-	3	2	-	-	-	-
Film Studies	4	2	2	-	-	-	-	-
French	4	3	-	1	-	-	-	-
Geography	2	1	-	1	-	-	-	-
Graphics	1	-	-	-	-	1	-	-
History	3	-	2	1	-	-	-	-
ICT	1	-	-	-	1	-	-	-
Italian	1	1						
Mathematics	3	2	-	-	-	-	-	1
Photography	1	-	1	-	-	-	-	-
Psychology	5	3	2	-	-	-	-	-
TOTALS	39	13	12	8	2	3		1

LADIES' COLLEGE – GUERNSEY

DFES NUMBER 7066001

KEY STAGE 3 RESULTS

MAY 2002

Subject	TOTAL	Level 5	Level 6	Level 7	Level 8	ABSENT
SCIENCE	59 girls	1	16	39	N/A	3
MATHEMATICS	59 girls	1	3	26	28	1
ENGLISH	59 girls	0	18	24	16	1

KEY STAGE 2 RESULTS

MAY 2002

Subject	TOTAL	Level 3	Level 4	Level 5	Absent
SCIENCE	22 girls	0	3	19	0
MATHEMATICS	22 girls	0	6	16	0
ENGLISH	22 girls	0	10	12	0

**Destination of Sixth Form Leavers – July 2002
As at Autumn 2002**

NAME	INSTITUTION	COURSE
Maxine Bromley	Employment	KMPG, Trainee Chartered Accountant
Lisa Brookfield	University of Exeter	BSc. (Hons) Psychology
Emily Cook	University of Nottingham	LLB (Hons) Law
Emily Cooper	King's College, University of London	MBChB Medicine
Sophie Crosland	University of Nottingham	BSc. (Hons) Geography
Kate de la Rue	GAP Year – Employment	Childcare
Catherine Dodds	University of Exeter	B.A. (Hons) Psychology
Emily Edwards	Goldsmiths College, University of London	BMus (Hons) Music
Samantha Evans	Cheltenham & Gloucester College of Higher Education	B.A. (Hons) English Studies with Media Communications
Corinne Ferbrache	University of Warwick	B.A. (Hons) French & Italian Studies
Jessica Fish	University of Cardiff	BEng. (Hons) Manufacturing Engineering
Lindsay Gill	Royal Holloway, University of London	BSc. (Hons) Science and the Media (Biological Science)
Rozlyn Glanfield	University of Bristol	B.A. (Hons) French & Italian
Kimberley Goodall	Hatfield College, University of Durham	B.A. (Hons) Business Economics
Rachel Guilbert	Lancaster University	B.A. (Hons) English Literature
Kirsty Gunton-Bunn	King Alfred's, Winchester	B.A. (Hons) Primary Education
Louise Houslip	University of Plymouth	B.A. (Hons) Theatre & Performance and Music
Victoria Hurley	Camberwell College of Arts, The London Institute	Art Foundation (Film & Video)

Caroline Kimber	University of Edinburgh	BSc. (Hons) Geophysics
Nicola Lean	Re-applying to LIPA (Temping with Approved Personnel).	B.A. (Hons) Performing Arts
Emily Le Couteur	University of Reading	BSc. (Hons) Physics and Meteorology
Cara Le Poidevin	GAP Year – Applying for Entry 2003.	
Elinor Le Tissier	University of Nottingham	B.A. (Hons) Geography, Business and the Environment
Sally-Claire Lewis	University of Exeter	BSc. (Hons) Biological Sciences
Nicola Martel	University of Warwick	B.A. (Hons) Politics with International Studies
Hollie Martorella	Van Mildert College, University of Durham	B.A. (Hons) Education Studies and English
Katherine Outhwaite	University of Dundee	M.A. (Hons) History
Emma Ozanne	University of Surrey	BSc. (Hons) Psychology & Counselling
Alison Perrio	Queen Margaret College, University of Edinburgh	BSc. (Hons) Physiotherapy
Aimee Poat	Royal Holloway, University of London	BSc. (Hons) Geography
Stephanie Powell	University of East Anglia GAP Year - Entry 2003	B.A. (Hons) Development Studies
Corinne Shepherd	University of Exeter	LLB (Hons) Law (European)
Rebecca Smith	University of Kent at Canterbury	BSc. (Hons) Biomedical Sciences
Alison Strobridge	University of Bristol	BSc. (Hons) Economics and Accounting
Deborah Toms	University of Southampton – GAP Year – Entry 2003	LLB (Hons) Law
Kate Wakefield	King Alfred's, Winchester	B.A. (Hons) Performing Arts & Drama Studies
Kim Wellfair	Oxford Brookes University	B.A. (Hons) Art & Design – Foundation Course

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 30TH DAY OF APRIL, 2003

The States resolved as follows concerning Billet d'Etat No. VI
dated 11th April, 2003

PROJET DE LOI

entitled

THE BAIL (BAILIWICK OF GUERNSEY) LAW, 2003

- I. To approve the Projet de Loi entitled "The Bail (Bailiwick of Guernsey) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

PROJET DE LOI

entitled

THE ROYAL COURT (CHARITABLE FUNDS) (GUERNSEY) LAW, 2003

- II. To approve the Projet de Loi entitled "The Royal Court (Charitable Funds) (Guernsey) Law, 2003 and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE BAR (AMENDMENT) ORDINANCE, 2003

- III. To approve the draft Ordinance entitled "The Bar (Amendment) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

THE HEALTH SERVICE (BENEFIT) (AMENDMENT) ORDINANCE, 2003

- IV. To approve the draft Ordinance entitled "The Health Service (Benefit) (Amendment) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

STATES ADVISORY AND FINANCE COMMITTEE

INHERITANCE

- V. After consideration of the Report dated the 26th March, 2003, of the States Advisory and Finance Committee:-

1. That a Special States Committee called "The Inheritance Law Review Committee" shall be established.
2. That the Committee's mandate shall be "To review all aspects of the Island's laws of inheritance which review shall include, but not be restricted to, (i) illegitimacy and intestate inheritance, (ii) unascertained heirs to real property, (iii) the distinction between "propres" and "acquêts et conquêts" in collateral inheritance on intestacy and (iv) retrait lignager and to report back to the States with such proposals to reform the said laws of inheritance and on any ancillary matter which may arise in the course of the review".
3. That that Committee's constitution shall be:
 - (i) A President who shall be a sitting member of the States;
 - (ii) Two members who shall be sitting members of the States;
 - (iii) An Advocate of the Royal Court of not less than ten years standing who need not be a sitting member of the States;
 - (iv) One member who need not be a sitting member of the States.
4. That a Law Officer shall be entitled to attend the deliberations of the Committee.
5. To elect to that Committee:
 - (i) Deputy J. E. Langlois as President;
 - (ii) Deputy J. A. Pritchard and Deputy R. H. Bisson as members who shall be Members of the States;
 - (iii) Advocate R. J. Collas as an Advocate of the Royal Court of not less than ten years standing who need not be a Member of the States;
 - (iv) Jurat L. A. Moss as a member who need not be a sitting Member of the States.

STATES ADVISORY AND FINANCE COMMITTEE

PUBLIC TRUSTEE (BAILIWICK OF GUERNSEY) LAW, 2002

- VI. After consideration of the Report dated 26th March, 2003, of the States Advisory and Finance Committee:-
1. That the Public Trustee (Bailiwick of Guernsey) Law, 2002, shall be amended by providing that the functions of the Public Trustee shall be extended to include acting as the trustee of a trust of which all or some of the beneficiaries cannot be identified or found.
 2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES COMMITTEE FOR HOME AFFAIRS

FUNDING OF THE BAILIWICK OF GUERNSEY VICTIM SUPPORT SCHEME

VII. After consideration of the Report dated the 25th February, 2003, of the States Committee for Home Affairs:-

1. To authorise the States Committee for Home Affairs to make an annual revenue grant to the Bailiwick of Guernsey Victim Support Scheme for the continuation of the services it provides.
2. That the 2003 revenue expenditure budget of the States Committee for Home Affairs – Police be increased by a sum of £38,000 in respect of the grant payable to the Bailiwick of Guernsey Victim Support Scheme.
3. To direct the States Advisory and Finance Committee to take account of that annual grant to the Bailiwick of Guernsey Victim Support Scheme when recommending to the States revenue allocations for the States Committee for Home Affairs in 2004 and subsequent years.

STATES HOUSING AUTHORITY

HOUSING (CONTROL OF OCCUPATION) (GUERNSEY) LAW, 1994 VARIATION TO THE HOUSING REGISTER

VIII. After consideration of the Report dated the 24th February, 2003, of the States Housing Authority:-

1. To direct the preparation of an Ordinance under the provisions of section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 to permit the Housing Authority to inscribe "Auberge des Isles", Fort Road, St. Peter Port (Cadastre A4/1015) in Part A of the Housing Register on it ceasing to be used as a hotel subject to application being made by the owner within the shorter of the following periods: 5 years from the commencement date of the Ordinance, or by the date on which Part IV of the Housing (Control of Occupation) (Guernsey) Law, 1994 is repealed or replaced.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATES PROCEDURES AND CONSTITUTION COMMITTEE

DOG LICENCES

IX. After consideration of the Report dated the 21st March, 2003, of the States Procedures and Constitution Committee:-

1. That the Dog Licences (Guernsey) Law, 1969, shall be amended along the lines set out in that Report.
2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE RABIES (AMENDMENT) ORDER, 2003

In pursuance of the provisions of section 4 of the Rabies (Bailiwick of Guernsey) Law, 1975, the Rabies (Amendment) Order, 2003, made by the States Agriculture and Countryside Board on the 21st February, 2003, was laid before the States.

THE LONG-TERM CARE INSURANCE (GUERNSEY) REGULATIONS, 2003

In pursuance of the provisions of section 31(4) of the Long-term Care Insurance (Guernsey) Law, 2002, the Long-term Care Insurance (Guernsey) Regulations, 2003, made by the Guernsey Social Security Authority on the 20th March, 2003, were laid before the States.

D. R. DOREY
HER MAJESTY'S DEPUTY GREFFIER